

WA Govt pays more than \$400,000 to Darryl Beamish

BRENDAN TREMBATH: The West Australian Government has awarded \$425,000 to a man who was wrongly convicted of murder five decades ago.

But his supporters say he deserves more money and a proper apology.

In 1961 Darryl Beamish was convicted of the murder in Perth of Jillian Brewer, an heiress to a chocolate fortune.

He was originally sentenced to death.

Western Australia did not abolish the death penalty until 1984.

David Weber report.

DAVID WEBER: The Court of Appeal had unanimously set aside Darryl Beamish's conviction, saying that a "substantial miscarriage of justice" had occurred.

One of the key issues was that the Court of Appeal in the 1960s had refused to grant a retrial based on the confessions of Eric Edgar Cooke.

The State Government has now decided to grant \$425,000.

John Button, who was in similar circumstances to Darryl Beamish, says it's not enough.

JOHN BUTTON: Symbolic in nature and they admit themselves it has nothing to do whatsoever with the costs that the person has suffered or gone through. So to wrongfully convict someone you actually take away their whole life and any expert that you ask from right around the world, and I've spoken to many of them, say exactly the same thing; I find it very hard to understand why \$420 for him and a similar amount to myself and yet over three million for Andrew Mallard.

Now I believe that Andrew was worth more than that, I believe we all are but why the difference?

DAVID WEBER: In 1963, John Button was convicted of killing his girlfriend.

This was another crime which Eric Edgar Cooke later confessed to.

Mr Button got \$460,000 as an ex gratia payment after his conviction was overturned.

He says the money can't take away what happened, but a proper apology would make a positive difference.

JOHN BUTTON: The Government is very, very slow in trying to pin blame on

anyone or to say that anything ever happened. I think that's where we as a people need to be able to say one thing; that is I'm sorry, I made a mistake, let me try and put it right.

DAVID WEBER: Estelle Blackburn wrote about the cases of John Button and Darryl Beamish in her book 'Broken Lives', and she helped in their successful appeals.

She says the Government's expression of regret is probably the best that Mr Beamish can expect.

ESTELLE BLACKBURN: Generally they don't at all; there's no regret. They don't care at all generally. Often the state really does think that they got it right really and this is just some sort of legal thing or something.

So I think for the state to express sincere regret for what has occurred is quite big and as much as one could expect, or even more than one could expect. To have it more grand would be better but this is pretty good.

Mr Button got \$460,000 and it seems to be I guess in the same region as that but inevitably people compare it to the payout to Andrew Mallard of more than \$3 million, which is considerably higher.

ESTELLE BLACKBURN: And Daryl Beamish spent longer in prison than did Andrew Mallard but there's no giving back what you've lost, there's no giving back the physical and the mental trauma of it all. The main thing with this was that Daryl Beamish only applied for 500,000. He does live very simply, very humbly, he's not greedy, he just decided in the end that he did deserve something and it would make its life easier and he'd be able to buy a new car at last, which he hasn't done for a long time.

He's a humble man who applied for that; he didn't apply for three million, he applied for 500,000. And I would have liked for the Government to have gone that full 500; they didn't but it is at least a sign that they do agree he deserves something.

BRENDAN TREMBATH: Estelle Blackburn ending that report from David Weber.