

SIX DEGREES OF SEPARATION IN WA'S LEGAL SYSTEM AND POLICE SERVICE

FOR THE CROWN



Justice JOHN McKECHNIE

NOW: Supreme Court judge
THEN: Director of Public Prosecutions
Also senior counsel at 1995 and 1996 appeals



KEN BATES

NOW: Deputy Director of Public Prosecutions
THEN: Trial prosecutor
Also junior counsel at 1995 and 1996 appeals



MAL SHERVILL

NOW: Assistant Commissioner, Specialist Crime
THEN: Detective in charge of the case



DAVID CAPORN

NOW: Assistant Commissioner, Counter-Terrorism and State Protection
THEN: Senior detective in verbal interview



JOHN BRANDHAM

NOW: Superintendent, South Metropolitan District
THEN: Interviewing and arresting detective

FOR THE DEFENCE



MALCOLM McCUSKER QC

NOW: Parliamentary Inspector, Corruption and Crime Commission
THEN: Mallard's pro bono barrister



JOHN QUIGLEY

NOW: Gallop Government MP
THEN: Strong supporter of Mallard; former police union lawyer

OTHERS ON THE BENCH



Justice MICHAEL MURRAY

NOW: Acting Chief Justice of Supreme Court
THEN: Trial judge



Chief Justice DAVID MALCOLM

NOW: Retiring Chief Justice
THEN: Rejected Mallard's 1995 appeal



Justice KEVIN PARKER

NOW: International Court judge
THEN: Rejected Mallard's 2003 appeal



Justice CHRISTINE WHEELER

NOW: Touted Chief Justice candidate
THEN: Rejected Mallard's 2003 appeal



Justice LEN ROBERTS-SMITH

NOW: Supreme Court judge
THEN: Rejected Mallard's 2003 appeal

Judges question prosecution credibility

■ From Page 45

Photographs taken on the night of the murder, showing deep pools of blood, were not produced, though they supported the High Court finding that "it is highly improbable that the perpetrator of the crime would not have some of Mrs Lawrence's blood spattered on him or her".

The judges said the undisclosed evidence could have "discredit(ed), perhaps explosively so, the credibility of the prosecution case, for the strength of that case was heavily dependent on the reliability of the confessional evidence, some of which was inexplicably not recorded,

although it should have been recorded".

It is not known whether the police made all of the information available to the then-Director of Public Prosecutions, John McKechnie QC, or the trial prosecutor, Ken Bates. Mr McKechnie is now a Supreme Court judge and Mr Bates a senior prosecutor who acted as DPP while Robert Cock QC was recently on sick leave.

The police have declined to comment on the case, citing the possible retrial of Mallard, who is no longer a convicted man, but still faces the charge of wilful murder.

Mr Cock has said he hopes any non-disclosure by the DPP's office was an oversight and not deliberate.

But Mallard has a high-powered legal team determined to find out who knew about which parts of the evidence and who decided not to reveal the full story to the jury.

The charge is being led by eminent barrister Malcolm McCusker QC, who is also the parliamentary inspector of the powerful Corruption and Crime Commission. (Incidentally, Mr Bates' wife, Patti Chong, is a senior counsel at the CCC.)

Mr McCusker is working pro bono along with his junior barrister, Jamie Edelman, and a team of solicitors at Clayton Utz law firm.

He is also instructed by Labor MP John Quigley, who found much of the

undisclosed evidence while investigating the case three years ago and who lobbied for it to be re-heard in the courts. Questions over exactly who was responsible for the undisclosed evidence are expected to be asked either at a retrial or some other kind of inquiry.

Mallard's sister, Jacqui, said her brother wanted a full investigation of the case, including a fresh inquiry into who committed the murder.

"We don't want the police or the DPP to get away with this," she said.

"We had to go to the High Court in Canberra to get a fair hearing. Now everyone can see what has happened here."

Roof Renewals
BEAT THE SUMMER RUSH
TURBO ROOF VENTILATOR.
Reduces up to 70% on Roof Heat. Keeping your home cooler this summer.
SUMMER SPECIAL
\$165 ZINC \$175 COLOUR BOND
Matthew 0439 707 578
Roof Repair, Gutters & Ridge Capping

Septic tank problems easily solved

There is a solution to household and commercial effluent disposal problems which is non-toxic, bio-degradable and made in Australia.

Eco-Zyme B+ reduces the need for expensive pump outs of septic systems, destroys unwanted odours and corrects problem septic tanks, leach drains and soakwells.

Eco-Zyme B+ can be used as a cleaner, before being rinsed down the drains, which it cleans and deodorises on its way to the septic tanks. **Eco-Zyme** have a range of products for use in households, restaurants, caravan parks, hotels, food processors etc.

Eco-Zyme products are available from leading hardware and rural stores.

For free booklet phone 1800 803 654
Fax: (02) 9651 3402
ECO-ZYME

PRICE BEAT GUARANTEE

Bring us a competitor's quote and if it's available, WE WILL BEAT IT!

Flights

FRANKFURT

RETURN FROM

\$1585*

BOOK NOW FOR SOCCER WORLD CUP 2006

SYDNEY

ONE WAY FROM **\$169***

HURRY OFFER ENDS 23 NOVEMBER 2005!

MELBOURNE

ONE WAY FROM **\$179***

HURRY OFFER ENDS 23 NOVEMBER 2005!

BROOME

ONE WAY FROM **\$195***

BRISBANE

ONE WAY FROM **\$199***

HURRY OFFER ENDS 23 NOVEMBER 2005!

CHRISTCHURCH

ONE WAY FROM **\$365***

SINGAPORE

RETURN FROM **\$809***

LONDON

RETURN FROM **\$1465***

JOHANNESBURG

RETURN FROM **\$1565***

LOS ANGELES

RETURN FROM **\$1665***

MANCHESTER

RETURN FROM **\$1779***

ROUND THE WORLD

FROM **\$2189***

Holidays & Packages

BALI

FROM **\$595****

INCLUDES return airfare, 4 nights accom & breakfast daily. **UPGRADE** to the Bali Dynasty Resort from \$92*0.

2006 AUSTRALIAN GRAND PRIX

FROM **\$449***

INCLUDES 3 nights accommodation in Melbourne & a 4-day Formula 1 Foster's Australian Grand Prix General Admission Ticket. Airfare not included.

BROOME

FROM **\$625***

INCLUDES 5 nights 4.5-star accommodation in a 1 Bedroom apartment, return transfers, 6 days car hire & a Sunset Camel Tour. Airfare not included.

SUNSHINE COAST

7 NIGHTS

FROM **\$769****

INCLUDES return airfare & 7 nights accommodation in a 2 bedroom apartment. **ADD** extra nights from \$45*.

CAIRNS

FROM **\$769***

INCLUDES return airfare & 3 nights accommodation. **ADD** extra nights from \$55*.

KUALA LUMPUR

4 NIGHTS

FROM **\$789****

INCLUDES return airfare, 4 nights accommodation & **FREE** late check-out. **BONUS** Explore Kuala Lumpur Tour. **ADD** extra nights from \$29*.

GOLD COAST

FROM **\$749****

INCLUDES return airfare & 7 nights 4.5-star accom in a 2 bedroom apartment. **ADD** extra nights from 41*.

SABAH

FROM **\$919***

INCLUDES return airfare, 6 nights accommodation & **FREE** breakfast daily. **BONUS FREE** beach BBQ on Dinawan Island.

BANGKOK

FROM **\$959***

INCLUDES return airfare, 4 nights accommodation, return transfers, **FREE** breakfast daily & **FREE** late check-out. **BONUS** Grand Palace & Emerald Buddha Temple Tour.

FIJI 5 NIGHTS

FROM **\$1139***

INCLUDES return airfare & 5 nights accommodation in a 1 bedroom apartment.

CRUISE ASIA

SUPERSTAR GEMINI

FROM **\$1449***

INCLUDES 7 nights cruising from Singapore with all meals & entertainment on-board the ship. **VISIT** Kuala Lumpur, Langkawi, Krabi, Phuket & Penang. Airfare not included.

HONG KONG DISNEYLAND

FAMILY PACKAGE

FROM **\$4475***

INCLUDES return airfare, 3 nights accommodation at Hong Kong Disney's Hollywood Hotel & a day pass to Hong Kong Disneyland for 2 adults & 2 children.

Forrest Chase & City Flight Centre
NOW OPEN SUNDAYS!

www.flightcentre.com.au

FLIGHT CENTRE

1300 727 706



*Based on Australian registered businesses & websites. **Travel restrictions & conditions apply. Please ask us for further details. Prices and taxes are correct as at 16 Nov 05 and are subject to change without notice. Prices are per person and are subject to availability. Accommodation (if included) is based on twin share unless otherwise stated. Seasonal surcharges may apply depending on date of travel. Additional levies, government charges and other applicable fees may apply and are beyond our control. Additional taxes specific to your flight routing may apply (where airfare is included). Payments made by credit card will incur a surcharge. †Direct flights only. Offer ends 23 November 2005. Valid for travel 17 January - 31 March 2006. ~Must travel on a Tuesday/Wednesday only. ‡Offer ends 23 November 2005. Valid for travel 17 January - 31 March 2006. §Price based on 2 people sharing the cost of the vehicle. Further car hire conditions apply. ¶Based on Quad Share. One direction of travel must be on a Tuesday or Wednesday. ††Companion Special - 2 adults must travel together at all times. †††Valid for travel 01 February - 31 March 2006. ††††One direction of travel must be on a Tuesday/Wednesday. †††††Companion Special - 2 adults must travel together at all times. ††††††Breakfast not included. FROM PERTH Lic No. 9TA00589.