



NEWSLETTER 18, 12 may, 2015

**ASSOCIATION FOR THE TRUTH ABOUT THE
MURDER OF SOPHIE TOSCAN DU PLANTIER née
BOUNIOL**

Are we at the very end of the proceedings in Ireland and in France?

INTRODUCTION of J.P. GAZEAU, PRESIDENT OF THE ASSOCIATION,

Our search for the truth about the tragedy of 23 December 1996 received an encouraging “boost” recently. A number of interesting elements emerged during a long trial which lasted almost 5 months that the main suspect had brought against the Irish police for wrongful arrest. The trial ended on March 30, 2015 with a very definite defeat for the plaintiff who was ordered by the court on May 12 to pay the cost for an approximate amount of about five million euros. It is clear from the evidence that emerged during the hearings: Ian Bailey was never able to provide convincing explanations as to his statements on key issues such as the cause and date of wounds to his hands and his forehead, about his whereabouts in the first hours of December 23, 1996, before Sophie’s body was discovered. The same lack of convincing justification was also observed during the libel action he took against 5 Irish and two English newspapers in 2003. Will the Irish judicial authorities now assume the responsibility of bringing the suspect to trial? The investigation in France is expected to come to a close in the coming months and will end, in all probability, with a charge being made. Our press release published in Ireland on 31 March 2015, focused on these issues, taking into account that the suspect can freely continue to put pressure on key witnesses, as has happened during the past 18 years.

**THE GENERAL ASSEMBLY OF ASSOPH 2015 WILL TAKE PLACE ON TUESDAY 16
NOVEMBER 2015 IN PARIS, MAIRIE DU 2ème ARRONDISSEMENT.**

DOES IRELAND BUILD OBSTACLES TO DELAY EXECUTION OF THE FRENCH LETTERS OF REQUEST?

The inquiry is frozen in Ireland and the suspect dares attack the Irish Garda before the courts.

Following the dismissal by the Irish Supreme Court in March 2012 of the European Arrest Warrant (EAW) issued by a French court against the prime suspect, British citizen Ian Bailey, it appeared as if Ireland and the main suspect were trying to build obstacles to delay the emergence of the truth:

- Dismissal of our request for a new investigation by the Cold Case Review Team;
- **Then a dramatic turn of events - the suspect himself filed a civil lawsuit against the Garda, accusing it of biased investigation and wrongful arrest;**
- Discovery on this occasion of illegal recordings of telephone conversations transmitted or received from the Garda Stations including those at the time of Sophie's murder in 1996;
- Resignation of Head of the Irish police and the justice minister SHATTER;
- Creation of a commission of inquiry headed by a judge of the highest level, Judge Fennelly, to investigate these practices and their potential impact on cases dealt with by the Garda.

These obstacles allowed Ireland to postpone requests by judge GACHON to interview witnesses in Ireland! The judge then asked via Eurojust, the European body responsible for the proper enforcement of agreements within the European Union, then asked that a demand be made to the Irish authorities to explain the unjustifiable delays.

Ian BAILEY's complaint against the Garda ends in court ... and finally 11 jurors unanimously dismiss him, after only 2 hours of deliberation.

The discussions went on from November 2014 until March 2015, exhausting jurors and not allowing them to hear all the witnesses, particularly those presented by the State! Bailey's strategy was to accuse the police of having pressured Marie Farrell (the witness who said she saw Ian Bailey on the night of the crime in the area) to give evidence to secure prosecution against Bailey to obtain hostile statement from witnesses against him. He stated further that his situation was appalling, that his reputation was destroyed, and that he had become an outcast...

The arguments of the Gardai have focused on the lack of reliability and credibility in the accusations made against them and on fluctuations in the statements made by Marie Farrell, on her contradictions and the progressive alignment of her statements with those of Ian Bailey...

In concluding, the judge Hedigan addressed two fundamental questions to the jury:

- 1) Did three Gardai conspire together to implicate Ian Bailey in the murder by obtaining statements from Marie Farrell by threats, inducement or intimidation to identify him as the man she saw near the scene when they knew they were false?
- 2) Did two Gardai conspire by threat, inducement or intimidation to get statements from Marie Farrell that Ian Bailey had intimidated her when they knew they were false?

If the jurors believe that Ian Bailey had suffered these pressures, they must determine the amount of compensation to which he is entitled.

In addition, the judge mentioned at the end of trial, that Ian Bailey's two arrests in February 1997 and January 1998 were outside the scope of questioning, as the prescription in civil trials applies beyond the sixth year after the facts alleged by the plaintiff. However, by allowing the debate to cover the entire period since the murder, the judge allowed the Garda to defend and eventually restore credibility; thus, John Hedigan said that even without taking into account Marie Farrell's statements, the suspicions against Ian Bailey were strong enough for the police to proceed with two arrests, and they would otherwise have failed in their duty ...

Finally, the judge of the Irish High Court has refocused one of his conclusions on the victim, which had not been done throughout the trial supposed to rule on the suffering of the suspect!

An attempt to draw some conclusions from this trial

The trial once again has demonstrated the bad faith of Ian Bailey, his partner Jules Thomas, and of Marie Farrell, who discredited herself to the point that the judge asked the DPP to consider her statements!

In the light of this trial, which does not concern the murder, Ian Bailey's motivations were undoubtedly to be publicly washed of suspicion against him for the murder of Sophie, to appear as a victim and thus gain Irish public support which is wary of French justice, and also to save time or chance gaining a considerable amount of money...

Once again Ian Bailey missed his target. The jury's decision was to dismiss his complaints and, as in 2003 during the trial against the Press, his objectives have not been met, in addition:

- The credibility of the police and the reliability of their investigation emerged strengthened by the lack of serious contradictions and witness that the suspect had called to testify and which appeared flagrant to the public and the medias who attended the trial. Witnesses called to testify have instead confirmed their former statements and new witnesses were even against the complainant's allegations;
- The Irish investigation was officially declared alive and active;
- The opinion of the Irish public concerning the suspect began to change;
- Ian Bailey was ordered to pay costs of up to 5 million euros...

FRENCH JUSTICE REACHES THE END OF ITS PROCEEDINGS IN THE CASE

Judge GACHON received the family of Sophie, on April 22, 2015 with a reassuring speech:

- The judge wants to close his file as soon his final request are accepted by the Irish judiciary;
- The judge seems convinced of the seriousness and concordant indications of Ian Bailey's guilt;

Things seem to be moving forward in Ireland as in France, in part due to the failed action of Ian Bailey...

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You can buy our book "L'AFFAIRE SOPHIE TOSCAN DU PLANTIER, un déni de justice" published by Max Milo in France.

http://www.maxmilo.com/product_info.php?products_id=316

A new chapter will be added to take into account the recent Ian Bailey's failed civil action.