



JUDICIARY OF  
ENGLAND AND WALES

**Barry George v R**

**Summary of the result of the appeal**

At the trial the prosecution relied primarily on four categories of evidence:

- (i) witnesses who had seen a man who looked like Barry George near the scene of the murder when it occurred and one witness who had identified him as being there four hours earlier;
- (ii) repeated lies told by Barry George in interview;
- (iii) an alleged attempt to create a false alibi;
- (iv) a single particle of firearm discharge residue (FDR) found, about a year after the murder, in Barry George's overcoat.

The prosecution called expert witnesses at the trial whose evidence suggested that it was likely that the particle of FDR came from a gun fired by Barry George rather than from some other source.

Those witnesses and other witnesses from the Forensic Science Service told the Court of Appeal that this was not the right conclusion to draw from the discovery of the particle of FDR. It was, in fact, no more likely that the particle had come from a gun fired by Barry George than that it had come from some other source.

The Court of Appeal concluded that, if this evidence had been given to the jury at the trial, there is no certainty that they would have found Barry George guilty. For this reason his conviction had to be quashed.