

## The Cameo Murders

Almost 70 years ago, on 8th February 1950, George Kelly, a small time villain in his mid-twenties, was sentenced to death for a notorious and brutal double murder at the Cameo Cinema, Liverpool, a few months earlier. He was later hanged, protesting his innocence to the last. Over 50 years later, in 2003, the Court of Appeal quashed his conviction. The case became something of a cause célèbre at the time. It remains an unsolved murder. It also launched the career in silk of Rose Heilbron, my mother (later Dame Rose Heilbron and the first woman Bencher and Treasurer of Gray's Inn).

Let us therefore step back in time to the night of 19th March 1969, a Saturday evening, when folk in Liverpool were enjoying a night out at the Cameo Cinema watching a film called *Bond Street*, coincidentally about a double murder and starring two well-known actors of the time, Jean Kent and Roland Young.

As the cinemagoers left to return home, Leonard Thomas, aged 44, the manager of the Cameo Cinema, and John Bernard Catterall, aged 30, his assistant, were in the manager's office on the first floor of the building counting the confectionery takings. Shortly after 9.30 pm, the cashier came in with the ticket takings in a blue cloth bag. They amounted to £50.8s in cash, mostly in notes. She stayed about 3–4 minutes and left to go to the staff room. A few minutes later a masked man brandishing a gun burst into the room demanding the takings. Both men resisted and were shot at point blank range by the gunman. Both men died from their injuries. The gunman escaped by blowing open the lock of the manager's office door, still brandishing his gun and telling everyone to 'stand back or I'll let you have it' and then running down the spiral staircase and into the side street.

This cold-blooded murder became headline news both locally and nationally, leading to enormous pressure on the police to find the killer. Other than the observation that the killer was wearing a brown coat and a trilby hat, no witness could identify the killer or any lookout, not least because the killer was disguised with a black mask. Despite an extensive number of interviews, the case could only be based on circumstantial evidence. One piece of evidence was an anonymous letter received by

the police on 4th April 1949 purporting to set out details of the planned robbery. The case was proving difficult for the police to resolve and led to what was eventually discovered, some 50 years later, as having been a thoroughly flawed and unfair investigation. The police officer in charge of the investigation was CI Balmer.

On 30th September 1949, George Kelly and Charles Connolly, a former boxer and married man with a small child, were both arrested for murder, the latter on the basis that he was the lookout or 'douse'. George Kelly's response was:

'I have never had a gun in my life. I don't know how to fire one: I have never handled one ... I don't know Charles Connolly: I have never seen him in my life. I have never seen the other people in my life'—Jacqueline Dickson and James (Jimmy) Northam who had implicated him.

Just over two weeks later, on 19th October 1949, a committal hearing in the case began before a magistrate and lasted four days, following which both Kelly and Connolly were committed to trial at Liverpool Assizes. It was conducted by Harry Livermore, a well-known Liverpool solicitor. At that stage the Crown's case was based principally on the evidence of Jacqueline Dickson, a prostitute and her then pimp, James Northam, known as Stutty Northam, because of his stammer. Both had criminal records and were accomplices. They later alleged that it was they who had written the letter of 4th April 1949.

Their testimony was that at about 7.30 pm on the night of the murders they had both gone to the Beehive Hotel, a public house in Lime Street, where they had met Connolly and later Kelly and another girl with dark hair where they had discussed various robberies. They said that Kelly had asked Northam for a loan of his brown overcoat as it was cold, and Northam had handed it over. Connolly had then suggested a 'stick-up' at the Cameo Cinema whereupon Kelly allegedly produced a gun and bullets, six of which he proceeded to put in the magazine of the gun. When it had been suggested to him that someone might see him, Kelly is alleged to have said: 'I don't care who sees me. I'm a Kelly'. Northam, professing not to like guns or the people who used them, alleged that he had refused to accompany Connolly and Kelly, as had Dickson. However they had allegedly arranged to meet the next day at the White Star pub in Brownlow Hill.

On Sunday 20th March, the day after the murders, Dickson and Northam alleged that they had all met up again at the White Star pub as previously arranged. They contended that Kelly had said: ‘Balmer was up at my house this morning—if I’d still had the gun he would not have stood there so cocksure of himself’ and allegedly also threatened them that if they did not keep their mouths shut they would be ‘shut by him or his brothers’. Kelly was also alleged to have told Connolly to fix himself up with an alibi, to which Connolly had replied he would fix an alibi with his wife. The next day, Monday 21st March, it was alleged that when Kelly had returned the brown overcoat to Northam he had gone into some detail about the Saturday evening’s events and had once more threatened Northam to keep quiet. Northam said that his father had thereafter worn the coat and the belt had been lost and it had been kept at his father’s house.

No witness could identify the lookout. No gun was ever found. No witness saw Kelly in a hat or coat that evening. No witness saw Connolly in the cinema. There was no forensic evidence of any blood stains on the accused or their clothing, nor was there any fingerprint evidence to associate them with the crime. DNA and CCTV evidence was not available in those days.

Rose Heilbron was instructed to represent George Kelly. She had been made silk six months earlier aged 34 (jointly the first female to become King’s Counsel). Rose was instructed under the Poor Prisoners Defence Act and was paid only 15 guineas for the trial and its preparation. The trial was originally scheduled for hearing on 7th November 1949. Following an unsuccessful application by Rose and counsel for Connolly to transfer the case to Manchester, the judge adjourned the trial to January 1950. When he heard about his female counsel, Kelly’s reaction was not apparently favourable, saying to his co-accused Connolly: ‘Hey Charlie, I’m not happy with this at all. Why couldn’t I have a fella, like you’ve got? Whoever heard of a judy defending anyone?’ His attitude later changed.

Towards the end of November the police had what, at the time, appeared to be a lucky break, although it was subsequently discovered not to be the product of luck, but of something far more sinister. CI Balmer alleged that on 21st November 1949 he had received a telephone call from the Preston police to tell him that a Robert Graham, then in Walton Prison, wanted to see him about the Cameo murders.

Graham’s evidence relayed to CI Balmer at several meetings and

subsequently converted into an unsigned statement was that he acted as go-between to pass messages between Kelly and Connolly when they were in the prison's hospital. His statement largely supported the prosecution's case and how Kelly came to be arrested and added some embellishments. In particular, according to Graham, Kelly told him that he had borrowed a coat from Northam, that he had shot the fellows, but that Connolly would not go in; then he had got rid of the hat and coat and 'was in my pub [the Leigh Arms] having a drink five minutes later. My life hangs on that five minutes'. This crucial piece of new evidence, which provided the corroboration the police needed, was only formally tendered on the first day of the trial at which Graham then gave evidence.

On Thursday, 12th January 1950, Kelly was arraigned jointly with Connolly for the murder of Leonard Thomas at Liverpool Assizes at St George's Hall before Mr Justice Oliver and a jury of 10 men and two women. They both pleaded not guilty. Connolly was represented by Basil Nield KC. The trial lasted for 13 days concluding on Saturday 28th January, the prosecution alone tendering nearly 50 witnesses. It was then the longest murder trial in British history. Such was the interest in the case that queues of several hundred formed early each morning trying to get into the public gallery, snaking back along St George's Hall. The police had to control the crowds when scuffles broke out as people tried to rush the doors. Members of the public fainted.

Rose cross-examined the prosecution witnesses at length. Both accused gave evidence and defence witnesses were called. Rose highlighted the paucity of the evidence in her final speech. Following four hours of deliberations the jury indicated that they were unlikely to agree and in those days there were no majority verdicts, so the judge, rather than giving them more time, discharged them. But it was also a pyrrhic victory, for both defendants were immediately ordered to be kept in custody and re-tried. Although unknown to the defence or prosecution at the time, the result might have been even more sensational if the judge had allowed the jury a little more time, for it has subsequently been discovered from Home Office records that the jury were eleven-to-one in favour of an acquittal and only needed to swing one more juror round to the majority's way of thinking.

The re-trial took place on 2nd February 1950, but this time, despite an application by Rose, the trials of the two defendants were split. The second trial of Kelly lasted five days with the prosecution calling 42

witnesses. The jury deliberated for one hour and convicted. Various appeals were tried, but all were unsuccessful and Kelly was hanged at Walton gaol. Connolly, although always protesting his innocence, subsequently pleaded guilty to robbery and was sentenced to 10 years' imprisonment in circumstances which the Court of Appeal subsequently criticised.

As CI Balmer, later Assistant Chief Constable of Liverpool, himself recalled in the *Liverpool Echo* on his retirement in 1967: 'The Cameo murder had shocked the whole country, and certainly never before in the criminal annals of Liverpool, and for that matter the whole of Merseyside, had a case aroused such intense interest.' The case was taken up by a Mr Santangeli who later instructed solicitors and eventually the case was referred to the Criminal Cases Review Commission, which in turn referred the matter to the Court of Appeal which quashed both convictions. The investigation had discovered some very unsettling aspects of the case.

First, the crucial statement of Graham was directly contrary to an earlier statement, which the Court of Appeal found to be authentic, which Graham had made prior to even Kelly and Connolly being charged and which implicated someone else as the murderer. The prosecution had not disclosed this statement to the defence and had concealed it, stating instead that the first time Balmer and Graham had met was on 19th November 1949. The consequence, as the Court of Appeal found, was that the evidence about Graham's statement was 'false and probably deliberately so'.

Second, the police failed deliberately to disclose two earlier statements of Northam and Dickson in which there was no mention of a brown coat, which featured in their later evidence and was an important piece of corroboration relied on by the prosecution, nor did these earlier statements deal with other aspects of evidence which appeared in the statements and evidence before the court.

Third, the Court of Appeal found that another key witness, Mr Thomella, the licensee of the Leigh Arms pub, had given an unsigned statement which was different to his signed one which he was asked to sign in a car.

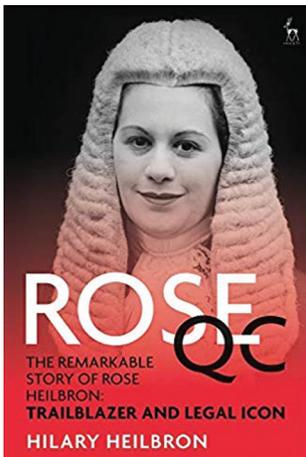
Fourth, the Court of Appeal concluded there was no proper basis for splitting the trials within five days of a jury failing to reach verdicts against either, where the essence of the case was that Kelly and Connolly were engaged on a common enterprise.

Finally, the Court of Appeal concluded that Connolly was advised to plead guilty under enormous pressure and was probably not advised in advance of the split trials and his conviction was likewise unsafe.

Thus there had been a gross miscarriage of justice orchestrated, largely, as the Court of Appeal concluded, by the police. Thus, despite two trials and two appeals, to this day the Cameo murders remain one of the great unsolved murder cases of the 20th century. Various theories have been espoused as to what actually happened.

Had the real truth been known and the law fairly applied, Kelly's re-trial would not have been split and Kelly would probably have been acquitted. After all Rose had succeeded in getting the jury to disagree in the first trial. Her valiant efforts were made against a conspiracy of deliberate concealment and lies involving the police. Even with her undoubted skills as an advocate, in such circumstances the scope for success for her client in such a highly charged murder case was limited. None the less, the Cameo case remained a milestone in Rose's then already growing reputation as an advocate and was a case she frequently spoke of during her lifetime.

*Master Hilary Heilbron*



For more details of the Cameo case and sources see: *Rose QC, The Remarkable Story of Rose Heilbron: Trailblazer and Legal Icon* by Hilary Heilbron QC, re-issued in paperback, November 2019.