

Phillion case 'world record' for injustice: Lockyer

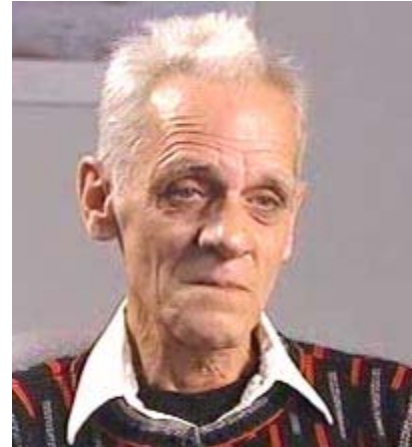
Last Updated Thu, 15 May 2003 23:35:30

from http://www.cbc.ca/stories/2003/05/15/phillion_030515

TORONTO - A man who says he was wrongfully convicted for the murder of an Ottawa firefighter in 1967 is demanding bail while federal justice officials review his case.

Romeo Phillion's lawyers formally applied for a new trial Thursday, but they said he shouldn't have to spend any more time behind bars while police reports and other evidence are studied.

"He's been in jail for more than 31 years for something he didn't do. That, as far as we know, is a world record," said Phillion's lawyer, James Lockyer of the Association in Defence of the Wrongfully Convicted. He hopes the bail request will be heard by an Ontario court within the next two months.



Romeo Phillion

Five years after Leopold Roy was stabbed to death, Phillion confessed to the murder. But within hours he recanted his statement and has been fighting for his freedom ever since, Lockyer told a news conference.

In 1998, a parole file contained a report from a police officer confirming that Phillion was in Trenton, Ont., the night Roy was killed in an Ottawa apartment building, Lockyer said.



James Lockyer

Phillion was stuck at a service station having his car fixed, according to a document signed by an investigating officer.

Confirmation of Phillion's alibi that he was more than 200 kilometres from the crime scene when Roy died was never shown to the defence at the original trial.

Evidence that four Crown witnesses all changed their testimony about when they saw Phillion in Ottawa was also covered up, according to The Innocence Project at Osgoode Hall Law School. The group has spent more than five years trying to get Phillion freed.

"The Crown's case is in tatters," Lockyer said.

'Let's get this man out': Milgaard

Phillion, now 64, has been eligible for parole for years but his chances of being released are virtually zero because he refuses to admit guilt. Justice Minister Martin Cauchon must decide whether the case warrants review.

Two men freed from prison after being wrongfully convicted spoke out on Phillion's behalf at the news conference. Rubin (Hurricane) Carter said justice officials are committing "terrorism" by "kidnapping" and locking up innocent people.

David Milgaard also urged Phillion's quick release. "Let's get this man out of prison," Milgaard said. "Let's do it now, today."

Phillion's nightmare underscores the need for a federally funded, independent tribunal to review cases of people alleging wrongful conviction, according to members of The Innocence Project.

"This shouldn't be luck. This shouldn't be random. This should be available to all who face error in their conviction," said lawyer and teacher Dianne Martin.

Canadians in prison should not have to rely on volunteer law students selling T-shirts and holding bake sales to investigate their cases, Martin added.