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They never gave up fighting

Jan 30 2003

By Sam Greenhill Daily Post Correspondent

CONVICTED of one of the vilest crimes, Sally Clark became infamous as the mother who murdered two of her sons.

The ambitious solicitor was found guilty of smothering Christopher, aged 11 weeks, and a year later shaking eight-week-old Harry to death at their home in Wilmslow, Cheshire.

But ever since the jury's verdict was given at Chester Crown Court in November 1999, Mrs Clark, 38, has protested her innocence, insisting her sons died of cot death syndrome. Her husband Stephen, also a solicitor, appears never to have doubted his wife throughout the whole trial process and the years afterwards.

The day she was sent to prison, he said with feeling: "My wife was a caring and devoted mother to our sons. She is innocent."

Since then, the couple have fought a tireless battle to overturn the conviction.

Her appeal in 2000 failed but last year the Criminal Cases Review Commission, which reviews potential miscarriages of justice, referred the case back to the Court of Appeal.

Opinion on Sally Clark has been polarised from the beginning.

At her trial, the Crown portrayed her as a "lonely drunk" who missed her well-paid job as a solicitor and resented her children for keeping her at home.

Her supporters say she always loved her children. The couple have a third child, whom she sees once a week when Mr Clark visits her in prison.

Her conviction was clinched, many believe, by a damning statistic about whether losing two babies to cot death could be considered a coincidence. Jurors heard from an



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eminent professor, Sir Roy Meadow, who told them that multiple infant deaths should always be treated with suspicion.

He claimed that the likelihood of two infant deaths in the same family was one in 73 million.

But the Royal Statistical Society took the unprecedented step of writing to the Lord Chancellor, Lord Irvine, stating "there was no statistical basis" for the figure.

Among other bodies, the Foundation for the Study of Infant Deaths has evidence that second cot deaths in the same family occur "roughly once a year".

In 2001, scientists at Manchester University discovered a genetic link among cases of sudden infant death syndrome, suggesting that multiple cases like Mrs Clark's could be more likely than previously thought.

But even though the Court of Appeal, when it considered her case in October 2000, accepted that Sir Roy's statistic had been flawed, it did not release her because the judges were convinced there remained "overwhelming" evidence of her guilt.

Mrs Clark said she found both her babies lifeless. Christopher was discovered in his Moses basket while her husband was at a Christmas party, and Harry was found in a bouncing chair when the couple were both at home.

Both babies died in the same place at about the same time in their lives and when Mr Clark was either out or about to go out, the prosecution said.

Christopher's death in December 1996 was initially thought to have been due to a breathing problem but that was reassessed following Harry's death in January 1998.

When police first arrived at her door, Mrs Clark is said to have started making them cups of tea, thinking they had come to give her details about Harry's death. In fact, they had come to arrest both her and her husband on suspicion of murder.

Mrs Clark has lost almost two stone in weight since her conviction, say friends, and her once round face has turned gaunt.

It has been the dedication of her husband that led to the decision to refer her case to the Court of Appeal for a second time.

He unearthed vital medical evidence that the jury never heard.

According to Mrs Clark's defence, laboratory tests commissioned by a Home Office pathologist on Harry showed "lethal" levels of bacterial infection - indicating the death of Harry may have been due to natural causes.

Mr Clark met Sally in 1988 when she joined Citibank in London, where he was a lawyer specialising in financial work.

They married two years later and lived in north London, before moving north and working for the same firm in

Manchester.

The battle to clear his wife's name has pushed Mr Clark to the brink of bankruptcy. He was forced to sell their house in Wilmslow to pay their huge legal fees from the trial and the appeal.

He now lives in the south of England so he can be near his wife.

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