

## The Case of K's Nephew

K's nephew was 27, tall, good looking, sometimes reckless, often cocky, but still lived with his Mum whom he adored, and supported his baby daughter by his long-term girlfriend. He had worked with his builder father since the age of 14, usually six days a week and so good was his work that he was known as 'the boy with the golden hands'. He probably took drugs socially and definitely enjoyed a drink. In other words, a modern sort of guy.

On 11 October 1997 he went across the road from his home to the local pub, with his girlfriend, to watch a boxing match on television. Whilst in the bar he was stabbed to death. The murder was later described by the police as a 'vicious, unprovoked, premeditated murder' by two brothers who claimed to model themselves on the Krays. But apart from being brothers who had boxed, there was no other similarity. These brothers usually threatened those outside of their dubious circle, often the weak and vulnerable, and had been seen to drag a barmaid across the bar and threaten someone in a wheelchair. By so doing, they established a reputation which 'kept people in line' through fear.

On a certain evening two weeks before his death, K's nephew heard one of his friends being threatened by one of the brothers and said: "I'll fight you for £500". The brothers walked away on this occasion, obviously planning to exact their revenge another time. So as the victim sat in the pub totally unprepared, he was cornered and beaten with a billiard cue before being stabbed in the femoral artery. No weapon has ever been found. It's known in the trade as a 'respect' killing.

Immediately after the murder, the brothers went on the run for a week before handing themselves in and claiming their innocence.

All the way through, the victim's parents found the police supportive and encouraging. They told them they were 'bang to rights' and were certain justice would be done - there was nothing to worry about. However, something of a wall of silence was building around the witnesses. One even fled to Australia.

The case was handed to the Crown Prosecution Service but, a week before it was due to be heard at The Old Bailey, *the barrister who had been instructed, realised he was going to be delayed on another case.* Instead of the trial being adjourned, this important, complicated case was handed to another barrister at short notice. Despite there being 37 witnesses in the pub at the time, the brothers were acquitted.

Throughout the trial, the victim's parents had to sit amongst the friends and relatives of the brothers, who taunted them. The jury were free to come and go and were travelling up to London on the Underground, leaving them open to recognition and, in the view of the victim's family, vulnerable to intimidation.

The family felt let down by the CPS and feel that the lack of a Witness Protection Scheme meant that people were afraid to say what they had seen.

Meanwhile, the brothers were free to get on with their lives, one living very near to the victim's home. His mother felt so distraught, she called on one of them, but was punched and thrown down the concrete steps leading to the front door. Her bloated, bruised face was photographed by the police, but, because she was carrying a small penknife, the police had to charge her, not the assailant. She said she had wanted them to kill her, because if they had got away with a first murder, they would not get away with a second. The police begged her to refrain from contacting the brothers, who they considered to be mindless thugs.

She contacted her local MP, Iain Duncan Smith, and he saw her on five separate occasions. He spoke about the case in the House, and it was reported in Hansard. He was also threatened.

Three years ago the victim's father died of cancer; a year ago, the victim's heartbroken mother was found dead in bed, killed by a heart attack. The remaining sisters are estranged from each other, since one is an alcoholic. The victim's mother lived in the hope that the change in the Double Jeopardy Law might prove helpful, although, without more concrete evidence from those brave enough to stand up and be counted, even that would have failed her.

She died without achieving justice for her son, and her daughter lives with the belief that the brothers not only killed her brother, but her parents too. There is no prospect of redress.

### **Changing Barristers:**

***Victims' Voice questions this practice. They feel it is disruptive to the case.***