

Networked Knowledge Media Reports

[Networked Knowledge Sue Neill-Fraser Homepage](#)

This page set up by [Dr Robert N Moles](#)

On 22 July 2017 Charles Wooley reported in the Sunday Tasmanian ‘Neill-Fraser evidence hype fails to deliver’.

Channel Seven’s *Sunday Night* investigation of the Susan Neill-Fraser case promised “explosive new evidence” but, as is so often the case with television programs, the content failed to measure up to the hype. This is in part because the people who make the gravel-voiced urgent promo are never the same journalists who make the news story.

Hence the kind of embarrassing dissonance between promise and delivery we saw with Seven’s coverage last weekend. There was in fact no explosive new evidence and what ran was virtually a repeat of the *60 Minutes* story from 2014. I reported that story and at the time became convinced that Neill-Fraser was either innocent or had managed to commit the perfect crime and might well have expected to get away with it for lack of material evidence.

Australia’s leading expert on miscarriages of justice, Dr Bob Moles, told me three years ago, much as he reiterated in Seven’s story last week, that “Susan Neill-Fraser’s conviction is Australia’s worst miscarriage of justice since Lindy Chamberlain”.

In my time, I have reported on a number of murders, but never one like this, right here in my home town. A woman had been locked up and the key thrown away but where was the evidence? Where was the weapon, the witness, the motive and the proof of death?

Seven’s “explosive new evidence” concerned the DNA of homeless girl Megan Vass found on the deck of the yacht *Four Winds* from which Neill-Fraser’s partner Bob Chappell so mysteriously vanished on Australia Day 2009. This was also reported way back in 2014 when Ms Vass had denied ever having been on the yacht. The police had disregarded the significance of the DNA, suggesting it had been transferred on the boots of investigators.

Didn’t they watch CSI?

Meanwhile, the evidence of copious amounts of blood in the yacht’s dinghy, supposedly proof of foul play, is also most likely a forensic error. The testing agent used, Luminol, is known to produce false positives. In Lindy Chamberlain’s case, the foetal blood supposedly found in her car was much later determined to be a sound-deadener sprayed in the wheel arch

by the manufacturer. It took a quarter of a century for the Northern Territory Government to apologise to the Chamberlains. Neill-Fraser is in jail for 23 years.

The fact that none of this is new and yet nothing has progressed for Neill-Fraser in the intervening three years is the real “explosive evidence” that the legal process stubbornly refuses to concede fallibility even at the expense of pursuing justice.

The New York based Innocence Project is a highly respected organisation committed to using DNA to exonerate the wrongly convicted. The IP estimates that, on average, innocent prisoners spend 14 years in prison before they are let off. How many die waiting?

In Britain, the Criminal Cases Review Commission has the power to send a case back to an appeals court if it believes there is the possibility of a wrongful conviction. Since 1997 the CCRC has referred 632 cases for appeal resulting in the quashing of 400 wrongful convictions. It was established in the belief that the judiciary and the police are often unwilling to concede error.

“Of course they hate to admit they ever get anything wrong,” a Hobart lawyer close to the Neill-Fraser case but who won’t be named has told me. “Reputations are always on the line whenever there’s a miscarriage suspected. And, of course, there is always the concern that the public will lose confidence in the process of the law.”

Certainly, it was early in reporting this case that I began to suspect that more dangerous than putting Neill-Fraser back on the streets (now in a wheelchair) was the alarming possibility that if it is possible to be convicted on such scant evidence then no one is safe.

“Worse than scant evidence, Sue Neill-Fraser was convicted on the total absence of evidence,” Bob Moles told me last week. “If the forensic evidence were to be reviewed by any competent and independent expert it would be deemed unacceptable.”

At the same time I was covering the story for the Nine Network, the Melbourne-based documentary maker Eve Ash was making her acclaimed film *Shadow of Doubt* about the Neill-Fraser case. She is now working on a television series on the same subject with leading Australian production company CJZ. They have sold the concept to the Seven Network and, while these matters are confidential in the television world, I understand the price was about \$250,000.

These days when a network buys a series they expect a few extra spin-offs as well. The rival Nine Network says Seven's *Sunday Night* story is just the first of a number of instalments with possibly an exclusive interview when and if Neill-Fraser is released.

Neill-Fraser has enough trouble right now without the public apprehension that her story has been marketed and is now owned by a television network. Understandably she has no friends in the judiciary or the police but also not a lot of public sympathy beyond her dedicated band of supporters.

It would be unfortunate if the impression that some kind of financial deal has been done should denigrate the legal campaign to exonerate her. As I've said before, I think it is more likely that Bob Chappell is whooping it up in Rio than it is that Susan Neill-Fraser whacked him over the head with a wrench and tossed him overboard.

But as we know from her conviction, in the absence of evidence perception is everything. Her family and legal team must move quickly to assure the public that the issues at stake in the Neill-Fraser case are too important to be bought or sold.

<http://www.themercury.com.au/news/tasmania/neillfraser-evidence-hype-fails-to-deliver/news-story/bc7f2f6aa6dd8f8e596d69b14f8fa323>