



Perth's best columnists Joe Spagnolo, Matt Price and Colleen Egan Pages 56, 57

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STREETS

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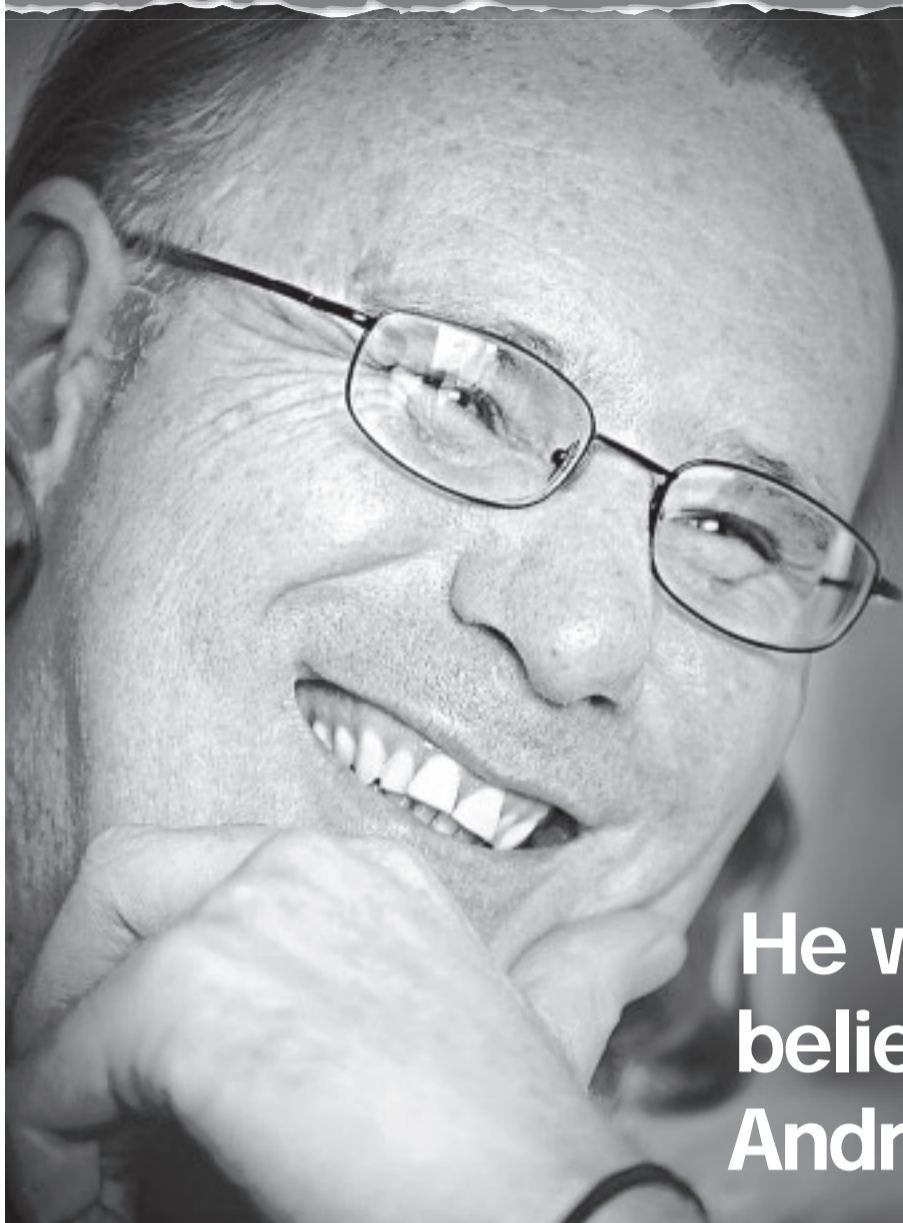
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# A NEW START

He was afraid, alone and didn't believe his father died, but now Andrew Mallard can start again

Two weeks ago, Andrew Mallard walked free from prison after almost 12 years behind bars for a murder he says he did not commit. This is the second part of his story, as told exclusively to Colleen Egan

**B**Y 1998, when his appeals had failed, Andrew Mallard was coping with prison by living in an unreal world.

In his fantasy, Mr Mallard saw himself as the victim of an elaborate police stitch-up for the murder of Pamela Lawrence. The mentally vulnerable inmate believed Casuarina Prison was a brainwashing facility where innocent people were convinced they had committed terrible crimes.

He continued to quietly protest his innocence, as he had from the start in 1994, but retreated into an odd, lonely world.

Mr Mallard, now 43, refused to see all visitors, including his distraught family, and absorbed himself hour after hour in drawing intricate Celtic designs.

"I stopped the visitors, not because I didn't trust my family, but because I believed they were being manipulated," he said.

"I believed they were being



PROUD: Andrew Mallard as a boy with his father Roy and as a young man in the army.



threatened by the police to co-operate with the conspiracy."

Mr Mallard had no idea his much-loved father, Roy, was ill with cancer.

"We were in a lunchtime lockdown and I was called into the office for a phone call," he said.

"It was (my mother) Grace, in tears, saying, 'I'm sorry Andrew, Dad's just died'. I said, 'I don't believe you, Mum. I know you're being forced to say things to undermine my confidence.'

"Mum was very upset. (My sister) Jacqui got on the phone and tried to convince me that Dad had really died, but I said, 'Jacqui, I know you're being forced to say

this and I know it's not true. Don't worry about me, I'll be fine'."

Mr Mallard did not go to the funeral.

"I loved my father," he said. "As a child, I wanted to be like my father. I used to put on his army boots. That's why I joined the army, to impress my father."

On the outside, Mr Mallard's mother and sister continued trying to have his case reopened, working with this reporter, a lawyer and a prison chaplain to examine leads. Mr Mallard refused to co-operate, believing the efforts to be part of the conspiracy.

"The psychs would come and see me, but I'd just keep working

on my art and not even look at them," he said.

"I'd repeat this statement, 'I, Andrew Mark Mallard, have nothing to say unless in the presence of my lawyer. Please leave'."

In 2000, prison authorities transferred him to the secure facility at Graylands Psychiatric Hospital, where he was forcibly given a regime of strong drugs.

"I could hardly walk, I couldn't brush my teeth, I couldn't do anything," he said.

"I finally realised I'd have to start co-operating with these people or I'd end up in a rubber room. I started to wonder, what if I really am in prison for life? What if Dad

really is dead? I started to accept what had happened. Over a few months, I convinced them I didn't need the medication and the reality of my situation really sank in.

"My emotions were so mixed up. There were times I was coping because the truth of my innocence kept me going, but there were other times I would just sob in bed."

Mr Mallard was transferred back to Casuarina, where he started writing letters to anyone who would read them.

"I realised the actuality of the situation and that I had to bloody well do something," he said.

"There were times I was so frustrated and angry. One morning I slammed the cell door so hard I broke the lock.

"I hated where I was, I hated the people I was forced to cohabit with. I hated having to dumb myself down to try to fit in with the type of criminals I would never associate with.

"I refused to go into self-care because it was for long-term prisoners and I didn't accept that I would be there for life. It was a psychological thing."

A major turning point came in 2001 when he undertook and passed a polygraph test organised by this reporter.

"I was overjoyed," he said. "I only wanted it to get support. I didn't realise it would later be used in court."

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## 1994 WHAT ELSE TOOK PLACE IN THE WORLD

1994 was the year Andrew Mallard began his 12-year stint behind bars. It was also a dramatic year across the world.

JAN 5/6: Serbs' heavy weapons pound Sarajevo

JAN 17: Major earthquake jolts Los Angeles killing 51 people

APRIL 5: Kurt Cobain, lead singer of grunge rock band Nirvana, commits suicide by shooting himself in the head at the age of 27.



APRIL 6: The start of the Rwandan genocide of Tutsis by Hutus begins. An estimated 800,000 slaughtered over 100 days

MAY 4: Nelson Mandela elected president of South Africa.

MAY 19: Jacqueline Bouvier Kennedy Onassis, wife of former



President John F. Kennedy, died of cancer at the age of 64

JUNE 18: O.J. Simpson arrested in killings of wife, Nicole Brown Simpson, and friend, Ronald Goldman.

AUG 15: Carlos the Jackal, international terrorist, captured.



AUG 31: IRA declares cease-fire in Northern Ireland.

OCT 1: West Coast Eagles won the AFL grand final beating Geelong 20.23 (143) to 8.15 (63).

OCT 20: Actor Burt Lancaster died of a heart attack at the age of 80.

# In snowball of hope

## Innocent victim says he still lives in fear



ABOVE: Andrew Mallard as a boy with mother Grace, father Roy and sister Jacqui soon after the family arrived in Australia. BELOW: The emotion gets too much as he tells his story.

I hated where I was, I hated the people I was forced to cohabit with. I hated having to dumb myself down to try to fit in with the type of criminals I would never associate with.



■ From Page 43

A lawyer from the European rights agency Fair Trials Abroad visited Mr Mallard in Casuarina in 2001 and organised political support from Britain.

After his story was featured on the FTA website and his family launched [www.andrewmallard.com](http://www.andrewmallard.com), people all over the world started corresponding by letter.

The big breakthrough arrived in 2002, when prominent police lawyer-turned-MP John Quigley examined the case and found crucial evidence had been withheld from the defence at Mr Mallard's trial.

"John Quigley came and saw me and he said to Grace, 'Your son is innocent and this is a disgrace'. He apologised for what his profession (lawyers) had done to our family. There were tears in his eyes," Mr Mallard said.

"John hugged me and said, 'I will never leave your side'. As more people came on board and people with power such as (barrister) Malcolm McCusker and the lawyers at Clayton Utz started to believe in me, I got stronger and stronger. It was a snowball of hope that would crash into the system."

Mr Mallard struggled to cope with mundane prison life on top of an emotional roller-coaster: Joy when Attorney-General Jim McGinty reopened the case in 2002; dismay a year later when the

WA Supreme Court refused his appeal; affirmation when the High Court overturned that decision in November and relief two weeks ago when the charge was dropped.

"I still believe the evidence points to the person who did this, but I don't believe WA police have the integrity or the professionalism to deal with this properly," he said. "I am frightened to go into the community for fear they might trump up charges or try to get to me somehow."

Mr Mallard dreams of living in England, where his father grew up and far from WA police.

"I wrote an epitaph to my father and I'm planning to bury it in a silver or gold receptacle at the playground (in England) where my father played as a child," he said. "I do believe that the stress and trauma of my wrongful conviction made my father ill."

"I blame the police and justice system for our current predicament, but I don't want to be bitter. We are right, they are wrong and I want to move on. I want a wife and children. I want a life."

■ Colleen Egan has been investigating the Mallard case since 1998. During those years she has been a supporter of Mr Mallard's family and his legal team.

[eganc@sundaytimes.news1d.com.au](mailto:eganc@sundaytimes.news1d.com.au)  
[www.andrewmallard.com](http://www.andrewmallard.com)  
[www.fairtrialsabroad.org](http://www.fairtrialsabroad.org)

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