

From **The Times**
February 20, 2009

From Tragedy to Scandal

The death of Paula Gilfoyle will always be a mystery, but the conduct of the Merseyside Police has denied her husband justice

The tragic death of Paula Gilfoyle and the conviction of her husband Eddie for her murder bring together two of the enduring mysteries of the human mind. The unknowable horror of suicide is united with the bizarre compulsion of mankind to stick by a story no matter how strong the challenge to that story may be. And between them, these two mysteries have turned a tragedy into a scandal.

No one knows why Mrs Gilfoyle died. No one will ever know. No one can be certain what happened on June 4, 1992, the day that her body was found, hanged from a beam in her garage. And no one will ever be certain. Yet today we can be sure of one thing. The conduct of Merseyside Police on that night let down the public. Above all, it let down Eddie Gilfoyle, who lost his wife and unborn child in desperate circumstances and has now spent more than 16 years in jail after a botched investigation.

The police who arrived on the scene in the Wirral village of Upton all those years ago believed that they were attending both a rare and a sadly commonplace event. It is very rare for a very heavily pregnant woman, apparently happy, to commit suicide. But in other ways the event was not unusual. The body, the house and the note all led the police to conclude that this was a suicide. Their view was so clear that they were cavalier with the physical evidence. This was the first way in which Merseyside Police fell down on the job.

When the police - convinced by friends that Mrs Gilfoyle was too content to have killed herself - changed their minds and began to suspect murder, they realised that crucial evidence from the scene had been destroyed. The mistakes had been so serious that an internal investigation was launched. And this is where mere error was compounded.

Mrs Gilfoyle left a suicide note. If Eddie Gilfoyle had killed his wife, he would first have had to fool or coerce her into writing the note. Then he would have had to hang her without leaving any sign of a struggle. That this account is credible is confirmed by his conviction. It is, however, an unusual murder plot, to say the least. And it might easily be brought into question.

That is why what happened next is so serious. The internal investigation uncovered all the reasons why the officers on the scene originally concluded that they were attending a suicide. The notes from that investigation tell a very different story from the unusual story of murder that the police later developed. It is impossible to read the notes without harbouring reasonable doubts about the guilt of Eddie Gilfoyle.

When the Police Complaints Authority asked for the notes in 1994 it was told by one officer that he was unable to recall any notes being taken and by another that notes were taken but destroyed. Fourteen years later, having invoked the Freedom of Information Act, this newspaper was informed by Merseyside Police that they held

information that “indicates that no such notes ever existed”. This position was maintained even when we sought an internal review.

Yet these notes did exist, and they have now been sent to The Times. They summarise interviews with the same officers who were questioned for the internal review, and contain passages quoted verbatim in the review's final report. Merseyside Police now accept that notes were taken.

Was evidence withheld in this case? Or was it merely monumental incompetence? Either way the conviction of Eddie Gilfoyle is surely unsafe. The jury did not hear the full account of events at No 6 Grafton Walk on June 4, 1992. As a result, Eddie Gilfoyle has been denied justice. It is time that he received it.