

RICHARD ACKLAND

Fishing tale with a sad catch



NEARLY 20 years ago Mehmed Skrijel was working as a cray fisherman in waters off South Australia. He had his own boat and crew and was doing very nicely.

However, he could not help noticing that other fishing boats were picking up mysterious containers in the water at night and he believed that drugs were involved.

He reported his concerns about drug importation to the police at Millicent, and thereafter his life took a terrible turn. He and his family received numerous threats and he soon found that he could not sell his catch in the local town. He took his complaint to the Costigan Royal Commission, but before it could do anything to examine the matter it was wound up by the Hawke Government.

Skrijel's fishing boat was burnt and his house was destroyed by fire. In late 1984, nearly six years after his initial report to the police, he went to the then recently established National Crime Authority.

By this stage Skrijel and his family had moved to Victoria and he had purchased a small property at Digby, near the Weecurra State Forest. Soon he was publicly asserting that the National Crime Authority was more part of the problem than the solution.

In October 1985 the National Crime Authority mounted a raid on the Digby property and charged Skrijel with cultivation and possession of marijuana for the purposes of trafficking, possession of a quantity of explosives and possession of a pistol. On April 1, 1987, he was found guilty on all those charges and sent to prison for two years.

On appeal the Full Court found that there had been misdirections to the jury, and made an order for a retrial. The new trial never took place because the DPP intervened in June 1989 and filed a no bill.

Skrijel ever since has asserted that everything that has happened to him since he reported his suspicions to police in 1978 has been interconnected and part of a conspiracy. He maintains that he was only convicted because the NCA fabricated evidence.

More than \$1 million of public funds must have been spent in various attempts to find the truth of the Skrijel case.

The previous Minister for Justice, Duncan Kerr, appointed the South Australian QC David Quick to report on the criminal charges against Skrijel. He reported in two massive volumes. One volume was confidential, for the eyes of ministers of the Crown only. However, what we do know is that Quick found that "there is substantial evidence upon which it is reasonable to raise a strong suspicion that evidence was fabricated in order to incriminate Mr Skrijel on serious criminal charges involving drugs and explosives".

In relation to the charge relating to the pistol, Quick found that "there is sufficient reason strongly to suspect that some person in authority has carried out acts with a view to incriminating or otherwise causing harm to Mr Skrijel".

Quick recommended a commission of inquiry be established with coercive powers to conclusively investigate whether or not the NCA has a legal or moral obligation to recompense Skrijel.

Kerr and the government at the time recoiled at this recommendation and instead referred Quick's report and findings to the Deputy Ombudsman (Police Complaints) in Victoria. The basis for this was that the NCA officers who it is alleged fabricated evidence against Skrijel were Victorian police seconded to the national crime body. The Deputy Ombudsman has now reported and it turns out to be another inconclusive document.

However, one matter where the Deputy Ombudsman was fairly certain that Skrijel's claims of fabrication were false was in relation to the gun. The Deputy Ombudsman had further tests conducted on the gun and one expert found that Skrijel's fingerprints were on the wooden stock of the weapon. Yet, the fingerprint certificate supplied at the trial found a print on the barrel of the gun. This change of location for the fingerprint is now another mysterious and unresolved issue.

The Attorney-General, Daryl Williams, has washed his hands of the matter, but that may not be the end of it. The Joint Committee on the National Crime Authority might show some interest in the fisherman who simply won't fall overboard.

E-mail: lawpress@magna.com.au