

Courier Mail

Gabe case judge under fire

- Tuck Thompson
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ANGER: Alabama victim's support group worker Miriam Shehane questions Judge Tommy Nail's treatment of Gabe Watson.

Source: The Courier-Mail

THE leader of Alabama's homicide victims' support group thinks the Birmingham judge who freed "Honeymoon Killer" Gabe Watson should step down after showing open contempt for prosecutors and the grand jury that indicted Watson for murder.

Miriam Shehane, whose own daughter was raped and murdered, described last Wednesday's bail hearing for Watson as "just like a circus", with the former high school basketball star's supporters being permitted to verbally berate the victim's family.

Meanwhile, the judge belittled a lack of evidence that hasn't been aired.

"I was just floored. I've never seen anything like it. We haven't even gotten to trial yet and he's not even seen the evidence," said Ms Shehane, who has attended dozens of court hearings in her role with support group VOCAL.

Circuit Court Judge Tommy Nail, who assigned himself the Watson case, granted a minimal \$100,000 bond. Watson went immediately home for Christmas and months, if not years, of freedom.

The bond was "very rare indeed" considering Watson's two pending capital murder charges, Ms Shehane said.

"I don't think he could have been any more lenient towards Gabe."

Watson was jailed for 18 months in Queensland after pleading guilty to the manslaughter of his former bride Tina during a 2003 Townsville dive trip.

He admitted he abandoned his wife seven minutes into the dive, when she was found unconscious on the sea floor.

Alabama prosecutors say they have evidence showing it was more than cowardly bad judgment, arguing a possessive Watson plotted Tina's murder for insurance money and revenge for a pre-wedding fling.

Watson claimed through his lawyers he was afraid to return to Alabama to face "pitchfork justice" but the 80-strong mob carrying signs that showed up at his bond hearing were supporters rallied by Watson's family.

Ms Shehane said she was sitting in the courtroom and was stunned by the "ugly remarks" flung at Tina's family by Watson supporters, who snickered as Judge Nail attacked state prosecutors.

"The judge could have controlled it but to me it seemed like he was causing a lot of it," she said.

"You have to wonder if you can really get a fair trial in Birmingham. The scales of justice are so unbalanced."

The judge talked over veteran Assistant Attorney-General Don Valeska and made disparaging remarks about the grand jury, saying they could indict a "ham sandwich".

"Gabe's supporters all giggled and laughed. It was very uncomfortable."

Watson's defence lawyer played to the courtroom crowd, asking them to raise their hands if they favoured Watson.

Bail is normally denied to defendants charged with capital offences, as Alabama law requires them to overcome the presumption of guilt.

A jury may never hear the evidence if Judge Nail throws out the case.

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