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Eddie Gilfoyle's delight as police reconsider murder case

Dominic Kennedy, Investigations Editor

A man convicted of murder has told relatives that he believes the authorities may at last be ready to accept that he has an alibi for the time when his wife died by hanging.

Eddie Gilfoyle, who has spent 17 years in prison, has reacted enthusiastically to an announcement by the police that they are considering sending his case back for a fresh appeal. He learnt from staff at his open prison that *The Times* had discovered notes suggesting that his wife Paula died while he was at work.

His immediate reaction upon being taken aside from other inmates at Sudbury Prison in Derbyshire after the article was published on Friday was that he was being returned to a more secure prison.

"The first thing he heard about it being in the newspaper was when the lifer officer at the prison said, 'I want to speak to you', and took him into an office," Gilfoyle's brother-in-law, Paul Caddick, said. "He thought he was getting sent back to Buckley Hall [prison]. The officer said, 'I have to tell you your case is all over the newspapers and on the telly. It's everywhere'."



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The documents which may clear Gilfoyle are notes of interviews with officers made during an internal police inquiry into errors that were made at the scene of his wife's death. Evidence in the garage, where she was found hanged, was destroyed or damaged when officers decided to remove her body without taking photographs and untied the rope from a beam.

Many people were allowed into the building and sand on the floor was trampled before scene-of-crime officers arrived, possibly obliterating footprint evidence. The notes show that police may have been present when a mortuary assistant at the postmortem examination was instructed to incinerate the noose that killed her.

Merseyside Police insisted for years that no notes had been taken at the internal inquiry. When *The Times* asked for the records under the Freedom of Information Act, the force said that "no such notes ever existed". Only when the newspaper was leaked a copy and faxed details to the force did Assistant Chief Constable Patricia Gallan accept that notes had been taken. The defence was unaware of the notes, the internal inquiry and the extent of the errors when Gilfoyle stood trial in 1993. His solicitor, Matt Foot, had already been planning to use the nondisclosure of the notes as part of a fresh application to the Criminal Cases Review Commission, which can refer cases to the Court of Appeal.

But Merseyside Police may beat him to it. The force reacted to the disclosures in *The Times* by saying it would itself consider referring the case to the commission. The police have also called in the Crown Prosecution Service to review Gilfoyle's conviction. Gilfoyle reacted to the discovery of the notes by saying that they simply proved what he had always maintained, according to Mr Caddick, who was an off-duty officer at the time. He found Mrs Gilfoyle's body in the garage adjoining the couple's semidetached house in Upton, Wirral, in June 1992.

Gilfoyle's 17-year sentence ends this September. Mr Caddick, who is married to Gilfoyle's sister Sue, added: "Eddie is absolutely thrilled that the police are taking the view that the notes did exist. It has really put him on a high."