


Hobart, Tas, 7000.

17/3/23

Mr Simon Scott,
Committee Secretary,
Government Administration Committee 'B',
c/- Parliament House, Hobart TAS 7000.

Dear Simon Scott and Committee Members,

Re: Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters

I would like to submit to your Committee my concern that justice in Tasmania is not based on evidence but on gossip, rumour, speculation, hearsay, sloppy police investigations, less-than-meticulous forensic work, and a general attitude of 'so long as there is a conviction what does it matter how we got there'. Tasmania deserves better. I sat through the Sue Neill-Fraser trial and watched DPP Tim Ellis put forward a fantasy, a story he tried hard to make sound reasonable but which was underpinned by no evidence at all. No body, no proof of death, only speculation about murder weapons, no motive other than the judge's speculation about money, no eye-witnesses, failures to disclose material, and a bizarre story about a claimed chain of events which simply can't be fitted into the DPP's own time-frame and which a 56-year-old woman with a slipped disc in her back was not capable of carrying out.

I have heard other stories of wrongful convictions in this state but the sheer difficulty of trying to get a conviction overturned means that such people understandably see it as easier to do the time than to try and prove their innocence. That simply isn't good enough. A justice system which does not rigorously seek to get to the truth not only can convict the innocent but can leave the guilty free to commit other offences. (And all those whose names have at times been connected to Bob Chappell's disappearance: Meghan Vass, Stephen Gleeson, Sam Devine, Paul Wroe, Stuart Little, have all apparently been in trouble with the law since his disappearance.)

I hope you will do your best to convince everyone concerned that our justice system simply isn't up to scratch and look at the myriad ways in which it can be improved.

Yours sincerely,


Jennie Herrera

2 enclosures.

SOME PROBLEMS WITH THE SUE NEILL-FRASER CASE

On the afternoon of the 26th January 2009 Bob Chappell decided to stay aboard the yacht 'Four Winds' he and Sue Neill-Fraser had bought a month ago in Queensland to finish some electrical work. At around 5 am. on the 27th a passing vessel noticed the Four Winds "taking on water and notified the Port Authority which notified the police" (*The Mercury*). At around 7 am. the police contacted the home of Bob Chappell to be told by Neill-Fraser that Bob Chappell was aboard the yacht.

1. Problems with police: Although the yacht had become a potential crime scene more than 20 police boarded the yacht that day and walked all over it, potentially destroying or contaminating any evidence. This is certainly not best practice. Bob Chappell was not found aboard the sinking yacht. In fact his body has never been found. Police when they found wires had been pulled from an electrical circuit board simply got boat repairer Mr Smith from Goodwood to reconnect them rather than fingerprinting the board and checking just which wires were pulled out. As the person responsible obviously did not have the code it could be assumed this was a crude attempt to disable the boat's alarm system.
2. Problems with Forensic Services: They found the DNA of 1 unknown female and 2 unknown males. Although the 2 males were mentioned at Neill-Fraser's trial nothing was said about any attempts to identify these men. Yet all 3 people were on the yacht without the owners' knowledge or permission. Identifying them should have been the priority of both Police and Forensic Services. No trial should have gone ahead before they were *all* identified and questioned.
3. Problems with the Meghan Vass DNA: The female DNA was identified as Meghan Vass when she came up on a shoplifting charge 6 months later. She stated on oath at the trial that she had never been aboard the yacht. DPP Tim Ellis said her DNA must have been carried aboard the yacht on police shoes as though he believed police regularly and carelessly contaminate crime scenes. The jury was not told that her DNA sample was the size of a dinner plate.
4. Problems with the DPP's 'evidence': The DPP told the jury that a glove found on the yacht's stove contained Neill-Fraser's DNA. In fact he knew it contained Tim Chappell's DNA *not* Neill-Fraser's. The DPP showed the jury a large knife as the supposed murder weapon. Then he told the jury Neill-Fraser used a wrench or a screw driver or a 'something'. The judge should have stopped the DPP's speculation. Without a body the means of death cannot be ascertained. The DPP told the jury that Sue Neill-Fraser had been seen driving away along Sandy Bay Road after killing Bob Chappell and disposing of his body. The jury was never shown the CCTV footage in which *no* driver and *no* number plate is visible. It could have been any one of hundreds of local Ford Falcons driving along Sandy Bay Road.
5. Problems with the judge, Justice Alan Blow: Not only did he allow the DPP to run a case on gossip, rumour and speculation, he repeated the DPP's non-existent wrench 6 times in his summing-up to the jury. He also allowed the DPP, after concluding remarks by both Prosecution and Defence, to say he had 24 more questions to put to the court. This was completely inappropriate. The DPP had had 2 weeks to ask every question he wanted. Blow refused to allow Vass to be recalled after a police witness told the court she had given a non-existent address to them. This point at the very least needed to be clarified. Justice Blow also said, without evidence, that Neill-Fraser had acted alone to kill Bob Chappell and dispose of his body—and despite knowing that 3 lots of unknown DNA had been found on the yacht. Experienced yachtees over and over again have said a 56 year old woman acting alone could not have winched up Bob Chappell's body from the well of the yacht and put it into a dinghy. Yet, Justice Blow, not an experienced yachtee, effectively told the jury that was what she had done.

6. Problems with Triffett and King: The DPP brought forward two men: Phillip Triffett and Richard King. The jury was never told that both men lived on Back Tea Tree Road and were known to each other. Nor was the jury told that Phillip Triffett had changed his original statement from "Maria told me that Sue told her" that she wanted Bob Chappell and Patrick Neill-Fraser killed to "Sue told me" so as to avoid problems with hearsay. Extraordinarily he stated in court that Bob Chappell had been in the room when Sue had supposedly asked Triffett to murder Chappell and Patrick 13 years before Chappell's disappearance. Patrick Neill-Fraser was called as a witness by the DPP but left sitting in the witness room throughout the trial so the jury remained unaware that he was still very much alive.
7. Problems with Triffett's criminal history: The jury was given the impression that Triffett was a bit of a larrikin with several minor charges to his name including theft, firearms offences and a dispute with his neighbour Bill Dennis. The jury were not told that Triffett had threatened to run over Dennis with his tractor or that Dennis felt so threatened that he hired a security guard Tim Coughlin. When Triffett and several mates came on to Dennis's land and started shooting Coughlin shot back hitting Triffett in the groin. When he took Triffett to the Royal for treatment he, rather than Triffett, was charged. Triffett also bashed a neighbour Robert Smith, boasted of burning down his partner Maria Hanson's house to get the insurance, and boasted to Chappell and Neill-Fraser that he had shot and buried another boy when he was a teenager. Chappell and Neill-Fraser understandably decided to end the relationship with Triffett and Hanson. When Triffett assaulted a woman in a carpark he was fined rather than jailed; giving credence to the rumour that he is a police informer. The jury had no indication that Triffett was a hostile witness. Yet the DPP's whole scenario of a premeditated killing rested on Triffett's claims. The DPP described Triffett as 'a man of probity' at Neill-Fraser's first appeal so he obviously regarded Triffett's criminal activities as irrelevant.
8. Problems with Richard King's phone call to Neill-Fraser: Richard King rang Neill-Fraser after 10 pm on the 26th January to say that Bob Chappell's daughter Claire was in a suicidal state saying she was going to go down and sail her father's yacht away. He also told Tim Chappell the same story. But at the trial he denied that he had said Claire was threatening suicide. It has never been explained why he waited till after dark to ring anyone nor why he didn't contact Claire's mother who was closest to her. Everything he said at the trial on Claire Chappell's thoughts, feelings, sayings and doings on that day was hearsay and should have been disallowed by the judge. Claire Chappell though she has mild schizophrenia lives by herself and was quite capable of speaking for herself.
9. Problems with the police statement: Police stated that there were no homeless people by the rowing sheds on the night of the 26th. This was a deliberate lie on oath as they knew homeless man Stephen Gleeson was living permanently at the rowing sheds in his car. Neill-Fraser couldn't sleep worrying about Richard King's phone call and eventually walked down to Marieville Esplanade (she had left the car parked there in case Chappell decided to leave the yacht and come home). She saw several homeless people gathered around a fire in a drum there. Meghan Vass has since named (and then retracted) Stephen Gleeson, Sam Devine, Paul Wroe, and Stewart Little as being there in the late afternoon. All those men have criminal records including for serious assaults. The jury was never told that Paul Wroe's yacht was moored about 30 metres away from the Four Winds that day.
10. Problems with John Hughes' evidence: He stated that he was parked by the rowing sheds between 11.30 pm and midnight and saw a figure in a dinghy with a 'female outline'. The jury was told this was likely Sue Neill-Fraser taking the dinghy out to the 'Four Winds'. The jury was not told that Hughes had changed his story twice; first telling the police he saw the person rowing the dinghy. When he was told the yacht's dinghy could not be rowed he said he saw the person seated at the back of

the dinghy. When told the yacht's dinghy only had seats at the sides he changed his story again. He could not remember whether he was inside or outside his car nor whether the dinghy went to any particular yacht. The jury was never told that Grant Maddox, who at that time had shoulder-length hair lived on his yacht and was returning to it late that night or that his dinghy can be rowed. See attached timeline for all the things the DPP said Neill-Fraser did that night.

11. Problems with the mystery dinghy: Paul Conde and three friends were returning to shore at 3.55 pm on the afternoon of the 26th and passed close by the 'Four Winds'. They saw a shabby grey dinghy with lee cloths tied on the river side of the 'Four Winds'. The DPP told the jury this was the yacht's dinghy even though the yacht's dinghy was a small white zodiac with blue flashes and no lee cloths and they always tied it on the shore side. The people who were there on that grey dinghy have never come forward. Paul Wroe was known to have 2 grey dinghies on his yacht but his yacht was never checked. He sailed away down the river on the 27th and when he returned to his mooring he had reportedly had a fire in the well of his yacht.
12. Problems with items: A plastic drink bottle was found on the yacht. Chappell was very anti- the use of plastic drink bottles and would never allow them on board so someone brought it on board the yacht that afternoon or night. He always took his watch off when he went to bed but as it wasn't found on board he either had disappeared earlier on or his watch had been stolen. Neill-Fraser told police she wanted to publicise what Chappell was wearing that day in case his clothes were found. Police said they would publicise what he had been wearing but never did. No lights were ever reported as being seen on the yacht that night despite the DPP's claim that Neill-Fraser carried out a murder, a clean-up, a winching of the body, and the sabotage of the boat. How she did this late at night in the dark, according to the DPP, was never explained to the jury. The lack of lights gives credence to Meghan Vass's story that they went out to the yacht in the late afternoon. Otherwise Bob Chappell would have turned on lights to work and eat by later on.
13. Problems with the EPIRB: The jury was told that the yacht's EPIRB was found by a 'Glenorchy man' on the rocks behind the Maning Avenue beach who handed it in to the Glenorchy police station. This man, Robert Mclerie Page, was not called to be cross-examined in front of the jury. So they remained unaware that the place he told police he'd found it was above the high water mark. It could not possibly have been thrown off the yacht, sailed around the point to come in to the beach and got itself up high on the rocks. EPIRBs are designed to bob around in the place where they are thrown to mark that someone or something has gone in, not sail away. The EPIRB was never checked to see if it had been in sea water. The DPP told the jury that Chappell must have come up to the pilot house and thrown the EPIRB overboard. As Chappell was a strong swimmer it was not explained why he would not have dived in himself and swum to shore. (His mother-in-law Helen Neill-Fraser lived on Marieville Esplanade facing the yacht, less than 500 metres away.) The DPP later told the jury that Chappell was killed in the well of the yacht. He can't have it both ways. If Bob Chappell did not throw the EPIRB into the water (which is very unlikely) then it seems most likely that Mr Page went on board the yacht or knew people who had been on the yacht. Mr Page gave as his residential address to the Electoral Commission 91 Berriedale Road even though this was a vacant lot at the time. As some of his family are involved in drug-dealing he may have preferred to be circumspect about his home address.
14. Problems with the method of sabotage: Chappell and Neill-Fraser bought the 'Four Winds' at Scarborough in Queensland in December, paying over \$300,000 for it. The yacht was sabotaged by a sea cock in the well being opened and the reinforced PVC water pipe to the toilet being sawn through which was an extraordinary way to try and sink a yacht. Any experienced yachtee would know simpler ways to sink a yacht so the person or persons who carried out the sabotage appear to have been

inexperienced with boats. The marine expert called by the DPP stated that water had been entering the boat from 6 to 12 hours when it was found. This would suggest that the yacht had been sabotaged in the late afternoon or early evening of the 26th. The sabotage was never properly investigated. The damage to the yacht was so severe that it was eventually sold off for \$50,000. Yet the jury was told by both the DPP and the judge Justice Alan Blow that Neill-Fraser wanted her partner's estate, which was his house and his share of the boat. (She already knew he had left his superannuation and savings to his children.) They had been together for 18 years, all their children were grown up and established, and they both had enough money to do the sailing they planned to do with their new yacht. It was inappropriate for the DPP and judge to speculate on their finances without evidence; nor was the jury told that in the case of a missing person it is usually necessary to wait 7 years before they can be declared dead and their estate passed on.

15. Problems with identification: Barbara Zochling said she had seen a woman with shoulder-length blonde hair arguing with Bob Chappell on the morning of the 26th. When shown a photo of Neill-Fraser she said that was not the woman she had seen. Yet Mrs Zochling was jailed overnight then brought to court to tell the jury that the woman she had seen was not Neill-Fraser. Why she was treated so harshly has never been explained. When she went out of court into the foyer she saw Bob Chappell's sister Anne Sanchez and said 'That's the woman I saw'. The jury remained unaware of this.
16. Problems with the DPP: Tim Ellis brought into the case the presumed death of Denis O'Day and linked it to Neill-Fraser. Denis O'Day Junior is believed to have jumped from the bridge although his body was never found. His only connection to Neill-Fraser was that his some time girlfriend Lexie had worked for Neill-Fraser. The rumour that Neill-Fraser had murdered both Denis O'Day and her first husband Brett Meeker was spread by Phillip Triffett and Maria Hanson. When Chappell and Neill-Fraser complained to police, DS John Mikulski and DS John Lennox visited Chappell and Hanson who admitted they had made up and spread the rumours round Hobart. For the DPP to drag something he knew to be untrue into the trial was completely inappropriate and unprofessional. Brett Meeker sat through the trial to support his ex-wife. (Denis O'Day Senior was a private investigator who was researching former Police Commissioner Richard Macready on the grounds of his alleged corruption; police took his computer and material and reportedly never returned anything; he was dead by the time his son's death was dragged inappropriately into this trial.) It is unknown how many of the jury had heard and possibly believed these false rumours. The DPP also gave the jury the impression that the yacht's dinghy was awash with blood. It was not explained why there was no blood on the yacht's deck. Nor were the jury told the yacht's dinghy had been scrubbed out with bleach only days before or that Luminol reacts with bleach.
17. Problems with the jury: A female jury member bought a horse which had been agisted at Sue Neill-Fraser's riding school. Although Neill-Fraser was not the owner of the horse the woman rang her up and abused her when the horse proved to be unsuitable. That woman should have excused herself from the jury. Several other jury members have told others that they believed Neill-Fraser was guilty because she did not cry in court. The judge should have reminded the jury that their verdict must be based on evidence, not personal feelings.
18. Problems with the investigating officer: Inspector Peter Powell was involved with investigating the deaths of 3 middle-aged yachtees in less than 4 months. (He had resigned from the Northern Drug Bureau just before all its members were dispersed because of problems with the Bureau. See *The Examiner* 24/6/1999. He later came to Hobart and rejoined the Police.) These were:
 - 1) Peter John Irwin found in the water at Sandy Bay. *The Mercury* 1/10/2008 reported that "Dozens of small yellow markers mapped out the blood stains on the concrete"

and "They snaked from the sailing club's car park near the ship yard, out on to the concrete walkways of the marina towards the area where the yacht Zereba was moored". The post mortem was that he "probably drowned". The death was written off in one day by Powell as an accidental death even though an experienced swimmer is not going to drown at the Yacht Club unless unconscious when he went in to the water and no attempt was made to explain the trail of blood from the carpark.

- 2) "Man found floating in the water at Sullivan's Cove at about noon on the 11th October by a yacht which called police. Police said the death was "not suspicious". The body was said to be the body of an unidentified male of middle-age." *Sunday Tasmanian* 12/10/2008. His name and post mortem report have never been made public. He was known to be crew on a visiting yacht. He was also alleged to have been in a fight with Paul Wroe on the night before he was found. Paul Wroe sometimes came into town from his yacht to eat at Loui's Van. He has a long record of assaults including assaulting police. The man's death was again written off by Powell as an accidental death.
- 3) Despite not having a body Powell decided Bob Chappell had been murdered. He stated he did not suspect foul play in *The Mercury* 28/1/2009. In next day's *Mercury* he stated he did suspect foul play. Was it coincidence that Philip Triffett had gone to the police the previous afternoon?

Neither of the two previous deaths was properly investigated. Did DI Peter Powell decide that 3 accidental deaths of experienced yachtees in less than 4 months and in that small area of water might be too much for the public to swallow and one had to be presented as murder?

There are so many questions which need to be thoroughly investigated in regard to Bob Chappell's disappearance. Like most Tasmanians I want a police force and legal system of the highest standards of integrity and professionalism. I think we have a long way to go to achieve this.

WHAT THE CROWN CLAIMED IN COURT SUE NEILL-FRASER DID

Around 11.30 p.m. 26 January 2009. Witness claimed to have sighted a 'female outline' in a dinghy between 11.30 and 12.00 pm. I have worked from his earliest time.

11.35 p.m. Reaches the 'Four Winds' and comes alongside.

11.37 p.m. Ties up the dinghy and turns off the motor.

11.39 p.m. Climbs the ladder and crosses the deck to the hatchway.

11.40 p.m. Climbs down the gangway in the dark. (No light was reported on the 'Four Winds' at any time that night.)

11.42 p.m. Looks for some kind of weapon. The Crown first showed a large knife to the jury then claimed a wrench or screwdriver or 'something' had been used.

11.43 p.m. Goes into the cabin to see if Bob Chappell is in bed.

11.48 p.m. The Crown asserts that she struck Chappell from behind with a wrench. If he was still in bed this would be simple but she would then have to drag him out of bed and across the floor to near the gangway, as the winch couldn't move him from inside the cabin, then tidy up the bed. If he had been woken by her arrival and got up and come out she then had to circle round behind him to fit the Crown's claim and hit him an unknown number of times. This would be difficult to do in the dark and equally difficult to do with a torch in one hand and a wrench in the other. The Crown did not hazard a guess as to how many blows were required to cause death.

11.50 p.m. Checks that he is in fact dead and not merely stunned. She would not want him to crawl away or even manage to reach some form of communication. Every year thousands of people do survive severe head trauma.

11.52 p.m. Moves his body to where she can use the winch to lift it.

11.54 p.m. Cleans the wrench very thoroughly and puts it away or alternatively cleans it so it will not leave any marks and places it ready to be disposed of.

11.55 p.m. Finds a hacksaw or large knife and goes into the toilet.

11.58 p.m. Cuts through the reinforced piping connected to the toilet.

11.59 p.m. Returns the knife or saw to its drawer or shelf or leaves it elsewhere as nothing was found by the toilet.

12.02 a.m. Goes to the seacock in the floor, kneels down and opens it.

12.04 a.m. Goes to the 15 kilo fire extinguisher behind the gangway and removes it from its bracket.

12.06 a.m. Finds a suitable rope in a locker downstairs or lying on the floor and ties the extinguisher very carefully to the body so it won't come loose.

12.10 a.m. Climbs up on deck and unwinds the winch rope and drops it down below.

12.13 a.m. Ties the body very carefully with the winch rope so that it won't slip out as it becomes airborne. The extinguisher may be already tied on or may have been taken up separately to be tied on later.

12.15 a.m. Climbs up on deck again and winds the winch.

12.18 a.m. Raises more than 80 kilos dead weight very slowly and carefully so that it doesn't swing out and leave marks on any surface.

12.20 a.m. Places the body on the deck and unties it from the winch.

12.24 a.m. Cuts a large rope and winds it backwards round the winch. The Crown doesn't claim she did this but it was clearly visible in the photos shown to the jury and the Crown claims there was no one else involved. This would make the winch ineffective, just slipping rather than lifting.

12.25 a.m. Goes back downstairs. The Crown claimed she put on latex gloves to clean up. She would also need to find a cloth. There may have been a pool of blood left on the floor from Chappell while she went up to activate the winch. She also had to remove her fingerprints from the toilet pipe, seacock, torch, and the winch handle. The Crown did not hazard a guess as to whether she did this before or after sabotaging the boat. (And to clean up a boat you are going to sink does seem pointless.) The Crown's case did not allow her to remove any personal possessions such as money, papers, jewelry, family photos etc. Nor did the Crown engage with such questions as when

was Chappell's wristwatch removed. He did not wear it to bed but it was not found on board. Nor did they resolve whether he had got into pyjamas.

12.27 p.m. Completes her clean-up. As neither gloves nor cloths with her DNA or Chappell's blood were found she must then have put them into a pocket, handbag or rubbish bag. (The gloves found on a stove top only contained Tim Chappell's DNA.)

12.28 a.m. Collects a red jacket from a locker or shelf, puts it on and closes it firmly so it won't flap.

12.29 p.m. Climbs upstairs again.

12.31 a.m. As the winch could not lift the body in the direction of the dinghy and over the rail she would need to drag or carry more than 80 kilos across the deck.

12.35 a.m. It would be difficult to get this weight down the ladder into the dinghy without letting it drop or slip or hit the dinghy awkwardly. This would have required considerable strength, skill, and patience.

12.37 a.m. Climbs into the dinghy, unties the painter, and starts the motor.

12.41 a.m. Motors out past all the moored boats and makes sure she can't be seen from the Yacht Club or any of the yachts still showing lights (remembering this was Australia Day).

12.42 a.m. Turns off the motor or leaves it idling.

12.44 a.m. Very carefully pushes the body and fire extinguisher overboard so as not to capsize the dinghy. Possibly throws the wrench overboard too.

12.46 a.m. Watches to make sure the body does in fact sink and nothing from his pockets etc floats to the surface. The Fire Department says that type of fire extinguisher would float. The Crown presented it to the jury as a way to sink a body.

12.47 a.m. Restarts the motor and turns the dinghy round.

12.52 a.m. Motors back towards the rowing sheds.

12.53 a.m. Turns off the motor and possibly uses her rag to remove any marks along the dinghy's edge. The Crown claims that forensic tests show the dinghy was awash with blood in the well. She would have needed to clean this claimed blood off her so as not to transfer any to her car or the jacket. She may have run the dinghy into the beach and later pushed it off again so that it could drift along to the rock embankment where it was found.

12.55 a.m. Jumps or wades to the shore and climbs the embankment.

12.58 a.m. Walks or runs along to Margaret Street off the Esplanade, takes off the red jacket, and hangs it on a fence.

1.03 a.m. Walks or runs back around to Marieville Esplanade to where the car is parked the other side of the rowing sheds.

1.05 a.m. Finds her car key, unlocks the door, gets in, starts the engine, closes the door, possibly puts on a seatbelt and drives up to Sandy Bay Road.

The yacht's EPIRB was supposedly found on the rocks behind the Maning Avenue beach the next day. The Crown suggested Bob Chappell may have thrown it overboard but the DPP's scenario of Bob Chappell killed in the well of the yacht and winched up cannot be reconciled with the suggestion he went up the steps to the pilot house, took it from its bracket, went out on deck and threw it overboard. Suggesting Susan Neill-Fraser did this adds yet more activities to her already frantic schedule and reportedly the only fingerprints on it were of Mr Page who said he found it and smudged ones belonging to Bob Chappell.

The trouble with this timeline is that the Crown asserts that she was caught on CCTV footage driving away along Sandy Bay Road at 12.25 a.m. This is at least 40 minutes earlier.

I have predicated my timeline on a young fit person with good night vision and strong nerves, not a Senior with a bad back and according to witnesses indecisive and vague at times. But to try to key in factors of age and a minor disability raised too many imponderables so I stayed with my fit youth.

The Crown can claim that the CCTV footage was not her after all but as the jury was given the strong impression it was and possibly took it into consideration when they brought in their guilty verdict the Crown cannot now change its claim. The Crown can claim that she wasn't messing round with the red jacket but as this was also part of the Crown's evidence it cannot now be dropped. The Crown did not claim she re-wound the winch backwards but they claim she used the winch and the photos shown to the jury show the re-winding and the cut ropes and the Crown, without evidence, says she acted alone.

The Crown can claim she drove away and came back later but as such a scenario wasn't put to the jury it cannot now be put forward. And if she came back later to sabotage the boat then the Crown's own expert witness who said that water had been entering the yacht for 6 to 12 hours before it was found sinking (and it was reported as sinking to the Port Authorities at around 5 a.m. by another yacht) would need to change his evidence to fit the different scenario proposed. And it still would not get her away from the scene fast enough to fit the CCTV footage as I have only given her around 12 minutes to sabotage the boat.

The Crown could do a complete re-creation to prove a minute could be shaved from my timeline here and there but no re-creation will cut more than half-an-hour from my timeline and anything less is pointless. And a proper re-creation using a 56-year-old woman, in the dark, would almost certainly add substantially to this timeline.

I had very grave doubts about the Crown's case when I listened to it in Court. Now that I have tried to fit the Crown's case into the time the Crown allowed the defendant it is obvious it can't be done.