

Arab pilots, prejudice and post 9/11 witchhunts

**Richard Egan** took on MI6, the CIA and the FBI and won. John Cooper meets the Legal Aid Lawyer of the Year

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On September 11, 2001, Richard Egan was on holiday in Greece. “People were running off the beaches to get near to a television screen,” he recalls. One week later he was sitting next to a man accused of training the al-Qaeda pilots who had perpetrated one of the most infamous crimes in history.

Egan, 40, who qualified in 1990 after doing articles in an entertainment law firm, has just received the first Legal Aid Lawyer of the Year Award. Sponsored by the Legal Aid Practitioners Group, the award is for his work when representing Lotfi Raissi in proceedings brought by the United States Government to extradite him.

“He was clinging to my arm when we met him,” Egan says. “Everyone was signalling that he was the guy: the police, the press, everyone.”

The facts read like a John Grisham novel, as Egan and his team faced the combined forces of British agencies, the FBI and the CIA. “Raissi was in the wrong place at the wrong time,” Egan says. “He was Algerian; he had spent time in the US; he was a pilot; he trained Arabs; he took lessons in a simulator and he left the States shortly before the attack and was found living near Heathrow. He had also been at the same flight school as one of the hijackers.”

These allegations were to climax with the suggestion that Raissi had sat in the same training cockpit as one of the terrorists. It was Egan’s trademark calm determination that was to expose the very heart of the US case as a sham.

“The US did not expect us to dismantle its case,” he says. But then he is a man who often does the unexpected, arriving at the court on a motorbike and changing from his leathers in the robing room.

The US alleged that it had a video showing Raissi with Hani Hanjour, one of the hijackers, taken in the US. To Egan it was clear that the video in fact showed Raissi with his cousin. Even at a glance, it was obvious that it was not Hanjour — “Raissi’s cousin’s ears stuck out”, Egan says.

But this did not correlate with the extradition case. These charges related to minor matters carrying a maximum of two months in prison — failing to disclose a previous conviction for theft in the UK, and a knee and face injury, to the Federal Aviation Authority.

The US continued to tell Tim Workman, a Woolwich magistrate, that although Raissi was not “presently charged with terrorism”, he would be indicted upon the completion of its investigations.

This was not enough for Workman. He granted Raissi bail after nine months in prison. This was the beginning of the end in the case against Raissi as the team demolished the failure to report a conviction by deft use of the Rehabilitation of Offenders Act. That left the failure to report a knee injury. Like everything about the case, there was more bluster than substance in the allegation. In fact, Raissi had disclosed the injury a year before but, 12 months on, he had put “no” in a box rather than “no change” — a technical breach but not enough for extradition.

Raissi can be grateful that Egan was the duty solicitor who took the case, but it has been at some cost to Egan, who is the head of special case work at Tuckers. As well as receiving anonymous text messages, such as “We’re watching you, Mr Egan”, he has had to deal with the condemnation of otherwise right-minded people which clearly saddens him. “To this day people do not think it was right to get involved. They showed blind prejudice.”

He likens the paranoia over September 11 to the Salem witchhunts. “All you needed to say was September 11 and you were a witch,” he says.

Egan is driven by a fervent belief in the quality of publicly funded work. “People measure countries by their justice system and we have one of the finest in the world,” he says.

But no one should be deceived by Egan’s stylish charm, he is a man who can get angry. Ask him about what the Government is doing to legal aid and he becomes indignant. “Most of our colleagues are unrecognised, all we see in the press is fat cats and the legal aid board being ripped off. In reality, I work with a group of decent, dedicated, professional people who make a real and immediate difference to people’s lives.”

Egan has no ambition to become a full-time advocate. “I’m probably too emotive,” he confesses, adding, “but I do like a good argument.” His next case is the defence of a Gurkha on a murder charge, which should stir more controversy. It is no ordinary murder charge. The victim was the nephew of the Prime Minister of Belize and the political tension is palpable.

Ultimately, though, Richard Egan impresses as a committed family man with a weakness for Liverpool Football Club.

He has developed a talent for oil painting from his late father who travelled in Africa recording the vanishing tribes of the continent. Egan also enjoys travel — he met his wife in Australia. As for a summer holiday, well, maybe he should keep his mobile phone close at hand — he remembers what happened last time he was quietly lying on a beach in Greece.

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