

“A Long Time Coming!”

Two Innocent Businessmen Were Imprisoned More Than Two Decades For Murdering A Man Scotland Yard Knew Was Alive

By Hans Sherrer

In the early 1970s, Terry Pinfold and Harry MacKenney became partners in the manufacture of underwater diving equipment. They started their company in Dagenham, Essex (near London, England) after their release from prison, where they met. While in prison the men became acquainted with John “Bruce” Childs, and they gave him a job when he was released. Terence Eve, also a former prisoner, owned a teddy bear manufacturing company located in the same



Harry MacKenney and Terry Pinfold outside the courthouse the day of their exoneration.

building as the diving equipment venture.

In the fall of 1974 Eve became a suspect in the hijacking of over \$150,000 (£75,000) in stereo equipment. He apparently

found out before he could be arrested that a warrant had been issued for his role in the theft. Facing five years in prison, Terence Eve left work on a Friday afternoon in November 1974, and he didn't return the following Monday. He seemingly vanished without a trace. His family didn't hear from him again and his body was never found.

Child confesses to murdering Eve

Police considered Eve's disappearance an unsolved mystery until December 1979, when Childs, who no longer worked for Pinfold and MacKenney, went to police and confessed to murdering Eve in November 1974. He also confessed to murdering five other people who vanished without a trace from November 1974 to October 1978. Childs implicated Pinfold and MacKenney in his confession by telling police the missing people were victims of discount contract killings: Pinfold solicited the jobs and he and MacKenney carried them out.

Childs also told the police that Eve was killed by the three men in his teddy bear factory on

Long Time cont. on page 44

Ford continued from page 42

Carrington has been charged with two violent assaults and several petty crimes. In two incidents, one in which she sliced a woman's face with a broken beer bottle and another in which she attacked two police officers, Carrington was sentenced to probation and enrollment in a substance abuse treatment program.

She has not spent time in prison, but she was shot twice in a drug-related incident.

While she refused comment when confronted in Rankin by Innocence Institute students in 2004, and her mother responded to letters in a profanity-laced refusal to discuss the matter, a woman who described herself as Carrington called a day after a story about the Ford case appeared in the Pittsburgh *Post-Gazette*.

She told Elizabeth Perry of the Innocence Institute that she was going to sue over the story and stated she's glad Paul Ford Jr. is rotting in jail. “F*** him, he's going to do all the f***** time for killing that guy because he did it,” she said, before hanging up the telephone from an area outside of Pennsylvania.

Three Years of Hell

When Nikela Carrington, the first person to implicate Paul Ford Jr., talked about living “three years of hell” at the inquest into the murder of Maurice Price before fleeing those proceedings, she was referring in part to her experiences in the drug world.

The hell she described also related to her spotty record as a star witness in which she repeatedly testified others in crimes some have claimed she was responsible for.

Four years before she provided questionable statements in the case against Ford, the entire prosecution in the Anthony “Two-Tone” Turner murder case rested on her testimony.

In that case, Carrington was the sole witness who testified Turner, her boyfriend, killed Cordell “Corey” Franklin by beating him to death with a baseball bat, setting his body on fire and turning all the gas burners up on the stove in order to ignite the building he lay dead in.

Carrington was never charged in the crime, despite her admitted involvement and physical evidence found on her clothes. Just as in the case against Ford, no forensic evidence linked Turner to the murder.

John Markowitz, a juror in the first trial against Turner trial said Carrington “stumbled” on her way to the witness stand and was “obviously stoned.”

“It made me very skeptical of the judicial process,” Markowitz added.

The first trial ended in a hung jury, but the second concluded with Turner being convicted and sentenced to life.

Months later, Carrington began calling Turner's attorney repeatedly, claiming that she'd lied on the witness stand. Despite that, Turner has failed to win a new trial.

Carrington testified against Paul Ford Jr. in 2003, then continued her plunge into drug addiction and associated crime until eight years later when she was shot in the head.

She survived the shooting and told police her cousin, Alon “Beano” Carrington was her

attacker. After seeing several men arrested with her cousin on television, Carrington accused them as well. Carrington was once again the only link the prosecution had.

Pittsburgh Attorney Ralph Karsh represented one of the four men accused. Of the four, two spent less than twenty-four months in jail on reduced charges in plea agreements and charges the other two were dismissed due to the unreliability of Carrington's testimony. Karsh says Carrington's testimony was tainted because she was “drug addled” and a “crack head fool.”

Reprinted with permission of Innocence Institute of Point Park University. Article dated January 29, 2006.

Bill Moushey is a Pittsburgh *Post-Gazette* staff writer and an associate professor of journalism at Pittsburgh's Point Park University. He is founder and director of the Innocence Institute of Point Park University, a partnership between the University and the *Post-Gazette* that allows students to learn investigative reporting by looking into allegations of wrongful conviction in Western Pennsylvania.

Elizabeth Perry is a graduate student at Point Park University and Innocence Project volunteer. Point Park graduate Sara Summer Wolfe also contributed to this article.

Prisoners in Western Pennsylvania and West Virginia **only** who are claiming innocence can write:

Innocence Institute Of Point Park University
201 Wood Street
Pittsburgh, PA 15222



Long Time cont. from page 43

the Saturday morning of the weekend he disappeared. However when questioned by police after Eve's disappearance, Pinfold said he was in Clacton all weekend with his in-laws, which they corroborated. Eve's wife, mother and one of his factory workers all told police they were in the factory the Saturday morning of the weekend he went missing. They said they did not see anything out of the ordinary, nor did they see Eve, Pinfold or MacKenney that day.

MacKenney and Pinfold Convicted

Bruce Childs pled guilty to the six murders. He was not only the star witness against his former employers, but since there were no bodies, murder weapons, corroborating witnesses, or physical or forensic evidence that any of the six people had been murdered, his testimony was the prosecution's sole evidence that they had been the victim of foul play. Pinfold and MacKenney's defense focused on the inconsistencies in Childs' account, and that the men had solid alibis. The jurors, however, ignored the weakness of the prosecution's case and convicted Pinfold and MacKenney of various charges. They were both sentenced to life in prison.

The men's appeal of their convictions were denied in 1981.

A break came in July 1986 when Childs recanted his trial testimony in a sworn affidavit. He swore in the affidavit that he testified falsely at the trial because prosecutors had offered him "the inducement that my 'cooperation' at the trial would ensure my early release from prison."¹ However an appeal filed in 1988 citing Childs' affidavit as new evidence of the men's innocence was denied. The Court didn't consider Childs' affidavit persuasive enough to overcome the dismissal of their previous appeal – even the earlier appeal had been based on different arguments.

Pinfold and MacKenney would have qualified for parole in the early-to-mid-1990s if they admitted their guilt. However, both men refused to do so and continued trying to find exonerating evidence. With the help of people on the outside, evidence of Childs' condition of being a pathological liar was assembled. In an effort to win a new trial, an application relying on the accumulated exculpatory evidence was filed with the Criminal Cases Review Commission (CCRC).

In September 2001, Pinfold was granted bail after the CCRC submitted his case for review

by the Court of Appeals. MacKenney wasn't as fortunate. He was not granted bail until October 2003, when the Appeals Court heard the evidence not heard by their trial jury.

Scotland yard concealed Eve was alive

Among that new evidence was explosive documentation obtained by the men in 2003. The prosecution had concealed the information from Pinfold and MacKenney for nearly a quarter of a century. Neither prior to nor during the men's trial, nor after their convictions, was it disclosed to them that Eve was known by Scotland Yard to be alive and living in west London under an assumed name three years after his alleged murder in November 1974.² In 1977 the late Scotland Yard Commander Bert Wickstead reported during an investigation for another case that Eve was living in west London under an assumed name. However, instead of pursuing the discovery Eve was alive, he stopped any further inquiry into the matter.³ Eve's disappearance and starting of a new life under an assumed name occurred at precisely the time necessary for him to avoid prosecution and a possible five year prison term for the stereo hijacking caper.

Convictions quashed

After hearing the new evidence that included Childs was "an immensely plausible liar" whose testimony was evidentially "worthless," the Court of Appeal granted MacKenney bail in October 2003 pending its decision. On December 15, 2003, the Court formally quashed the men's convictions. Pinfold was 71-years-old and had spent 22 years wrongly imprisoned. MacKenney was 72-years-old and he had been wrongly imprisoned for 24 years. Those decades of imprisonment were not kind to the men: Pinfold suffered six strokes in prison and has heart and bowel problems; while MacKenney had contracted emphysema and pneumonia.

After the Court of Appeals issued its decision, lawyer's for the men announced they would make a compensation claim for about \$1.8 million (£1 million). However, as of early 2006, the men have not been awarded compensation.

Neither has any action for wrongdoing been taken against anyone involved in the men's prosecution.

In spite of their age and infirmities, upon their exoneration both men had spunk when describing the wrong they needlessly suffered. MacKenney said, "It has been a long time coming. The case should never have got to

court. It was a fiasco. This has come 23 years too late."⁴ Traveling to the hearing from a hospital to which he returned after it was over, Pinfold expressed similar sentiments, "I am not going to let this go. Everything that happened to us will come out eventually. The trial 20 years ago was a joke. Witnesses were coerced, threatened, bullied, and misled. It has taken over two decades to right this wrong, and things are still not right."⁵ They certainly aren't. When Terry Pinfold walked out of prison in September 2001, he had \$85 (£47) to his name, after losing his wife, his business, his home and his health while imprisoned.

Unfortunately for the two men, obtaining compensation for their ordeal has thus far proven elusive. That was the one thing they counted on so they could have some measure of comfort in their remaining years.

Why did Scotland Yard conceal Eve was alive?

It has not been publicly reported why after his disappearance, Scotland Yard protected Eve's new identity to the point of allowing Pinfold and MacKenney to be tried, convicted and imprisoned for over two decades for a heinous crime that it was not only impossible for them to have committed – but which never happened. Since the November 1974 murder of Eve was a figment of Childs' imagination, and there is an absence of any evidence sans Childs' unsubstantiated confessions that the other five missing people were murdered by the trio of men. So for all anyone knows, they are all fictitious crimes.⁶ Fabricating a confession to neatly solve the disappearance of six people for the police, indicates that Childs' personal problems go much deeper than simply being a pathological liar.

However if Scotland Yard shares the FBI's policy that was secret until only a few years ago of sacrificing innocent people to protect informants, it is plausible Eve made a deal to provide information in exchange for concealment of his new identity. The FBI's practice of doing that was publicly exposed in January 2001, when it was reported that information provided to lawyers for Joseph Salvati and Peter Limone proved the FBI and prosecutors knew at the time of their 1967 trial for the 1965 murder of Edward Deegan in Boston, that they and their two co-defendants – Louis Greco and Harry Tameleo – were innocent.⁷ Yet people within the FBI and others involved in the men's prosecution who knew the truth, stood in unison and allowed four innocent men to be convicted of murder and languish in prison for decades. Two of those men – Greco and Tameleo – died while wrongly imprisoned, and the

Long Time cont. on page 45

Long Time cont. from page 44

other two were not exonerated until 2001, after more than 30 years of imprisonment.⁸

Scotland Yard and others involved in the prosecution of Pinfold and MacKenney likewise remained silent and allowed the horrific injustice of their conviction to occur. Furthermore, during the intervening two decades while they fought for their freedom, not a single one of the police and prosecutors who knew the truth bothered to exert the effort to pick-up a telephone and dial a few numbers to tip-off the men's lawyers of the concealed evidence undermining the soundness of their convictions.

At a minimum the tragedy that befell Terry Pinfold and Harry MacKenney highlights the inability to consider any conviction safe that hinges on the testimony of a sole prosecution witness, who like Bruce Childs may not be telling the truth, but simply saying what is necessary to receive an expected reward from the prosecution.⁹

Endnotes and sources:

1 The Ordeal of Terry Pinfold, *The Guardian*, July 14, 2003. See also, Lifer's 23-year fight to clear his name, Hugh Muir, *The Guardian*, London UK, October 27, 2003.

2 Murder victim 'was alive' *BBC News*, October 28, 2003.

3 *Id.* See also, The Ordeal of Terry Pinfold, *The Guardian*, July 14, 2003.

4 Murder case pair convicted on word of liar are cleared, Hugh Muir, *The Guardian*, October 31, 2003.

5 £1m claim by two men jailed for 23 years on word of pathological liar, Hugh Muir, *The Guardian*, UK, December 16, 2003.

6 It has not been reported since the men's trial in 1980, that any evidence has turned up that any of the six missing people they were tried for playing a part in killing, was actually murdered by anyone. It has been reported that thousands of people yearly in the UK are known to "disappear" by moving and changing their name in an effort to start a new life.

7 See e.g., Four Men Exonerated of 1965 Murder After FBI Frame-up is Exposed, *Justice:Denied*, Vol. 1, Issue; Update On the FBI's Frame-up of Four Innocent Men in Boston, *Justice:Denied*, Vol. 2, Issue 8; and, FBI's Legacy of Shame, *Justice:Denied*, Issue 27, p. 24.

8 *Id.*

9 For an explanation of this process see e.g., Prosecutors Are Master Framers, *Justice:Denied*, Vol. 1, No. 9; Prosecutorial Lawlessness is its Real Name, *Justice:Denied*, Vol. 1, No. 6; and, The Ring of Truth, *Justice:Denied*, Vol. 1, No. 7.



Justice:Denied Disclaimer

Justice:Denied provides a forum for people who can make a credible claim of innocence, but who are not yet exonerated, to publicize their plight. *Justice:Denied* strives to provide sufficient information so that the reader can make a general assessment about a person's claim of innocence. However unless specifically stated, *Justice:Denied* does not take a position concerning a person's claim of innocence.

British P. M. Tony Blair Apologizes To Guildford Four and Maguire Seven

In 1975 four alleged Irish Republican Army operatives were convicted of participating in the 1974 bombing of a pub in Guildford, England that killed five people. All four were physically tortured into signing a confession that didn't mesh with the facts of the crime. Although there was no physical evidence or a single witness tying them to the crime, their jurors relied on the confessions to find them guilty. All four were sentenced to life in prison, and the judge openly wondered why they weren't charged with treason so that he could have sentenced them to death.

The four defendants became known as the Guildford Four, and in 1989 their convictions were quashed and they were released after 15 years of wrongful imprisonment. Gerry Conlon's autobiographical account of their ordeal served as the basis for the 1993 movie, *In the Name of the Father*, that starred Daniel Day Lewis as Conlon and Emma Thompson as the person most responsible for their exoneration — attorney Gareth Pierce. (See the review of *In the Name of the Father*, in *Justice:Denied*, Vol. 2, Issue 4.)

In 1976 seven people were convicted of "handling explosives" involved in a 1974 pub bombing in Woolwich, England that killed two people. The defendants became known as the Maguire Seven, because five were members of the Maguire family — and the other two were an aunt of Gerry Conlon and his ailing father, Guiseppe. The only evidence of their alleged guilt was supposed traces of nitroglycerin detected on their hands by a swab test. They all protested their innocence, but were convicted and given stiff prison terms.

By 1991 the nitroglycerin evidence used to convict the Maguire Seven had been discredited and their convictions were

quashed. However, by then all of them had completed their sentences except for Guiseppe Conlon, who died in prison in 1980.

Gerry Conlon and others have been demanding that British Prime Minister Tony Blair apologize on behalf of the British government for the "dreadful miscarriages of justice" committed by the British government.

On February 9, 2005 Blair officially apologized to the eleven people wrongly convicted of the 1974 bombings. Blair said in a nationally televised address:

"The Guildford and Woolwich bombings killed seven people and injured over 100. Their loss, the loss suffered by their families, will never go away. But it serves no one for the wrong people to be convicted for such an awful crime.

It is a matter of great regret when anyone suffers a miscarriage of justice. I recognize the trauma that the conviction caused the Conlon and Maguire families and the stigma which wrongly attaches to them to this day.

I am very sorry that they were subject to such an ordeal and such an injustice. That's why I am making this apology today. They deserve to be completely and publicly exonerated."¹

Although it was a bold admission by the British government, many people, including Paddy Joe Hill — one of the Birmingham Six who were wrongly convicted of two 1975 Birmingham bombings and exonerated in 1991 after 16 years of imprisonment — criticized Blair for not also apologizing to the many other people wrongly convicted in Britain.



Endnotes:

1 Blair Apologizes to Wrongly Convicted Men, *The Guardian* (UK), February 9, 2005.

2 Comment from Paddy Joe Hill — One of the Birmingham Six wrongly convicted in 1975 of an IRA bombing and exonerated in 1991, *Miscarriages of JusticeUK (MOJUK) News Service*, February 10, 2005.

This is the story of Karlyn Eklof, a young woman delivered into the hands of a psychotic killer by traffickers in porn and mind control. She witnessed a murder and is currently serving two life sentences in Oregon for that crime. *Improper Submission* by Erma Armstrong documents:

- The way the killer's psychotic bragging was used by the prosecution to define the case against Karlyn.
- The way exculpatory evidence was hidden from the defense.
- The way erroneous assertions by the prosecution were used by the media, by judges reviewing the case, and even by her own lawyers to avoid looking at the record that reveals her innocence.
- The ways her appeal lawyers have denied any input that would require them to investigate official misconduct.
- Her case is classic example of coercion and denial of civil rights.

Paperback, 370 pages

Send \$10 (postage paid) (check, money order or stamps) to:
Tanglewood Hill Press
170 W. Ellendale, Suite 103, PMB 410
Dallas, OR 97338

