

## **Vincent's Interview**

Roger Vincent was arrested at 4.30am at his mother's house on the 16th December 1994 and charged with murdering Robert Magill on 13<sup>th</sup> October 1994. Part of the evidence that led to Vincent being charged concerned the excessive amount of anonymous tip offs, and comments he made upon his arrest in relation to his previous bragging in local pubs that he and Smith were the gunmen, a sample of the comments are as follows:

"I should've expected this, someone asked me if I knew who had done it and I giving it the large said that I had done it and it all got out of proportion and all of sudden people all over were talking about it"

## **Roger Vincent**

DS Spackman forwarded two statements dated 21/12/94 to his superior; Detective Superintendent Winnett. Spackman claimed that Vincent made a number of approaches to him and DC Kennedy that resulted in informal meetings on a confidential basis almost immediately upon his arrest. Vincent's detention was then extended to the 19th December 1994. Spackman states that although Vincent still denied any involvement in the incident he was still able to tell him who had carried out the murder and who had commissioned it. Vincent wanted to do deal in which he would inform him who the two men were who shot Magill and who paid them. Spackman further claims that Vincent claims the gunmen were responsible for another murder in Surrey and Newcastle.

Roger Vincent's **signed** custody record and other related documents prove he engaged in discussions with the police in relation to supplying information, and negotiations pertaining to a deal.

## **Part of Vincent's Custody Record**

Spackman also made an unprecedented visit to Roger Vincent in HMP Woodhill under the pretext of a solicitor's visit, whilst Kevin was being held at Watford Police Station on the 11-01-1995. Vincent states in his plaintiff statement that he took the visit because he did not wish to be placed on report by prison staff!!

The focus of the police investigation shifted onto Kevin from the date that Vincent & Smith supplied information about who was responsible for shooting Robert Magill.

The concerns about the veracity of the alleged information supplied by Vincent and his reasons for supplying it include: the fact that by putting forward Kevin's name Vincent has skilfully shifted the spotlight from Smith in the knowledge that it would subsequently

weaken the case against himself, whilst at the same time knowing that his close friend Smith would not be re-arrested or charged.

The nature and extent of the information Vincent supplied in itself should have been used as additional evidence against Vincent. Had it been used as additional evidence it would have bolstered the case against Vincent.

By not using it as additional evidence only serves to support Kevin's allegations that a deal had been brokered between Spackman and Vincent. The statutory obligations protecting police informants in 1994 do not appear to have been applicable in this instance.

Spackman in his role as disclosure officer in the case went to great lengths to ensure that both his statements dated 21-12-1994 which refer to the aforementioned information provided by Vincent were not disclosed to Kevin's legal team

Had the statements been disclosed, they would have been more than capable of assisting Kevin's case. The above statements were disclosed in 1999.

Spackman's decision not to disclose the above statements may be construed as further evidence to suggest that such a deal took place and may also be proof of his abuse of his position as disclosure officer in this instance.

### **Vincent's Police Visits**

There is an odd event which occurred before Vincent was discharged by the Recorder of London (following a direction to the jury to return a verdict of Not Guilty). Spackman visited Vincent's mother at home, and told her that her son was coming home, but "Lane" was going nowhere, this piece of material adds to the general suspicious nature of Spackman's conduct. Vincent's phone call records in Belmarsh prison indicate Vincent to believe he is going to be released early during the trial, also in the unused message A1327 Vincent arranges a meeting on Thursday when he expects to be released. The dates of his phone records and release from court show he was released on a Thursday, adding weight to the general suspicious circumstances, as well as the relationship between Spackman and Vincent.

Following his acquittal, Vincent was visited twice by Spackman at his mother's home and invited into the house. Further material obtained proves Vincent received a **Police** visit and interview at HMP Birmingham without his solicitor present.

### **Vincent's Evidence for the Crown**

In 1992 Roger Vincent gave evidence for the Crown in the case of R-V-Donelan, Smith, and another. It has been established that Donelan was convicted by a jury of attempted murder and false imprisonment and sentenced to life imprisonment. What can be

gathered from the relevant material is that a man was driven in a car to a remote setting by Donelan, Smith and another, and subjected to a violent Knife attack.

Vincent claims at paragraph 42-44 of his plaintiff statement that he had **previous dealings with Spackman** during the above case for which he received a commendation from the judge for his bravery in testifying against Donelan, and testifying on behalf of Smith, in face of the death threats from Donelan should he intend to give evidence.

It does appear inconceivable however, that Kevin did not have the opportunity to view the allegations made earlier by Vincent, in that, he was responsible for murder when it clearly would have assisted his defence. For example, Kevin's defence team may have explored the reasons why Vincent supplied such information and may have unearthed the fact that Vincent had previous dealings with Spackman in the case of Donelan on behalf of Smith, and concluded that Vincent had supplied information to divert the police investigation concerning the murder of Robert Magill away from Smith to weaken the case against himself and protect Smith.

A concern of Kevin's legal team is that Spackman handled **almost all** the sensitive material in relation to Smith and Vincent, of which a very large proportion has been withheld from Kevin.

Smith has also been recorded as having chats with the police on the way to the ID suit, these have also been withheld.

Amongst the other areas in which Spackman may have abused his position as disclosure officer is the non-disclosure of the Smith interview records or other material in relation to Smith which include allegations that Smith was instrumental in attempting to dispose of the BMW car used in the murder.

The material, particularly the Smith interview records overlaps (to an extent) with the alleged information supplied by Vincent in that had both sets of material been disclosed Kevin's defence team may have identified the reasons why Vincent diverted the focus of the investigation away from Smith and on to Kevin.

If Kevin had had the opportunity to view the Smith interview records, as well as the opportunity to view the contents of Spackman's two statements dated 21-12-1994, he may have concluded that the matter required further investigation. Such an investigation may have unearthed the circumstances surrounding the case of Donelan and subsequently indicated that a pattern of Vincent protecting Smith was evident.

The crux of Smith's and his long-term associate Vincent's evidence was one of duress, and that by Donelan's own reluctance to proportion blame and denial of guilt, meant that both Smith and Vincent were free to say what they wanted against Donelan at trial virtually unopposed.

Vincent was present up until the point of the false imprisonment on the night of the incident and wanted to get into the car with Donelan, Smith and another and the victim until Donelan prevented him from doing so. Further to this, Vincent acted as a go-between with Donelan and his co-defendants and was supposedly helping him prepare his defence, whilst he was in fact co-operating with the Police and supplying them with Donelan's defence strategy. Spackman was the officer in charge of the case. The evidence Vincent presented in court was in stark contrast to the conversations between Donelan and Vincent.

It is submitted that the non-disclosure of material supports Kevin's allegations that Vincent was acquitted as a result of a deal he had brokered with Spackman and how it appears inconceivable that the detailed knowledge about the murder was not used as further evidence against Vincent. It is submitted here, that Spackman abused his role as disclosure officer in the case by not disclosing part of this particular material when it is clear that it would have clearly assisted Kevin's defence.