

Timothy Evans

People in the case

Timothy Evans	hanged for the murder of his daughter	Sir Hugh Lucas-Tooth	under-secretary of state at Home Office 1952-55
Beryl Evans	wife of Timothy	John Scott Henderson	appointed to undertake first inquiry
Geraldine Evans	baby daughter of Timothy and Beryl	Dr Odess	GP for Christie
Mr Justice Lewis	judge at Evans trial	Dr Jack Hobson	consultant psychiatrist
Christmas Humphreys KC	prosecuting counsel	Dr Teare	Home Office pathologist
Malcolm Morris	defence counsel	Sydney Silverman	MP; co-author of <i>Hanged – and Innocent?</i>
John Christie	ground-floor residents at 10 Rillington Place	Reginald Paget QC	MP; co-author of <i>Hanged – and Innocent?</i>
Ethel Christie	first-floor resident at 10 Rillington Place	George Rogers	MP for North Kensington
Mr Kitchener	Evans' mother	Michael Eddowes	solicitor; author of <i>The Man On Your conscience</i>
Mrs Probert	Evans' uncle and aunt	Ian Gilmour	MP; editor of the <i>Spectator</i>
Mr and Mrs Lynch	building workers employed at 10 Rillington Place	John Grigg	editor of <i>National & English Review</i>
Mr Willis	friend of Beryl Evans	Ludovic Kennedy	author of <i>Ten Rillington Place</i>
Mr Jones	murder victim of John Christie	Sir Frank Soskice	Home Secretary 1964-65
Joan Vincent	judge at Christie trial	Herbert Wolfe	industrialist; campaigner
Muriel Eady	Attorney-General; prosecuting counsel at Christie trial	Harold Evans	journalist; editor of the <i>Northern Echo</i> and the <i>Sunday Times</i>
Mr Justice Finmore	police officer in charge of Christie inquiry	Eric Lubbock	MP for Orpington
Sir Lionel Heald	Home Secretary 1945-51	Mr Justice Brabin	appointed to undertake second inquiry
Chief Inspector Griffin	Home Secretary 1951-54		
James Chuter Ede			
Sir David Maxwell-Fyfe (later Lord Kilmuir)			

The file on the Timothy Evans case was opened on 30 November 1949 when he walked into the police station at Merthyr Vale, South Wales, and told the duty constable that he had put his wife's body down a drain. He was taken to Merthyr Tydfil, where he made a statement to Detective Constable Evans and Detective Sergeant Gough. They alerted the police at Notting Hill in London and a number of men were sent round to 10 Rillington Place, where Evans lived. It took three of them to lift the manhole cover outside the house. There was no sign of a body.

When this news was relayed to Evans, he made a second statement. He reiterated that his wife was dead and declared that she had died when Mr Christie, the downstairs tenant, had unsuccessfully tried to cause her to abort.

The local police returned to Rillington Place and searched Evans' flat. They also interviewed Christie at length in the police station, and simultaneously a statement was taken from Mrs Christie at home. The police were still in the dark. They didn't even know whether or not a crime had been committed.

Physically, Evans was small and slight; mentally, he was retarded. He was illiterate, immature and irresponsible. Lying came more naturally to him than telling the truth. However, he was not without some savvy. He was employed

as a driver by Lancaster Food Products, and knew his way round London. He patronised a couple of local pubs and was generally regarded as innocuous. The priest who saw him in prison noted that 'He has always seemed to me a meek and mild person whom I cannot imagine doing anything violent.'

Evans was born in Merthyr Vale on 20 November 1924. His father walked out on the family before his birth and was never heard of again. In 1929 his mother, Thomasina, married Penry Probert, and in 1935 the family - Evans had two sisters - moved to West London.

On 20 September 1947 Evans married eighteen-year-old Beryl Thorley. The following year they moved into their top-floor flat at Rillington Place. Already resident there were a middle-aged couple, the Christies, who occupied the ground floor and had use of the patch of dirt that could barely be described as a garden; and Mr Kitchener, an elderly tenant in poor health, who was on the first floor. The Evanses' daughter, Geraldine, was born in Queen Charlotte's Maternity Hospital in October 1948.

On 2 December 1949 the police, still without knowing quite what they were looking for, searched Rillington Place thoroughly. This time, the bodies of Beryl Evans and her baby daughter were discovered in the wash-house at the back. Evans was escorted back to

London, and was photographed being led from Paddington Station.

At Notting Hill police station, he was shown the two piles of clothing taken from the bodies. He was charged with the murders of his wife and daughter, and during the night made two statements admitting to the crimes. These sealed his fate.

At his trial, which opened at the Old Bailey on 11 January 1950 before Mr Justice Lewis, he was indicted on the sole charge of the murder of his baby daughter Geraldine. Christmas Humphreys was the prosecuting counsel. Malcolm Morris defended Evans, who now reverted to his second Merthyr Tydfil statement in which he blamed everything on Christie. The latter, however, installed as chief prosecution witness, was winning the court's sympathy with suitably embellished biographical snippets about how he had been badly injured in the First World War, and how he had served during the Second as a special constable. Such details had the happy effect of diverting attention from his own criminal record, which included one conviction for assault on a woman.

Evans was found guilty and sentenced to death. His appeal was heard on 20 February before the Lord Chief Justice (Lord Goddard), Mr Justice Sellers and Mr Justice Humphreys, the father of the

prosecuting counsel. The family was in accord: Evans was guilty. His appeal was rejected, and he was hanged at Pentonville on 9 March 1950.

The public gave the matter little further thought until 24 March 1953 when a new tenant moved into Christie's Rillington Place flat. He opened up an alcove in the back of the kitchen and found the bodies of three women. A nationwide search ensued for John Reginald Halliday Christie. He was found a week later, not far away, on the Embankment near Putney Bridge.

By this time, the police had discovered more bodies. Mrs Christie was under the floorboards of the front room; the remains of two women were buried in the garden. In custody, Christie confessed to the murders of seven women in all: the six whose bodies had just been found, and Beryl Evans.

In September 1949 Beryl Evans had discovered that she was pregnant again. This alarmed her. She and Timothy were already living beyond their means. Now she would have to give up her part-time job in Ladbroke Grove. Their flat was tiny, and in any case, one child probably seemed enough of a headache. Evans, who loved Geraldine dearly (as, of course,

did Beryl), was less concerned about the turn of events, and would not countenance Beryl's suggested remedy of an abortion. (Evans was a Catholic, though not a practising one.) In increasing desperation, she turned for assistance to several people, among them Mr Christie.

Christie indicated that he had some medical knowledge, and would be prepared to perform an abortion. He tried to persuade Evans that he had the credentials to do the job. He had had medical training, he said, and showed Evans one of his books. This was an ordinary St John's Ambulance first-aid manual, but one book was much the same as another to Evans. He remained sceptical, however, and told Christie he didn't want anything to do with it. Since Evans remembered Christie as saying that 'with the stuff he used, one out of every ten would die of it', his coolness was perfectly understandable.

Nevertheless, Beryl arranged the abortion with Christie. On the morning of Tuesday 8 November she insisted that Evans, on his way out to work, should call in to Christie in the downstairs room that everything was all right; and that if he didn't, then she would. Poor, feckless Evans told Christie, as he had been instructed, and went to work.

When he came home that evening, Christie followed him up to his flat. 'It's bad news; it didn't work,' he said. Beryl

had, he explained, died while the abortion was in progress. Christie showed him the body on the bed. Absolving himself not just of murder but even of surgical incompetence, he further told Evans that 'her stomach was septic-poisoned' and 'another day, and she'd have gone to hospital'.

No doubt he impressed upon Evans, who was infinitely suggestible, several not necessarily compatible considerations: that he, Christie, would be suspected and face grave punishment – merely because of his infinite kindness in helping out the young couple upstairs; that Evans, who had been having rows with Beryl, would be suspected; that he would "expose" Evans if he did not agree to what he, Christie, advocated.

Christie said he would deal with the body, and 'dispose of it down one of the drains'. He would also try to think of what to do about Geraldine. In the meantime, he started trying to carry Beryl's body downstairs to Kitchener's flat – which was empty, Kitchener being in hospital throughout this period.

The effort was beyond him. Evans heard him 'puffing and blowing' on the stairs. He came out and helped his wife's murderer to move her body down to the first floor.

That night Christie and Ethel, his wife, heard noises in the flat above; or so they said. If this was true, it must have

been Evans stumbling about, saying goodbye to his wife. They had had their arguments – which married couple hasn't? – but had been fond of each other nevertheless.

In the morning, Evans fed Geraldine and set off for work. On his way out Christie told him that he thought he knew of a couple in East Acton who would be prepared to look after the baby. When Evans returned home in the evening, Christie said he had arranged everything with this couple, who were unable to have children themselves. Christie said they were to knock three times, and he would let them in.

On Thursday 10 November, therefore, Evans again fed the baby and left out her clothes. He never saw her again. That evening, Christie said that the couple had collected her.

Christie had decided to persuade Evans to sell his effects and move out of London. Throughout this period, Christie was abetted in his wickedness by several strokes of remarkable good fortune. Having committed one of the most foul crimes imaginable, and murdered a baby in her cot, he was delighted to learn that Evans had just lost his job. The latter was accordingly quite amenable to suggestions that he should leave London for a while.

After the traumatic events of the week, it must have been a blessed relief

for Evans simply to be able to run away. He disposed of his furniture for £40 and left London in the early morning of Tuesday 15 November, on the 12.55 a.m. from Paddington. He changed at Cardiff and, in those pre-Beeching days, arrived at the home of his uncle and aunt, Mr and Mrs Lynch, in Merthyr Vale at 7 o'clock in the morning.

Evans told a garbled story to explain his sudden appearance, and took refuge there. On 23 November, anxious about Geraldine's welfare, he returned to London. Christie stalled, told Evans he couldn't see her until she had settled in, and sent him back to Wales.

By this time his aunt and uncle were becoming apprehensive. Mrs Lynch wrote to her sister-in-law, Mrs Probert. When the reply reached Merthyr Vale on 30 November, the Lynches realised that Evans had been telling them a string of lies. The game was up for him.

Had the circumstances surrounding the deaths of Beryl and Geraldine Evans been properly investigated at the time, Evans would never have hanged. The problem was that the police regarded him from the outset as the villain. That is the significance of the photographers at Paddington Station. At that point, the police had Evans on a holding-charge of stealing a briefcase. The press did not happen to be in the right place at the

right time, however, just to snap a petty thief. They were there because the police had tipped them off that the man was guilty of sensational crimes.

Nor was it only the police who jumped to conclusions. Evans' solicitors clearly didn't imagine that their client had a case. His barrister was probably equally pessimistic, although he did put up a spirited defence based on Evans' second Merthyr Tydfil statement in which he referred to Christie's failed attempt at an abortion. It is, nevertheless, exceptionally difficult for a defendant to accuse the major prosecution witness of the crime.

Critical pieces of evidence were ignored, the most important being provided by workmen from a building company, Larter's, who were carrying out repairs on the premises throughout the week in which Beryl and Geraldine were murdered. Most significantly, they had been using the wash-house all the time, storing their tools there.

The three men and the office manager all made what the police presumed were going to be routine statements about their movements there that week. Once they had finished, however, it was clear that these statements, far from being throwaway cards in the prosecution's hand, were actually aces for the defence.

On 11 November all but one of the

men left the premises. At that time, to quote Mr Jones, the plasterer's mate, 'there was definitely nothing whatsoever in the wash-house'. This would seem the kind of positive and unambiguous statement for which the police would be grateful. It is, moreover, inconceivable that Jones could have been mistaken. Like good workmen, the Larter's team had thoroughly tidied up after completing the job. The wash-house had been properly swept out.

This evidence, however, flatly contradicted Evans' Notting Hill "confessions". According to these he had put Beryl's body there on the 8th, and Geraldine's on the 10th.

It was, perhaps, possible to argue that Evans had committed the murders, but had been wrong in the details of his "confession". The account of the carpenter, Mr Anderson, removed that possibility. He had stayed after the others to finish work in the hallway. He had taken up some floorboards on the 11th, and given them to Christie on the 14th. He identified these floorboards as the wood which had been used to conceal the bodies. Since Evans had left Rillington Place on the afternoon of the 14th, this evidence virtually exculpated him.

The most indulgent interpretation of the actions subsequently taken by the police is that nobody on the case was alert or intelligent enough to realise the

full implications of these statements. Two of the workmen were taken back to the police station to make second statements. They were kept waiting about three hours before they said more or less what the police wanted them to. They did so partly out of sheer frustration, and partly because they couldn't believe it made any possible difference anyway.

These fresh statements may have served the purpose of the police, but they were palpably nonsense. Mr Jones now said that he had collected his tools on the 11th, 'not taking any particular notice of the wash-house at the time'. The wash-house was such a small, confined area that the bodies, had they been there, must have been noticed.

A second piece of police deviousness was far more serious. They asked Larter's for the men's work-sheets. All except one were duly returned. The missing one detailed the work undertaken by Mr Willis, the plasterer, and showed that he had inspected the wash-house after the time when Evans said he had left the bodies there. It was evidence of exceptional importance, but it was never seen again.

A third reprehensible matter was the way the police handled the carpenter's evidence. No statement was ever taken from Mr Anderson.

Other pieces of evidence should

have been adduced in Evans' defence. Joan Vincent, one of Beryl's close friends, went up to the Evanses' flat at lunchtime on 8 November. She found she couldn't open the door, apparently because someone was holding it on the other side. She assumed that Beryl did not wish to see her, and went away again. A feasible assumption is that she arrived when Christie had just committed the murder.

This provided another illustration of how the police tried to dispose of "inconvenient" evidence. They attempted to persuade Mrs Vincent that this had occurred the day before. However, the fact that the front door to the house was wide open argues against this. It suggests that the builders were on site, and they did not arrive until Tuesday, the day of Beryl's death.

Later in the week, Vincent paid a second visit. On this occasion, Christie told her that Beryl and the baby had gone to Bristol. Had this evidence been assimilated, it should have saved Evans, since what Christie said contradicted what he later told the police.

Maureen, Evans' younger sister, also joined the search for the family. When she went round to Rillington Place the following week, Christie and his wife each gave differing accounts to her of the "departure" of Beryl and Geraldine. 'Well, one of you is lying,' she said as she walked away.

Other salient points were neglected. When police originally searched Evans' flat they found a newspaper cutting about the notorious Stanley Setty torso case. This seemed to suggest that Evans was a man with murder on his mind. It should have provided quite contrary indications: Evans couldn't read and would have had no use for or understanding of it. Presumably it had been planted there by Christie.

There was also a small but significant contradiction in the statements Christie and his wife made when they were interviewed separately at the very beginning of the investigation – if "investigation" is not too generous a description of the superficial review of events undertaken by the police.

Clearly, Evans' two Notting Hill confessions told most heavily against him. There are, however, abundant reasons for questioning their accuracy. For a start, the phraseology seems unlikely to have been Evans'. He is recorded as saying not that he had rows with his wife about their debts, but that he 'accused her of squandering the money'. The statements are sprinkled with such relatively articulate comments, and suggest that someone was putting words into his mouth.

Taken line by line, the statements give details that are frequently incorrect; taken as a whole, they don't make sense.

Point 1: it would have been impossible for Evans to have placed his wife's body in the wash-house without Christie or his wife being aware of it. (If they had heard the noise in the flat upstairs, as they said, why hadn't they heard anything when the frail Evans was supposed to have lugged his wife's body downstairs and right past their bedroom door?)

Point 2: neglected babies can make an unbelievable amount of noise – yet during two whole days, when she was left on her own, this baby apparently disturbed neither Christie nor his wife.

Point 3: during three weeks in November, Christie did not discover the bodies himself (nor, for that matter, did his dog).

Evans' Notting Hill statements were made when he was in extreme shock and distress, emotionally vulnerable and even more suggestible than usual. Until he was taken into Notting Hill police station, he had no idea that his beloved daughter was dead. As he later explained, 'The police caught me for a statement when I was upset.'

In contravention of the judge's rules, no time was logged at the end of Evans' second Notting Hill statement, made on 2 December. Three years later, the police insisted that it had been taken down between 10.00 and 11.15 p.m. This also fuels suspicion about its reliability. The statement seems too

lengthy to have been made, and laboriously taken down, and then read back to Evans, all in seventy-five minutes. It took more than twice that time to take down the second Merthyr Tydfil statement, which was of equivalent length. To judge from newspaper reports of the time, Evans was still being questioned long past midnight.

There is no good reason to doubt his second Merthyr Tydfil statement. On being informed that his wife's body was not, after all, down a drain, he must have been very puzzled. His earlier statement had been made solely with a view to protecting Christie. Once he knew that Christie had deceived him, he had no inhibitions about telling the truth. That is what he did. He was probably feeling no overwhelming anxiety. The local police were not hostile and seemingly behaved with the utmost probity. The statement has an inherent plausibility. For example, Evans said that Christie had told him that his wife's body was 'septic-poisoned'. It is difficult to understand how such a term could have appeared in Evans' vocabulary, if not in just the manner he said.

It should also be remembered that Evans made that statement on 30 November 1949, and did not see it again. In his evidence in court, on 12 January, he deviated from it not one

whit. Had he been lying in Merthyr, would he have been able to recall his lies so accurately?

Twice during the trial Christie came perilously close to exposure. For example, he said in evidence that Evans had told him on Wednesday of the departure of his wife and child. In his original statement to the police, he said Evans had told him this on the Tuesday. More significantly, Malcolm Morris cross-examined Christie about Evans' testimony, during which the latter had said that Christie, in trying to persuade him to permit his wife's abortion, had shown him the 'medical textbook'. Christie denied all this. In that case, Morris asked Christie, how could he possibly have known that you possessed such a book? It was a pertinent question, one to which Christie was unable to supply an answer.

Those investigating the case might also have noticed that in Mrs Christie's original statement she said that she and her husband had been using the wash-house daily to obtain water, which seems logical enough. From the committal hearing on, she changed tack, saying 'the wash-house was never used'.

With the fates apparently so collectively deployed against him, poor Evans was entitled to all the disinterested assistance which it is in the power of the English judiciary to

provide. He received none. The judge undermined Evans' slender chances of an acquittal still further by deepening confusion over what he had said with regard to each of his four statements. He 'grossly distorted the truth', as the author Ludovic Kennedy recorded in *Ten Rillington Place*.

One other matter didn't figure at all in Evans' trial, but was certainly relevant. This was the curious affair of the skull of Muriel Eady, one of the two women whom Christie murdered in 1943, and whose bodies he buried in his garden. At the time that Evans was being questioned in Merthyr Tydfil, and Notting Hill police were searching Rillington Place, Christie's dog unearthed the Eady skull, hardly a timely discovery. He waited until it was dark, and then took the skull and threw it into the shell of a bombed house in St Mark's Road, a few minutes' walk away. It was discovered by children some days later and reported to police. A pathologist examined it, and a local coroner determined that it was the skull of a bomb victim.

This was police work that mocked the description "detection". Had no forensic scientist anything to say about the condition of the skull – about whether it had been buried in earth rather than rubble, for example? If it had lain there since the house was bombed – in the 1940 blitz – how was it that in *nine years*

it hadn't previously been discovered? Murder investigations were then proceeding at a nearby house – did nobody at all consider that an interesting coincidence?

Christie's assertion in 1953 that it was he who had killed Beryl Evans discomfited, but was not an immediate disaster for the legal and political authorities. As frequently happened in capital murder cases, Evans was charged with only one offence. (This manoeuvre was partly to husband resources, and save court time and public money; partly to allow the Crown, in the event of an acquittal, to bring alternative charges against the defendant.) Because the charge ensured that he could neither expect jury sympathy nor plead mitigating circumstances, he was accused, and duly convicted, of the murder of his daughter, not of his wife.

Even so, Evans had originally been committed at the magistrates court on both charges. At the outset of his trial, Mr Justice Lewis ruled that evidence regarding his wife's murder was admissible. Since the prosecution was able to supply a motive for Beryl's murder – domestic stress brought on by her propensity to accumulate debts – but not one for the infanticide, the evidence was obviously telling. Furthermore, the appeal court rejected

Evans' appeal on the grounds that the evidence provided in the "confessions" was 'highly relevant ... with regard to the whole matter relating both to the wife and the child'. The fact that he had not been executed for Beryl's murder was therefore merely a technicality. His presumed responsibility for her death had been writ large throughout the judicial process from start to finish.

There was a certain level of official embarrassment – Evans' conviction had been secured through his own "confessions"; three years later, someone else was confessing to Beryl's murder – so the police simply issued a press statement saying there was no connection between the two cases.

Like Evans, Christie was charged with just one murder; unlike Evans, he was charged with killing his own wife, whose body had been found under the floorboards of the front room. The trial opened at the Old Bailey on 22 June 1953 before Mr Justice Finmore. It was not the first major news story of that eventful month – the coronation and the conquest of Everest had preceded it – but while it lasted, the trial overshadowed everything else. Public interest was intense.

The prosecution was led, significantly, by the Attorney-General, Sir Lionel Heald, who did his utmost to quell the gathering speculation. 'Have you any ground from your inquiries,' he asked

Chief Inspector Griffin of the Hammersmith police force, 'for believing that the wrong man was hanged in the Evans case?' 'None at all,' was the confident reply.

Suspensions were not allayed that easily. The Christie trial abounded with references to Evans, whatever Inspector Griffin might have said. In his final speech, Heald allowed the political sensitivity of the business to surface briefly. 'I think you [members of the jury] will understand how, especially in my position ... in a governmental position – it is most important that nothing avoidable should be said in Court which might cast an unjustified reflection on the administration of justice; ... it is most important that one should scrutinise most carefully what is and what is not proved with regard to a case of that kind.'

As a rule, the authorities in Britain go to quite extraordinary lengths to preserve the fiction that legal and political issues are wholly separate. This was a rare acknowledgement that they intersect. With this gentle warning to the jurors, Heald was vouchsafing an all-too-rare elucidation of the first principle of British justice: there must be no political embarrassment.

Almost all the subsequent failures to rectify wrongs inflicted by the judicial process may be attributed to the meticulous application of this principle.

Christie's defence of insanity was unsuccessful. Found guilty, he was sentenced to death.

By now, three things were abundantly clear. First: it seemed an incredible coincidence that two stranglers, who were killing people in exactly the same way, should, unknown to each other, have been living in the same house at the same time, disposing of the bodies of their victims in precisely the same way. Second: if Evans was guilty, then it was uncanny that he should have chosen to accuse of his crimes perhaps the one man in the country who was strangling people in exactly that fashion. Third: if Evans was guilty, then Christie would have had no reason to lie at his trial – but in the light of Christie's own trial, it was now obvious that he had lied throughout.

Within twenty-four hours of the Christie trial, MPs – all of whom, at this stage, came from the opposition (Labour) benches – were demanding an inquiry into the circumstances of Evans' conviction. Sir Hugh Lucas-Tooth, under-secretary of state at the Home Office, told Sydney Silverman, untiring opponent of capital punishment, and George Rogers, the MP in whose North Kensington constituency Rillington Place was located, that the Home Secretary, Sir David Maxwell-Fyfe, was 'giving urgent consideration to the matter'.

Urgency is a relative concept, and

nowhere is it more relative than in the Home Office. On 25 June Christie was sentenced to death. On 30 June his execution was fixed for 15 July. On 6 July, with time fast running out, Maxwell-Fyfe told the Commons that he had appointed John Scott Henderson QC, the Recorder of Portsmouth, to head an inquiry into the Evans and Christie trials and 'to report whether there is any ground for thinking there may have been a miscarriage of justice'.

Because Maxwell-Fyfe was adamant that it could not be a public inquiry, MPs were immediately apprehensive. He did, however, reassure them that the conduct of the inquiry would be, according to the rules of natural justice'.

Scott Henderson was to be assisted by George Blackburn, the assistant chief constable of the West Riding of Yorkshire, and G. A. Peacock, a Treasury solicitor. Anthony Wedgwood Benn, MP for Bristol South-East, wondered whether there should be any lay assessors, as the Home Office, the legal profession and the police were all interested parties. Maxwell-Fyfe responded that he had done all he could to ensure that the inquiry was 'of the most impartial and thorough nature', and generally pooh-poohed the anxieties that were being expressed on the opposition benches. 'It will be a poor day for Great Britain,' he said, 'when we cannot find men in this

country who are prepared to undertake an inquiry and come fearlessly to the conclusion to which the facts point without any regard for the consequences of opinion.'

The Scott Henderson report was published on 14 July 1953, a poor day for Great Britain. Its conclusions were that the case against Evans was 'an overwhelming one'; that Christie's statements that he was responsible for the murder of Beryl Evans were 'not only unreliable but untrue'; and that 'there is no ground for thinking that there may have been any miscarriage of justice in the conviction of Evans.'

To reach these categorical conclusions, against which not only a mass of evidence but also plain common sense militated, Scott Henderson can only have sifted the available information in the most selective manner. He disregarded evidence which might have benefited Evans, such as that of the workmen and Joan Vincent, and gave added weight to that which seemed to incriminate him (for example, the spur-of-the-moment reactions of his family, when they were as much in the dark as everybody else; Scott Henderson even published a private letter written by Evans' mother without having received permission to do so). On the other hand, he submitted Christie to the gentlest of interrogations, and that only after the

police had already visited Christie in prison and told him there was no evidence that he had murdered the baby Geraldine.

Scott Henderson was able to "confirm" Evans' guilt by perpetuating, or even inventing, misconceptions – most notably the 'irresistible inference' that Evans could not have known the details of the murders and disposal of the bodies revealed in his "confessions" unless 'he had first-hand knowledge of the crime'.

In fact, evidence given at Evans' trial had indicated that he might well have been told these details by the police before embarking on his "confession"; and, in any case, because the times of his statements were not correctly logged, it is impossible to know to what extent words might have been put into Evans' mouth. The most important point, surely, is that the Evans "confessions" contained not a single detail about the crimes that was not already known to the police. Evans could have inferred virtually everything from the pitiful piles of clothing at the police station. The "confession" of George Beattie, made a quarter of a century later, seems to have been obtained in very similar circumstances.

Scott Henderson also referred to the newspaper cutting about the Setty murder discovered in Evans' flat to suggest that he, Evans, was copying the

crime – in other words, drawing precisely the wrong inference from the evidence, just as the police had done. There was less reason for Scott Henderson to overlook the obvious, especially since by then it was known that Christie did collect newspaper cuttings.

During Christie's Old Bailey trial, two mistakes in evidence had perpetuated the myth of Evans' guilt. Dr Odess, the GP whom the hypochondriac Christie regularly visited, said that Christie had complained of fibrositis throughout November 1949. (Christie always pretended that he was in too much pain to be able to lift a body.) This was an error. Dr Odess apologised to Scott Henderson, explaining that Christie only complained of fibrositis on Saturday 12 November; and that this could have been caused by lifting a heavy weight. Odess, however, agreed that he was no specialist, and Henderson ignored the point.

The second mistake occurred when Heald said that Evans had lied about the abortion, and that this was accordingly indicative of his guilt. This point was crassly reiterated in the Scott Henderson report: 'the most material fact is that no interference with Mrs Evans' pregnancy was attempted'. No one had ever actually supposed that Christie was an abortionist; only that he had pretended to be one to gain

access to Beryl Evans. In an unavailing attempt to lend credibility to his conclusions, Scott Henderson advanced the theory that Christie would have wanted to confess to as many murders as possible in order to strengthen his insanity plea. (In which case, might not he have confessed to the murder of the baby Geraldine, since nothing could have been more insane than that? But there were many, many questions which did not apparently occur to the Recorder of Portsmouth.)

Even apart from all this, Scott Henderson had conducted the inquiry in a manner which could legitimately be described as bullying. Counsel for the Evans family were not permitted to cross-examine, they were excluded from hearing the evidence of witnesses they themselves had suggested calling, and Scott Henderson refused to put to Christie and other witnesses questions which they had proposed.

Dr Jack Hobson, consultant psychiatrist at the Middlesex Hospital, saw Christie in prison and probably got closer to him than anyone else. In the last interview he had with him, Christie said, 'I seem to remember something about the baby ...' Hobson is convinced that he would have learned the circumstances of the baby's death – 'something that now we shall never know, for I was prevented from interviewing Christie again'.

When the Scott Henderson team talked to Christie, Hobson's presence at the interview was expressly forbidden. He was seen twice by the inquiry team, but 'on neither occasion was I allowed to volunteer information nor to be asked questions other than those chosen by Scott Henderson himself'.

This was the inquiry which, the Home Secretary had reassured MPs, would be conducted 'according to the rules of natural justice'.

Leaving aside both the way in which the inquiry was conducted, and the report itself, it is sufficiently scandalous that its publication was timed to thwart the attempts of MPs and others who did want to get at the truth. MPs received copies less than twenty-four hours before Christie was due to be executed, and the Speaker refused to accede to frantic requests for it to be debated immediately.

During those dramatic days in June and July, the Home Secretary displayed what in different circumstances might have seemed a wholly proper humanitarian concern for a man under sentence of death. He refused to offer him unjustified hope, or to prolong the agony, by postponing the execution. It might equally have been argued, however, that in these circumstances, in which Christie had knowingly played such a central role in sending an innocent man, an unwitting Sydney

Carton, to the gallows in his place – in such exceptional circumstances, the postponement of his execution would be one extra cross he would just have to bear.

In the end, then, the debate took place on 29 July, a fortnight after the one man who knew exactly what had happened had been eliminated from further inquiries.

Geoffrey Bing QC, MP for Hornchurch, led the onslaught on the Scott Henderson report, delivering a lengthy speech which Michael Foot described as 'one of the most formidable which had been delivered in this House for many years'. Bing considered the report unsatisfactory in every respect. 'It was unfortunate,' he commented, 'that the Home Secretary presented it to parliament without either explanation or opportunity for debate. The whole of the report was shot through with prejudice and evidence of all sorts of irregularities'; the manner in which it had been written was 'most deceptive and improper'.

Reginald Paget said it deliberately concealed the truth and was dishonest. Michael Foot, at his most abrasive in those days, argued bluntly that 'it was not worth the paper it was printed on', and Aneurin Bevan pledged that MPs would persist in the matter until justice was done.

Maxwell-Fyfe, himself a barrister, rose

to the defence both of the report ('what we all want is the truth. I believe that on this occasion we have got it'), and of the integrity of Scott Henderson ('there is not a scintilla to support the attack on his motives and methods').

The House was not at all convinced. 'We are not attacking this report because it does not disclose the truth,' countered Paget; 'we are attacking it because it deliberately conceals the truth. We are attacking it not because it is mistaken, but because, we say, it is dishonest.' Sydney Silverman pointed out that the administration would be understandably reluctant to admit to such a fatal failing in the judicial process; but that the administration of justice could survive such an admission. What it could not survive was the possibility that people might begin to doubt 'not its infallibility, but its integrity. If we allow people to believe that, having made the error, all the resources of the community are being employed to hush it up, then indeed confidence in the administration of justice will be undermined.'

Altogether, the debate showed the Commons at its most purposeful and impassioned in its defence of the concept of justice; and at its most penetratingly critical of executive shortcomings. The authorities were clearly so rattled that the story took another extraordinary turn on 14

September when Scott Henderson attempted to answer his many critics with a supplementary report.

Now, referring to the original statements of the workmen, Scott Henderson blithely wrote, 'there was no reason why [they] should have been made available to the defence'; referring to the disappearance of the crucial time-sheet, he submitted, 'I did investigate that, and satisfied myself that the police had no responsibility for [its] disappearance'.

Scott Henderson also claimed not to have seen a statement, apparently in Christie's own handwriting, in which he described how he had murdered Beryl Evans. (It had been published in the *Sunday Pictorial*.) 'Why not?' Paget wanted to know. 'If Scott Henderson did not know it, his ignorance can hardly have been shared by anyone else in England.' Overall, he concluded, 'this even more unsatisfactory addendum to an unsatisfactory report makes a proper public inquiry all the more essential.'

One bizarre development succeeded another. The Home Secretary attended a reconstruction of the taking of Evans' statements at Notting Hill, which purported to demonstrate that the police had timed them accurately. Despite this – or, perhaps, because of it (the affair was surely more indicative that the cover-up was proceeding apace than that the

police had behaved punctiliously) – the storm refused to abate. A further eighteen questions awaited the attention of Maxwell-Fyfe when parliament reassembled after the summer recess, and on 5 November the supplementary Scott Henderson report was debated.

MPs who were demanding an inquiry into the inquiry won no concessions from the government, but did have the satisfaction of making their case in an extra-parliamentary context. During the course of the decade a gap formed between the bureaucratic line on Timothy Evans (he was guilty), and what a growing section of the public perceived the truth to be (he was innocent). Ewan MacColl, one of Britain's leading folk-singers, composed an angry song about the case:

They sent Tim Evans to the drop
For a crime he didn't do;
'Twas Christie was the murderer
The judge and jury too.

This was rather hard on the jury, who could hardly have been expected to weigh evidence that had been concealed from them; and somewhat lax on the officials involved. Among these, though, one man of honour was found: Chuter Ede, the Home Secretary who had sanctioned the execution in 1950. He conceded that a dreadful

mistake had been made, and joined with those campaigning for posthumous justice for Evans.

In 1955 Michael Eddowes' *The Man On Your Conscience*, the first of the genuinely influential books on the case, was published.

This generated renewed interest in the affair. Ian Gilmour (of the *Spectator*), John Grigg (*National & English Review*) and Linton Andrews (*Yorkshire Post*) jointly wrote to *The Times*, arguing that the reputation of the police force was now at stake. Its efficiency was in doubt because Christie, who had a bad criminal record, had been taken on as a special constable during the war; and its fairness was in question because the police knew at the time of Evans' trial that Muriel Eady's skull had been dug up in Christie's garden. This had been gleaned from *Scotland Yard*, a book published the previous year, 1954, by Sir Harold Scott, former chief commissioner of the metropolitan police.

The assistant commissioner of the London CID immediately responded that this was not true; Sir Harold had been mistaken. Gilmour and co. retorted that this threw further doubt on the competence of the metropolitan police, since Scott's book had ostensibly been written from police records. If those at the top made such errors at leisure, what debacles were those

below likely to perpetrate in moments of stress?

Gilmour and Grigg developed their arguments in a pamphlet, 'The Case of Timothy Evans: An Appeal to Reason', published by the *Spectator* in 1956.

Ludovic Kennedy's *Ten Rillington Place* was published at the beginning of 1961. The book provided a comprehensive analysis of the case. Its main virtue was simply that it assembled all the known facts, and did so in such an illuminating and compelling manner.

Nevertheless, Kennedy did have some cards of his own to play. In particular, he demonstrated that the onset of Christie's fibrositis coincided with the time when he must have moved the body of Beryl Evans from Mr Kitchener's flat to the wash-house. This point had previously been discussed by Dr Odess and Scott Henderson. When, however, Odess agreed that he was not a specialist, Scott Henderson, determined to leave no stone turned in his pursuit of the truth, abandoned the matter. Kennedy did what was logical and took the available information to five leading specialists, each of whom independently asserted that the condition was most likely to have been caused by the lifting of a heavy weight.

Kennedy also adduced evidence buried in Evans' solicitors' brief to counsel. This was a reference to the fact that at the committal hearing, Dr

Teare, the Home Office pathologist, appeared to suggest that there had been posthumous penetration of Mrs Evans. At the time, the *defence* was concerned that this evidence should not be placed before the crown court on the grounds that it made a sickening case even more repellent. However, Kennedy asserted that it was evidence which removed all trace of suspicion from Evans who could, after all, have had sex with his wife while she was alive; only the necrophiliac Christie needed to wait for the opportunity until she was dead. (Had a swab been taken of Beryl's vagina, the whole issue would have been put beyond doubt from the start.)

In a letter to the *Sunday Times*, Dr Teare fiercely disputed all this. 'These interpretations are quite contrary to my belief,' he wrote, 'and have resulted in a complete distortion of my evidence.' Kennedy riposted that the brief to counsel had definitely stated that at the magistrates court Dr Teare had 'purported to suggest' that there might have been an attempt at sexual penetration after death. Evans' solicitors could not have invented this. (Suppose they had; it was extraordinary that it should have coincided so precisely with what was subsequently learned of Christie's gruesome behaviour.) Kennedy also made the point that the explanation which Dr Teare now

advanced for a bruise on Beryl's vagina differed from that given in his deposition eleven years earlier.

By this stage, Maxwell-Fyfe had become Lord Kilmuir, and was Lord Chancellor. The Home Secretary was R. A. Butler. Two stalwarts of the Evans campaign, George Rogers and Sydney Silverman, asked if he would now order a fresh inquiry into the case. Butler stalled, saying on 26 January 1961 that, although he was not convinced of the value of a fresh inquiry, he was 'examining carefully the recently-published book'.

Butler's final reply on 16 March ruled out a further inquiry – partly on the grounds of the inconclusiveness of the exchange of letters in the *Sunday Times* between Kennedy and Teare. 'It seems clear,' he said, 'that no definite deduction about the circumstances in which Mrs Evans met her death can now be drawn from the medical evidence.'

'I have given careful consideration,' Butler continued, 'to the suggestion that Evans should be granted a free pardon. There is no precedent for recommending a posthumous free pardon and the legal powers to do so are doubtful. In any event a free pardon cannot be granted without a certainty which is not possible in this case.'

Throughout the long history of the struggle to clear Evans' name, the

bureaucratic stratagems to evade logical inferences and muzzle rational argument were shameless. Even in such a context, however, Butler's statement was the most disgraceful of all. Confronted with the pellucid argument which Kennedy had advanced, the Home Office simply abandoned its position and fell back to a new line of defence. As a military manoeuvre, it might well have been admirable; as a device for keeping at bay the upholders of those values which the Home Office was supposed to have been protecting, it was scandalous. It is appalling that we allow ourselves to be governed in such a manner.

There were now, it seemed, three wholly new reasons why nothing could be done about Evans' case: (i) there was no precedent; (ii) the legal powers to do so were 'doubtful'; and (iii) there could be no 'certainty'.

Each of these could easily have been countered: was there any precedent for hanging an innocent man? If the legal powers to remedy, as far as decently possible, such a monstrous injustice were 'doubtful', then should not fresh ones be taken? 'Certainty'? This is something not given to man. It is in humble recognition of this that the law has never pretended to have anything to do with 'certainty'.

The Home Office, though, does have the knack of making common-sense

arguments seem ridiculously inappropriate.

The anger on the opposition benches grew. 'This case will not lie down,' declared Patrick Gordon Walker, MP for Smethwick, on 15 June. 'It will not be stifled by authority. The weight of opinion that Evans was wrongly convicted is increasing and will increase. Sooner or later justice will be done.' Sir Hugh Lucas-Tooth, still stonewalling on behalf of officialdom, dismissed Kennedy's tour de force as 'tendentious', a book which 'has misled a great many people'. For good measure, he added that 'it was an extraordinary coincidence that two stranglers should be living in the one house at the same time, but there was no reason why it should not have occurred.'

The 15 June debate was lengthy and absorbing. Chuter Ede's contribution was especially moving, for he, more than anyone, had cause to wish that there was no need for the debate at all. Prior to becoming the first post-war Home Secretary, though, he had been Butler's parliamentary private secretary during the passage of the 1944 Education Act, and a close relationship existed between them. Ede revealed that on an earlier occasion Butler had approached him privately about the matter, but more recently Butler had said to him, 'I am advised that I cannot

say that this man Evans was innocent.'

Ede then took up this newly introduced notion that there was no precedent. 'We are concerned here today not so much with the law as with justice. One of the difficulties for all of us, whether we be lawyers, magistrates or ministers of the Crown, is to reconcile law and justice. If one has to go, let us be quite certain that, for the safety of the State, it must not be justice.'

Another member to speak in the debate was Sir Frank Soskice. 'I desire to make a most earnest appeal to the Home Secretary,' he said, 'to accept the suggestion that there should be a further investigation into the circumstances of this case ... If ever there was a debt due to justice, and to the reputation both of our own judicial system and to the public conscience of many millions of people in this country, that debt is one that the Home Secretary should now pay.'

By the time the case was next raised in parliament, in 1965, a Labour government had taken office. Soskice was himself Home Secretary. Now, surely, was the moment for the hypocrisy and procrastination to be swept away.

Not a bit of it. The script was the same as before; only the roles had been reversed. *Conservative* MPs in opposition now tried valiantly to extract common sense from a stubborn *Labour*

administration.

On 4 February 1965 Ian Gilmour, by now MP for Norfolk Central, asked the Home Secretary if he would make an official declaration of Evans' innocence. Soskice replied that, even if the innocence of Evans were to be established, he had no power to do any such thing. Gilmour pressed him. 'Would the Home Secretary not agree that virtually nobody outside the Home Office has serious doubts about the innocence of Evans? Will he not accept that until the Home Office is prepared to make this declaration and stop taking refuge in technicalities, its word on similar matters will inevitably lack weight?'

'I pressed for an inquiry when this was previously debated,' admitted Soskice. 'That was three or four years ago. I do not think that an inquiry would serve any useful purpose at this stage. I think it would be kinder not to express views one way or the other.'

At least no one could ever claim that the Home Office lacked effrontery. It was now issuing guidelines on the matter of *kindness*. The debate was concluded but the matter was not closed.

'Why has there been this change of attitude?' inquired the Liberal peer Lord Byers in the Lords on 18 May. 'The Home Secretary has reached the conclusion that it would be impossible to reach any

definite conclusion,' replied government spokesman Lord Stonham, clearly not a man to shun contradictions.

Lord Brockway pointed out that both Soskice and the Foreign Secretary – Patrick Gordon Walker – had, as opposition MPs, firmly committed themselves to the Evans campaign. He urged the government to reconsider: it was a matter of justice.

'Justice,' responded Stonham, 'that is precisely our difficulty in this case. The Home Secretary does not believe that a further inquiry could make anyone certain of the guilt or innocence of Evans.'

'This is a very weak answer,' Byers retorted. 'Is he satisfied with the Scott Henderson report? They [Labour MPs and peers] were not, up to the time they came into office.'

Why, indeed, was Soskice so ready to step straight into the shoes of his Conservative predecessor?

Meanwhile, we shall encounter Lord Stonham again. He had further weak answers to deliver.

For some, Soskice's hypocrisy was the last straw. In Darlington, an industrialist, Herbert Wolfe, had been convinced by Kennedy's book. He had arrived in this country in 1933, a refugee from German state injustice. Unlike many of the natives of his adopted country, he

found the concept of British justice infinitely precious. He did not take it for granted.

He wrote an article on the Evans case and sent it to the editor of his local paper, the *Northern Echo*. Local newspaper editors are rarely in a position to exert a critical influence on political events. But this editor was Harold Evans, quickly to become the outstanding journalist of his day (as editor of the *Sunday Times*).

'After receiving Wolfe's article,' he said, 'I got hold of Kennedy's book. I read it on the train to London, and became so angry I wanted to pull the communication cord. I thought, this is an outrage; something must be done about it.'

Something was done about it. Even though Darlington had no conceivable connection with the tragic story of his namesake, Evans took up the 'Man On Our Conscience' theme. 'I published something every day for months,' he wrote. 'Members of my staff were furious about the campaign. When I went on holiday, they tried to drop it. I came back and reinstated it.'

The campaign was conducted with vigour, skill and remarkable pertinacity. Wolfe telephoned people incessantly. Evans produced pamphlets; MPs were lobbied. Eric Lubbock (then Liberal MP for Orpington, now Lord Avebury) and Lord Chuter Ede, as he by then was,

were especially valuable allies. On 28 July 1965 a campaign committee was formed in London, with Ludovic Kennedy as its chairman.

To announce the launch of this committee, a press conference was called. Journalists were asked to assemble in a Notting Hill pub, and from there were taken to the house where the murders had been committed: 10 Rillington Place. By that stage, the property was owned by Michael Eddowes, who had been campaigning with devoted zeal for over a decade. His purpose in purchasing the house was to maintain it as it was, and thus to demonstrate that its mere physical properties (even apart from other considerations) were sufficient to discredit the prosecution case presented at Evans' trial: because the house was so small, Evans would not have been able to carry the body of his wife past Christie's room without disturbing him; the bodies could not have remained undetected in the wash-house; and so on.

However, with about twenty pressmen tramping round the house and the back yard, the West Indian tenants suddenly took umbrage at this unexpected invasion of their privacy. They locked in the journalists and refused to return the key. Evans vividly remembers shouting to a passing policeman through the letter-box,

explaining that Eddowes was the legal owner of the house, and that they all wanted to be let out of it.

Because of this bizarre and, perhaps, eerie experience the press conference undoubtedly received greater coverage than otherwise. Shortly afterwards, Evans wrote to the Prime Minister, Harold Wilson, who promised that the government would intervene. Lubbock headed an all-party delegation of MPs to the Home Office. Finally, on 19 August, Soskice agreed to set up another inquiry, chaired by Mr Justice Brabin.

If the Scott Henderson inquiry had been conducted *prestissimo*, Brabin's was, by contrast, *adagio* in the extreme. Brabin himself was away on holiday at the announcement of the inquiry. Admittedly, there was by now no special need for urgency; but equally, it was hard to understand why fourteen months were needed to produce this second report.

The inquiry lasted thirty-two days, took over a million words in evidence, was completed on 21 January 1966, and the report finally published on 12 October 1966.

In a last bizarre twist to this astonishing saga, it reached a conclusion which no one could have anticipated. Christie had indeed killed the baby Geraldine, the crime for which Evans was hanged; but Evans himself

had killed Beryl, his wife. A technical miscarriage, therefore, but a perfect example of rough justice.

'Whereas all those who had previously studied the case,' wrote Ludovic Kennedy, 'were agreed that whoever had done one murder had done both, Brabin produced the novel idea that while Evans had probably not murdered the baby, he probably had murdered his wife. This certainly was an arresting theory, especially as there was virtually no evidence to support it.'

On closer examination, it could be seen that Brabin had made some startling assumptions en route to this innovatory conclusion. Take, for example, Brabin's comments about Mrs Christie's evidence regarding the wash-house. In her statement to the police on 5 December, she had said, 'We have been using this place daily for the purpose of getting water for rinsing the slop pail'; in her deposition, barely a fortnight later, she said, 'I didn't use the wash-house at the back. The boiler was out of order and hadn't been used for years.' These, surely, would appear to be incompatible statements. Brabin, though, set to work to reconcile them. 'I would have *thought it obvious*, he wrote 'that she was saying no more than that she did not use the wash-house as a wash-house but with the other tenants used it as a water-point.' (Author's italics.)

I can hardly believe that anyone would have agreed with Brabin that *it was obvious* this is the correct interpretation of what Mrs Christie had been saying. There is, moreover, a corollary. If those wash-house statements are reconciled, then it becomes necessary to explain how Mrs Christie failed to notice the bodies there. 'I see no reason why it [Beryl's body] should not have gone undetected by Mrs Christie,' Brabin blithely reported. 'I say that the probability is that both these men [Christie and Evans] killed and that both killed by strangulation using a ligature.'

For some, that was the end of the matter. 'There seems little more that the Home Secretary can do,' said *The Times*.

It should be recorded that there were two positive aspects to Brabin's report. It concluded that no jury could possibly have convicted Evans of either murder had all the evidence been available; and, in its entirety, it was so palpably absurd that no one believed a word of it. The British public could distinguish three new levels of deceit: lies, damned lies, and official inquiries into the Evans case.

It was against this background that the next, and closing, development took place: on 18 October it was announced from Buckingham Palace that the Queen had granted Evans a posthumous free pardon.

That was it. Simple, really. Roy Jenkins, who had replaced Soskice as Home Secretary in December 1965, had shown that, *pace The Times*, there was something he could do. He could discharge the functions of his office honourably; quite a revolutionary notion for a Home Secretary. At a stroke he

restored to the English judicial system a little of the decency, dignity and common sense of which innumerable legal and political mandarins had, during 13 years of officially prescribed fecklessness, managed to deprive it. The Royal Courts of Justice were not reduced to rubble; public confidence

in the administration of justice did not evaporate overnight. But post-war Britain had hanged its first innocent man.