



FREE MERRICK ROGERS

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In the months leading up to the murder of Claire Streader there had been a number of attempted abductions and sexual assaults (including an attempted strangulation) on young women in the Canterbury area walking home alone at night. Several statements had been made identifying the attacker. Merrick Rogers even spoke to the police who were at his place of work about details he felt may help with the investigation. An e-fit was released of the attacker, several witnesses even named the man. A man (not fitting the description of the e-fit) was arrested for the attacks. This man was later acquitted. After the murder several suspects were questioned, however, once Merrick was interviewed, investigations of other suspects were not completed. The attacker and murderer still walk the streets while Merrick is serving life for a crime he did not commit.

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31st May 1999 — Bank Holiday Monday — Canterbury

Merrick Rogers was off work from his current job as a taxi-driver. He took advantage of this by going into town to visit a few friends that he knew would be working in local pubs. It was Merrick's 24th birthday the following day and he thought today was a good opportunity to catch up with old friends and begin his celebrations early. Later that afternoon, he walked home to his parent's house for his evening meal. He then returned to town to meet up again with friends. On his way to the City Arms pub in the centre of Canterbury, Merrick bumped into an old friend, Claire Streader. They hadn't seen each other for about 3 years. Claire was with her boyfriend who was using the cash-point machine nearby, Merrick approached Lee and introduced himself. Merrick told her of his plans for that evening, Claire mentioned that her boyfriend had already arranged to go out with his work colleagues and that she was asked to make her own plans. Claire then asked if she could join Merrick. Claire and Merrick then continued on to the City Arms while her boyfriend went on his own way.

After leaving the City Arms, they both went on to the Bishop's Finger pub, (Claire wanted to go there to try and meet up with her boyfriend), Her boyfriend, Lee Packman was not in the Bishops Finger so she made a phone call to his mobile and left him a message. They then went to the Seven Stars pub. Claire was dancing along the street heading towards the Seven Stars. During the next couple of hours they consumed a fair amount of alcohol.

A quiz was in progress at the Seven Stars pub. Several of Merrick's friends were taking part. Merrick and Claire arrived after the quiz had already started; they paid a pound to take part and sat with Merrick's friends. They had both drunk a lot of alcohol by this time and were becoming noisy. Claire started shouting out the answers and not really taking the quiz seriously and they began to annoy Merrick's friends who were trying to participate. Claire told Merrick she didn't really like his friends much and she didn't think they liked her. After a few cross words with his friend, James Weatherstone, Merrick decided that he wanted to go on to another pub, the Three Tuns. He wanted to try to catch up with some other friends he hadn't seen for a long time, and who used to drink in there

Merrick wanted Claire to go with him. Claire decided that she should get home as she was starting work early the following day. Merrick tried to persuade her otherwise and told her not to worry; that he would pick her up for work in the morning so she wouldn't be late. Claire wrote on a napkin, "don't forget to pick Claire up", as she thought he might forget. Once outside the pub, around 10.00 pm to 10.15 pm (*Merrick thought at the time*), Claire decided that it might be a bad idea for Merrick to pick her up the following morning as he'd had a lot to drink and might not be in a fit state to drive. Merrick had also thought twice by this time, and was beginning to regret offering a lift the next day as it would mean getting up very early and he wanted to go on drinking and, perhaps, on to a club. Claire then decided that she was going to go home so she would be up in time for work the next day. Again, Merrick tried to persuade her but Claire was adamant that she wanted to go home. Merrick offered to take her but she told him that she was a big girl and could look after herself. Merrick did not want to agitate her by insisting so they both said their 'goodbyes' with a hug and a peck on the cheek, promising each other they would stay in touch. Merrick then went on to the Three Tuns while Claire (*Merrick assumed*) walked home. As they parted, Merrick looked back over his shoulder to give a final wave and saw Claire heading down Palace Street. This was the last time he saw her.

While in the Three Tuns Merrick remembered ordering a pint of 'Holsten Export', which he drank before leaving the pub just

after last orders were called. Whilst in the pub, he also remembers using the toilet. As he drank his pint, he says it was going down heavily and he was beginning to feel quite queasy. As none of his friends were around, he therefore decided to make his way home. He walked home, arriving at 11.20 pm.

1st June 1999 — Merrick's 24th Birthday

Merrick woke up very early. His dad left for work at around 5.30 am and slammed the door as he left. This woke Merrick up and he was unable to get back to sleep, although feeling very tired, because he was suffering from the effects of his hang-over and his head was thumping. He got up to get a drink, feeling dehydrated. He decided to wander into town to pick up his car he had left there the day before, as he thought the walk might clear his head. He then returned home and later, when his mum got up, he gave her a lift to work. He then went back home again and napped on the sofa in front of the television. Later that day he returned to town to see his friends who were working in the City Arms pub. One of whom was James Weatherstone. He wanted to apologise for the previous evening, telling him that he was drunk and didn't mean to offend him and spoil the quiz for him. He had a couple of shandys with his friends, after clearing the air. He was hungover and told friends so. In statements from the City Arms in respect of this visit, his friends said that although Merrick was hungover he was his normal cheerful self and was in no way acting at all strangely. He went home to continue celebrating his birthday with his family.

2nd June 1999

Police came to visit Merrick with devastating news. He was told that a young woman's body had been found the day before in St. Stephen's park (near Merrick's home). She had been badly beaten and then strangled with her own jumper. She was found in the bushes of the park with her clothes in disarray, one breast exposed. Merrick was then told the body found was his friend Claire Streader. Merrick was immediately asked to retrieve the clothes he was wearing on the evening he went out with Claire as they believed she had been killed on her way home that evening. Obviously in a state of shock, Merrick handed over the clothes he *believed* he was wearing that night, an orange shirt, black, pin-stripe trousers and a pair of dark shoes.

Over the next few days Merrick was asked to help with enquiries as a witness. More than happy to be of assistance, Merrick provided as much information as he could. He even consented to give samples of blood and other body fluids etc, without hesitation. He also met police officers in Canterbury to walk the route he thought Claire and he had walked that evening, as far as he could remember. At no time during any of these proceedings did Merrick ask for legal representation.

As days went on, more statements were gathered. Police told Merrick that witnesses from that evening say he was wearing a red Yves Saint Laurent shirt. Merrick then recalled that he may well have been wearing a red shirt, and so handed over the red shirt that he would have been wearing that night. Merrick explained that he no longer owned a red YSL shirt as he had ripped it previously and had bought another shirt (the same colour) to replace the ripped one. He was trying to replace the shirt without his mother finding out that he had ripped it, as she had bought it for him. Police later told Merrick that his DNA had been found on Claire's breast at the scene of the murder. Merrick had no idea how this DNA got there but did not deny that he had been with Claire for most of that evening.

12th June 1999

Merrick was arrested on suspicion of murder. He was then questioned intensely over the next two days. Merrick maintained

his innocence and at no time changed any details about his actions of that evening, even though the police say they had proof that Merrick killed Claire. They tried to confuse Merrick by saying that they also had proof that Merrick had sexual intercourse with Claire. This was not true, and proof otherwise did not exist. The police tried to mislead Merrick by trying to get him to say he left the Seven Stars pub at around 10.00 pm at the latest. This would mean that Merrick would have reached the Three Tuns public house by 10.15 pm at the latest.

Merrick agreed with the police's suggestions of these times based on the following; Merrick said that Claire looked at her watch at one time in the Seven Stars and that it was then 9.30 pm. He said he thought this happened just after the time he had bought a round of drinks, which they took about half an hour to drink. However, this round was bought at 9.40 pm, as per the till roll. Therefore, the police knew he was at least ten minutes out with his timings, They said that the latest Merrick would have arrived at the Three Tuns would have been about 10.15 pm and that between 10.00 pm and 10.30 pm, no sale of Holsten export was recorded. Crucially, ten minutes later, at 10.39 pm, there was indeed a sale of export recorded. The police knew this and deliberately withheld this information from Merrick in an attempt to mislead him.

The policeman questioning Merrick accused Merrick of 'smirking' during the interview. Merrick was certainly not smirking, merely feeling quite exhausted after only two hours sleep and many hours of questioning — also the whole idea of Merrick murdering anyone was ludicrous, as anyone who knows Merrick will agree. The police insisted Merrick was a killer and proceeded to ask the same question about the DNA over and over again. However, Merrick only had one answer throughout these many hours of questioning — the truth, which was that he did not kill Claire and he had no idea how his DNA got on to her breast..

14th June 1999

Merrick charged with the murder of his friend, Claire Streader.

Over the following months the prosecution delayed the 'handing over' of the evidence on several occasions. After six months they were finally ordered by the court to complete their findings and allow the defence to begin examining this evidence. It has been discovered that a lot of evidence supporting Merrick's plea was withheld and the defence not informed about these statements/evidence.

During this time Merrick had accumulated many supporters of his plea inside the prisons, including prisoners and prison officers.

6th June 2000

THE TRIAL

Trial commences, Merrick pleads 'NOT GUILTY'.

JUDGE - Mr GAGE

PROSECUTION

QC - Mr HIGGS

Barrister - Mr WARD

The prosecution began their case with several witnesses who were out on the evening of 31st May 1999.

Lee Packman (boyfriend of Claire) :-

gives his account of events that day (*later discovered in trial that he lied about the clothes he was wearing that night - a suspect himself at beginning of investigation*)

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PROSECUTION

A witness states Merrick wore a red 'Yves Saint Laurent' designer shirt that night

witness states that Merrick wore a red 'Ben Sherman' designer shirt that night

witness states that Merrick wore red/burgundy shirt (*Merrick agrees*)

witnesses from the Three Tuns pub who don't remember seeing Merrick in there (*statements also exist of witnesses who did see young man drinking on his own, but these were not used in the trial*)

witness from St Stephen's park before the time of the murder saw Claire walking through the park at 10.45 pm with a man described as between 6 ft and 6 ft 1" tall with dark cropped hair, stubble, athletic build and wearing a dark jacket. (*Merrick is 5ft 7", slightly built and has blonde hair. He was not wearing a jacket that night and not one of the witnesses said he was*). Incidentally, this witness was 5 ft 9" tall and was sure that the man he saw with Claire was definitely taller than him. Both the prosecution and defence agree that this girl was most definitely Claire and the man with her was the man who killed her. How can this man possibly be Merrick?)

statements of witnesses in the park after 11.15 pm saw Claire's shoe lying on the ground

witness who saw 3 young men, one taller than the others, in the park around the same time

witness saw Claire's **pair** of shoes on the ground in the park. He was unsure of the times of events that evening, stating he was home by 10.40 pm, but later evidence proved this time to be wrong - maybe one hour too early (*one of several suspects at beginning of investigation*)

one and a half days of video shown of Merrick's interviews as witness and suspect

evidence of Three Tuns till roll showing that Merrick's drink was not on the print-out between 10.00 pm and 10.30 pm (*however, prosecution knew that the drink did appear on the till roll at 10.39 pm*)

DNA forensic expert — found a speck of amylase, found in sweat/saliva in area 2 cms above Claire's nipple, consisting of two DNA profiles belonging to Claire and Merrick (*but also later admitted DNA samples found from other individuals on Claire's body. Defence explain that appearance of Merrick's DNA proves only contact, and no more as it is impossible to say how it got there. It could have been transferred by the killer, or even put there by Claire herself*). Blood stains found on Claire's bra and outer clothing; one of which does not belong to Claire or Merrick. DNA found on Claire's knickers not belonging to Claire or Merrick.

CCTV — no sign of Merrick on CCTV along the route he took from Seven Stars pub to Three Tuns pub (*CCTV later revealed that a young man that fits Merrick's description was in fact seen on the footage*)

Merrick's red shirt — prosecution claim Merrick ripped his red YSL shirt in the attack on Claire, then destroyed it and gave orange shirt to police (*Merrick did rip his red YSL shirt — a couple of weeks BEFORE the attack, and bought a new red shirt to replace it BEFORE the attack*)

Merrick's good character used against him in trial. Police say that normally Merrick would insist on walking his friend home, so he must have walked Claire home on this occasion (*Merrick admitted he was selfish that night. Claire insisted she went alone, so Merrick continued his birthday celebrating in the next pub*)

DEFENCE

QC - Mr Michael HILL

Barrister -Mr Samuel PARISH

Solicitor -Mr Payne

Defence began their case with Merrick on the stand.

Merrick Rogers (*5ft 7", light hair and of 'slight' build*) again told events as he had already stated in statements and interview videos.

Merrick explained how he went on to the Three Tuns, ordered a pint of 'Holsten Export' and sat down to drink it. He remembers hearing the bell for last orders (usually 10.50 pm) and left shortly after. He then walked home (not via St Stephen's park) arriving indoors at 11.20 pm. He sat downstairs to watch some TV. He remembers what he was watching and at what time.

Merrick's mother is next on witness stand, confirming that Merrick had arrived home at 11.20 as she too was watching TV, but upstairs. She also stated that she knows Merrick did not wash any clothes from that Monday 31st onwards (apparently Merrick did not know how to operate the washing machine!).

several witnesses from various pubs were able to say that Claire and Merrick were happy and relaxed in each others company.

The Three Tuns till roll from that evening showed one pint of Holsten Export was bought at 10.39 pm that night - *the only single pint of Export all evening.*

DNA explanation. Merrick cannot explain how his DNA was on Claire's breast but he was with her all evening. DNA consists of both Merrick **and** Claire's DNA. Defence point out that DNA from at least two other individuals has been identified on Claire's body - also that blood could have acted as a carrying-agent for DNA i.e. Merrick's DNA would have been on Claire's face and hands, blood in these areas from the attack could have picked up the DNA and been transferred to the breast during the attack.

Physiotherapist for Merrick confirmed that Merrick is not strong enough to strangle any person due to previous injury involving a dislocated shoulder that had been dislocated on two separate occasions (*95% sure*)

five spots of blood found on Claire's T-shirt, 4 of which belonged to Claire, the other is still unknown and does NOT belong to Merrick

two different witnesses saw Claire at 10.30 pm leaving the Bishop's Finger pub. A man was seen to follow her. He was 6 ft tall, dark and of largish build '*built like a rugby player*'

these witnesses know Merrick and confirmed that he was not at the pub.

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DEFENCE

witness saw Claire walking towards the St Stephen's park with a man at about 10.45 pm. The man described as 6ft tall with dark hair. Witness saw Claire fall over, appearing drunk. As the witness passed them by, she was sitting rubbing her ankle. The 6ft man asked if she was alright, but appeared agitated, as she was not walking properly.

two witnesses saw Claire leave Seven Stars pub on her own at about 10.15 pm — Claire could possibly have returned once Merrick had left her

one of these witnesses saw a man running away from St Stephen's park to the Causeway shortly after 11 pm. He ran out in front of his car and he got a very good look at him in his headlights, as he was startled. He was about 6ft tall with stubble and of athletic build. He was wearing dirty Reebok Classic trainers, blue fleece Tommy jacket - zipped up, and faded jeans **with grass stains on the knees**. *In his statement, he also claimed that the man's jeans had button-flies. He said he noticed this because the buttons were undone, but this did not come out at the trial.*

CCTV — same as that used by prosecution. After closer examination found that young man fitting Merrick's description can be seen walking towards the Three Tuns pub.

Defence also highlighted the fact that no other suspects were asked to hand over clothes for forensic testing.

No fibre tests were carried out on either Merrick's or Claire's clothing.

27th June 2000

Jury announces unanimous verdict of 'guilty'. Merrick convicted of murder with life sentence. Uproar in court. Various cheers/comments from Streader and Packman family, and others. Merrick's prison officer in disbelief. Merrick's legal team disgusted, but offer to continue defending Merrick through next stages as feel **'something is very wrong'.....**

While in prison over the previous year, Merrick has been under hypnosis on three separate occasions. Each of these sessions showed the same result. Merrick was asked various questions about the events of the evening of 31st May 1999, and each time Merrick was able to confirm his statements taken when fully conscious. His hypnotist attended many days of his trial, convinced of his innocence .Would a guilty man risk his life and let his sub-conscious mind tell the story? Unfortunately this evidence could not be brought into the courtroom as part of Merrick's defence.

Merrick is from a respectable family and an educated background. Throughout all his years, Merrick has never been known to have an aggressive bone in his body. Even if involved in an argument. Merrick is a gentle, kind, generous, considerate young man who cares very much for those close to him. A loving son and brother and an excellent friend to all who knew him. To think that he has been convicted of murdering his childhood friend is beyond belief. It is breaking our hearts to think of him in prison - and for so long. He doesn't deserve it. His family do not deserve it.

The jury's decision was such a shock to us all. We cannot believe how much evidence was ignored. All the witnesses that saw Claire saw her with a 6ft tall man, after Merrick had left her. The other DNA found on Claire's body. The unidentified spot of blood on Claire's T-shirt. How can all this be ignored?

We now know of statements supporting Merrick's plea that were ignored by the police. The defence did not know about them at the time of trial. There are witnesses that saw a man fitting Merrick's description in the Three Tuns, whose statements have ignored. Why is this allowed to happen? Why weren't any other suspects' clothes taken in for forensic examination? Merrick was not the main suspect, but only his clothes were taken and they yielded absolutely nothing.

Consider this! Had Merrick been guilty, he would have told the police that he had kissed Claire's breast. He had no idea his DNA was there or how it got from her face to her breast.

Merrick had suffered twice from dislocating his shoulder. Experts said in trial that he was not physically strong enough to

kill by strangulation. But still the jury unanimously claimed Merrick was guilty?

Even though there has not been a single trace of evidence to suggest Merrick was ever in the vicinity of St Stephen's park that evening, the jury still thought him guilty.

Let's suppose Merrick was lying about his movements that evening, so let's assume he wasn't where he said he was and, instead, that he was in the park murdering Claire;

- He claimed that he walked to the Three Tuns pub along St Margarets Street and that

he saw a group of people milling around Alberry's wine bar but no-one else who really

caught his eye — *from the CCTV footage, there are a group of people milling around*

Alberry's wine bar at the time Merrick would have been going along St Margarets

Street but otherwise there are very few people around.

- He said that he ordered a pint of Holsten export in the Three Tuns (he specified the

brand; a big risk to take if you're lying about your movements?) — *a pint of Holsten*

export was purchased at 10.39 pm; the only single sale of this lager all evening.

- He said there were about fifteen to twenty people in the pub; it wasn't very busy. Some

were sitting in the conservatory, another group around one table, a further group

around another table — *there were around fifteen to twenty people in the pub that evening*

it wasn't very busy according to the staff. Groups of people were sitting exactly where

Merrick had said they were sitting All statements confirm the same number of people and where they were sitting.

- He said that there was a girl working behind the bar, aged between 20 and 30. This

girl served him the pint; he couldn't remember what colour her hair was and didn't

remember anyone else serving behind the bar — *There was one barmaid working that*

evening, aged in her early twenties. The manager was also working but was behind

the scenes and collecting glasses. He said he was only serving drinks whilst the girl

popped out now and then for a cigarette break. It was this girl who sold the pint of

export that evening.

There was also a statement from a young woman, who reported that her boyfriend arrived home late on the night of the murder with a ripped shirt and blood on his hands. This was never mentioned in court. This witness said in her statement to the police, "He said that he had been to the park and that he had done something, and that something had happened". When this woman asked her boyfriend if she should phone the police he said "No don't, I'll get into trouble". The police chose not to use this statement and claimed that the witness was unreliable, although they conceded that the boyfriend phoned many of his friends and family to confirm an alibi for the relevant times.

- Why would the boyfriend ask for alibi's if he had nothing to hide?

- Did the police really believe the witness to be unreliable, or did they decide that this evidence was so damning to their case, they chose to ignore it's significance?

- Why was this evidence never mentioned in court so that the jury could decide for themselves?

Additionally, Since the conviction DCI King (who is now promoted to Superintendent), has been interviewed by local radio and has said on air "I'm sure we have the right man, as he was followed into the park". He could only be referring to Haford's statement which describes a man 6ft — 6ft 1" man with dark hair etc. If this is supposed to be a description of Merrick it could not be more wrong. Therefore is King trying to mislead the public and if so why?

Finally, if this is supposed to be the overwhelming and convincing case cracker on which the police and CPS base their case. Is this a safe conviction? The answer has to be **NO! NO! NO!**

Wouldn't you say that Merrick must be the luckiest liar alive?

Merrick was **never** seen with Claire after leaving the Seven Stars pub, but still the jury put Merrick in the park, with Claire, and are sure **BEYOND ALL REASONABLE DOUBT** that Merrick killed Claire?

Is this supposed to be justice? Is this supposed to be a fair trial? What kind of legal system do we have that allows so many innocent men and women to be convicted of crimes they did not commit? Why is a young man's life left in the hands of 12 strangers who must suddenly become experts in DNA and law? It is a disgrace and we refuse to accept this miscarriage of justice to our son, brother and friend. We want to do all we can to free this innocent man.

WE WANT MERRICK BACK.