

felt intimidated as she was not aware of what had been going on. It was not pointed out to the Jury that the question was irrelevant as Sophie was not the witness that it had been alleged was intimidated. Because this was not made clear it is possible that Mr. McArthur's statement that Sophie would have felt intimidated was seen as an admission of guilt. Mr. McArthur remembers being fully aware of this at the time, but was suffering from extreme stress and did not challenge this. He remembers being bewildered by the question and not understanding how such a misleading question could be put.

Sophie King gave no evidence that suggested Mrs. King had been threatened or intimidated in any way in the written record of her interview with the police, or her testimony in court, but again this was not made clear in court.

If Mr. McArthur had been in a healthy mental state all these matters would have been prepared for properly or challenged in court. The transcript will show this did not happen.

2b. Mr. McArthur did not receive a fair trial. Evidence was withheld from the jury that would have proved Mr. McArthur's innocence, by the court's procedures.

Mrs. King's written statement supports Mr. McArthur's statements, but in court Mrs. King told a completely different story. Mr. McArthur mentioned the difference between her written statement and her testimony in Court, and was silenced by the Judge in accordance with the rules. Half way through their deliberations the jury, who had noticed this, came back into court asking to see the written statement. This was not allowed.

They had to make their decision entirely on what they had heard in court, a story that was completely different from the original written statement made by Mrs. King.

When Mr. McArthur was silenced by the Judge he realised that his best hope of proving his innocence was gone. He knew Mrs. King would lie in court and was relying on the jury being able to compare Mrs. King's written statement against her testimony. He did not know that this simple and obviously fair procedure was not allowed. A sense of despair overwhelmed him and this affected his already limited ability to defend himself.

It is hard to see how evidence like this can be withheld from a jury if a trial is to be fair, especially when the jury ask to see it. Mr. McArthur is taking this matter further through other processes.

3. The case was not properly prepared by Mr. McArthur's solicitor.

It was the duty of Mr. McArthur's solicitor to prepare the evidence detailed in 2a. above, for the trial. This clearly was not done as none of these points were raised.

Reasons for delay in appeal.

Knowing that a failed appeal can lead to a longer sentence has made Mr. McArthur delay this appeal until his campaign was sufficiently developed to show that he has been telling the truth, and provide the new evidence needed to justify seeking leave to appeal.