

Confession By Assaults' Perpetrator Doesn't Stop Wrongful Conviction

By JD Staff

Eighteen year-old Liverpool, England, soccer fan Michael Shields traveled to Bulgaria in May 2005 to watch his team play in the final of the European Champions League. He stayed at the Golden Sands Resort in the port city of Varna, and the match was played across the border in neighboring Turkey.

Liverpool won the May 30 game on a penalty kick. Shields phoned his dad and told him it was the best day of his life. After returning to the Golden Sands, Shields celebrated with other Liverpool fan until he went to bed at 2:30 a.m. He was woken the next morning by police who took him to the police station. There was a shortage of cells, so he was handcuffed to a radiator.

Shield's soon learned that sometime after he went to bed, a local man, Martin Georgief, had been hit in the head with a paving brick thrown by a person believed to be one of the visitors from Liverpool. Shields participated in an "identity parade" in front of the victim, a twenty-five year-old bartender, who selected Shield's as his attacker.

Since Georgief suffered a fractured skull, and possible brain damage. Shields was charged with attempted murder.

Protesting his innocence and claiming he was mistaken for the attacker, Shields was transferred to a detention center to await his trial. He later told reporters that while there he was kicked and slapped by police and bullied by other prisoners.

About a week before Shields' July 24, 2005, trial, an English paper, *The Echo*, ran a story linking 20-year-old Graham Sankey to the assault. Sankey had not only been in Varna to attend the soccer match, but he had also been arrested. However he was released without participating in an "identity parade" after the victim selected Shields. Sankey and Shields are not only about the same age, but they are similar in appearance - both very large young men. It would be possible for the two to be confused by a person who experienced the trauma of a physical assault at night on a poorly lit street.

Shortly after the news report of his involvement, Sankey publicly confessed to the attack in a statement released through his lawyer. However he refused to sign a confession or travel to Bulgaria to testify in Shields' defense.

Shields was tried, convicted primarily on Georgief's eyewitness testimony, and sentenced to 15 years in prison. Afterwards, at a meeting with newspaper reporters, Shields' said, "They got completely, 100 percent, the wrong person."¹

Four days after Shield's trial, Sankey signed a written confession that his lawyer faxed to Bulgarian judicial authorities.

In his confession Sankey explained that he had been drinking beer the day of the soccer match, and after also drinking vodka that night, he was "very, very drunk." He said that after seeing three men running toward him with bottles and bricks, "I panicked and stupidly picked up a brick and threw it in the direction of the men running towards me. I saw the brick hit one of them. I panicked and I turned and ran away and returned to the hotel. I did not know at that time that Mr. Martin Georgief had been injured."² Sankey also said that he denied being involved when he was arrested in Bulgaria, because he was "utterly terrified."³ Sankey added, "I accept that I must have caused the serious injury to Mr. Georgief. My conscience has been tormenting me ever since I read in the papers about Michael Shields' trial, and I felt that I could not let an innocent man take the blame for what I had done. So I instructed my Solicitor, Mr. David Kirwan to make public my acceptance of responsibility and my willingness to accept fully the consequences of my actions. I expected that the Bulgarian Court would accept my admission and free Mr. Shields. I was horrified that the Court has refused to do this, so I am making this signed confession in the hope that an innocent man will no longer have to take responsibility for what I admit I did."⁴

Shields is hoping that the Varna Court of Appeals will consider the new evidence of Sankey's confession.

As of early September 2005, Sankey has refused to voluntarily return to Bulgaria. That leaves the option for Bulgarian authorities to seek his extradition, based on his written confession.

Shields' family has been waging a very public campaign in England to drum up public and media support for his release. The Bulgarian judiciary has responded very defensively. In a letter to Bulgaria's British Counsel, the Bulgarian Union of Judges claimed the international publicity about the case was "an interference in a court's work," and "an insult to the dignity of the Bulgarian nation." A Union spokesman said, "It must be absolutely clear that the court can never be told how to decide a case. Convicted Shields was given a fast and just trial before

an independent and unbiased court, in conformity with all international standards of human rights protection."⁵

The Shields family has refused to back down in their support of Michael. His uncle, Joey Graney said, "A judge is there to decide and make sure a case is fair, not to moan when people make justified complaints. ... People make mistakes, even judges make mistakes and in this case the judge got it wrong."⁶

Although several members of Parliament have expressed support for rectifying Shields' wrongful conviction, the British government is officially neutral in the case. A Foreign Office spokesperson said, "We are unable to interfere in the judicial process of another country."⁷ It is possible however, that behind the scenes political maneuvering is going on to resolve the situation.

As of September 2005 Shields remains in a Bulgarian jail awaiting the outcome of his appeal.

Endnotes and sources:

1 Briton jailed in Bulgaria tells of ordeal, Daily Mail (London), July 30, 2005.

2 Family Visit 'Innocent' Liverpool Fan, Daily Mail (London), July 29, 2005

3 *Id.*

4 *Id.*

5 Criticism Angers Bulgarian Judges, Daily Mail (London UK), August 2, 2005.

6 *Id.*

7 *Id.*



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Vodicka came into contact with Baker's great-nephew Roosevelt Curry, and in 2003 helped in the filing of a pardon application with the Georgia Board of Pardons and Paroles.

Vodicka doesn't take a tentative view toward Baker's case, "I'm confident almost any lawyer could have pled Lena Baker not guilty by reason of self-defense."¹

However he was pleased with the Board's decision, "It's not often in our work we get to see something bear fruit. If you step forward and speak up and challenge the system for fairness, it can work. Maybe it will give hope to others that wrongs can be righted."² He also said, "Although in some ways it's 60 years too late, it's gratifying to see that this blatant instance of injustice has finally been recognized for what it was - a legal lynching."³

Endnotes and sources:

1 Executed Woman to be honored on anniversary of her death, AP, *The Daily Mississippian*, March 4, 2005.

2 Georgia Pardon's Woman 60 years After Execution, *Atlanta Journal-Constitution*, August 16, 2005.

3 Pardon Set For Black Woman Executed in '45, Elliott Minor (AP), *King County Journal*,

