



Highlands and Islands Media Awards

NEWSPAPER OF THE YEAR

The Shetland Times

Established 1872

Printed and published in Shetland

Friday, 9th June, 2006 • 70 pence



Friends and colleagues show their support at Clickimin yesterday morning. From left: Elliot Tait, Scott Morrison, Jamie Henderson, Steven Smith, Willie Cruickshank, Thomas Summers, Richard Bulter, James Moncrieff, Michael Gardner, Craig Gerty, Ian Pottinger and Richie Gardner. Photo: Keith Morrison

Support for Sakchai after raid on home



Sakchai Makao

BY ROSALIND GRIFFITHS

POLICE and immigration officials snatched a popular Lerwick resident from his home on Tuesday morning and flew him south to face deportation.

Sakchai Makao, 23, originally from Thailand, was arrested without warning on immigration charges and taken from his home in Haldane Burgess Crescent by officers.

He was flown from Sumburgh to Aberdeen at 2pm on Tuesday and was taken to a detention centre in Govan near Glasgow before being transferred to the high-security Durham Prison.

It is understood he has just five days to appeal against deportation and a petition has been started in Shetland in his support.

His case is also being supported by Alistair Carmichael MP, Tavish Scott MSP and by SIC convener Sandy Cluness.

Sakchai is employed by Shetland Recreational Trust as a lifeguard at Clickimin swimming pool. Trust general manager James Johnston flew down to Newcastle yesterday to travel on to Durham to meet with Sakchai's lawyer and to see Sakchai if possible.

Sakchai is a well-known local athlete who represented Shetland in the island games and who has also competed at Scottish level.

According to friends, Sakchai was "taken from his

bed" and had just time to pack a bag before being taken away.

He appears to have fallen victim to the Home Office's clampdown on "foreign criminals" who have remained in the UK after being released from jail.

In 2004 Sakchai served a prison sentence for fire-raising.

A neighbour who saw the police raid said that Sakchai was taken away in a "big van" by "four or five" officers between 8am and 9am. The neighbour said: "He was always a very nice boy to talk to, a gentleman."

Inspector Finlay MacBeath of Lerwick police confirmed the raid was instigated by immigration officials acting with police from south, with the local force providing "logistical support".

According to Sakchai's sister Uthai, who lives in London, Sakchai has a Thai passport and has never become a British citizen. She thinks her brother may have drawn attention to himself by trying to apply for citizenship.

Sakchai's housemate Jamie Henderson left the house before 8am on Tuesday to go to his work at Irvine Contractors. Knowing that his friend was in, he left the door unlocked.

(Continued on page two)

TV star slams fire festival

BROADCASTER Ben Fogle has lashed out at the organisers of last year's Up-Helly-A', calling them rude and boorish.

In a book just published the celebrity hunk tells how he felt ostracised and humiliated by the reception he received.

● Full story, page 5

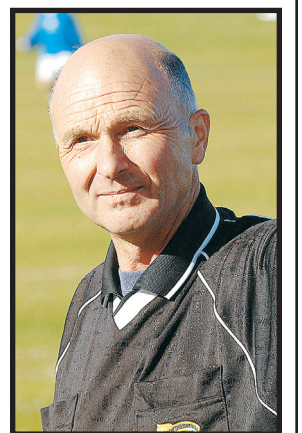
Meet the man who tidies tip!

A HILLSWICK man is on a mission to make Lerwick's rubbish skips a pleasure for people to visit.

Darrell Richards, known as Billy, cleans up the litter-clogged site several times a week at no cost to the public purse. He is recovering from long-term illness and is finding great satisfaction in the work and the gratitude that visitors have shown to him.

● Full story, page 11

Stop ref abuse call



TOP ref Robbie Summers has hit out at the amount of abuse officials are having to face.

● Full story, back page

Mystery moose!

Police are investigating after a set of moose antlers was handed in to officers in Lerwick.

● Photo, page 7



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Timetable of dramatic journey

Tuesday 8am - Officers arrive at Sakchai's Lerwick home.

Tuesday 2pm - Plane leaves Sumburgh for Aberdeen.



Wednesday 10am Sakchai is taken from Glasgow to Durham prison.

From Durham, Sakchai could be taken on to London in preparation for deportation to his native Thailand.

Alistair Carmichael MP is fighting Sakchai's case at the Home Office.



'Taken from his bed'

(Continued from front page)

Speaking on Tuesday evening he said: "I am totally shocked. I heard about it at 11am when a friend phoned me. Sakchai phoned me at 12.45pm and asked me to phone his sister because he hadn't been able to get in touch with her."

"He must have taken a bag but he has left everything here, all his computer games, CDs and DVDs. I'm looking for his passport, his sister asked me to do that."

"Everyone really likes him, he is always there for you. We go out together every weekend and we both play in the Malakoff football team. He is my best mate."

At 1.45pm Jamie received a text message which Sakchai had sent to his friends. It contained the words: "Miss you always. Luv and cheers for being good mates."

Around the same time Sakchai made a call from Sumburgh Airport to a senior member of management at Clickimin to say he would not be coming into work. After that his phone number became unobtainable and it is understood police took possession of his phone.

Orkney and Shetland MP, Alistair Carmichael, has given his full support to efforts to secure the release of Sakchai, and confirmed on Wednesday that he had obtained legal representation for him.

Mr Carmichael has been in

contact with the Home Office and the Immigration and Nationality Directorate (IND), and said he understands that Sakchai has been served with a notice of intention to serve a deportation notice.

Mr Carmichael said: "Many serious questions need to be asked about the treatment of Sakchai Makao. Why was it decided that deportation proceedings should be brought against him? Why was it deemed necessary to send a large number of officers to his home at 7am?"

"It is important to bear in mind that the purpose of considering prisoners for deportation is the protection of the public."

"When Mr Makao committed an offence it was accepted by the Crown that he had done so while under the influence of alcohol and while acting out of character. Since his release he has been able to re-establish his life and to return to full time employment with a permanent address."

"Where is the threat to public safety that requires his deportation? The Shetland community clearly does not see one. Does the Home Office think they know better?"

"Today's attempts to locate Mr Makao and establish how the authorities intend to proceed has confirmed to me that the Immigration and Nationality Directorate is a department which

still has severe problems. I will continue to pursue this matter until Sakchai Makao receives the fair treatment he deserves."

"The more I learn of this case the more worrying it is. It is apparent that fairness and concern for the individual has nothing to do with the Home Office's concern for Sakchai's case. It is an exercise in arresting and deporting as many people as possible as quickly as possible regardless of the injustice and hardship that will result."

Mr Carmichael confirmed he was taking the case to the "highest level" in the Home Office.

He has also tabled a Parliamentary Question to the Home Office asking how many police officers and IND officials were involved in lifting Sakchai, where the officers are normally based, and the cost of the operation.

A Home Office spokesperson said: "We do not comment on individual cases. Foreign nationals must obey the laws of this country in the same way as everybody else and those who have committed criminal offences here are therefore subject to the same legal processes as anyone else in the UK."

"Anyone breaking the law can expect prosecution and, where appropriate, a custodial sentence and deportation."

ALISTAIR Carmichael's efforts are being supported by Tavish Scott MSP.

Tavish Scott said, "I fully support the action of local people who are fighting to get Sakchai Makao back to Shetland."

"I will certainly do what I can to help and will work with Alistair Carmichael who is pursuing the issue with the relevant authorities in Westminster."

"Sakchai Makao has lived in Shetland for a large part of his life. He is part of the Shetland community, something which is clearly demonstrated by the support in the islands for the campaign for his release and return home."

"For him to be the victim of a dawn raid, and then to be rushed south into detention, is simply not acceptable."

Maureen Macmillan, MSP for the Highlands and Islands, has also lent her support.

She said: "I understand that the arrest is linked to the Home Office's efforts to trace foreigners with a criminal record who had not previously been considered for deportation."

"I am deeply concerned with this situation and whereas Mr Makao did commit a crime, he has served his sentence and all the information I have

suggests he has been successfully rehabilitated back into island life."

"The moves to permanently deport him from the UK seem excessive and unnecessary. I have written to both the Home Secretary and the First Minister highlighting the situation. In my letter to John Reid I asked the Home Office to reconsider the decision to deport - in this instance."

SIC convener Sandy Cluness has pledged his support to Sakchai in the face of "draconian" treatment from the Home Office.

Mr Cluness said: "Sakchai has appeared to have paid his debts to society and had become a valuable member of the Shetland community, which included representing Shetland and Scotland in sporting events. Shetland Islands Council would join with Alistair Carmichael in making maximum efforts to have Sakchai return to Shetland as soon as possible."

And Gordon Thomson, chairman of the Shetland Labour Party said: "We will do all we can to register our dismay and consternation at the heavy handed treatment of Sakchai Makao. We believe that he is no risk at all to the community and is indeed an asset to Shetland. It is ridiculous to even consider deporting this man."

Moments of madness cost him dear

IN the words of his defence solicitor, two "moments of madness" in 2003 resulted in a prison sentence for Sakchai Makao.

He and a friend had had a night of heavy drinking and were walking home through Lerwick. On reaching the North Ness they passed an unlocked car and climbed in. The friend looked for items to steal while Sakchai set fire to the vehicle, valued at £600. It was completely destroyed.

The pair then broke into a portable cabin and again the friend looked for items to steal but left when he found nothing. Sakchai set fire to the cabin which was completely destroyed causing over £40,000 worth of damage.

The procurator fiscal said at court that this was a "one-off" offence for Sakchai, who was jailed by the Sheriff for 15 months.

The friend received a fine and community service.

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In 1998 Under-17 club champion and Shetland Amateur Athletic Athlete of the Year Sakchai Makao receives his trophy from Kevin Denvir of Sportswise at the club's annual trophy presentation in Scalloway Public Hall.



In 1999 The Shetland athletes who represented Scotland in the junior international against Ireland. Back (from left): Karl Robertson, Thomas Laurenson and Sakchai Makao. Front: Claire Wilson.

Former teacher 'horrified'

SAKCHAI Makao arrived in Shetland from Thailand in the early 1990s when he was 10 and his sister a couple of years older.

Their Thai mother had married taxi driver the late Archie Jack and the family settled in Mossbank, where they were very well-liked. The family later moved to Cunningsburgh, where a former neighbour described Sakchai as a "lovely boy." It was while they were there that Mr Jack died suddenly.

Sakchai later moved to Lerwick. His mother and sister went to live in London five weeks ago.

Although Sakchai could speak very little English when he arrived in Shetland, he quickly became a popular pupil at Brae High School and his athletic prowess ensured he

was always in demand for sporting events.

Neighbours from Mossbank remember him as being a very likeable boy, and he proved to be a willing school pupil.

Former head teacher Joe Irvine said: "Sakchai enrolled briefly at Anderson High School in August 1994 and then started in Secondary one at Brae High School in October 1994.

"He was an absolutely excellent pupil, so enthusiastic about everything he did. He had an excellent attitude and really stood out at school and his sister was the same, wanting to get involved in everything. They both worked so hard to catch up and we got a Thai dictionary.

"Sakchai made great strides in athletics and represented Scotland.

"I was very shocked when he got into trouble, it was so out of character. He is the very opposite of what you consider a foreign criminal. The attitude seems to be arrest them and get rid of them."

Mr Irvine, who is also a trustee of Shetland Recreational Trust, said that the confidence of the trustees in re-employing Sakchai after his prison term had been fully justified.

Former learning support teacher Winnie Balfour who helped Sakchai with his English said she was "horrified" about what had happened. Mrs Balfour said: "He was a very pleasant boy, very bright and he learned very quickly."

Top athlete at local and national level

SAKCHAI was celebrated as an athlete at local and national level with records stretching back to his early days in Shetland.

He represented Scotland in under-13s athletics and was ranked 14th in Scotland in the under-15 long jump and triple jump.

In 1998 he became Scottish schools champion in long and triple jump, and in December of that year he was named under-17 club champion and Shetland Amateur Athletics Club's athlete of the year.

In June 1999 he set the Shetland men's record for triple jump, and in 2001 he became Scottish number one under-21 Scottish triple jumper with a record of 14.15 metres.

Brae High School deputy head teacher Colin Kirkness was Sakchai's PE teacher.

Mr Kirkness said: "His sporting record speaks for itself. He was one of the most talented pupils we have ever had through Brae School. He was in the school basketball, football and volleyball teams and had a good sporting attitude, always the first to shake hands with the opposition. He was a model pupil, cheerful and got on well with staff and pupils."

Plea for model pupil

A CAMPAIGN to "bring back Sakchai" is being spearheaded by family friend Davie Gardner of Shetland Arts.

Mr Gardner said: "It is a violation of human rights, it is reprehensible and there is no humanity at all. They're did not even allow him to make a phone call."

Mr Gardner said Sakchai's number had become unobtainable after 2pm on Tuesday, and that Govan police had confirmed they had taken possession of Sakchai's phone.

Mr Gardner told *The Shetland Times* yesterday that he had heard from Sakchai in Durham Prison, the first time Sakchai had had access to a phone. Mr Gardner said: "He said he was well but the prison was very rough which is no surprise. I told him the world was with him and we were doing everything we can to get him released."

Mr Gardner said that Sakchai had also been able to phone his sister and would be seeing a lawyer yesterday afternoon. His sister and mother are due to visit tomorrow.

Meanwhile a groundswell of support for Sakchai is being felt throughout Shetland.

Balloons are fluttering and a banner proclaiming "Release Sakchai" is being displayed at a house at Lerwick.

Posters have been printed, there is an on-line petition calling for his release and copies of another can be found in shops and businesses.

It reads: "Sakchai Makao has been detained for deportation as a result of the poor government legislations. He has been living in Shetland for 13 years. He has represented Shetland and Scotland in athletics. For a number of years, Sakchai has been an employee of the Shetland Recreational Trust. He is a well-respected lifeguard, and has many friends throughout the Shetland Isles."

Another petition can be found on www.shetlink.co.uk.

One has also been done at Brae High School, where Sakchai was a pupil until 1999.

Teacher Gordon Stove said: "Secondary three pupils knew about the on-line petition but the kids wanted to do more. Sakchai is a valued ex-pupil and many of them know him through sports."

"He was in my room for four years and he was a wee lost soul when he arrived and his English was marginal. He just grew on everybody because he was so happy. His English came on really fast and his second language became his first language."

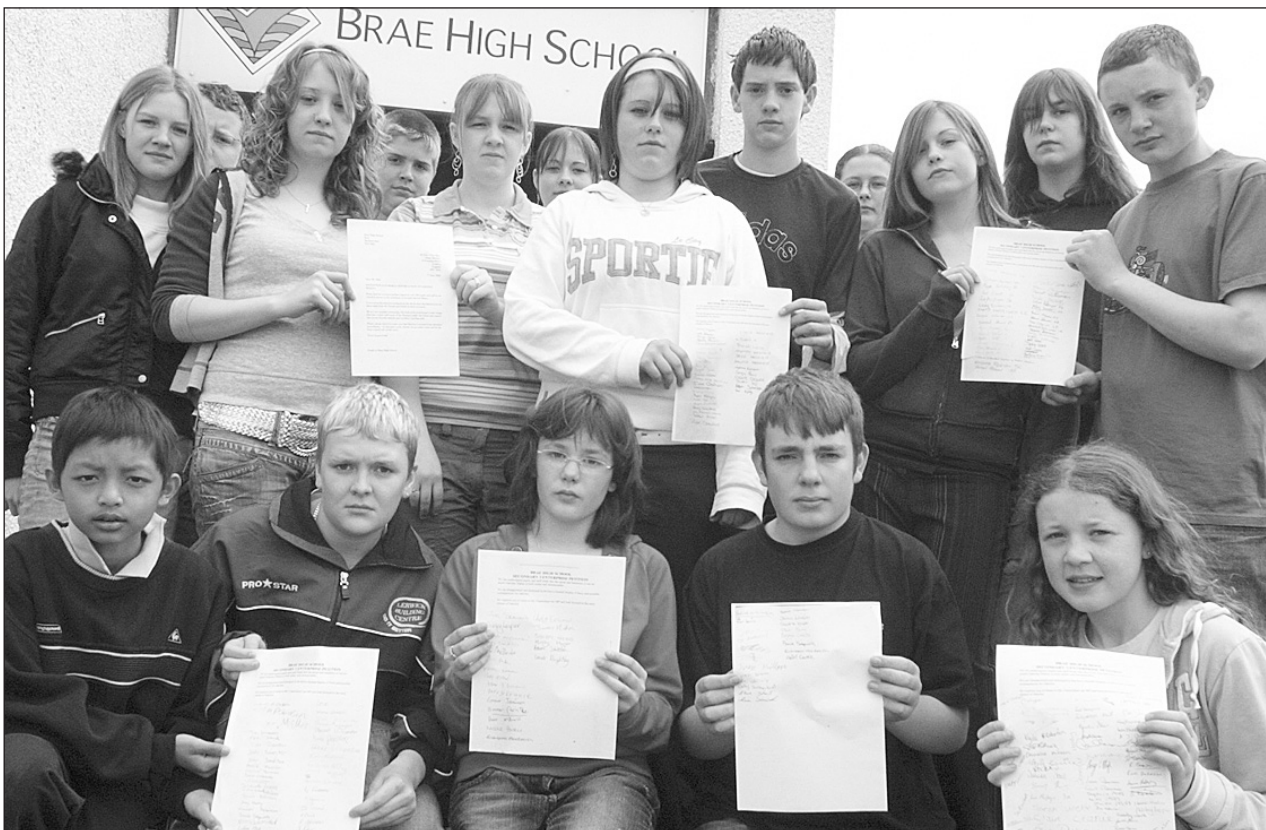
"The staff are really hurt about this. We got signatures from all the staff and visitors as well as all the pupils in the secondary department in three hours and we have sent it with a letter to Tony Blair. We hope Sakchai gets back to his true home."

Sakchai's sister Uthai said on Wednesday night that she wants to say a "huge thank-you" to everyone in Shetland for their support, and especially to Davie Gardner for his efforts. Uthai said: "I wouldn't have had a clue what to do but he has really helped us. We still have not heard from Sakchai and no-one has told us anything. My mother is saying how could they treat him like that."

"I have phoned Aberdeen immigration and Glasgow immigration but nobody can help. It is horrible."

Speaking about her brother's jail sentence, she said: "The way he was treated was just shocking, you'd think he had murdered someone but I'm not making excuses for him being stupid. I think he was trying to apply for citizenship and this is why this has happened."

"He was stronger than anyone thought he would be and he put his life back together and I am proud he is my brother. He is the most decent person you could meet and he has turned out so good."



Over 200 pupils from Brae High School where Sakchai was a pupil have signed a personal plea to Tony Blair for his immediate release.

Photo: Gordon Stove

Workers shocked

COLLEAGUES who worked with Sakchai at the Clickimin Leisure Complex are still recovering from the shock of his abrupt removal.

General manager of Shetland Recreational Trust James Johnston said: "He came to us in 1999 as a 16-year-old employed trainee.

"He was so enthusiastic, so willing, always with a huge smile – it rubbed off on the staff and on the public. He was very polite, one of our best trainees and has become a model employee.

"The trustees of Shetland Recreational Trust had no hesitation in re-employing him after he served his prison sentence.

"He even phoned us from Sumburgh Airport just before they took him away on the plane, that's how conscientious he is."

Fellow lifeguards are also adjusting to the shock. Thomas Summers was possibly the first one to know of Sakchai's plight.

Thomas said: "I was knocking on the door of Sakchai's house around 10.30am on Tuesday for him to come with me to the golf driving range.

"A neighbour came out and told me Sakchai had been taken away. I phoned Jamie (Sakchai's house-mate) to find out what was going on, but he didn't know. I was totally gutted, I didn't know what to do."

And fellow lifeguard Craig Gerty said: "I'm very shocked. He's as much a Shetlander as I am."

The lifeguards have been distributing petitions and posters around the town in his support.

And a former colleague at Clickimin said: "He was such a friendly, helpful and outgoing boy, he made an impression on you."

Friends also say that Sakchai played a full part in the Shetland community, being part of an Up-Helly-A' squad.

They fear that if he is deported to Thailand, a country where he has no relatives, he will be conscripted into the army.

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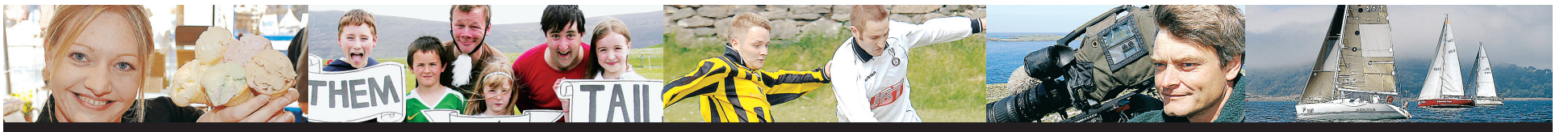
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Please help my brother Sakchai

Doctor beat up his wife

A FORMER Levenwick doctor who beat up his wife has been fined £1,100 in a Scottish court.

Dr Chris Rowlands, 49, narrowly avoided jail for the attack on Ann Marie Rowlands.

During his service in Shetland he was a regular flyer on medical evacuations with the Coastguard rescue helicopter and was honoured with an MBE for his work after the Chinook disaster off Sumburgh.

● Full story, page 5

Inquiry into death of woman

A FATAL Accident Inquiry into the death of 84-year-old Lerwick woman Eileen Peterson was held this week.

● Full story, page 7

FREE
INSIDE



12-PAGE
JOHNSMAS
PULL-OUT

Delight of sailing trio

THREE Shetland sailors have earned the right to represent Scotland in a yachting championship.

● Report and photos, back page

The pressure is too much for Sakchai's sister Uthai at this week's rally. Four-page special on the campaign to free Sakchai starts page 10. Photo: Keith Morrison

Schools axe threat

BY MARK LATHAM

CLOSURE of small rural schools was put back on the agenda yesterday after SIC councillors voted in favour of pressing ahead with another best value review of education provision in the isles.

Council officials have now been ordered to come up with a fresh round of reports on closing up to FIVE rural primary schools.

These are: Burravoe, Cullivoe, North Roe, Sandness and Uyeasound.

The closure of three secondary departments at Baltasound, Sker-

ries, and Scalloway schools will also be examined.

With an annual budget of £36m, education accounts for the largest part of the SIC's £112m budget.

Because of the large number of schools with school rolls of less than 20, the cost of education provision in Shetland per pupil is second only in the country to the Western Isles.

At a media briefing on Monday, SIC education spokesman Bill Manson said he suspected that there was considerable public support for the idea of closing some of

the smaller rural schools but that folk in favour of the closures were unlikely to be as vocal in their opposition as the parents of the schools affected.

There were, he said, a fair number of folk who remained quiet about the issue as they "didn't want an argument with their neighbours".

Mr Manson added that implementation of any decision to close schools was bound to take four or more years, but the decision itself could be taken before next May's council elections.

At yesterday's meeting Mr Manson, who represents Northmavine, moved that the council should press ahead with the review.

He said: "If we fail to bite this bullet then I think we are doing ourselves and future generations of bairns a disservice."

"I do think we should give this serious consideration. I do think we should treat this properly."

"If we don't do something now then we are going to have this dragged before us every year or two."

(Continued on page three)



Bill Manson

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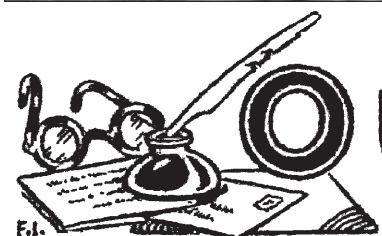
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SAKCHAI LETTERS SPECIAL

Disturbing precedent

THE CASE of Sakchai Makao has brought to light some very frightening issues.

Why was this man removed from the island with such unnecessary force? Why was he not questioned at the local police station, and released pending a possible hearing if this was necessary? After all his life and job are in Shetland.

I accept that it was right that Sakchai had to spend time in prison. This was only proper, but he should have been able to resume his life when this was over.

What concerns me greatly is what exactly is the policy of the government over foreign nationals and criminal offences?

When the government announced that it was going to clamp down on crime committed by foreign nationals, and deportation, I thought and I'm sure many other people assumed, that this was going to apply to illegal immigrants who'd committed offences such as a murder or rape — had been released from prison — and gone to ground/hidden.

I'm not sure if Sakchai has right of residency — it does seem he has. If this is the case it would mean that any foreign national could be deported for any offence — a parking ticket maybe and it would not matter how long they had been resident in the UK.

If common sense does not prevail, I see a very disturbing precedent being set.

Clare Green

Staneybrake, Levenwick.

Worse than a police state

WHAT on earth is the Home Office playing at? Acting like a police state, nay worse.

Can they not distinguish between types of crime and how long someone has been here without problems?

On its recent record I doubt if the Home Office knows what each finger is doing, let alone each hand.

This is ridiculous!

A very mad daughter of an Orcadian.

Sandra Ross

sandraross_rothes@hotmail.com

We miss you Sakchai

ON BEHALF of Malakoff Football club, we would like to express our support for Sakchai Makao, and we all hope he is returned quickly to

Shetland where he rightfully belongs.

The whole deportation affair seems completely wrong, and the way he was arrested sounds very frightening.

He shouldn't be made to pay over again for one out of character mistake he made years ago.

He is well liked by everyone at the club, and many of the players have been his best friends for many years.

We would like to give our thanks as Sakchai's team mates and offer our support to his family, Davie Gardner, Alistair Carmichael, James Johnston and all the others who are working hard to get him released.

Lastly, we would like Sakchai to be aware that we all miss him, and we all hope he is back with us very soon.

James Manson and Adrian Henry

(on behalf of all of us at Malakoff Football Club)

Dismay at treatment

ON behalf of Shetland Labour Party, we would like to express our dismay and embarrassment at the treatment meted out to Sakchai Makao.

When we heard about his departure from Shetland, we sent emails to Tony Blair and John Reid at the Home Office to highlight the injustice in his case.

We hope that sense will prevail — but it is dispiriting to see how quickly a government will act in a desperate bid to satisfy a media who want to see a quick resolution of statistics. Sakchai has served his time and is obviously welcome in the Shetland community.

We hope that no further repetition of these activities takes place in Shetland and that the community is consulted, through police and local council channels, before any further acts like this are even considered.

Gordon Thomson

Chairman, Shetland Labour Party

Charles Greig, of Church of Scotland, Presbytery of Shetland, wrote this open letter to Home Secretary Rt Hon John Reid MP.

'A Terrorist attack'

Dear Sir
I WAS shocked and appalled that a young man, Sakchai Makao, who grew up in Shetland and who has contributed well to our local community should be the subject of

such brutal and frightening treatment on Tuesday morning (last week). I hesitate to use the phrase but I will — this was nothing short of a 'terrorist attack' carried out in a dawn raid. A 'terrorist' is surely one who terrorises — is there any other term for what was done to an unsuspecting young man.

We seem in this country — and sadly under a Labour Government — to be bereft of justice. I listened recently to tales by colleagues of such dawn raids on immigrants in Glasgow and I listened, I'm sorry to say, with a degree of scepticism — sadly misplaced.

We — for we believe that HM Government represents us — have become little better than those who actions we deplore, those who rob people of the peace and security which is the right of every individual.

Sakchai Makao surely deserves better from a Government that claims to be fair and claims to care.

Dr Reid I remember once offering you 'sanctuary' in my church — St Andrew's in Bellshill, when you had nowhere else to hold your surgery.

You were at that time a young MP. It seems sad that the same open consideration could not be given to Sakchai Makao to allow him space in the community to which he rightly feels he belongs and who through his work does so much to help fellow Shetlanders.

I have tonight read with tears in my eyes the comments on the BBC website of those who know Sakchai personally and have written so warmly about him. With greater tears I have lamented those who like the Government and their agency seem to be bereft of compassion and understanding.

Charles Greig
Church of Scotland
Presbytery of Shetland

Distressed, but not surprised

THE fact of the arrest and threatened deportation of Sakchai Makao, and the manner in which he was arrested, has obviously shocked a large section of the community both here in Shetland and outwith the islands.

Sadly, having watched the steady erosion of human rights in Britain over the past 30 years, I was distressed by the news but not surprised.

As a member of Amnesty International and Chair of the local group, I am sometimes asked to do talks to schools or community groups about human rights issues.

The work Shetland Amnesty Group undertakes is largely to do with horror stories from abroad,

which leads some folk to either question the relevance of our work to their lives, or to console themselves that 'this kind of thing' only happens to other people in faraway places.

What has happened to Sakchai will hopefully remind everybody that abuses of human rights can happen anywhere to anybody — all it takes is for ordinary people to take their eyes off what their governments are doing, and to stop asking questions about the justice of government policies and decisions.

In her book about Hitler's deputy, Albert Speer, Gitta Sereny says that the crimes he and the Nazis committed happened not because the German people didn't ask questions, but because they came to believe that it was acceptable not to ask.

So Shetland Amnesty Group would like to add its voice to the hundreds of others who are asking our Government why Sakchai Makao has to be removed from his home and from his friends and community, when he presents no threat to the public.

At Tuesday's rally at Clickimin Alistair Carmichael reminded the Government that although it claims to be acting in the public interest, in this case at least, the Shetland public knows better.

We would readily concur with this — so let them bring Sakchai home, to where he actually belongs.

Kathy Hubbard

Chairman

Shetland Amnesty
International Group

Waste of public money

I AM writing to note my disappointment in the council at their reported promise to foot the bill for any legal costs incurred in relation to the deportation case for Sakchai.

I fully support Sakchai's case and have indeed signed an on-line petition to state this, I can not however support the council's decision to throw away money in the same week that they have been reminded that they have to take heed to budget restraints and cut backs in relation to the education service.

I do agree that there are cuts that can be made here also but not to be spent on a court case for one individual.

Do the councillors think that they will earn brownie points by supporting this case?

I feel that most constituents will see it as a waste of public money, one of many made in the last year or so.

I believe that somewhere in the region of 800 people attended the rally for Sakchai on Tuesday night and upwards of 7,000 have signed a petition to protest the deportation notice, could these individuals not donate some money and pay for these fees? Is he not entitled to Legal Aid?

There must be better things for the council to spend their money on and more sources of funding for Sakchai.

I wish Sakchai all the luck in the world for his appeal and the councillors all the luck in the world to finding some sense!

Fiona McKay

shetlandfi@hotmail.com

The Shetland for Sakchai campaign received an added boon in the form of a letter from one of Britain's top musical performers, Elvis Costello, which is printed in full below....

Inappropriate and draconian

THE disturbing case of Sakchai Makao has been brought to my attention by my friend David Gardner.

This is just a note to say that I lend my support to calls for a review of the circumstances in which certain new criteria appear to have been applied in the most inappropriate and draconian fashion.

A degree of transparency and a clear measure of fairness is essential if respect for the law is to be maintained.

If such actions are intended to reassure citizens (or is it "subjects") that her Majesty's Government and the police and immigration agencies are acting to repair the recent loss of confidence following certain, particularly well-publicised, policy misjudgements, then very careful use of these new procedures and powers should be taken in order to inspire trust in those very institutions.

The case of Sakchai Makao appears to be that of someone who has been unreasonably swept up in a big net designed to catch those who have genuinely sinister motivations.

It cannot possibly be just or civilised to allow a young man to re-enter society after accepting punishment for a criminal act of folly and then punish him all over again.

Let us urge the Home Secretary to properly consider the implications of this case and to allow Sakchai to return to the community that has become his home.

Elvis Costello

Spare a thought for the other 500,000

IT is good to see so much local support for Sakchai Makao. I hope the campaign to let him stay succeeds.

This might be the time to spare a thought for the rest of the 500,000 illegal immigrants the government say could be in the country.

Each one of these statistics is a person trying to make a life for themselves, leaving their country of origin to escape poverty or persecution.

Not all of them will have fitted in so well into the community as Sakchai, but then very few of them would have had access to our high standard of education, good sports facilities, and relatively full employment, that Sakchai has embraced.

Sakchai's arrest is a direct result of the hate campaign, orchestrated by elements within the tabloid press, whose unscrupulous editors substitute truth and fairness, for hate and venom.

Tony Blair and New Labour, who court the gutter press in their seemingly mindless quest for "popularity", have substituted beer and sandwiches with the unions, for champagne and smoked salmon with tabloid editors! Disgusting!

In an ideal world Sakchai would be reunited with his family and these tabloid papers would remain on the newagents' counter, unsold.

Billy Butler

Church Road, Lerwick.

Song for Sakchai

THE way Sakchai has been dealt with is a disgrace.

The shooting in the tube and the recent raid in East London demonstrate the lack of balance between the needs of the situation and the over-the-top behaviour of the authorities.

And now Sakchai is in danger of being a victim of the British government's need to allay embarrassment over criminal asylum-seekers. Does anyone think this raid would have happened if it wasn't for the political situation?

My anger has led to a folk song, which I will sing at a club down here in Manchester shortly, and if anyone wants to hear it, perhaps in Lerwick in the next few weeks.

Copland Smith

(writer and singer)

coplandsmith@toucansurf.com

Support for Sakchai goes to Holyrood

A PROTEST of support for the Shetland For Sakchai campaign was held outside the Scottish Parliament in Edinburgh this week.

The protest, held on Tuesday, the same day as the Lerwick rally, was attended by more than 20 people, who stood outside the Parliament building holding placards and distributing flyers. It was organised by Chris Jamieson, who is a former classmate of Sakchai at Brae High School and is now living and working in Edinburgh.

He said: "From reading the Shetlink forum and taking part in that debate, I saw that the rally in Shetland was going ahead and I couldn't attend that because of work, so I was wondering what I could do to help Sakchai's case."

"I thought it would be great if there was some kind of protest down here in Edinburgh and I realised that if I didn't organise it it probably wouldn't happen. I was quite nervous, as I had attended rallies and demonstrations before but never organised my own, and found it quite challenging."

Chris said: "About 20 people stood outside the Scottish Parliament with placards. We met some MSPs and got good media coverage. We handed a

letter to Justice Minister Cathy Jamieson and to First Minister Jack McConnell regarding the human rights implications of Sakchai's case."

Amongst those in attendance were three representatives of the Thai Scots Association, as well as a number of MSPs. Maureen Macmillan, MSP for the Highlands and Islands region, has had a motion published by the Parliament.

Ms Macmillan said: "It is an indication of concern from the parliament and hopefully people will sign the motion. Regrettably, the timetable leading up to recess means we will probably not have the time to debate it."

The parliamentary motion in full reads: "That the Parliament notes the arrest with a view to deportation of Sakchai Makao, a 23-year-old Thai national who has lived in Shetland since he was 10 years old; recognises that Sakchai Makao has a criminal record due to a fire-raising incident but also recognises that he has been accepted back into the Shetland community without reservation, and notes the extensive support which he is receiving from the Shetland community in relation to his current situation."

Ms Macmillan added that upon hearing of Sakchai's case, many of her colleagues in the Parliament were very supportive and also mentioned anecdotal evidence of deportations in other constituencies.

She said: "They are saying that they've heard of other similar cases, and they are sympathetic. I think that would be the response of anybody who looks at this dispassionately, looking at the fact that Sakchai was not living in a shadow world of criminality or anything like that, he was a valued member of the community. I would ask the home office for flexibility and compassion in this case."

"I'm very impressed with the Shetland people and their response – as soon as this was announced my phone was ringing and ringing. And credit to the young Shetland students, and people who took time off work, to come and give their support here in Edinburgh."

Mr Jamieson was particularly pleased by the response of the MSPs, who he hopes will pass the issue on to their Westminster counterparts.

He said: "It was really, really heartening that so many MSPs were aware of his case. It feels great that

there are several MSPs who agree with the Shetland for Sakchai campaign, there seemed to be a good number of them, having a good discussion and providing very strong support, so hopefully they can pass it on as of course it is not a devolved issue."

"Also, the response from the media has been overwhelmingly positive, I haven't heard any negative bias yet and that's really good. Footage of our protest being used as the top item on Newsnight Scotland was a huge achievement and that can only help Sakchai's case."

Mr Jamieson says he has been buoyed by the success of the rally in Edinburgh, and is the latest to pay a warm tribute to his former schoolmate and friend.

"He was just the nicest guy ever," he said. "He never had a bad word to say about anybody, he never got involved in the usual kind of high school backstabbing and I would say he was one of my few true friends at high school."

"Overall, I feel buoyed and that we just have to keep going and pushing forward, get people talking about it, get behind Sakchai and get him back to the island which is his home."



Left: Chris Jamieson and fellow protesters outside Holyrood during Tuesday's demonstration. Above: Tavish Scott speaks to the protesters.

Photos: Ciaran Donnelly

Sakchai awaits fate in jail

BY NEIL RIDDELL

TEN days after he was first seized from his Lerwick address by immigration officials, Sakchai Makao this morning continues to be detained in the high security Durham prison, with his future still no clearer.

Sakchai, 23, has been held under threat of deportation to Thailand since he was arrested from his Lerwick residence in an early morning raid on Tuesday June 6th.

A bail application, submitted on his behalf on Monday, looks likely to be decided early next week.

The Shetland For Sakchai campaign, organised by Davie Gardner, has been gathering pace rapidly over the course of the week.

A petition protesting his deportation has now collected in excess of 7,000 signatures and a rally held at the Clickimin Centre on Tuesday was attended by 800 people, including Sakchai's sister Uthai.

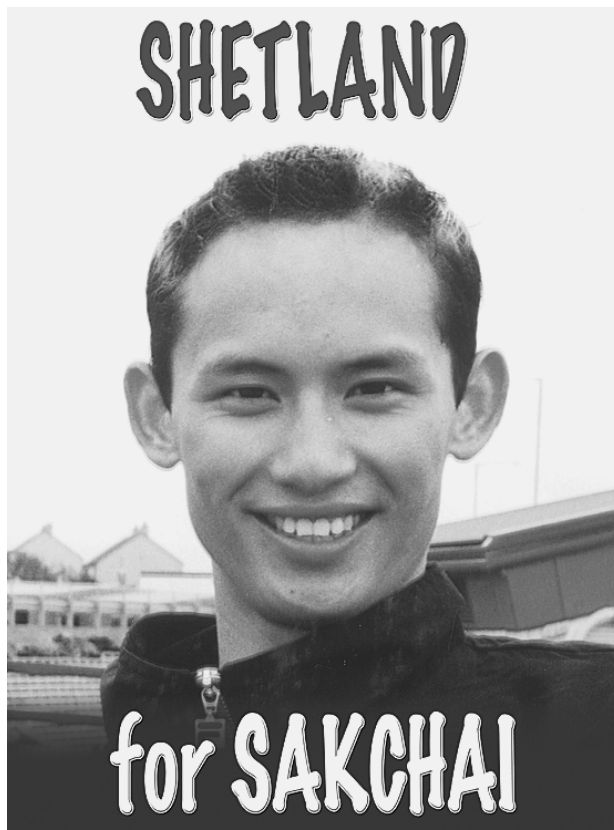
Orkney and Shetland MP Alistair Carmichael has continued to give his full support to efforts to secure Sakchai's release, and has been working hard to move forward the legal process.

Mr Carmichael said yesterday: "The only real update is that I did get a letter from the immigration minister [Liam Byrne] yesterday."

"It didn't really take us any further forward and really just reiterated what we had from the Immigration and Nationality Directorate officials."

"As far as I can see there has been no political analysis of the case by the Home Office and I surmise that they have decided to allow the appeal process to run its course. That is politically easier for them to deal with than to accept that what has been a very controversial issue is still being mismanaged."

Solicitor for Sakchai's legal team Alexandra Bartrope, from Newcastle law firm Browell, Smith & Co, expressed her displeasure at the conditions



under which he was being held after visiting him yesterday morning.

As *The Shetland Times* went to press, Mr Carmichael was attempting to contact the governor of Durham prison. Ms Bartrope is of the opinion that Sakchai ought to be held as an 'untried' prisoner, meaning he should be entitled to access to unlimited visits and that he should be allowed unrestricted access to any money sent to him.

Mr Carmichael added: "I'm told he has a good prospect for appeal. That is the judgment of the legal team, who are immigration specialists, and if the Home Office are not going to take any sensible and proactive role, that makes it all the more important that the bail application is successful."

James Johnston, manager of Shetland Recreational Trust (SRT) which employs Sakchai as a lifeguard, recently returned to

Shetland after travelling to Durham to meet Ms Bartrope.

Last Saturday afternoon, Mr Johnston was able to meet Sakchai in person for almost two hours.

He said: "Considering what he has gone through, I was pleasantly surprised by how he was handling it. When you see Sakchai, normally he's always smiling and I suppose I wasn't sure what type of Sakchai I was going to see, but his face lit up when he saw me."

"He was a lot more upbeat than I expected, though I don't think it had quite sunk in at that time. I think he was pleased that I had made the effort to come and see him, and he'd also just seen his mother and sister that morning having not seen anyone since the Tuesday."

"Remarkably, and I suppose it's typical Sakchai, he wasn't really complaining a great deal, other than the fact that he couldn't

understand why he was in prison. He said to me that he didn't have any problems with the way he had been treated."

"On Saturday, he was in a holding unit with a cell-mate, who I think was a drug addict, so it was a bit difficult for him getting to sleep at night."

"He did say he was spending a lot of time in his cell, up to 23 hours a day, but that was mainly self-imposed because he wasn't wanting to mix with other prisoners or get into any bother, he was just looking to keep a low profile."

Mr Johnston was able to inform Sakchai of the sheer scale of the Shetland community's support for his cause, which understandably seemed to lift his spirits a great deal.

He said: "I told him about what was going on at home. At that time, there were about 4,000 signatures on the petition, and when I was saying that to him you could see his face lighting up, saying 'wow'. He did ask the prison officers if he could get access to the internet to see some of what was going on but he was denied that."

"He was at pains to stress that he wanted me to pass on his thanks to friends, family, work colleagues and everybody else for their support. He said that when he got out of prison he would be replying to each one individually, and I said that maybe he didn't realise the scale, that it could take him quite a bit of time."

In testament to the glowing tributes that have flooded in from so many different friends and acquaintances of Sakchai in the past ten days, Mr Johnston said he had been good natured during their meeting and even joked about the visit causing him to miss the latest World Cup action.

"He did have a TV in his room and was looking forward to watching a lot of the World Cup," said Mr Johnston. "At the time I was visiting then the England-

Paraguay match was on, so we joked that I was taking him away from watching that!"

Mr Johnston reiterated that the SRT had been in no doubt about the appropriate action to take once they learned that he was being taken from Lerwick.

He said: "We were absolutely shocked when we heard that Sakchai had been arrested again."

"He has worked with us for a long period of time, and as has been said previously we felt [his crime] was totally out of character. We didn't have any hesitation employing him when he came out of prison, and he's been an excellent member of staff since."

"We realised that we had five days to lodge an appeal, so it was important that we reacted quickly so that he wasn't deported. I'm very comfortable that [his legal team] are doing everything possible to get Sakchai released. His bail application has been made, the appeal has been lodged and it's in the hands of the legal system now."

Meanwhile, SIC convener Sandy Cluness has reacted with sadness to the fact that he has received critical comments from some quarters in relation

to his recent support for the Sakchai campaign.

At Tuesday's rally at the Clickimin Centre - where Sakchai works - it appeared that Mr Cluness had promised that the council would underwrite any legal costs in the fight against Sakchai's deportation.

In a statement attempting to clarify the council's position, Mr Cluness explained that Sakchai is currently being supported in his legal action by his employer, the SRT.

He added that he hoped Shetlanders would contribute generously to the "fighting fund" that has been set up following Tuesday's rally.

"Like Tavish Scott and Alistair Carmichael, I consider that Sakchai has been illegally detained," said Mr Cluness. "I sincerely hope that this mistake will soon be rectified and he can return to his Shetland home. As usual we will stand by any Shetlander in difficulty and if necessary I will ask my council colleagues to support me in the provision of any humanitarian assistance required."

GMTV were due at Clickimin at 6am today to film a piece about the support for Sakchai.

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What they said about Sakchai



Alistair Carmichael

"People in Shetland have a strong sense of fairness, and they are outraged.

"The Home Office has done a botched job. They have broken every rule in the book.

"When you are in a hole you should stop digging. And boy are you guys (the Home Office) in a hole. Admit tonight you have got this one badly wrong.

"Deportation is about sending people back where they belong. This is where he (Sakchai) belongs. This is where we want him back."

Alistair Carmichael, MP

"In my 50 years in Shetland these are some of the most incredible scenes and things I have ever been involved in and I know right now I will ever be involved in again.

"We have got 7,000 names on petitions in four or five days. They are from young, old, black, white.

"This is a sordid mess that the Government have created. Only those who deserve to be deported should be deported. Sakchai Makao is not one of them."

Davie Gardner, Shetland For Sakchai campaign organiser



Sandra Jamieson

"It's actually quite emotional, looking out here at the waves of faces. I can see members of Sakchai's swimming club sitting down here at the front.

"Sakchai is an incredibly likeable character, always smiling. He never passes you. The athletics club has been honoured to have him as a member for over ten years now. We are very, very proud to call him a member of our club and also that he is calling Shetland his home.

"When he came here at ten years old he fell in love with the islands and I think the turnout here tonight shows the islands have obviously fallen in love with Sakchai.

"The main thing we have to do is keep the profile up. Shetland For Sakchai."

Sandra Jamieson, Shetland Amateur Athletic Club

"It is going to be a long fight. Pupils at the school want to know what is happening in Newcastle. They want to learn about deportation and Amnesty International.

"Above all, they don't understand how people can be sentenced for a crime twice."

Gordon Stove, teacher Brae School, speaking to The Shetland Times before the meeting.



A group of Sakchai's friends.

Photo: Keith Morrison

Shetland shows its

BY ROSALIND GRIFFITHS

AROUND 800 people from politicians to school bairns packed into the Clickimin bowls hall on Tuesday night in a show of support for popular Lerwick resident Sakchai Makao who faces deportation.

Sakchai, 23, is in Durham Prison having been lifted as part of a round-up of "foreign criminals" who were not deported after serving a prison sentence.

The vigorous campaign for his release is being spearheaded by Davie Gardner of Shetland Arts.

Speeches by politicians were received with cheers and claps by the emotional crowd, which included Sakchai's sister Uthai who had travelled from London with their mother.

Uthai gave a moving speech at the end of the meeting.

A bus load of staff and pupils from Brae High School, where Sakchai was educated, were also present.

Mr Gardner said that around 7,000 people had already signed the petition to release Sakchai, and there were messages of support from MSPs, church leaders and even, through his music contacts, from Elvis Costello.

Sakchai's lawyer, who was found for him by Isles MP Alistair Carmichael, has applied for bail although a decision is not expected until Monday.

Mr Carmichael said that no-one would belittle the seriousness of the crime Sakchai committed (he served a prison sentence in 2004 for fire-raising), but Shetland had a deep sense of fairness and was outraged by the treatment Sakchai had received.

The Home Office had done a "botched job" and should admit that they had got this one "badly wrong".

His message to the Home Office was: "When you're in a hole, stop digging" and said that Sakchai should be deported here to Shetland: "he belongs here."



Uthai thanks the crowd for their support.

Photo: Keith Morrison



Campaign organiser Davie Gardner shows the massive petition to free Sakchai.

Photo: Keith Morrison



Sakchai's mother and sister listen to the support.

Photo: Keith Morrison



Alistair Carmichael addresses the meeting.

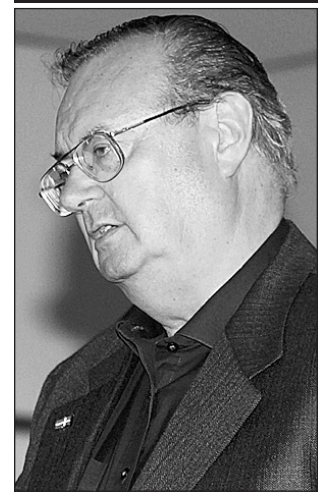
Photo: Keith Morrison



Part of the 600-strong crowd inside the hall at the meeting.

Photo: Keith Morrison

What they said about Sakchai



Sandy Cluness

"I have never been as proud as I am tonight. This is a man who has paid for what he did. He is a valued member of this community. Shetland Islands Council will be right behind this campaign all the way.

"Either the Recreational Trust or Shetland Islands Council will underwrite anything that is required to ensure this man is brought back to his home."

Sandy Cluness, SIC convenor

support for Sakchai

Mr Carmichael said: "Tonight's rally is a visible demonstration of Shetland's feeling about Sakchai. I can't think of many communities that would come together as Shetland has done."

SIC convenor Sandy Cluness said that he had "never been so proud as tonight" to be part of the campaign and to see its massive support.

He said that Sakchai had already paid the price for his crime and "this is not the kind of justice I understand." He would be writing to Home Office minister John Reid, he said, to say that "the law I learned about is being abused."

Mr Cluness said SIC would underwrite costs involved in the campaign, although legal costs are being met by Sakchai's employer Shetland Recreational Trust.

Sandra Jamieson spoke of the achievements of "an exceptional athlete." She said: "It is fantastic to see the turnout and I hope this can do something. It is heartbreaking

to think of him in jail. Everyone who knew him liked him, he was always smiling, happy and never passed you by."

Uthai and her mother Kesorn Jack saw Sakchai at the weekend. Mrs Jack said Sakchai was a "little bit scared" but she was happy to see he had so much support.

Uthai, sporting a Shetland for Sakchai T shirt which will become part of the campaign, said her brother was "fine but not himself."

She said: "The prison was horrible with bad vibes. We've just got the politics to deal with now and we'll have to be strong and sit and wait. We're glad to know people have got so much faith in Sakchai. I can't say any more or I'll start crying."

Tavish Scott MSP said: "This is one of the most impressive gatherings I have ever been at."

He said the "powerful campaign" reflected Shetland's sense of outrage and it was important to

get the right outcome. "The UK government is wrong, legally as well as morally," he said.

Mr Scott had flown up from Edinburgh for the meeting. Earlier in the day he had been at a demonstration outside the Scottish Parliament organised by Chris Jamieson, a former classmate of Sakchai.

Another member of the expatriate Shetland community, Andrew Bennett, also lent his support.

Andrew, who was at school with Sakchai, drove Uthai and Kesorn to Durham Prison on Saturday and then on the train station at Newcastle for their onward journey to Aberdeen. Sakchai is due to be the best man at Andrew's wedding in September.

Funding is going to be needed for the on-going Shetland for Sakchai campaign and a collection on the night raised over £2,000.



Tavish Scott

"This is one of the most impressive gatherings in our islands. Any good government can listen and say 'we got this wrong'."

"John Reid, admit the Home Office got it wrong and send this young Shetlander home."

Tavish Scott, MSP

"Thank you so much. I wish my brother was here to see this but he is not."

"Some of you probably wanted to stay home and watch football, but you are here and that is a huge thing for us. Without you, and especially Davie Gardner, we would be sitting at home waiting for the day Sakchai would be going back to Thailand. And I just want to say thank you."

Uthai Makao, Sakchai's sister, who broke down in tears

"Yes I wish Sakchai was here to see this as well, but I equally wish Dr John Reid was here to see the last two minutes. And if this is what our country is about, God help us."

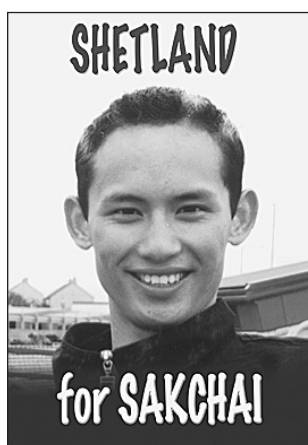
"We will see you back here, with Sakchai."

Davie Gardner, closing the meeting



Concerned faces as Davie Gardner tells of the plight.

Photo: Keith Morrison



Tears and silence will fuel the fight

BY JONATHAN LEE

TEARS rolled down Uthai Makao's face and for a few short moments there was silence.

This is what summed up what has happened to Sakchai Makao. Silence. Stunned silence.

What had gone before had been a hurly-burly of words and noise. Strong words, passionate words, rousing words, even music.

The audience, 600 inside the hall, another 200 outside some with their noses pressed against the window, had clapped and cheered.

But in the silence, broken only by Uthai's sobs as she tried to recover her poise, there was a different noise stirring.

There was anger boiling up in people's faces. Anger that a sister had been reduced to this, crying for her brother locked in a British jail.

And then the tears formed. Not just from Uthai. From men and women, all ages, tears welling up in their own eyes in a show of

sympathy, unity and strength for Uthai, her mother...and her brother.

From swimming club kids sporting their Shetland For Sakchai T-shirts to young people determined to make a difference.

From mothers, wondering how they would feel if their own son had been snatched from his home in the early morning.

To men standing arms folded, defiant, listening, wanting to help.

If anyone doubted the collective will of those gathered here to do all they can to bring Sakchai back to Shetland they better think again.

This was no one-night get-together, a party, a political rally, an excuse to be part of something.

This was a huge outpouring of emotion stirred by the strongest sense that a member of the community had been wronged.

And Uthai's tears brought home how a family was suffering. A mother and sister sitting on stage not knowing if their son/brother was

going to be deported to Thailand. It was a poignant, and powerful end to a night always destined to be different.

"Shetland has never known anything like this," was the most common sentiment.

MP Alistair Carmichael who has worked so hard to move forward the legal process in the previous seven days was cheered on stage. When was the last time you heard that sort of reception for a politician?

On closer inspection he looked dog-tired, eyes bloodshot, testament to the monumental effort he has made to further Sakchai's cause.

Flights between London and Shetland, media interviews, and behind the scenes phone calls had taken their toll.

And yet he still summoned the energy to deliver an eloquent and moving speech.

In the days ahead those words – and even more memorably Uthai's tears – will ensure the fight goes on.

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Friends and colleagues hold Sakchai high after his return to Shetland on Wednesday.

Photo: Keith Morrison

Sakchai's court bid

BY JOHN ROBERTSON

SAKCHAI Makao is unlikely to learn his fate two weeks today when he returns to court to fight deportation to Thailand.

There is likely to be some delay before the judge in Durham issues a written decision and, even if he quashes the Home Office deportation order, the story is not likely to end there.

MP Alistair Carmichael said the UK government appealed "virtually everything" these days, for what he suspected were political rather than legal motives.

He said people in all political parties were realising the case was an injustice by a Home Office which had lost its way, pursuing people in Sakchai's position without looking at their circumstances.

At a press conference in Sumburgh to celebrate Sakchai's return on Wednesday he said: "What happened yesterday when Sakchai got bail was that he got somebody in a position of power to look fairly and objectively and impartially at his case and when they did that they let him out. The scandal is that he had to be in two weeks before that could happen."

He continued: "The immigration minister Liam Byrne has been aware of this case for some time now – he could have made that decision; he could have released Sakchai. But he didn't have the political courage to do it."

The tireless organiser of the Shetland for Sakchai campaign, Davie Gardner, said the judge's action in granting bail had been the first time the campaigners had seen common sense prevail since Sakchai was snatched from Shetland.

But he warned against victory parties at this stage or allowing the campaign to flag now that Sakchai had been let out temporarily.

He said: "The campaign would certainly not ease up in this case until we're happy that final justice is done."

Mr Carmichael said he hoped Sakchai's return on bail would reinvigorate the campaign's efforts rather than make people "take their foot off the gas".

Instead of being freed this week Sakchai could already have been dumped in Thailand. He holds a Thai passport but has a visa stating he may live in the UK for an indefinite period.

When the deportation order was served he had just five days to lodge an appeal or make representations. If he had not, he could have been on his way to Thailand any time from Monday last week.

The MP is sure there are already others in Britain who have been booted out in the new purge, with few people noticing.

He said: "Sakchai, in many ways, is actually very fortunate because he came from a community where he was missed and people cared about him. If nobody was thinking 'where has he gone to?', what would have happened to him?"

"What would have happened if maybe his language skills weren't very good and he didn't actually understand the notice that had been served on him? What would have happened if he had some mental illness, was a bit depressed, and might have sat in a cell for the five days just looking at a wall?"

(Continued on page two)

Web ban imposed

A YOUNG man who downloaded child porn has been banned from the internet for three years.

Dean Hughson, 20, of Glen Mavis, Sandwick, escaped jail, but was ordered to do three years probation and handed the internet ban by a court in Inverness.

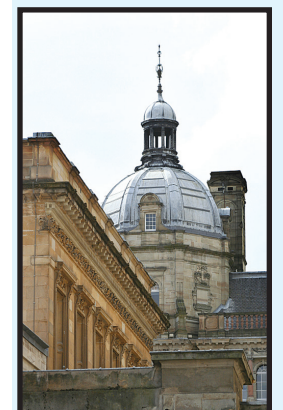
● Full story, page 7

Bitter fight over bridge

SIC and Lerwick Port Authority have locked horns again over the Bressay bridge saga, this time at the court of session in Edinburgh.

● Full story, page 11.

WIN



A FAMILY WEEKEND IN GLASGOW
See page 20

Rural rage

RURAL schools have reacted angrily to the threat of closure hanging over them once again as part of an SIC review of education.

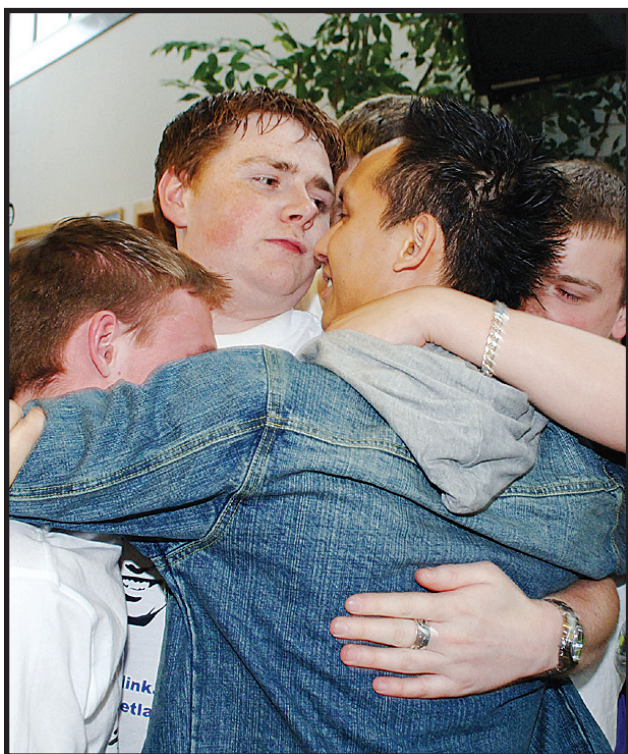
Families in Skerries made their case for keeping their school open. But interim head of education Neil Galbraith said school closures could be "positive" for pupils.

● Full story, pages 14 & 15.

Fund snub

YOUNG athletes may be missing out on the chance to represent Scotland due to a lack of funding.

● Full story, back page



Friends reunited ...

Photo: Keith Morrison



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An overwhelming response for Sakchai at Clickimin on Wednesday evening.

Photo: Keith Morrison

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Sakchai's job hope

(Continued from front page)

After arriving at Sumburgh, a relieved Sakchai spent two hours patiently facing the media and the teams of TV cameras at the hotel.

His employer, Shetland Recreational Trust manager James Johnston, said Sakchai had been a bit apprehensive on the approach to Sumburgh about the attention he was about to receive, especially after he had caught up on all the media coverage of recent days.

Mr Johnston said: "He's not wanting to let anybody down."

Understandably he had been strongly advised not to say anything that might prejudice his forthcoming hearing, such as comment about his treatment since being taken from Shetland.

Sakchai himself said one of the first things he would be doing when he got home was answering all the calls and messages he has received on his phone.

He said: "When I turned it on yesterday it never stopped ringing, and messages, and then the battery went half-way through!"

Asked if he could cope with his new-found fame, he said he just wanted to do what he used to do, as normal, day by day.

Mr Johnston said he would be back at work at the swimming pool as soon as he was ready.

"I'm ready tomorrow if they want me," Sakchai replied.

Mr Gardner, said the community had been mobilised to help Sakchai through "a spontaneous outburst of support and disgust" at the way he had been treated.

He said organising the campaign had been a bit like doing his day job, managing projects, except "gone wild".

Before it began he had not believed that community spirit in Shetland was as alive and kicking as it has proven to be. But he said: "There is a feeling that we are a community, we're an island group - that naturally brings us close together. But I think the great thing

in Shetland always ... is we recognise injustice when we see it. Quite often we're not mobilised to do anything about it, and that's maybe to our shame sometimes. But I think on this occasion the fact of the matter is that we thought this was not only an injustice but an absolute massive travesty and an injustice. Nobody was going to stand back.

"We still are a people that can pull together when needs must. We've seen it in the past with things like the *Braer*."

Mr Carmichael said the campaign had involved a tremendous amount of hard work and Sakchai would not be out if it had not been for the efforts of Mr Gardner and Mr Johnston in particular.

Contrary to reports elsewhere, the £2,010 bail required to free Sakchai was not put up by Shetland Recreational Trust. It was guaranteed £1,000-a-piece by Mr Johnston and the trust's chairman, Joe Irvine. Sakchai was required to put up £10 of his own.

The awesome power of mobile phone text messaging meant word of his release surged through Shetland immediately after his court appearance.

Mr Gardner has also kept people informed day by day through the Shetland-run online service Shetlink, which has hosted a frenzied exchange of views about Sakchai.

By late on Tuesday afternoon there had been over 1,000 contributions to the Sakchai debate, including many wellwishing messages, and these had been looked at by websurfers nearly 26,000 times.

One comment was posted by a prison officer in Aberdeen who had guarded Sakchai when he was serving his sentence at Craiginchies for fire-raising.

Ian Maitland wrote: "He worked in the industrial cleaning party, where I worked at the time, and the best compliment I can pay him is that if every prisoner in Aberdeen

was like Sakchai my job would be a lot easier and stress-free. Good luck with the campaign and the next time you see him give my best."

Mr Maitland is also an athletics coach and said he knew about Sakchai's sporting ability.

Mr Gardner and the campaign team hope to be able to use the weight of support and anger expressed on Shetlink as further evidence to help Sakchai's case, politically and legally, to be allowed to stay in the UK.

He said the website had been "an absolutely invaluable tool" for the Shetland For Sakchai campaign to use.

Lerwick Community Council gave its wholehearted support for the campaign at its meeting on Monday and members expressed their admiration for the work being done by Mr Gardner and other campaigners.

However, they stopped short of offering money to help at this stage due to possible legal restrictions on how they can use their public funds.

The organisation is also to write to the Home Office in protest at its behaviour towards Mr Makao.

The national media has continued its keen interest in covering the story with GMTV in Shetland and a host of newspapers and the BBC following it closely.

On Monday *The Guardian* ran a two-page article about the community's rampant support for Sakchai, bizarrely describing Shetlanders as "startlingly white, the colour of cooked halibut".

Even the right-wing *Daily Mail*, which campaigns against immigrants, is reported to be backing Sakchai's case, describing him as someone who should not be deported.

The Sakchai story has become such big news that an internet search using his name in the Google search engine yields over 18,000 results.

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Case gives others hope

BY JOHN ROBERTSON

THE HARSH treatment of Sakchai might one day help other foreigners in the UK avoid a similar fate.

His case is already infamous in the corridors of power in London as an example of the civil service mismanagement which led to Home Secretary John Reid denouncing his department's immigration arm as "not fit for purpose" and "dysfunctional".

According to isles MP Alistair Carmichael, the Sakchai scandal is creating a head of steam for more radical change than that already proposed by the government.

He hopes the lessons learned might spare others the heavy-handed bungling witnessed in Shetland. He said: "That would be a big positive that could come out of it."

All Sakchai supporters hope his case will be won soon and he can return to his normal life in Lerwick. But the MP believes the exasperation in Westminster about his treatment will rumble on until the Home Office Immigration and Nationality Directorate (IND) is taken in hand.

Speaking to *The Shetland Times* at Sumburgh on Wednesday, Mr Carmichael detailed the catalogue of incompetence he had encountered in his dealings with the directorate since Sakchai was snatched 17 days ago.

He also savaged the new immigration minister Liam Byrne, accusing him of a dereliction of his duty in failing to act after being made fully aware of Sakchai's circumstances.

Mr Byrne was brought in just a month ago by the Home Secretary to help sort out the mess in British immigration.

Mr Carmichael accused him of choosing to standing by as matters went from bad to worse with the Sakchai case. "At no stage has he done anything to take control of the situation."

A request from *The Shetland Times* this week for an interview with Mr Byrne went unanswered although a spokesman said he expected the minister would not comment on individual cases.

Mr Carmichael said there was a growing realisation that the need for root-and-branch change in the IND was pressing and the minister should get on with it.

He said: "When this is all finished it's my intention to use Sakchai's case as a case study almost; to take it to pieces and to go over at our leisure every step of the process and ask why this happened."

"Why was it that there was no examination of his family circumstances before they lifted him? Why was it that they didn't know before they arrested him when he had come to the country?"

"Why was it they didn't know what his immigration status was? They didn't even know that he had indefinite leave to remain. If they didn't know he had indefinite leave

to remain, why is it that the immigration officers who went to arrest him were not instructed, before they did anything else, to open his passport and look at it?"

The incompetence doesn't stop there: having removed his Thai passport in Aberdeen it was left there in a safe by enforcement officers. Then, when Sakchai was moved on to Glasgow, the IND officers there were baffled as to where the passport had gone.

The MP said: "It took us a day and a half to find out where his passport was. It's just crazy! It's so fundamental."

"I was told that the representative of the IND in the bail hearing, when the case first sat, said that he hadn't got a file and that his office hadn't been aware until the day before that there actually was going to be a bail hearing and that they would be appearing in it."

Incredibly, the excuse they gave was that their files had been in upheaval because they had been trying to deal with Mr Carmichael's inquiries about Sakchai.

Since Mr Reid was made Home Secretary to clean up the department Mr Carmichael said he believed, if anything, it had got worse.

"I think John Reid chasing after every *Daily Mail* headline actually means that the Home Office is less coherent now than it ever was."

"I think that the Immigration and Nationality Directorate is just a shambles. Organisationally they are inept and that goes beyond what we've always been led to believe – that it was a department overwhelmed by its workload; that had a demotivated workforce at the lower levels and that was why the initial policy decision-making was poor."

"My observations over the last week . . . is that the problem goes from the top to the bottom."

The Home Office is a mammoth government department responsible for internal affairs in England and Wales. Its motto is "safe, just and tolerant". One part of this massive institution is the IND which controls immigration, headed by Mr Byrne.

Mr Carmichael first became heavily involved with the minister's people two weeks ago regarding Sakchai and was told he would be briefed by Mr Byrne. The briefing turned out just to be a phone call during which the minister merely asked Mr Carmichael what he wanted to say.

"He had not bothered at that stage to find out anything about the case. He was supposed to be briefing me – I ended up briefing him. The next day a letter came through on the fax that was just a simple regurgitation of the IND position. None of the questions that I asked had been answered."

He continued: "What's the point in going to the minister if the min-



A relieved Sakchai during Wednesday's press conference.

Photo: Keith Morrison

ister just rubber-stamps everything the officials put in front of him and the officials, according to the secretary of state, are dysfunctional and not fit for purpose, then what's the minister doing here?"

The MP blames Tony Blair for what he sees as the wave of over-reaction against foreigners with criminal records. Mr Carmichael had been in the House of Commons during a speech in which the Prime Minister said all non-nationals with serious convictions would be deported. Other top ministers later explained that what the Prime Minister had said was not what he meant, because it was unworkable. Instead, each case would be considered on its merits.

Mr Carmichael said: "It's pretty clear that the IND are still following Blair's instructions, regardless of the legalities of the situation. All the IND did in Sakchai's case was they established that he had served a prison sentence that qualified [for deportation] on two grounds – first of all it was for a fire-raising charge and, secondly, it was for greater than 12 months."

"Interestingly, and this tells you something about new Labour: you might perpetrate a massive fraud but I don't think that would qualify you for deportation."

Mr Carmichael attacked the

"arrogance" of Mr Blair and the Home Secretary for criticising the Human Rights Act as a barrier to their actions. What it did do, he said, was to stop them doing whatever they choose to.

"Sakchai Makao's case is a reminder that there is a need for government to have controls on it; that the executive cannot be allowed untrammelled power and that if they do have untrammelled power, if they are allowed to disregard people's human rights, then they will do it if it suits them."

He said it was no accident that the government was currently having a go at the independence of the judiciary, which is still a block to state power.

There has been considerable puzzlement as to why Sakchai was taken out of Scotland to be held when it has its own deportation centre at Dungavel in Lanarkshire.

Mr Carmichael said he could only assume there wasn't room for Sakchai.

Questions have also been raised as to why the government in Edinburgh has not been able to do a thing about Sakchai being removed from Scotland. The answer, at least in legal terms, is that it has no power over immigration matters, which were not handed to Scotland as part of the devolution deal.

Mr Carmichael said people who criticised the Scottish Executive for failing to act, even though it has no locus in such matters, were simply "muddying the waters" and pursuing their own constitutional agenda.

He said he would like to think that in an independent Scotland there would be a less harsh approach to dealing with convicted foreigners but he was not convinced.

In difficult circumstances Scotland could get as "carried away" as any other part of the country, he said, and if faced with the situation that British ministers got themselves in to – having dangerous ex-cons running around the country – Scottish ministers might have addressed it in a similar way.

Mr Carmichael said: "Don't think for a second that the Scottish Executive is immune to bad administration. You can have bad administration everywhere. I would hope that the Scottish Executive would not have taken this case in the way that the Westminster government did. I would hope that they are that much closer and that much more accessible and they are a much more balanced government because they don't have single-party control."

MPs back motion

BRITISH MPs have been flocking to support a cross-party motion in support of Sakchai tabled in the House of Commons by Alistair Carmichael.

It was published on Monday and, by Wednesday, 39 members had signed up, urging the Home Office to "rescind the deportation order and release Mr Makao".

The motion is being backed by Liberal Democrat, Labour and SNP MPs. Two Tories have also signed.

The motion recognises the widespread support for Sakchai from Shetland residents and his valued position within the community.

Early day motions are rarely debated in the House but they serve a function in enabling MPs to draw attention to an issue and gather support.

Mr Carmichael acted after being contacted by a number of MPs.

The wording of his motion is:

"That this House notes with concern the appalling treatment of Sakchai Makao, in his arrest and subsequent detention in Durham maximum security prison; further notes that the deportation order was issued two years after he had served eight months for fire raising; recognises the widespread public support in Shetland for Mr Makao and the valued position that he holds within the local community; and urges the Home Office to rescind the deportation order and release Mr Makao."

Meanwhile at the Scottish Parliament, which has no powers over immigration matters, 42 MSPs had signed two motions supporting Sakchai.

The first one, sponsored by Rob Gibson of the SNP, noted the concerns expressed about his arrest and possible deportation. It has drawn support from members of the SNP, Scottish Socialists and the Greens.

The second motion, by Labour MSP Maureen Macmillan, recognises that Sakchai has a criminal record but that he has been accepted back into the community without reservation, where he enjoys extensive support.

It has been signed by eight Labour members as well as MSPs from the Liberal Democrats, SNP, Greens and Scottish Socialists.

None of the 18 Tory MSPs had signed either motion by Monday.

Judge's decision

JUDGE John Aitken took account of the public support for Sakchai when deciding to grant him bail against the wishes of the Home Office.

He said: "I am satisfied he has an address at which he can live."

"The principle reason why the Home Office seek to have the appellant detained is that his fear of deportation would cause him to abscond. He has, however, very strong community ties, including settled employment and has been resident at the same address for a number of years. He has everything to gain by appearing for his appeal in the sense that he wishes to remain in the United Kingdom legally."

"He poses no serious threat to the public, having served his sentence, been assessed as low risk of further offending and lived quietly in the community for almost two years since his release. His offences were serious but no person was injured during the commission of them."

"He enjoys considerable community support and I am satisfied that the conditions on his bail, including residence in Shetland, reporting to the police and the sureties will ensure his attendance for his appeal on 7th July 2006."

'It was the scariest two weeks of my life'

BY KEELEY HENDERSON

SAKCHAI Makao was freed on bail on Tuesday after the "scariest" two weeks of his life.

Sakchai, 23, was hauled before a judge for an asylum and immigration tribunal at King's Court in North Shields, North Tyneside.

The tribunal heard that Sakchai was sentenced to 15 months imprisonment in May 2004 for fire raising.

The tribunal set a date of 7th July for a hearing into Sakchai's possible deportation

to Thailand. That hearing will also take place in North Shields.

In the meantime Sakchai was granted bail against a surety of £2,000 provided by his employer James Johnston of Shetland Recreational Trust, which owns Shetland Clickimin Leisure Centre where he works.

The court heard that Sakchai has the support of many people in Shetland including MP Alastair Carmichael.

Outside the court Sakchai, who has lived in Shetland for 13 years, said he was "truly proud" to be called a Shetlander.

He thanked the people of Shetland with all

his heart for their support and commitment in trying to keep him in the islands.

He said: "Shetland's community is so great. We do things together. I love Shetland."

"I have had lots and lots of history in Shetland. There is nowhere at all that I would rather be."

"I don't read or write Thai, my second language became my first and my second home became my first."

"The last two weeks have been the scariest of my life."

Mr Carmichael, who attended the hearing,

said: "It has been a very difficult and traumatic time for Sakchai."

"He has been in prison. The Home Office is still a mess and this case is the human cost of that mess in immigration matters."

Mr Johnson said: "Sakchai has been a model employee, he's a great young man, I completely trust him."

"His friends and the whole community is supporting him and we are all anxious to see him home safely."

"I can't believe that it came this far with immigration officials knocking at his door after so long."

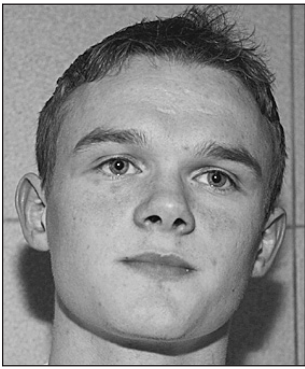
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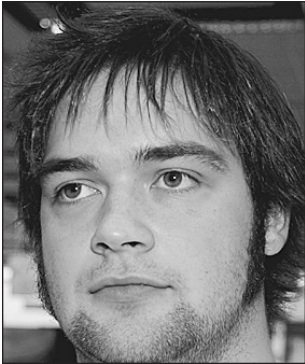
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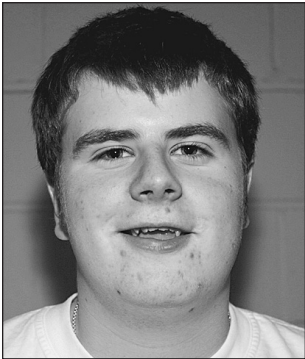
**Craig Gerty, 22,
Lifeguard, Lerwick**

We want Sakchai to be able to live here in peace and put this ordeal behind him. He's been through a lot and I think he'll just want to get on with his life and get back to normal as soon as he can.



**Thomas Summers, 20,
Lifeguard, Lerwick**

I came down to Sumburgh to show Sakchai my support and let him know how much everyone cares about him. I think now we should let the lawyers do their bit and hopefully everything will go well.



**Ian Pottinger, 18,
Lifeguard, Whalsay**

I think that we've all come down to show our support and make sure that he realises how much he is wanted. I'm really pleased at how well the campaign has gone and thankful for all the support it has recieved.



**Davie Gardner
campaign organiser**

I came down to greet Sakchai and show my support. I think it's important to see what we've fought for come to fruition. It sends a message to everyone, including the government, that we will not stop fighting this deportation and are definitely here for the long run.

***Births,
Marriages
& Deaths
Notices
have
moved to
page 12.***



Sakchai steps off the plane at Sumburgh on Wednesday afternoon.

Photo: Keith Morrison



A round of applause from friends and well wishers at Sumburgh Airport.

Photo: Keith Morrison



All smiles back in Shetland (from left) Alistair Carmichael MP, Davie Gardner, Sakchai Makao and James Johnston.

Photo: Keith Morrison

Massive welcome

BY MELISSA CLARK

PULLING up outside Sumburgh Airport on Wednesday afternoon layers of stodgy, grey clouds hung viciously overhead.

The air was heavy, with a biting wind and only a few warm rays of sunshine managed to flicker along the landscape long enough to highlight whatever crossed their path.

But only yards away, in the confines of the airport, all that suddenly felt a million miles away. The atmosphere was electric and full of anticipation.

Television cameras, furry microphones, notebooks and cameras were in abundance and a media feeding frenzy was inevitable.

It was the longest day of the year – especially for 23-year-old Sakchai Makao who was stepping foot on Shetland soil again for the first time since being forcibly removed from his Lerwick home two weeks ago.

Campaigners who fought tooth and nail for his release from prison were rewarded on Tuesday when he was bailed until his appeal hearing on 7th July.

News that Sakchai was on Wednesday's afternoon flight from Aberdeen to Sumburgh spread like wildfire and before long there was no end to the number of supporters who vowed to witness his homecoming.

As the various groups of media hovered next to the runway in expectation for the young man's arrival, one could be forgiven

for thinking an A-list celebrity was about to saunter down the gangway.

Sakchai has won the hearts of thousands who feel his treatment by immigration officials has been deplorable.

He has been fully accepted as a Shetlander and his warm and cheerful personality has made him an extremely popular young man with his work colleagues and sporting comrades.

The last to leave the plane, preceded by Isles MP Alistair Carmichael, Shetland Recreational Trust (SRT) general manager James Johnston and SRT chairman Joe Irvine, Sakchai apprehensively stepped down into the arena of waiting reporters.

His hair was styled, his complexion fresh and as he looked up to answer the first question fired at him it was clear he was delighted to be back home again.

Despite looking a little like a rabbit caught in the headlights Sakchai handled the situation wonderfully.

But the best was yet to come. As he walked into arrivals he was met by a rapturous round of applause and cheers from a crowd of around 60 well-wishers welcoming him back.

Clearly taken aback by the whole experience Sakchai was rendered almost speechless as he stood in front of his friends, family and supporters.

Five of his colleagues and closest friends wore 'Shetland for Sakchai' T-Shirts and were visibly moved by the whole experience. Sakchai immediately

went over and hugged the group, leaving some holding back the tears.

There were "welcome home Sakchai" chants and "speech" requests as he cuddled many of the people who helped make his return to Shetland possible.

All age groups, from babies to grandparents, turned up to show their support as he stepped through the door.

Summing up his feelings over the last two weeks Sakchai said: "It's been the hardest two weeks of my life and also the best two weeks of my life. To be in that situation scared me but to know everybody has been behind me is absolutely brilliant."

Sandra Jamieson, Amateur Athletics Club chairwoman, held back the tears. She said: "The feeling here was just of total anticipation. A lot of us were welling up even before he set foot on the ground."

"He seems to be holding up well considering what he's gone through, but that will hold him in good stead for the next two weeks."

"We have got him back, but not for good yet. We have got to keep the momentum up for the next couple of weeks."

"When he's back for good we will be a lot happier. It's another two weeks yet and it's the hearing that's the main thing. This is not finished. The worrying time is the next couple of weeks."

Once back at the Sumburgh Hotel, where he was due to give a press conference with Mr Carmichael, campaign leader Davie Gardner and Mr Johnston,

Sakchai had a brief moment to catch up with his friends.

The boys were laughing and joking, visibly delighted to have their group complete again.

After the media circus had dissipated Sakchai's best friend Richie Gardner, 19, celebrated with a well-deserved pint.

"Honestly, two weeks ago when he sent me that message I didn't think he would be coming back. I know this is not the end of it, but it feels so much better to have him here rather than sitting in prison."

Sakchai's flatmate Jamie Henderson, 22, was equally as chuffed. He said: "I'm delighted. I'm just so happy he's back. We just want to keep the campaign going strong and hopefully the end result will be that he stays here. It will be a great relief to have him back home."

As one of the longest and happiest days in Sakchai's life came to an end he celebrated by watching the Argentina v Holland World Cup match.

He had Argentina in the sweepstake at work. He hopes that Argentina go on to lift the World Cup on 9th July. But none of that will matter if 48 hours earlier he wins his appeal in the immigration court.

As the last remaining few dispersed from the hotel it seemed the weather had also taken a turn for the better. The dark clouds had gone and the sun made a welcome appearance. Perhaps it was a sign of things to come.

Your views and messages on

What price a life?

I NOTE with some dismay Fiona McKay's letter regarding the SIC's offer to possibly help out by "underwriting" some of Sakchai Makao's legal costs "should that be required".

She should not for one minute think that any of us don't want to see the council operate as financially efficiently as possible, whether in relation to emotive issues such as school closures or whatever, in our community. That should be their aim and ours to help them achieve it.

But can I also ask her to reach into her moral conscious and ask herself – what price a life – especially one from within our own community? And is an individual any less worthy of such support

than say the mass victims of the Boxing Day tsunami? I seriously hope not.

This is not the first time that the SIC has shown its humanitarian side, for an individual or otherwise, and we should be thankful that we have a council, a convener and officials who can think like that when the occasion arises and still be able, in my opinion at least, to serve us very well materialistically into the bargain.

As to her point on legal aid? This may indeed be an option, but I suspect that the depth of feeling so clearly demonstrated by the public over the past two weeks or so is testament to the fact they would prefer Sakchai to have the best legal representation possible, not just take his chances on the "legal roulette wheel". Again what price a life?

Let's for once applaud the SIC.

You never know who might need such support next.

David Gardner
13 Goodlad Crescent, Lerwick.

Farce of our political masters

PERHAPS the biggest error, or sin – call it what you will, but I cannot help feeling, from reports in the press about the apparent farcical case of the incarceration of Shetlander Sakchai Makao – can be down to nothing more than he was not a member of the right "club" – unlike the fireraising Lord Watson who apparently was.

How brilliantly, given half a chance, this government can place its foot right in its mouth,

seemingly with the full agreement of all members.

I cannot help feeling that if John Reid, our brand new, "fresh in this morning" home secretary, cast his eyes around, and not very far, he would, quite possibly, see far more people that could, and have, caused massive harm to this country. They have been excessively well paid, and still are, for their trouble, and it all put down to the very new, but now well used political "get out" – an "honest mistake" almost on a daily basis.

Such is the wonder (or farce) of our political masters and their system of government, proving beyond all doubt the old saying of "none as blind as those who do not want to see".

How bad/mad can things get?

Victor Smith

Morayside,
Balintore, Ross-shire.

Moment of madness

I BELIEVE the law has been broken? Is it not correct that Sakchai Makao should be removed? Absolutely. Why? It's the law.

Perhaps if those in Shetland who are so keen on releasing this convicted criminal were prepared:

a) to provide a large bond as well as provide a fund for his freedom;
b) guarantee he stayed in Shetland for ever;

I might be more sympathetic.

Tavish Scott has jumped on the emotional bandwagon over this in the usual way of the plurality of politics.

Yes, this country needs youngsters from different ethnic backgrounds to bring skills, genes, and warm feelings to the existing



Together again on Thursday morning at the Holmsgarth ferry terminal, Sakchai greets his mother Kesorn, sister Uthai and nephew Brandon. Photo: Keith Morrison

BY JONATHAN LEE

AT 7.32am yesterday Sakchai was reunited with his family at Lerwick's Holmsgarth ferry terminal.

The last time he'd seen his mother Kesorn and sister Uthai he was a prisoner in Durham jail.

This time was different.

But Sakchai isn't a free man. Far from it. In two weeks he'll face his appeal against deportation.

And with that hanging over him, like the steel-grey cloud stifling the June morning, the reunion was always going to be subdued.

As Sakchai waited, with passengers starting to file across the walkway, his words were those of any young man facing a reunion with his mum and sister, playing down his own emotions.

"They will probably be more emotional than me," said Sakchai who had killed time in the terminal car park, chatting to his mates who were kicking a football around the parking bays.

"But it will be great, because the last time I saw them I was in prison."

And then the moment came.

Kesorn was first down the terminal steps, with Uthai following behind with her five-year-old son Brandon.

Kesorn broke out into the biggest grin and moved forwards to her son, grasping his hair as they hugged tight.

Sakchai then lifted up his little nephew, and finally gave sister Uthai a long hug. Uthai said afterwards: "It's great to be back together."

Sakchai took time out to thank *Shetland Times* readers for all their support.

"I just want to say thank you. The community have done one hell of a job. They have been brilliant. I am overwhelmed by it.

"I would never have got this far if it was not for the community. They have always accepted me. And now I feel closer to them than ever."

Sakchai hopes to get back to work as a lifeguard at Clickimin pool. "When it calms down a bit, hopefully in a couple of days I will go back to work."

After the huge lows, and occasional highs, of the last two weeks, Sakchai yearns for life to be normal again.

That is in the hands of the appeal court.

Because just as at yesterday's low-key family reunion, there will be no celebration, there can be no celebration, until Sakchai can once again call Shetland home.



Sandra Jamieson, Chairwoman of the Shetland Amateur Athletics Club

I just came down to Sumburgh to show my support, I don't want to overwhelm him but feel that it is important to be here for his homecoming. I think it's really important to keep the momentum going. We've got him home but the fight is by no means over.



Margaret Sinclair, Mossbank

As well knowing Sakchai through my grandson, I was just outraged by the injustice of it all and felt I had to be here. It's important to realise that he is one of us, this is his home and this is where he should be allowed to stay. I've always believed in this country that you should only be punished once, this whole mess shows that higher powers think otherwise and it's a very bad reflection on them.



Lah Adamson, 47, Cunningsburgh

I've come to support the fact that Sakchai is back home. It's been great to know that even when you come from far away you are still accepted and wanted here in Shetland. I know that Sakchai is not a bad person and that he deserves to stay.



Sergeant Gary McCarthy, 39, Lerwick

I think that the support shown to Sakchai has been tremendous, the event at Clickimin demonstrated that. Shetland is one of the safest places to live and having Sakchai back will certainly not change that. I think he will certainly be pleased with the turnout here tonight.



Sonja Johnson, 6, Dunrossness

I am really pleased that he is back and that is why I am here waving my Sakchai flag.

Plan for gun site

THE SITE of a wartime gun in Lerwick could be turned into a tourist information point with seating so that people can stop and admire the view.

The so-called turntable at the Knab apparently used to have a Bofors anti-aircraft gun on it to help defend the town.

Lerwegian Stanley Manson has asked his community council to look into building a stone enclosure for visitors with interpretive boards telling a bit of the history of Lerwick harbour, Bressay, Noss and points south, like Mousa and Sumburgh.

In his letter he also suggested information be given about the Ness of Sound, the Knab torpedo tubes, Clickimin Broch and the wildlife around the Knab.

Lerwick Community Council agreed on Monday to raise the matter with the SIC planning department, Shetland Amenity Trust and Scottish Natural Heritage.

At the same time it is to raise the issue of a series of tourist information panels that was discussed several years ago but never acted upon by the SIC, including suggested sites at the North Ness and the old Market Green slaughterhouse.

Midnight club ban

THE POLICE are to take a common-sense approach in dealing with a new rule brought in by Shetland Islands Area Licensing Board.

As of Monday customers were banned from entering nightclubs after midnight and if they leave after that time they are not allowed back in.

At Monday's meeting of the board, George Hepburn, owner of Shetland's only nightclubs Posers and the North Star, asked how the legislation could take account for smokers who left the premises after midnight and wanted to come back in.

He suggested a stamp system could be brought in whereby those who wanted to nip out for a cigarette could have their hand stamped to prove they had already paid entry to the club and could get back in.

Police chief Malcolm Bell conceded that when the topic was first mooted the smoking ban had not been taken into consideration and proposed taking the re-entry clause out of the condition.

Councillor Gordon Mitchell said: "I don't think any system is perfect, but that stamp system is used on the mainland and it seems to work quite well."

SIC offers extra post

THE SIC is to employ an extra occupational therapist to help tackle the growing waiting list for assistance.

There are 160 people awaiting assessment for help, including those who, if assisted, could be discharged from hospital and those who would be able to continue living in their own homes.

SIC community care manager Christine Ferguson told the council's services committee last Thursday the occupational health service was extremely busy with 50-70 referrals every week.

Occupational therapists help a wide range of people to adapt their lifestyles or learn new skills so they are better able to cope. Often those who benefit from help are physically disabled, medically ill or elderly.

As well as hiring a fourth therapist, a part-time clerical assistant will also be taken on.

The extra cost of improving the service is expected to be up to £45,000.

Shellfish alert

SHETLAND Islands Council's environmental health department has warned people not to collect or eat shellfish from the foreshore at Firths Voe, Mossbank.

The council says the area, below the houses of Sandside, Leaside and Mid Lea, is contaminated with raw sewage.

Shellfish gatherers are advised not to collect from the area until further notice. Warning signs will be erected on the foreshore to ensure all gatherers are warned of the contamination.

School grant

WHITENESS Primary School was awarded £750 from the Gwen Mayor Trust and decided to use the money to fund the creation of two outdoor sculptures.

The pupils were asked to use their imagination to come up with designs of "Gaats and Gruelly Bags".

Local artist John Hunter chose designs by Sarah Young (P6) and Rachel Leask (P7) and made the sculptures using fibreglass, cement, chickenwire and recycled materials.

for Sakchai



Davie Gardner greets Sakchai with a welcome hug.

Photo: Keith Morrison

events so far...

culture in the Shetland Isles, Scotland and Europe generally.

However, does a convicted fireraiser give the correct type of warm feeling? Err . . . not really.

Shetland, who among you is propagating a moment of madness right now?

Gavin MacBain
Ross & Cromarty.

Global praying

I HAVE been following Sakchai Makao's story and am delighted to hear that he has been granted bail. The support that he has received from family, friends and fellow Shetlanders was heart-warming and overwhelming.

In my humble opinion, Sakchai has served his time and should be allowed to get on with his life, just like any other law-abiding citizen. Please extend my very best

wishes to Sakchai and let him know that there are many of us around the globe who are praying for him.

Maria E. Rodriguez
Homestead, Florida.

Home where he belongs

YAY! Sakchai's home where he belongs. He's well worth the fight to keep him here.

Although I don't know him well, I've heard from a friend of a friend that he's a well sound guy.

I hope the Home Office lets him go, and that they learn that they'll always have a fight on their hands if a) they target a Shetlander and b) they don't sort out their mess.

Welcome home Sakchai. You're a hero!

Cheryl Hughson

Weisdale.

Fingers crossed

GLAD to see the authorities came to their senses and released Sakchai on bail.

Good luck with the final hearing Sakchai. We're all keeping our fingers crossed that common sense will prevail.

Janice and Davie Graham
Brunei.

All the best

WISHING you all the best Sakchai. I was there to see you return with my Thai wife and Thai, Scottish children.

You are a good young man and I wish you a fantastic long life in Shetland.

God bless, all the Falconers.



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THE OLD ROCK
23.06.06

Welcome home Sakchai

SAKCHAI Makao is back where he belongs, in Shetland where he has grown up since he was a 10-year-old boy.

But the real battle, his appeal hearing, still lies ahead.

Given the commitment of those who have fought so hard, and so successfully, to secure his bail this week, there is no doubt the best legal case will be put forward.

It is now up to the Home Office to step back, and see this case for what it is.

Sakchai Makao committed a crime, and served his time.

His documentation, or lack of it, may say he did so as a Thai citizen. But to him, and to those who support him here, he is a Shetlander.

It is Shetland where he was welcomed back after his jail sentence and given a job. It is Shetland where he has returned on bail.

For the Home Office to end up sending him back to Thailand in two weeks time, where he hasn't lived since he was a young boy, would be nothing short of criminal.

Tunnel vision

WHILE we're extending the hand of friendship to those in trouble, it's high time a different score was settled.

Shetland can ill afford its council and Lerwick Port Authority to be at loggerheads.

The wider community benefits when both succeed.

That they have locked horns over the proposed Bressay bridge, and ended up in the court of session in Edinburgh this week, makes no sense.

What is needed is for both to pull back from the brink, and to work together for the greater good of the whole economy.

There must be an answer which will suit both sides. A fixed link to Bressay which wouldn't be so damaging to the port's interests.

Let's get away from the "it's got to be a bridge at all costs" mentality, just because that's the road that's been travelled thus far.

And let's dispel the fanciful notion once and for all that a bridge is somehow going to be so iconic that people will travel from far and wide to see it. They won't.

Let's instead look at the facts, and the hard evidence.

The port authority needs to show exactly why a bridge would be so damaging to its development hopes, including key decommissioning business.

And the council needs to come out and say why a tunnel can't be given serious consideration.

Because if a tunnel can be built at a similar cost to a bridge, achieve all the benefits of a fixed link but not damage the port's plans, then surely it's a no brainer.

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Times Past

25 YEARS AGO

Should the council spend nearly half a million pounds buying a new fishing boat? That is the question before Monday's full meeting of the SIC when members will be asked to approve a recommendation from the development committee that they should pay £450,000 from the Reserve Fund so that a Shetland crew can get the boat they have been waiting for months.

The vote at the development committee was close, with the chairman, Councillor Sandy Cluness of the Shetland Movement, using his casting vote to get the decision through. Monday's vote is also expected to be a near thing.

.....

Shetland Fishermen may consider setting up their own producers' organisation and break away from the Scottish Fishermen's Organisation. Mr John Goodlad, secretary of the Shetland Fishermen's Association, told *The Shetland Times* this week that a lot

of the local fishermen are dissatisfied with the SFO. The feeling is that the market for fish in Shetland is different from that in Scotland and that the SFO is too big and unwieldy to cope properly with the needs of the different areas.

.....

Orkney won a convincing overall victory in the junior inter-county sports held in Orkney last week. For the third year running Shetland went down, this year by 123½ points to Orkney's 214½. There was a consolation prize for Shetland with a win in the football match though. All in all the event gave an extra bit of experience to the Shetland sports men and women. In the athletics the overall score was Orkney 99½, Shetland 68½.

50 YEARS AGO

A native of Skerries who became an influential figure in the margarine trade and who, since his retirement, had become a well-known and much loved elder

A small victory, but war for Sakchai far from over

THIS week's column comes to you from a point somewhere between London and North Shields where I have left a very happy (and relieved) James Johnston, Joe Irvine and Sakchai Makao.

The first thing to stress about Sakchai's release is that this is not the end of the story. He is merely released pending a decision on his appeal. If the hearing next month were to decide that he should be deported then today's victory will seem a pretty hollow one so the work to prepare and present his case continues.

I have often thought over the last couple of weeks that there is an element of Greek tragedy to Sakchai's case. This is what happens to a mortal when the Gods fall out.

Some weeks ago the Home Secretary told the home affairs select committee that the Home Office was not fit for purpose. He was right. Unfortunately if my experience of the last two weeks is anything to go by then little has changed since John Reid took over. In fact things may have got worse.

The popular belief is that the Immigration and Nationality Directorate difficulties arise from the fact that its casework staff are overwhelmed and demoralised. That may well be true. The bail statement prepared by the Home Office for Sakchai's case is one of the sloppiest pieces of drafting that I have ever seen. As one who as a lawyer was not great at that sort of



thing himself I know a poor piece of work when I see it.

The problems, however, go beyond the low level staff. I have not dealt with anyone below the grade of deputy director in the last week and even at that level the understanding of what they are supposed to be doing is shockingly poor.

I am not without sympathy for them. I have been there myself. As a procurator fiscal depute in the early 1990s I was part of a department that was overstretched and often had to take difficult and unpopular decisions that it could not explain publicly. The difference was that when we made mistakes we would put them right. We did not persist in insisting that black was white long after the rest of the world had worked out that it really was black.

Being a public servant is not easy but it used to mean that you could do your job with a degree of fairness and independence and not worry about the consequences. In the Immigration and Nationality Directorate those days seem to have gone.

The depth and extent of the support for Sakchai has been unlike anything that I have ever come across. It was apparent from the comments of the judge today in allowing Sakchai bail that it made a significant difference in his reaching the decision that he did.

On the platform at the rally in Clickimin last week I looked out at the crowd and was struck by the fact that the audience covered all ages but had a higher proportion of under-25s than any other meeting I have ever seen in Shetland.

I suspect that when Dr Reid sent

his police and immigration officers to take Sakchai he did not do it with the intention of motivating a new generation of young Shetlanders to take a close and critical interest in the workings of his department but he has succeeded in that any way. Truly every cloud has a silver lining.

The use of the internet in Sakchai's campaign has also been an eye opener for me. I have always been a bit dubious about the worth of online notice boards, but I am a convert. The Shetlink website has been an invaluable tool for the campaign. It will be staying on my favourites list from here on in.

Driving up from Sumburgh on Wednesday I was listening to the radio and heard that the Home Secretary has been talking about how he intends changing and improving the Home Office. According to the radio he will do this by setting new targets and performance indicators.

He really doesn't have a clue. That is the last thing the Home Office needs. It's the targets and performance indicators that are the problem – not the solution.

What the Home Office needs now is a measure of decency and humanity in the way it carries out its business. That could come from the example and leadership of the Home Secretary and his ministerial time. I may be wrong but I fear that Dr Reid will not be the man to provide it.

Sewage issue back on agenda

RAW sewage is still seeping into the Clickimin Loch in Lerwick, prompting the ire of Lerwick Community Council.

Complaints from residents about the stench in the Westerloch area have prompted community council chairman Theo Nicolson to raise the issue with Scottish Water and the Scottish Environmental Protection Agency to see if it can be sorted out once and for all.

He said that a lot of towns in Scotland would love to have an attraction like the loch in their midst and he considered it a "pretty miserable" failure that sewage was still contaminating it in this day and age.

The community council backed action at its meeting on Monday.



Pearl Hunter presents Disability Shetland recreation co-ordinator Colin McGhee with a cheque for £667. Mrs Hunter raised the money by staging *An Evening of Song in the Lerwick Town hall* on 19th May.
Photo: Keith Morrison

citizen of Lerwick has passed away. Mr James Williamson, who died in the Isolation Hospital on Monday, was 83 years of age.

Mr Williamson's business career covered 31 years with the Jurgens and Van Den Bergh and, later, Lever and Unilever organisations, but it is since these days that he has become so popular a figure in Lerwick and won the affection of that large number of Shetland residents who will learn with regret of his passing.

He was the eldest of the family of eight of Mitchell and Barbara Williamson, Skerries, and left the isle as a youth to enter the grocery trade in Edinburgh. From there he went to London and became a representative of Jurgens Ltd., and eventually rose to the position of sales manager in charge of all their branches in the north of England, Scotland and Ireland.

During the first world war he was assistant divisional food officer for Northumberland and Durham.

Jurgens and Van Den Berghs amalgamated under the name of the Margarine Union and Mr Williamson became sales manager for that organisation. In this role he continued when the organisation merged with Lever Brothers under the name of Unilever Ltd. At this time there was considerable concentra-

tion of factories and Mr Williamson's ability in handling staff and in dealing with human problems was revealed in the way in which he handled the staff adjustments made necessary by the concentration.

At a dinner held in his honour when he retired, Mr Frans Jurgens said of Mr Williamson "Thanks to him we have been and still are, the leaders in the trade."

On leaving the margarine trade in 1934, Mr Williamson was asked by his brother, Mr Mitchell H. Williamson, to help him in the business of A. & R. Gray Ltd., in Aberdeen, and it was not until 1938 that he decided to take the final step from the business world, as it then seemed, by returning to the little isle of his birth. But, when war broke out the following year, Mr Williamson came to live in Lerwick, in the Grand Hotel, where he looked after A. & R. Gray's interests through that period in which it was impossible to send a representative north.

The wartime arrangement worked so well for all concerned that Mr Williamson continued to represent the firm until about two years ago. And he became a permanent resident in the Grand Hotel, "one of the family" so far as the management and staff were concerned and a genial figure known to travellers and visitors "frae a' the airts". He

stayed on in the hotel until stricken by illness last November.

The Masonic Club was Mr Williamson's favourite resort outside the hotel, and there, as elsewhere, he will be greatly missed. Sympathy will be extended to his three brothers (two of them live in Chicago) and his sister in Walls.

100 YEARS AGO

One scarcely looks for a kippering kiln to deal with herrings, in the centre of green fields, away from the quays and wharves where herrings are landed. Yet it is in such a situation that Messrs A. & M. Smith, of Leith, have placed their herring kiln at Lerwick. It has been erected in a park at Grantfield, and occupies a position which ensures the greatest amount of pure air and healthy surroundings. It is one of the largest kippering kilns in Lerwick, as it is the most modern. The main building consists of a workroom where the herrings are treated by the work-people, preparatory to being put in the smoke, five large double kilns, and a store alongside for chips, etc. The kilns, of course, are carried up to the roof, and on the upper flat are a store at one side and at the other a big airy, brightly-lighted packing room.

After visiting other kilns, the first that struck one on entering Messrs A. & M. Smith's new premises was the scrupulous cleanliness which pervaded everything about the place. The herrings, transported from the boats into boxes, had been conveyed to the works without any handling, and were emptied on the "bench" before a number of tidy, intelligent-looking young girls, who were deftly using their knives in splitting the fish, singing the while, the music being mostly gleanings from the "Albattross" hymn book.

A capacious supply of fresh water is secured from the town main, and the herrings on leaving the splitters are washed clean in baskets, and then put into the pickling vat, where they remain for the prescribed period, when they are removed to a second group of young girls, who put the herrings on the tenterhooks, and convey them to the kilns. After being smoked from ten to twelve hours, they are removed into the packing loft, where they stand a cool down, preparatory to being put into large boxes ready for export.

The kiln is capable of smoking about 70 crans a-day, but with the present small staff employed only about half that quantity is being treated.

Rally helps to keep up the pressure

BY JOHN ROBERTSON

A "GOOD luck" rally is being held for deportation-threatened Sakchai Makao in Lerwick on Tuesday.

The following day he heads south to prepare for his crucial immigration appeal a week today in North-east England.

His big send-off takes place at the Clickimin Centre at 7.30pm.

Meanwhile, MP Alistair Carmichael's early day motion in the House of Commons, calling for the deportation order to be rescinded, is gradually attracting more support from fellow MPs. By Wednesday morning 64 members had signed up.

Supporters in Shetland have been contacting MPs who have not added their names in a bid to encourage them to do so.

Shetland For Sakchai organiser Davie Gardner will not be at Tuesday's rally. He left for a holiday in Australia this week but is staying connected closely with events via his laptop computer.

In the meantime his shoes are being filled by Sandra Jamieson of Shetland Athletics Club and expert financial adviser Sam Leckie.

Life has been marginally more normal for Sakchai this week with him returning to his job on Monday as lifeguard at the Clickimin swimming pool.

On Friday, he went online to pay tribute to his supporters and to the users of the Shetlink community website, which has demonstrated its effectiveness as a way for supporters to instantly exchange news and campaign plans.

Thanking everyone from the bottom of his heart, he said: "You guys have been the best thing that ever happened to me. You've given me so much hope and warmth and to know that you all have put all your time and effort into my situation is the best feeling I have ever felt."

"To know that all you guys and all the people that don't know me has supported me has brought lots of joy and tearful feeling to my life and, if it wasn't for you guys, me coming back home wouldn't be possible."

Over £3,000 has been raised so far to help fight his case. Mr Gardner said the money would be used for extra legal expenses,



Sakchai Makao enjoys himself and shares a joke with good friends Tracey Dorosh and Graham Jamieson during the Johnsmas Foy.
Photo: Jim Nicolson

campaign expenses and extra costs incurred by Sakchai's family in relation to the case, such as travelling to see him.

Shetland For Sakchai T-shirts have been on sale, primarily from the Intersport shop on Commercial Street with all profits from the £10 price going to his fund.

The fund will be boosted by

takings from various special events, including a concert at Brae school and a gig in Edinburgh.

Mr Gardner has continued to urge people to write letters to Sakchai's lawyer, Alexandra Bartrope of Browell, Smith & Co in Newcastle, to support him or, for those who know him, to act as character references for his

appeal hearing in North Shields on Friday.

The petition of protest will eventually be presented to 10 Downing Street but will first be used by Sakchai's lawyer to bolster his case. People who have signature sheets are asked to send them in to Shona Nisbet at the Clickimin Centre by Monday.

Meanwhile, letters and emails of support are continuing to pile in.

As well as messages from politicians there have been offers of support from the likes of gaelic rock band Runrig and the Scots singer Sheena Wellington, who sang at the opening of the Scottish Parliament in 1999.



Sakchai Makao meets up with old friends at the Brae High School on Wednesday.

Photo: Gordon Stove

Brae School welcomes Sakchai back

EX-PUPIL Sakchai Makao was welcomed by pupils of Brae High School as a special guest at the variety concert on Wednesday evening in the Brae Hall.

Brae High School's past and present pupils showed their support for him and the Shetland for Sakchai Appeal fund.

Introducing the event was Sakchai's ex-headmaster Joe Irvine who highlighted the assistance coming in from across the whole community – shown as a display of support by way of raffles, donations, supper, talent and time.

Former classmates of Sakchai, Alan Ratter and Toby Smedley then introduced a host of school based groups and individuals.

These included young musician of the year Rebecca Cheriyan to James Morton accompanying dad Tom in the Tom Morton 2 to Sophie Rocks playing the clarsach.

Maths teacher Ruby Brown even laid down her chalk and duster for an evening in favour of a comedy script for the highlight of the piece set in the dentist's waiting room. Miss Brown's first tread on the boards will surely not be her last!

Up and coming young Brae High School rockers Amnesia and old hands Hidden Agenda then played out the evening as the coffers were counted up to reveal that over £1,000 was raised in aid of the appeal fund.

'It's not good enough'

(Continued from front page)

unacceptable situation for the 136,000 passengers a year now using Sumburgh.

He said: "It shouldn't matter whether it's Heathrow or Sumburgh, the risk and potential loss of life is the same."

"On this occasion it was a beautiful clear day and the military jets were spotted in time. But what if it had been a typically cloudy day?"

"Sorry guys this is not good enough. This should be regulated air space, and we need to be looking at policy, and legislative issues on this."

Commenting on the incident a Loganair spokesman said: "An incident did occur on 15th June on the Glasgow to Sumburgh flight.

"It did encounter a group of military jets and the pilot was forced to take evasive action."

"The captain was in contact with NATS throughout. An airprox report has been logged and given to the UK Airprox Board and is currently under investigation."

The UK Airprox Board's role is to improve flight safety in the UK, especially in terms of lessons to be learned from Airprox incidents reported within UK airspace.

An Airprox is defined as a situation in which, in the opinion of a pilot or a controller, the distance between aircraft, as well as their relative positions and speed, have been such that the safety of the aircraft involved was, or may have been, compromised.

Up to the end of last month there

had been 54 airprox incidents filed in the UK this year. The average for the first five months of the year over the previous five years is 73.

A NATS spokesman confirmed the area where the incident took place is open air space, and uncontrolled.

The NATS spokesman said in relation to the Glasgow-Sumburgh flight it did what it would do in a similar situation with any aircraft, by giving advice when it was requested by the pilot.

The spokesman said: "Our controllers were in contact with the aircraft and we did advise the pilot of other traffic."

A Ministry of Defence spokesman refused to give any comment, or any details, while the Airprox Board investigation is ongoing.

Airprox report awaited

AIRSPACE within 20 miles of Sumburgh is controlled airspace, Highland and Islands Airports Limited told *The Shetland Times* yesterday.

And a HIAL spokesman said it had no major safety concerns that the rest of the route to the mainland was in open air space.

A HIAL spokesman said: "We do have Class D airspace around Sumburgh which means all traffic in that area is known."

This zone ends 20 miles from Sumburgh and is picked up again on the approaches to mainland airports such as Aberdeen and Wick.

Sumburgh also has its own local radar service through a contract with NATS (National Air Traffic Services.)

The HIAL spokesman said Sumburgh had historically enjoyed this cover because of the high level of oil-related traffic.

By contrast, he said Inverness has had to rely on radar from the military at Kinloss and Lossiemouth which has only been available Monday to Friday.

The Civil Aviation Authority said it was too early to say whether the uncontrolled airspace was a factor in the 15th June incident.

A CAA spokesman said: "We must wait for the findings of the UK Airprox Board on this one. These things are under review at all times."

"It depends how busy the airspace is and whether control is justified."

"It is finding the right balance between providing a safe service for commercial aircraft and not impinging on other aircraft which use that airspace."

"Safety is always the number one priority."

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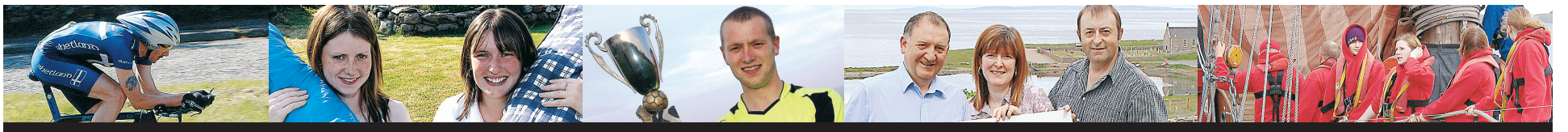
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Friday, 7th July, 2006 • 70 pence

Ferry contract awarded

BY MARK LATHAM

NORTHLINK Ferries is to receive a massive increase in the amount of subsidy it receives from the Scottish Executive under the terms of a new six-year contract which got under way yesterday.

Over the next 12 months NorthLink will receive £31m to run the Northern Isles routes and is likely to receive similar amounts for the following five years.

Ever since NorthLink took over the operation of routes in 2002 it has been swallowing up over £20m of subsidy a year, almost twice the amount

(Continued on page seven)

Save our school

BURRAVOE Primary School is one of five primaries earmarked for closure in a new council report.

Parents, pupils and school board representatives have begun the fight to keep Burravoe open.

● Full story and photos, pages 4 and 5

Tug crew criticised

THE MAIN reason for the grounding of the coastguard tug *Anglian Sovereign* was the fact her skipper, Peter Leask, was three times the legal alcohol limit.

Other senior crewmembers were also criticised in a report by the Marine Accident Investigation Branch for not taking action.

● Full story, page 9

New bosses for Hay's

TIMBER and builder's merchant John Fleming, the owner of Lerwick-based Hay & Company, has been acquired by the Grafton Group.

The new owners say the Shetland branch will not be affected in any way.

● Full story, page 17



Up and over!

Shetland high jumper Lachlan Ward-Smith clears the bar with ease during Wednesday's junior inter-county athletics. Having completed a whitewash over Orkney in the swimming events just before we went to press, Shetland went into the hockey and netball clashes with an overall Stuart Cup lead of 177-136. Reports and more pictures on pages 54 and 55.

Photo: Keith Morrison

D-day looms for Sakchai

BY MELISSA CLARK

THE FATE of Sakchai Makao will be decided today in a North Shields courtroom.

Shetlanders have taken the young Thai to their hearts since he was snatched from his home earlier last month and threatened with deportation.

The 23-year-old pool attendant flew down to Aberdeen on Wednesday before meeting his lawyer in Newcastle for a briefing about his make-or-break immigration appeal.

Sakchai was accompanied by his boss, Shetland Recreational Trust general manager James Johnston, and trust chairman Joe Irvine. They put up £1,000 each for his bail posting two weeks ago.

Support for Sakchai co-ordinator Davie Gardner, who was instrumental in his release from Durham Prison, is on a family holiday in Australia so cannot be at today's hearing.

Mr Gardner is, however, keeping track of the campaign by the internet and e-mail. He wrote: "We are all holding our breath for a successful outcome although we do not expect an immediate ruling from the judge concerned. This may take up to two weeks we have been told."

Mr Johnston said he and Mr Irvine were acting as surety for the conditions of Sakchai's bail. That

implied, he said, that a ruling would not be made on the day.

Mr Johnston said: "He will come home on the basis that we have been successful on the conditions of bail and we don't expect any difficulties with that."

"The only conditions that were set out before have been satisfied so we don't think there is any reason for them to oppose them."

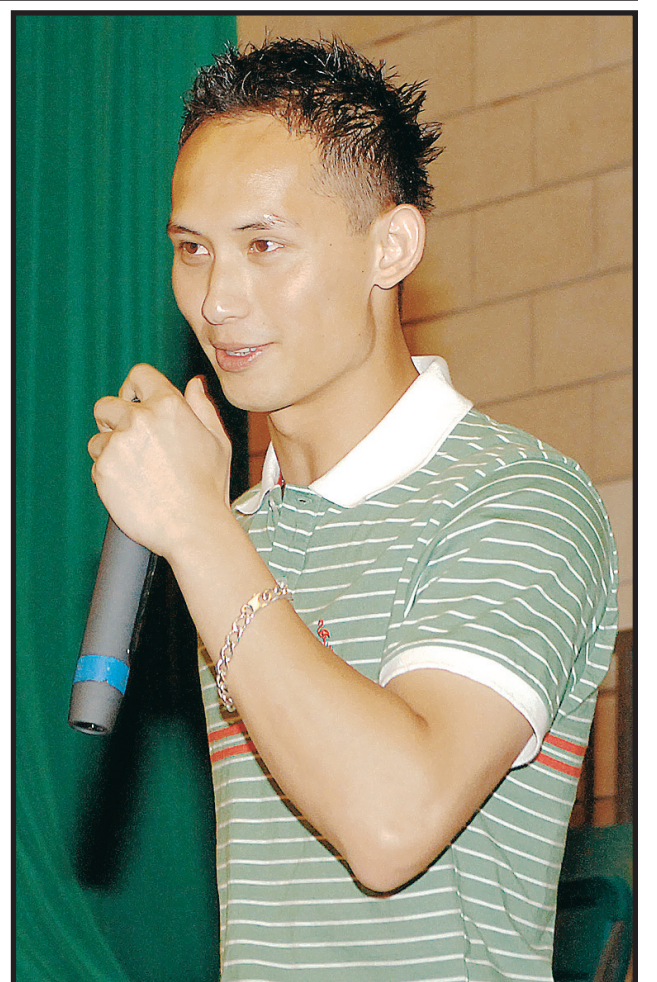
The night before Sakchai left there was a "good luck" rally held at Clickimin to give him a good send off. More than 250 people turned up to wish him well and offer their support.

Speaking on his way down to Newcastle on Wednesday Sakchai admitted he was feeling the strain, but was thankful to have Mr Irvine and Mr Johnston with him.

He said: "If I was on my own then I would be even more nervous, but Joe and James are here to keep me right. I'm just anxious to have it finished."

"After the rally I think my phone must have gone off every two seconds. I have had messages from everybody and I think my phone bill is going to be the biggest yet after I replied to all of them."

Turn to page three for additional political comment.



Sakchai Makao thanks the crowd of supporters who turned up at the Clickimin Centre on Tuesday. Photo: Keith Morrison

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Aerials set for removal

WORK has begun on decommissioning the redundant British Telecom aerials at Scousburgh Hill and Mossy Hill.

The work, which began on Monday, will cost in excess of £100,000. It is expected to take up to three months, weather permitting.

All the redundant masts and dishes will be removed from both sites, the fence line will be tidied and general rubbish removed from the site.

One of the UK's leading recycling firms, Glasgow-based R. M. Easdale and Co., has been contracted to carry out the work.

There are eight tropospheric scatter radio dishes on Scousburgh Hill and two on Mossy Hill.

The radio system was used to provide communications to North Sea oil rigs and platforms prior to the introduction of satellite technology.

Shetland Amenity Trust and Dunrossness Community Council, which have been lobbying BT to decommission the sites, expressed satisfaction that work was now under way.

An amenity trust spokesman said: "This is following three years of representation made by us to BT on behalf of the community council and local residents. We are of course delighted that this has led to a very positive outcome for the area."

Brae shop in line for Co-op bid

BRAE Stores could be bought over by the Scottish Co-op if negotiations between the two organisations bear fruit.

No deal has been agreed yet, but a spokeswoman for the Co-op said if they did take over the business all existing staff would be transferred over.

Brae Stores Ltd is owned by four shareholders, two of whom are father and son team Mike and Ian Cunynghame.

Mike has been at the helm of the business since its inception over 20 years ago. He has run several shops in the North Mainland including Tagon Stores in Voe, the old Camp shop in Brae, Northlea Stores in Firth and Brae Stores.

Ian, who manages the shop, said he was unable to comment at this time.

New face joins team

THE POLICE have announced the appointment of Shetland's new deputy area commander.

Maureen Smith, 46, formerly a sergeant in Inverness, was promoted to inspector earlier this week. She fills the position which has been open since Chief Inspector Malcolm Bell was announced as new area commander.

Inspector Smith has 28 years of police experience and previously worked in Shetland during the 1970s and early 1980s.



MP

Alistair Carmichael:

There is a growing awareness that the treatment of Sakchai Makao by the Home Office has been appalling.

Scotland Office minister David Cairns:

I am not in a position to comment on that particular case, particularly as a judgment is due to be made soon.

Photo: Keith Morrison

We're all behind you . . . supporters gather to wish Sakchai well.

MPs lend their support to ever-growing cause

BY MELISSA CLARK

POLITICAL pressure has been building from all sides this week as the deadline for Sakchai Makao's appeal hearing has drawn ever closer.

One hundred MPs have now signed Isles MP Alistair Carmichael's motion in support of the campaign.

Welcoming the news Mr Carmichael said: "There is a growing awareness across the whole country and within Westminster that the treatment of Sakchai Makao by the Home Office has been appalling.

"MPs from every party represented in the House of Commons are backing Sakchai Makao. They realise that it would be wrong to remove Sakchai from a community which wants him to stay and where he has spent most of his life.

"On Friday the courts will decide whether or not Sakchai can remain in Shetland. The very considerable support he has in Parliament can only add further weight to the campaign to keep him here.

"The online community Shetlink has played an important part in raising the profile of this case among MPs. I know that colleagues have been impressed by the support they have shown to Sakchai and I have no doubt that this has helped to increase the number of MPs prepared to support this motion."

Mr Carmichael has also questioned Scotland Office minister David Cairns on Sakchai's case. Although Mr Cairns said the government recognised the concern of people in Shetland he believed the Home Office had not broken the

European Convention of Human Rights (ECHR).

Mr Cairns said: "First of all can I recognise the concern that there has been in his constituency on the particular case that he mentions. Of course [Mr Carmichael] is an experienced enough parliamentarian to know that I am not in a position to comment on that particular case, particularly as a judgement is due to be made soon.

"I believe that everything the government does in this area is consistent with the ECHR and our obligations under the ECHR. He will have an opportunity, should he wish, to raise the issue directly with the Home Secretary at the next Home Office Question time."

After the exchange Mr Carmichael said: "It is significant that the Scotland Office minister did not

give any reasons for his belief that Home Office policy is compliant with the ECHR. I can only assume that if there are any reasons then they are not substantial.

"I raised the same point with the Scottish Executive Justice Minister recently and her response was merely to claim that Scottish police officers only attend immigration raids 'as a neutral third party' in case there was some sort of public disturbance caused by the raid. That is true but in Sakchai's case he was held outright in a Scottish police station.

"Cathy Jamieson's reply is helpful but questions still remain about whether it can be appropriate for police stations to be used for a policy which breaches human rights."

Tory MSP Jamie McGrigor has

also criticised the UK's immigration service, branding it as "shambolic".

The Highlands and Islands MSP called on the Home Office to rescind the order to deport Sakchai.

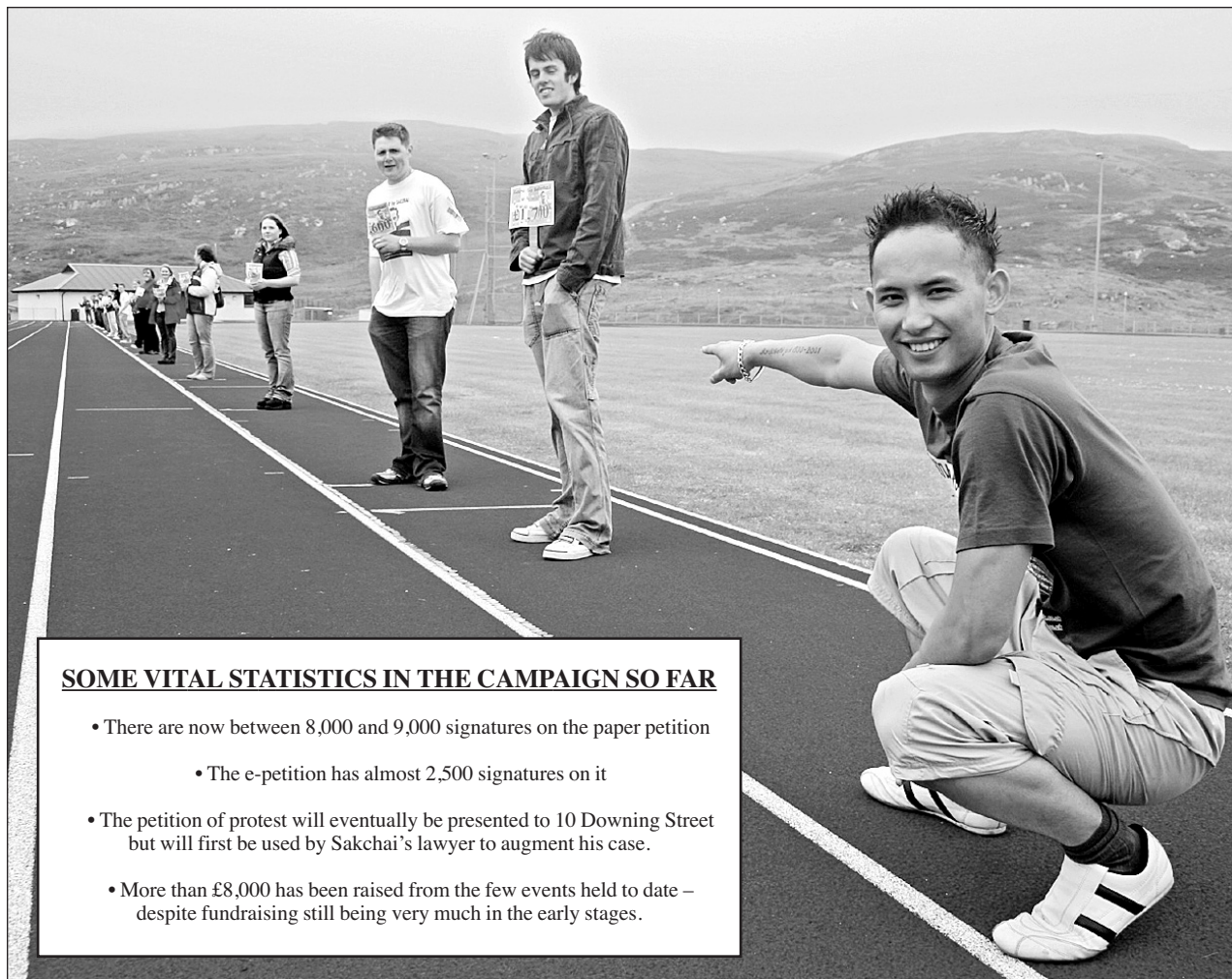
During a parliamentary debate on race relations Mr McGrigor, who sits on Holyrood's equal opportunities committee, said it was outrageous that Mr Makao might be forced to return to Thailand after 13 years in Shetland.

He said: "We recently witnessed the encouraging example of many Shetlanders campaigning vigorously to prevent the deportation of Sakchai Makao, who was arrested and detained and has now been released on bail.

"Sakchai is widely accepted as a Shetlander and has even competed as a Shetlander in the island games. It is outrageous that the immigration system is so shambolic that a person who has lived in Scotland for 13 years – most of his life – and who is integrated in the community should be told: 'You're no longer welcome. Go back to where you came from.' That is dreadful.

"While I do not for one minute condone Mr Makao's criminal actions, actions for which he was convicted and spent time in prison, I do believe that, having served his time, he should be allowed to remain in the community in which he has become naturalised.

"My concern is that, with Britain's borders becoming increasingly porous, the immigration service sees Mr Makao as an easy target for deportation and that is simply unacceptable."



SOME VITAL STATISTICS IN THE CAMPAIGN SO FAR

- There are now between 8,000 and 9,000 signatures on the paper petition
- The e-petition has almost 2,500 signatures on it
- The petition of protest will eventually be presented to 10 Downing Street but will first be used by Sakchai's lawyer to augment his case.
- More than £8,000 has been raised from the few events held to date – despite fundraising still being very much in the early stages.

A 50p Race to Sakchai was held at Clickimin on Saturday. A line of 50p pieces were placed along the running track, almost reaching the 100-metre finishing line, and over £1,700 was raised.

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Back where he belongs



Sakchai Makao is greeted by his sister Uthai (left) and mother Kesorn Jack outside a North Shields courtroom after his successful appeal against deportation. Full report and exclusive interview on pages 4-5. Photo: North News

Serene departs Whalsay

THE WHALSAY pelagic vessel Serene has been sold to Iceland and a sixth ship to bear her name is to be ordered next month.

The £10 million boat left Symbister on Sunday.

● Full story and photos, page 2

Police get new inspector



POLICING in Shetland is set for a shake-up following the appointment of a new inspector.

Inverness woman Maureen Smith, 47, has previously worked in the isles and was appointed to the post last week.

● Full story, page 15

Hospital cleared

HOSPITAL and care centre staff can not be blamed for the death of Eileen Peterson.

That is the conclusion of a fatal accident inquiry announced this week, which also questioned whether the inquiry should have been held at all.

● Full story, page 7

Rhodes visit

SHETLAND representatives last week visited the Greek island of Rhodes to check on facilities for next year's island games. It was announced that the 2011 games will be held in the Isle of Wight.

● Full story, back page

Smokehouse closes



A sad end for Shetland Smokehouse ...

Photo: Keith Morrison

BY CHRIS HUDSON
& JOHN ROBERTSON

SKY-HIGH salmon prices have been blamed for the prestigious Shetland Smokehouse being forced out of business.

The shock closure of the award-winning fish factory in Skeld was announced to the 17 workers on Monday by its parent company, the pelagic processing giant Shetland Catch.

Staff have been offered possible redeployment to the Catch factory in Lerwick or help with retraining.

News of the loss of one of the few big employers in the West Side comes just days before Scottish Sea Farms moves its factory, fish farm operation and nearly 40 workers from the base at Sand, which has existed over 20 years, to the former Saga salmon factory in Scalloway.

It leaves the West Mainland with little industry beyond Bixter aside from shellfish processor Demlane in Walls, Jamieson's spinning mill in Sandness and a few jobs on scattered fish farms.

Despite the gloom, moves are already afoot to try to bring a new business to the SIC-owned Smokehouse site. At this stage the identity of potential operators is not known.

Shetland Catch said the Smokehouse was to go into voluntary liquidation due to the losses being incurred by the rocketing price of salmon, which led to customers cancelling orders.

In an official statement, Catch finance director Catherine Hawick said: "When we purchased Shetland Smokehouse in January 2004, we were buying salmon at £2 per kilo.

(Continued on page three)



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New ferries guide

NORTHLINK Ferries is producing a new consumer guide for 2007.

For the first time the publication will include commercial advertising opportunities, with full classified advertising sections as well as pictured accommodation listings.

The move comes after Calmac assumed responsibility for the Northern Isles ferry services, which will continue to be branded as NorthLink.

NorthLink said the aim of the consumer guide was to give industry operators the opportunity to come on board as the company continued its drive to increase the exposure of the Northern Isles as a quality holiday destination.

The new 60-page guide will be built around extensive destination features on Orkney and Shetland and will include event listings and information on where to stay and what to see and do, as well as NorthLink timetable and fare information for 2007.

With a 100,000 print run, the guide will provide the key response to enquiries generated by NorthLink's TV, radio and press advertising campaigns. It will also be available on request over the website, which is now generating over 80,000 hits each month.

The Orkney and Shetland guide will feature at all trade and consumer exhibitions attended by NorthLink throughout the year – launching at World Travel Market in London in November – and will be distributed to all its travel agent contacts in the UK and overseas. It will also be racked across Scottish tourist information points, onboard NorthLink's three ships and in all its ports.

Marketing projects manager Elaine Tulloch said: "The new guide offers a very effective advertising opportunity with potential for excellent return on investment for operators choosing to work with NorthLink."

Space is limited and the deadline for securing advertising space is Monday, 31st July. Interested parties should contact NorthLink's production agency Shaw Marketing & Design on 01595 692520 or e-mail Shetland@shaw-online.com

Car boot fundraiser

A CAR boot sale held last week has raised £200 through donations for the special department at Sandwick School.

The sale was organised by Leslie Watt at Broonie's Taing storage warehouse in Sandwick. The venue, with off-road parking and a large covered sales area, attracted over 40 cars and it is hoped that it could become a regular event during the summer months.

Brae school collects £1400

BRAE High School sixth year students raised over £1,400 at their end-of-term fayre.

Secondary five pupils Rhianne Malcolm and Nicole Lavender get into the spirit with face-painted designs.

Robin Duncan of the SIC brought along the hydrogen-powered car for the day and Luke Wood was one of those lucky enough to get a run out.

**Births, Marriages
& Deaths Notices
have moved to
page 12.**



Shetland Recreational Trust chairman Joe Irvine gives Sakchai a helping hand at Sumburgh Airport on Saturday.

Photo: Keith Morrison



Sakchai celebrates the decision with his sister Uthai and mother Kesorn.

Photo: North News

Sakchai free to stay after hearing

BY KEELEY HENDERSON

A JUDGE in a North Shields court delivered the decision Sakchai Makao had been desperately hoping for last Friday – he was told he could go home.

The young Thai was whisked away by immigration officials at 7am one morning a month ago when eight police and immigration officers broke down the door of his Lerwick house.

Sakchai, 23, who has lived in Shetland for 13 years, wept as the verdict was announced.

The pool attendant was taken to Durham Prison on 6th June where he was held for two weeks. His bosses at Shetland Recreation Trust, general manager James Johnston and chairman Joe Irvine, then paid £2,000 to grant him bail.

He faced being deported to Thailand after immigration officials discovered his criminal past. Sakchai served an eight-month prison sentence in 2004 after he was convicted of setting fire to a car and a portacabin.

It is understood the raid was part of a Home Office initiative to locate 1,000 foreigners with a criminal record who have not been considered for deportation.

But after the island community rallied round to help him, he heard the news he was hoping for, and began preparing for the journey home.

Despite his criminal record Sakchai became popular with the Shetland community and was described by his boss as a "model employee".

Last Friday he was hauled before a judge for an asylum and immigration tribunal at King's Court in North Shields, North Tyneside, which heard he had not been in trouble since the fire raising in 2002.

The court heard that Sakchai, who was accompanied by his mother and sister, had overwhelming support from the people of Shetland which was reflected in a petition signed by 8,255 people.

Sakchai told the court he was ashamed of what he had done.

He said: "I am ashamed. I was a little bit depressed and I had just found out that my dad had cancer.

"And I had been drinking a lot that day. I had been stupid and I did what I did and it happened."

The court heard that Sakchai set the fires after drinking 10 pints and 10 shots of Aftershock vodka liqueur.

He said he would never do anything like that again.

He said: "Then my dad passed away and my child was still born. If I was going to re-offend I would have done it then."

"I have grown up a lot since that incident and I have got my life back."

The court heard that Sakchai had the support of many people in Shetland including MP Alistair Carmichael.

Mr Johnston said Sakchai was a model employee.

Immigration judge John Aitken said: "We are going to allow this appeal."

Speaking after the hearing, Sakchai said: "I am overjoyed, over the moon. I was so worried I felt like I was going to cry. I had a heavy feeling in my stomach. This has been a big weight on my shoulders which has been lifted."

"It is such a relief to know I am not going to be sent away. There are so many questions running through my head. I am a bit shaky. It has not sunk in yet."

"It would have been hard to start all over again. What I have in Shetland I don't think I ever could have had over there [in Thailand]."

"This has been so stressful, there has been a lot of ups and downs."

"I'm looking forward to getting back to my friends and my job."

"But because of the support of all the people in Shetland it has been not too bad. It has been heart-warming so many people have done so much for me. Without their help this never would have happened. I owe them so much."

A statement by Sakchai's solicitor read: "This should never have come to court. The home office should never have taken the decision to deport. It was just a knee jerk reaction to the political situation."

"The home office has the right to appeal this decision but we hope they do not."

Bag-packers net Headway £460



Accepting the cheque are (from left): Robert McDowall, Philomena Leask, Mary Goodall and Colleen McDowall.

Photo: Jim Nicolson

FRIENDS, family and co-workers helped a Lerwick woman raise money for a head injuries charity by packing bags at Somerfield recently.

Philomena Leask organised the event on behalf of her brother Robert McDowall, who sustained serious head injuries in a motor cycle crash in Lerwick nearly five years ago.

The amount of £460 was raised and will be given to Headway, the charity that helps people with acquired brain injury (ABI).

Among the bag-packers were Mr McDowall's son Robert, other family members and friends and colleagues from Lerwick Fish Traders.

Mrs Leask said she would like to thank everyone who took part and Somerfield for the co-operation.

Headway can be contacted on 0808 800 2244 or go to www.headway.org.uk, or phone Mrs Leask on 01595 692220.



Sakchai flies the flag on his return last Saturday.

Photo: Keith Morrison

Back to normal after his month-long ordeal

Having returned to Shetland on Saturday, Sakchai Makao was back working in his post as a lifeguard at Clickimin pool on Monday. Neil Riddell caught up with him earlier this week and found a relieved young man who has had the weight of the world lifted from his shoulders.

"SCARY" is how Sakchai described his month-long ordeal having been suddenly whisked away from his Lerwick home by immigration officers in early June.

Having spent two weeks in maximum security Durham prison, Sakchai was granted bail and returned to Shetland, but although he returned to work in the interim was not able to put the saga to the back of his mind until last week's successful appeal hearing.

"I'm still waiting for the written confirmation just to finally put my mind at rest," a buoyant Sakchai said. "But I feel now I can almost relax, I don't have to phone Davie [Gardner], speak to my lawyer, worry about whether I can go walk around the street. I don't have to worry about any of that stuff now."

Talking about his experiences over the past month, Sakchai recalled the surreal events of the morning he was taken from his home.

"It didn't really kick in until I got to the prison to be honest. I'd just woken up and they did kind of

explain what was happening but I didn't really take it in.

"I did co-operate with them. They even asked me if I was going to run away and I said I wasn't going to run anywhere. They treated me fine, but it was a big shock because I never had any warning or anything.

"I knew because of my previous offence that I was being deported, and at the time I thought maybe I deserved to go back because of what I did. But looking at what I did, in the last two years I have got my life back on track and I think people here have accepted me."

Sakchai described the nightmare of spending two weeks at Durham jail with his future shrouded in uncertainty.

"To be honest I'd rather be in Craiginches [where he served his term for an wilful fire-raising conviction] for another seven and a half months than be in there again for those two weeks. At least in Craiginches I knew that I would be coming back here eventually.

"I found it quite rough and quite worrying. I just had to keep myself to myself the whole time because I wasn't sure what the people in there were going to be like."

It has been well-documented that Sakchai was facing the prospect of returning to a country he has not seen since 1993 and where he feared being enlisted in the army. It is abundantly clear from talking to him that he could barely even begin to contemplate a future in Thailand.

"Going back there would have

been like a completely new beginning and I think I would have found that quite hard. I do remember the culture I suppose, but I couldn't speak the language at all now.

"Thai citizens usually do get enlisted for national service and I think I was supposed to do that ages ago but I decided not to because I didn't want to go back."

Though news of such widespread and strong support from the Shetland community helped keep his spirits high, Sakchai found the second week of his stay in Durham prison to be very demoralising.

"To begin with I was fine. I'm usually quite a jolly guy and I'd heard the news that everybody was supportive. But the second week there was no good news and I got really upset. I couldn't sleep. People were rushing around trying to get me out, I was speaking to my lawyer and every time she asked how I was the answer was 'crap'."

After receiving news of his successful appeal at a courtroom in North Shields last Friday, Sakchai had a low-key celebration on returning to Shetland and was back to his work at the swimming pool on Monday, where he was touched by the reception of the young swimmers.

"My class appeared in the morning and lots of them just came up and gave me hugs, wanting to speak to me all the time. It's really good."

Looking to the future, Sakchai said he has "no plans" to leave

Shetland and is looking forward to getting on with his life.

Once written confirmation of his successful appeal hearing comes through, he intends to discuss with his lawyer the possibility of applying for UK citizenship.

Having understandably remained silent on the political side of the case for fear of jeopardising his court hearing, Sakchai admits that he shares the concerns of many involved in the campaign over the Home Office's heavy-handed approach.

In conjunction with those behind Shetland for Sakchai he is looking at the possibility of furthering the campaign to help others who may be in a similar position to his.

"There probably will be people in the same situation, but perhaps without the support I've had from this community, and I think we're going to look into ways of carrying on the campaign."

As well as Shetlanders – and those further afield – who signed the petition in their thousands, Sakchai wished to single out for thanks MP Alistair Carmichael, MSP Tavish Scott, Sandra Jamieson, James Johnston, his family and, last but not least, Davie Gardner.

"I realised that I was well-known for athletics before. But I never expected there to be so many people giving so much support, and for it to be so successful. I don't know how to even begin to say thanks or to repay everyone."

MPs welcome ruling but Home Office condemned

A HOST of politicians have welcomed the successful outcome of Sakchai Makao's appeal against deportation.

Speaking this week, Orkney and Shetland MP Alistair Carmichael, who has played a major role in efforts to keep Sakchai in Shetland and has consistently attacked the government's policy throughout the campaign, expressed his delight at judge John Aitken's decision.

"I am absolutely delighted that at last some fair thinking has been brought to bear in this process," he said.

"The decision to deport Sakchai should never have been made. I believe it highlights the continuing failure of the Home Office in dealing with immigration policy."

MSP Tavish Scott paid tribute to the efforts of the Shetland community for giving Sakchai what he said was in effect a "multiple character reference".

He said: "The speed with which the Shetland community rose in support of Sakchai, after he was arrested and taken south, was impressive. I have little doubt that the backing Shetland gave Sakchai helped the judge today to come to the right decision.

"I hope that Sakchai's life will now be able to return to normal and I wish him all the best for the future – in Shetland."

Mr Carmichael's criticism of the Home Office's failures over the case was backed by fellow Liberal Democrat, Elspeth Attwooll MEP.

She said: "I'm delighted that Mr Makao has won his appeal. I join his MP in hoping that this will lead to the Home Office having a thorough review of its procedures."

Scottish National Party MEP

Alyn Smith also welcomed the news, adding that he felt the heavy-handed nature of the Home Office's approach related to tension in the south of England, which he sees as largely irrelevant in Scotland.

"This is fantastic news," he said. "It shows that Scotland, and in this case Shetland, is a welcoming community that cares about those that choose to live here, no matter where they are from."

"The Home Office got it so very wrong in this case, and I don't believe the Home Office should be controlling who lives in Scotland."

"I believe that should be done by a Scottish government and this case shows why. The Home Office crack down is a response to pressures in the south of England and an attitude that is not strong in Scotland."

Labour MSP Maureen Macmillan welcomed the decision to allow Sakchai to remain in Shetland, but defended the Home Office's wider policy of deporting foreign nationals who have committed serious crimes.

She said: "I am delighted the threat of deportation has been removed by the court. Sakchai did commit a crime a few years ago – and paid the penalty for it. However, it is obvious that he has since settled down and rehabilitated successfully."

"Sakchai's detention was part of a Home Office campaign to apprehend foreign nationals who had committed serious crime and were still in the UK on release from prison."

"While the details of Sakchai's individual case have been highlighted and the final outcome is satisfactory, the need for the UK as a country to protect its population by deporting certain dangerous convicted criminals, who are foreign nationals, remains."



Sakchai with MP Alistair Carmichael, who campaigned forcefully on his behalf.

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