



Ministry  
of Justice



**Dr Phillip Lee MP**  
Parliamentary Under-  
Secretary of State for  
Justice

Stephen Kinnock MP  
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**MP ref:** SNK/CJ  
**MoJ ref:** 35771

12 October 2016

Dear Stephen

**APPEAL FOR THE POSTHUMOUS PARDON OF MR RICHARD LEWIS (AKA DIC PENDERYN)**

Thank you for your letter of 19 July 2016 addressed to the Secretary of State for Justice, Elizabeth Truss, regarding the case of Richard Lewis (commonly known as Dic Penderyn). Your letter has been passed to me as the Minister with responsibility for this area of the law. Please accept my sincere apologies for the delay in responding.

I have also seen your recent petition on the same issue. The 600 signatures show the clear feeling on the issue within the local community but you will be aware that any petition seeking a debate in Parliament requires 10,000 signatures.

I have considered your letter and the petition. I am sorry that I am unable to add anything further to the Government's Hansard response (copy enclosed) dated 14 October 2015 to the petition that was raised by Ann Clwyd MP on 29 June 2015.

I would of course be willing to consider the matter again once all the relevant appeal mechanisms have been exhausted.

**DR PHILLIP LEE MP**



## OBSERVATIONS

### JUSTICE

#### **Pardon for Dic Penderyn**

*The Petition of residents of Wales,*

Declares that Richard Lewis (known as Dic Penderyn) was a Welsh labourer and coal miner who lived in Merthyr Tydfil; further that he was involved with the Merthyr Rising of 3 June 1831; further that during the riot, he was arrested and charged with stabbing a soldier, Donald Black, with a bayonet; further that the people of Merthyr Tydfil were convinced of his innocence and signed a petition for his release; further that despite this, he was found guilty and hanged on 13 August; further that in 1874, a man named Ianto Parker confessed on his death bed that he stabbed Donald Black; further that James Abbott, who testified against Richard Lewis at the trial later admitted to lying under oath; further that at Mr Lewis' trial, the Prosecution suppressed evidence which would have exonerated him; further that the same evidence, which should have led to his pardon

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in 1831, was also suppressed by the trial Judge and the Home Secretary; further that there is strong feeling in Wales that Richard Lewis was wrongly executed, that his conviction should be overturned and that he should be granted a pardon.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Justice to grant a pardon to Richard Lewis.

And the Petitioners remain, etc.—[Presented by *Ann Clwyd*, *Official Report*, 29 June 2015; Vol. 597, c. 1305.]

[P001530]

*Observations from the Minister for Policing, Crime and Criminal Justice (Mike Penning):*

By convention, the Royal Prerogative of Mercy (RPM) is only used to grant a pardon where evidence has come to light which demonstrates conclusively that the convicted individual was innocent and that the relevant appeal mechanisms have been exhausted.

As far as we are aware, no approach has been made to either the Court of Appeal or to the Criminal Cases Review Commission to review the conviction and therefore we do not consider recommending the use of the RPM to Her Majesty the Queen in this case, until all the avenues of appeal have been exhausted.

Should the Court of Appeal refuse to quash the conviction (whether or not after a referral by the Criminal Cases Review Commission), Dic Penderyn's supporters could then approach the Secretary of State to seek a recommendation for a pardon.

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## Petition

*Wednesday 14 October 2015*

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