



Call for Action !

**Letter to Ministry and Department of Women and Child Department,
Home Affairs, Tourism and National & Goa child Rights Commission
on the Failure of British government to extradite notorious paedophile Raymond Varley to India
to stand trial.**

EQUATIONS
05 November 2014

To,
The Chairperson,
National Commission for Protection of Child Rights,
5th Floor, Chanderlok Building, 36, Janpath,
New Delhi – 110001

Subject: Failure of British government to extradite notorious paedophile Raymond Varley to India to stand trial

We the undersigned NGOs working on the issue of child rights are shocked by the Order passed by a UK Judge on 10th October this year admitting Raymond Varley's plea that he was suffering from dementia and turning down the Indian government's request for his extradition on those grounds. Significantly, the diagnosis of dementia was made by a neuro-psychologist of Varley's choice. Apparently the Crown Prosecution Services (CPS) did not ask for Varley to be examined by an independent expert. According to the news article, by which we are informed about the outcome of the 10th October hearing, the Indian government was given ample opportunities to examine him, which they however, did not do. (http://www.thenewsminute.com/news_sections/1662) (Annexure 1).

In an earlier order in June 2014, District Judge Quentin Purdy ruled that Mr Varley was a "vulnerable individual" due to dementia and should not be extradited. What about the vulnerable children sexually abused by Varley? Why is there no concern for ensuring that justice is done to them? It is important to note that this will definitely set a precedence for all other paedophiles / sex offenders looking for a way out from the clutches of the law.

Like we had pointed out in our earlier letter (dated June 27th, 2014) to National Commission for the Protection of Child Rights (NCPCR) (Annexure 2), it is to be noted that Raymond Varley is an associate of the infamous Freddy Peats – a paedophile who was involved in the sexual abuse of young children under the guise of running a charitable home for children and convicted by the Sessions Court, Goa in 1996. The Interpol had issued a "Red Notice" against Eoghan McBride, Werner Wulf Ingo, Dominique Sabire, Zell Jurgen Andreas and Nils Oscar Johnson. Of these, Eoghan McBride and Werner Wulf Ingo were located and were convicted in Goa. Varley was located in Thailand. The NGOs say that when there is a Red Notice issued by Interpol and there is a non-bailable warrant against him in Goa he should have been sent to India. It is absurd that he was sent to the UK.

The same news article also claims that the CPS did not inform the Indian authorities that they could go for an independent medical assessment of Varley to ascertain the efficacy of the claim made by the accused's neuro psychologist. It is important that the Indian government come clear on the steps taken by it to ensure that the accused is extradited to India and justice restored to the children who have been victims of very severe and grave crimes. Additionally, it is critical that a strong message be sent to other child sex offenders in the country as well as internationally about the seriousness with which the Indian government takes such violations.

We demand that the Departments in Goa and Ministries at the centre of Women and Child Development, Tourism and Home Affairs as well as the Goa State Commission for Protection of Child Rights, appeals against the UK Court's decision and ensures that Varley does not escape justice.

We the undersigned:

1. CARITAS, Goa
2. Centre for Responsible Tourism, Goa
3. Children's Rights in Goa
4. Council for Social Justice and Peace, Goa
5. EQUATIONS, Bangalore
6. Jan Ugahi, Goa
7. Vikas Samvad Samiti, Madhya Pradesh

CC:

1. Ministry of Home Affairs, New Delhi
2. Ministry of Women and Child Development, New Delhi
3. Ministry of Tourism, New Delhi
4. Department of Women and Child Development, Goa
5. Department of Tourism, Goa
6. Department of Police, Goa
7. State Commission for the Protection of Child Rights, Goa

Annexure 1:

Child sexual abuser Raymond Varley gets away; will India approach Theresa May?

Dhanya Rajendran| The News Minute| October 10, 2014| 4.00 pm IST

http://www.thenewsminute.com/news_sections/1662

Raymond Varley, the British citizen facing charges of sexual offences against children in India from 1989-1991 will not be extradited to India, despite India's repeated appeals. Putting an end to India's appeals and practically closing down all legal options for India, a British Court has refused India's extradition petition. The court has said that India was given ample opportunity for examination, but they didn't. Varley had claimed that he was suffering from dementia and he was not the man wanted in India for sexual crimes. It is on the basis of his claims of dementia that the court has rejected extradition plea.

66-year-old Varley is one of the accused in the Goa orphanage child sexual abuse case tracing back to 1989 which involved many foreign nationals. The racket was run by an Indian called Freddy Peats in Goa. Peats gave foreign nationals access to children in the orphanage. Back in 1991 when raids were conducted in Peat's house the police found more than 2000 obscene images of children.

Varley has been charged by the CBI on many counts of sexual abuse including sodomy, indecent assault and taking indecent photographs.

At least five children had identified Raymond Varley from photographs and recounted how Varley has abused them.

On May 8, 2014, a Westminster judge had rejected to grant the Indian government's request for extradition and had accepted Raymond Varley's claim that he was suffering from dementia.

Varley, a teacher from Halifax, procured a report from a neuro psychologist Linda Atterton who was based out of Norwich, which was 291 km away from where he lived. Varley made her report the crux of his argument against extradition. It is however baffling how someone suffering from dementia could locate a psychologist through the internet and get the certificate.

Various activists have questioned if the neuro psychologist was qualified to declare Varley was suffering from dementia.

Varley's victory is dangerous for India. In this specific case it means that the man will never undergo trial. There will be no logical conclusion for the case.

Activists in India have also not been happy about the way the Crown Prosecution Service had fought the case on India's behalf.

It should also be of great concern to India that Varley has been allowed to get away on grounds that he has dementia, this could be a loophole that other child sex offenders can claim. The Crown Prosecution Service, activists say, never told the CBI that India could go for an independent medical evaluation.

What about the victims of child sexual abuse and other such offenders

Raymond Varley's case is not just about bringing him back to India for trial, it is also about the victims. Many child sexual abuse victims do not come out in the open, and for those who have, it is important that the legal and policing system brings the perpetrators to book.

The UK Court's rejection will enable other offenders like Johnathan Robinson (another British citizen who is wanted for similar charges) to continue with such heinous crimes without any fear of the law.

The only option in front of India now is to ask Theresa May, UK's Home Secretary to intervene.

What Varley and his defence claimed?

Varley had claimed that sending him to a prison in India would be against his human rights as the prison conditions post a real risk to life. Following Varley's accusation of Indian prisons, two experts Lord Ramsbottam and Professor Rod Morgan submitted reports in the district court found that there was nothing about Indian prison conditions that would infringe on his human rights. Rod Morgan in his report said "cultural features may be alien to him, taking account of his age medical condition and culture Raymond Varley would likely find living stressful, but I do not think it can be said his human rights would be infringed."

Linda Atterton in her finding said Varley had "widespread moderate-severe impairment severely affecting everyday life", but she cannot "pinpoint the type of dementia but it may be Alzheimers".

During one of the hearings, Varley even threatened to commit suicide.

Mocking the system?

An Interpol red corner notice was issued against Raymond Varley in 2001 after a Goa court issued a non-bailable arrest warrant against him. But in spite of this Varley has repeatedly been moving between Thailand, Britain, Mexico and Slovenia. He was finally arrested in Bangkok, Thailand, but Thai authorities sent him to Britain instead of India on whose request the Interpol notice was issued.

The Independent UK has reported that Varley had previously served time in prison in UK in the mid 1980s and "was given treatment at Wormwood Scrubs to deal with his sexual offending".

The case

In 1996, the CBI filed a charge sheet against many persons including Freedy Peats, Werner Ingo of Australia, E.C. McBride of New Zealand, and Nils Jonsson of Sweden. A supplementary charge sheet was filed against Raymond Andrew Varley and others,

Annexure 2:

27th June 2014

The Chairperson,
National Commission for Protection of Child Rights,
5th Floor, Chanderlok Building, 36, Janpath,
New Delhi – 110001

Subject: Failure of British government to extradite notorious paedophile Raymond Varley to India to stand trial

Dear Madam,

We the undersigned organizations working on the issue of child rights and on tourism are extremely concerned by the Order passed by a UK District Judge on 8 May this year admitting Raymond Varley's plea that he was suffering from dementia and refusing to grant the Indian government's request for extradition.

It is to be noted that Raymond Varley is an associate of the infamous Freddy Peats – a paedophile who was involved in the prostitution of young children under the guise of running a charitable home for children and convicted by the Sessions Court in 1996. The Interpol had issued a “red notice” against Eoghan McBride, Werner Wulf Ingo, Dominique Sabire, Zell Jurgen Andreas and Nils Oscar Johnson. – Of these, Eoghan McBride and Werner Wulf Ingo were located and were convicted in Goa.

We are unable to understand why Varley was sent to England, and not India when there is a Red Notice issued by Interpol and there is a non-bailable warrant against him in Goa. This is unthinkable given that he was wanted for crimes committed in India.

Apparently, a neuropsychologist chosen by Varley has certified him as having dementia. We demand that the NCPCR ensures that a court appointed neuropsychologist certify Varley's mental state. Further that NCPCR ensures that the Interpol make a submission to the UK District Court regarding his case. We request you to look into this matter at once and ensure that Varley does not escape justice.

Yours sincerely,

Signed

1. Caritas, Goa
2. Centre for Responsible Tourism, Goa
3. Children Rights in Goa
4. Council for Social Justice and Peace, Goa
5. EQUATIONS, Bangalore
6. Jan Ugahi, Goa
7. Vikas Samvad, Madhya Pradesh