

4

IS THE DA VINCI CODE PLAGIARISM?

In 2004 the world was hit by a publishing phenomenon encapsulated in the intriguing title, 'The Da Vinci Code'. Within months of coming off the presses, *The Da Vinci Code* was a publishing phenomenon. It was a physical presence in every bookshop in the United Kingdom and the United States of America, and was translated into scores of languages from French to Japanese. A photograph of the writer, a New Englander by the name of Dan Brown, stared out from dustjackets and newspaper articles from Sydney to Cape Town, from Zagreb to Madrid to New York. In time the book spawned a succession of other products, such as the Da Vinci Code notebook, the Da Vinci Code pen and pencil set, t-shirts, DVDs, drinks coasters and so on. A single book had become a successful franchise. I believe there was a Da Vinci Code theme tune in the charts, and even Da Vinci Code bus tours of Paris and a certain ancient parish church in Scotland.

It was rare to meet anyone who had not read *The Da Vinci Code*. Imagine my surprise, therefore, when I got a phone call from Lew Perdue, an author based in California, claiming that *The Da Vinci Code* (hereafter *DVC*) had been plagiarized from his own works, mostly from Perdue's *Daughter of God* (2000 – hereafter *DoG*) and *The Da Vinci Legacy* (1983 – hereafter *Legacy*), as well as from another early work, *The Linz Testament* (1985 – hereafter *Linz*). All of Perdue's works were published long before the Da Vinci Code.

According to Perdue, each of his novels built on its predecessor. In *Legacy* Perdue began by exploring the topic of Leonardo da Vinci and religion in a thriller format, but later felt that this theme should be added to that of exploring the notion of 'the lost feminine' in modern-day religions. Perdue claims that the later books are not mere reworkings of the earlier ones, but major developments, not only in terms of characterization and plot but also in terms of the underlying infrastructure of facts and knowledge, although there are still many points of similarity between the earlier and later books.

The central concern with both Brown and Perdue's novels is the threat to the Roman Catholic Church posed by the existence of a set

of secret documents. In each novel there are powerful forces lined up on either side of a single question: to keep the documents secret or to expose them to the world? Keeping them secret would ensure the continuation of the Church's power, whereas exposure would considerably weaken the Church's authority. The novels contain a potent cocktail of romance, murder, ecclesiastical corruption, myth and high art. While some of these components are only to be expected in thriller novels, the reader is invited to consider whether Brown, in producing *DVC* exceeded the generic and actually plagiarized from Perdue. Although I was engaged by Lew Perdue, I will not give my own opinion in this chapter beyond recording the observations I made at the time. I leave it to the reader to solve the question of whether any plagiarism by Brown took place or not. To help the reader in this quest I need to point out the distinction between **plagiarism** on the one hand and **copyright infringement** on the other.

Plagiarism is the unacknowledged use of material authored by someone else, either by taking the precise phrasing of that individual or by rephrasing their ideas. Plagiarism is essentially an academic offence. Universities and schools can impose severe penalties on those who plagiarise, but the ultimate intention is not punishment itself but the encouragement of reflection, self-expression and the development of one's own ideas. There are three main kinds of plagiarism: literal plagiarism, mosaic plagiarism and conceptual plagiarism. Literal plagiarism is the use of the exact words of someone else, mosaic plagiarism is the re-arrangement of another's words and phrases, often interspersed with the plagiarist's own language. The hope in mosaic plagiarism is to avoid detection, but there are all sorts of ways of detecting both literal and mosaic plagiarism. Conceptual plagiarism is harder to detect, but a reader familiar with the source material will usually detect the theft. Note that for plagiarism to exist the material used must be unacknowledged or not acknowledged properly, or used to excess. In other words, the plagiarist claims to be the originator of the material, or does not fully or properly acknowledge the source of the material, or relies too heavily on it.

Copyright infringement on the other hand is generally a civil matter: it is not a crime. People who have infringed someone else's copyright do not usually get a criminal record, though they may have to pay damages. It is also the copying of material, in the precise ways mentioned above, also without proper acknowledgement, but as suggested by the term, the copyright of the source author has been infringed. The copyist has taken someone else's material, published it and then claimed to own the copyright on it. Hence, copyright infringement is a species of plagiarism, but

it is the fact that it has specific legal implications that makes us call it 'copyright infringement' rather than 'plagiarism'. It is the same physical activity, but one which is carried out in a different social framework.

It is not just a question of similarities between works that causes infringement to take place, but the extent, type and relative significance of *protectible* similarities across the two works. An historical fact is not a protectible similarity, nor is a title, nor is an idea. Many small plot similarities are not protectible either. A concept becomes protectible when it depends on its expression within the context of the work. If what amounts to a unique expression of a concept, character or idea, is copied then the work has been infringed because that in it which was protectible has been violated. Copyright infringement can also be said to have taken place if the extent of the copying is excessive, and would include substantial plot lines, character similarities and even narrative sequence.

Therefore, in considering the points made in the following sections, the reader is really being asked to judge to what extent – if any – Brown has violated individual, unique or highly unusual expressions of key concepts within Perdue's books. The reader who has read the novels first would be in a better position to decide the issue of infringement, but hopefully you will find the account below sufficient to reach a decision for yourself. I will try to explain the contexts to assist you to do this.

Overall Structure of the Novels

Several plot lines run through the novels. One set of examples concerns the way in which the hero becomes involved in the quest to locate the documents which contain the secrets, said to be so dangerous and 'explosive' that members of various religious sects are prepared to kill to conceal them.

This theme of 'explosive secrets' is common to both Perdue and Brown and a quest to find them is launched – in each case – when a renowned international expert is murdered by a member of a religious sect. In each book the expert is the fourth person within his area of expertise to be killed in this way (not the second, third or fifth, but in each case, the fourth). As it happens the hero and the expert in each author's work are actually acquainted with each other. The murdered expert in each author's work writes a last message in his own blood, and – finally – the hero, in each author's work, is accused of the murder of the expert. More details are shown in the graph in Figure 4.1, where each bar relates to the page number in the respective book where the relevant detail is

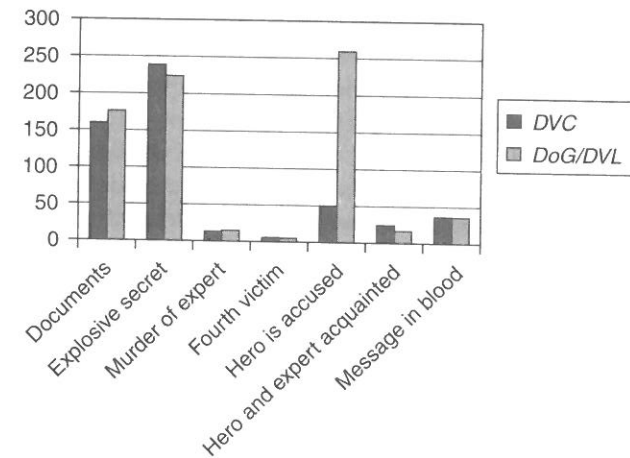


Figure 4.1. Graph showing similarities across Brown and Perdue

mentioned. As the reader will observe, there are seven plot features – which I believe to be representative of the similarities across the books in general – mentioned in the description above, and shown in the graph in Figure 4.1 – six of these seven plot features are in sequence and on very similar page numbers within their respective books.

So, for example, the existence of the secret documents is first aired on Page 158 in *DVC*, and Page 175 in *DoG/DVL*. The 'explosive' secret these documents contain is first aired on Page 239 in *DVC* and Page 226 in *DoG*. The expert – whose murder launches the quest to find the documents is murdered on Page 11 in *DVC* and 15 in *DoG*. The fact that the hero and expert are acquainted is mentioned on Page 22 and Page 15 respectively. And the fact that the dying expert wrote a message in his own blood, is mentioned – in both books – exactly on Page 35. The only difference as far as sequence in the above plot line is concerned, relates to when the hero is accused of having murdered the expert. In *DVC* it happens early, Page 47, while in *DoG* it happens later, on Page 260. So we have seven somewhat similar plot features out of seven across both Brown and Perdue, of which six are in sequence. To put the above in the context of our inquiry, are these elements protectible? Before making up our minds, let us continue with other similarities, beginning with the portrayal of the hero and heroine in each work.

First, let us consider the heroes. They are of a similar age, their looks seem similar, and they appear to have a similar range of personal anxieties and difficulties. Thus, both are professors of religion in their

late thirties to early forties, with a particular interest in the Emperor Constantine and female deities and both are Leonardo specialists. Perhaps, given that such books are intended to appeal to a mass audience the age group is fairly predictable and, given also that the theme of the books is religious it is not surprising that they should both be professors of religion. However, the reader might consider that the parallels between their academic interests could be a little too similar. It may also be of some interest that both heroes have mild claustrophobia and are 'between relationships'. The latter point, however, is what gives many novels their romantic interest, and this is therefore an opportune moment to consider the heroines of the two novels. Interestingly, both heroines have similar coloured hair and eyes and do not conform to the standard heroine stereotype of 'slim', 'blonde', 'attractive' and so on.

The heroines have similar childhoods. They were each raised by a male figure after a family tragedy, and there are parallels in their education and careers. They both grew up in two countries and hence are fluent in two languages, they have interests in religion and art, are experts in cryptography and forgery, and both have worked for law enforcement agencies. Their names have similar associations with figures from religion, female deities and the Gnostic Gospels. Like the two heroes, the heroines of the two authors have many striking similarities and many identical points. In *DoG* Zoe's hair colour is not specified, but her predecessor in *Linz* had auburn hair: in *DVC* Sophie Neveu's hair is 'burgundy'. Sophie, like Zoe's predecessor has 'flashing green' eyes. Both women are either 'ample' of figure, or 'robust': they are not the typical slim heroines found in many books and films. The heroines are in the same age group, late twenties to early thirties – this latter point, however, is entirely predictable.

In *DoG* the heroine is Zoe Ridgeway who is an art broker whose expertise includes forgery detection and whose major interest is religion, whereas in *DVC* we have Sophie Neveu, a Paris police officer part of whose job is cryptography. She, like Zoe, has a major interest in religion and, also like Zoe, expertise in art. It should be noted that Perdue's earlier book *DVL* has the art journalist Suzanne Storm, who in fact is an undercover CIA agent. Are these points similar or just coincidental?

The origin of Perdue's Zoe Ridgeway is given by Perdue in *DoG* as the goddess Sophia of the Gnostic Gospels. In fact, the actual daughter of the Sophia of the Gnostic Gospels was called Zoe. Therefore, Perdue's heroine is symbolically the daughter of Sophia.

Brown's heroine, Sophie Neveu, is said to be a descendant of Mary Magdalene, the alleged wife of Jesus Christ. Mary Magdalene, in the

Gnostic Gospels (also the source for much of Brown's research) is actually a stand-in for the Sophia of the Gnostic Gospels, according to well-known writer Margaret Starbird (whom Brown admits to having consulted). In other words, Brown's heroine is the lineal (rather than the symbolic) daughter of Sophia.

In both Perdue's and Brown's books, the goddess Sophia has been wronged by the church authorities who have deprived the goddess of her rightful position as an official deity in the church. The quest is to obtain access to the 'explosive' (both authors) documents which prove the link between Christ and the female goddess in each case, and thus demonstrate the inviolable position of the female deity in the church, and re-assert the 'sacred feminine' as the core of religion.

Shortly, we will consider the ways in which the secret documents are hidden, by whom and how they come to light, but for the moment it is worth pointing out an interesting parallel, in fact an error, found in both works.

There is a work called the *Codex Leicester*, an actual book written by the Renaissance scientist and artist, Leonardo da Vinci. *The Codex Leicester* is written on linen paper, but Perdue erroneously records this as 'parchment' in his book – an error which extensive researches (across the internet, as well as other sources) did not uncover as occurring elsewhere. In his book Brown repeats this error. As you are reaching the decision on copyright infringement for yourself, I would invite you at this point to consider the implications of this. The point is, to my knowledge, no other mention of *The Codex Leicester* is on 'parchment' anywhere else other than in these two authors' books. The repetition of errors across two authors is often considered by courts to be indicative of copyright infringement. What is your view?

The documents referred to earlier contain information which is so 'explosive' that, across both authors, it could have devastating consequences for the future of the Catholic Church. For this reason, as regular readers of thrillers will appreciate, there is a complex web of narrative material surrounding the announcement of the documents, the quest for their location and their final uncovering.

In Perdue's *DoG* there is a golden key which is hidden in a painting (*The Home of the Lady of Our Redeemer*). This golden key (accompanied by a gold ingot with the account number) allows access to a safe deposit box in a Zurich bank. The key does not actually open a lock as such.

In Brown's *DVC* there is also a golden key, which is hidden – not in, in this case, but *behind* – a painting (*Madonna of the Rocks*). This is a

laser-cut gold key also allowing access to a safe deposit box in a Zurich-related bank. Just as in Perdue's case, Brown's key doesn't actually turn an actual lock either. Interestingly, both paintings in both sets of novels are painted on wood (in general – but not always – this tends to tie paintings to particular periods and particular regions, because wood was mostly supplanted as a painting ground by canvas).

In *DVC* Sophie finds the key hidden behind the painting while she and Langdon are in the Louvre. The reader will know that at the beginning of the novel we have the Louvre curator being murdered by a member of a secret brotherhood.

This dying curator leaves a written message, which he writes on the glass that covers the *Mona Lisa*. This message tells Sophie where to locate the key which, as mentioned above, is concealed in the same room, secreted behind the painting *Madonna of the Rocks*. The curator was actually Sophie's grandfather.

In *DoG* there is also a triple connection between the painting, the heroine and the curator: *DoG*'s Zoe, the heroine is sent the painting (which contains the key) by Max (the curator) who, as it happens is also killed by a member of a secret order.

In *DVC* Sophie finds the key and is baffled by it, because she has no instructions about what she is to do with the key, mainly because it does not look like a 'normal' key, but rather a kind of cypher. The key in *DVC* is made of gold and contains a series of laser-cut pits and reliefs. It is also designed to be read by a laser. It first allows Sophie access to enter the car park and then the building of the bank. Previously I described this as a 'Zurich related' bank. What I meant by this is that the bank is in fact the Zurich Bank of Commerce in Paris. Unlike *DoG*, the bank is not located in Zurich. Finally, in *DVC*, the key controls a computer-operated device which gives the protagonists access to the safe deposit box which contain the documents – the details of which I will explain below.

In *DoG*, Zoe – as mentioned above – is sent the painting. She and Seth go to the person who owned the shop where the painting was framed and in the course of this conversation, they learn that if they take the painting to a particular bank in Zurich they will have access to an important safe deposit box (as mentioned before, the key is embedded in the painting). (Perdue's painting is by a real artist but is not a real painting – the title plays on the iconic value of the words 'lady' and 'redeemer'.)

In Brown's book the reference is to an actual painter, Leonardo, who painted two versions of *Madonna of the Rocks* on wood, one of which is in the National Gallery, London, with the other in the Louvre.

Perdue's key requires removal, along with the gold ingot, from the painting. The gold ingot contains the account number and is also used as a counter balance to open the vault which contains a box which in turn has to be decoded in order to reveal the secret documents.

In Brown's case the pitted reliefs and impressions of the golden key actuate a somewhat intricate technological device, which delivers a safe deposit box. This in turn contains a box which holds a carved wooden puzzle where the dials have to be set to the correct combination for the puzzle to open.

In Perdue's case the safe deposit box contains a briefcase with a combination which also has to be set properly. The key point is that each narrative utilizes a key which is not a conventional key to open a safe deposit box which contains another container which has to be decoded to reveal a secret, which, as it happens, relates to the actual divine nature of the female goddess as an integral deity of the Church which the Church in turn has attempted, through a secret brotherhood, to suppress, partly through murdering – in each case, the curator of a museum.

What is inside the containers found in the safe deposit boxes is information that sends the protagonists in each of the novels on the next leg of their quest. In both cases this is to another country. In Brown they are taken from Paris to London, while in Perdue the protagonists are taken from Zurich to Salzburg.

In both cases the ultimate documents are supposed to be at the destination. In Perdue's case the hero and heroine get to the documents, but in Brown there is another red herring. In Brown's case the documents are not found, but in Perdue's the documents are destroyed.

At this stage the reader may wish to consider whether what I have described above sounds like plagiarism. I should state that what has come so far has nothing to do with linguistics – and this is true of most academic inquiries into plagiarism. All I have done so far is to simply look at literal and conceptual similarities between two works. I will now move into the arena of linguistics, and with it will come a range of exotic terms. I will try to keep them to a minimum.

The first term I will introduce is the idea of the *frame*. This is an important concept.

For linguists the frame is part of how humans think. We base our verbal behaviour on frames. Frames contain the elements of a typical interaction between two (or more) people. Thus, when you go to a fast food restaurant and order a burger and fries to take away you would expect certain things to happen, and you would expect them to happen in a certain order. For

example, typically, you would queue up and wait to be served. Once you had the attention of the person serving they would then probably ask you what you want. You would specify. They would ask you whether you want, large, medium or regular. Again, you would specify if you had not already done so. They would go away, prepare your package, bag it and ask for payment. You would pay. They will give you your change and thank you. You thank them and say good-bye. It is linguistically very predictable – hence the term ‘frame’, a structure consisting of a support (the fast food restaurant) and certain ubiquitous ‘bolt on’ elements – the serving process, the requests, confirmations, greetings and so on.

You would not expect the person serving to suddenly start insulting you, or to ask you whether your parents were still alive. Similarly, that individual would not expect you to ask for a car to hire or an insurance policy: these elements are simply not in the appropriate cognitive frame for going to a fast food restaurant and ordering a take away.

What happens in the Perdue-Brown case is that in some instances Brown borrows Perdue’s frames and modifies them. I believe he does this by adapting surface features, taking simple elements from the host frame and then elaborating them. I will now give an example.

In Perdue’s *DoG*, the hero and heroine at one point have to enter a Swiss bank to retrieve the contents of a safe deposit box. Their mission is to discover the documents that the Church has been anxious to keep secret. In Brown’s *DVC*, the hero and heroine also have to enter a bank where they also have to access a safe deposit box. They do not know what is in the safe deposit box, but it also turns out to be an important church document, revealing secrets which are potentially embarrassing to the Church. In the following two excerpts we can see how the two authors describe the moment when, in both books, the hero and heroine are shown into what is called, in both books, the *viewing room*. At the moment of entering, in each novel, neither Perdue’s characters nor Brown’s characters know either that they require a combination or what that combination is in order to access the safe deposit boxes. This information materializes during the course of their visit to the bank.

Perdue:

Ridgeway and Zoe looked silently about them. The room was the size of a luxury hotel room and furnished in much the same way. Besides the sofa and chairs, there was a television set, a rack of current magazines, a small computer terminal displaying financial quotes, and a wet bar stocked with liquor. Ridgeway went to the

wet bar, set the wrapped painting down on the counter, and filled a tumbler with water from a chilled bottle of Perrier.

Brown:

Langdon and Sophie stepped into another world. The small room before them looked like a lavish sitting room at a fine hotel. Gone were the metal and rivets, replaced with oriental carpets, dark oak furniture, and cushioned chairs. On the broad desk in the middle of the room, two crystal glasses sat beside an opened bottle of Perrier, its bubbles still fizzing. A pewter pot of coffee steamed beside it.

As can be seen, the two excerpts describe similar scenes. We need to ask ourselves two questions with regard to these frames:

1. Is there a common cognitive frame underlying both authors’ descriptions?
2. If there is a common frame can we assume that the scene being described is just generic, and therefore the issue of plagiarism does not arise?

Like most people I have never personally been to a Swiss bank. Therefore I do not have a personal experiential frame which relates to that type of institution. I imagine that neither of these authors had ever been to one either. Therefore – assuming for the moment that the second piece had been written independently of the first – each author would have had to create the scene from scratch or, rather, would have adapted the scene from an existing frame. What would be their source? They may have seen a film which showed the inside of a Swiss bank, they may have read about Swiss banks, they may have seen photographs of one in a magazine. Even assuming none of the above was their source, we can say that most people in the richer countries probably have a concept of what a Swiss deposit bank is like, that it is something usually frequented only by rich people, and that it probably has something of an air of opulence about it. In all probability, therefore, we may say that there is a cognitive frame of some kind in many people’s minds relating to the notion of ‘Swiss deposit bank’. From this it would seem safe to develop the argument that each author arrived at his description based on this common non-personal frame. Or can we?

Before answering that question we need to consider an interesting aspect of plagiarism. When a writer copies the words of another writer, the copy needs to be disguised. This means that the copyist cannot use the same lexicon as the source, but has to adapt words and phrases found

in the original. What happens linguistically at this stage is very interesting. We mostly make our vocabulary selections without thought. Words pop into our heads at a furious rate and we write them down or speak them without having to think too hard. However, the plagiarist does not have this luxury. The plagiarist has to avoid the very words which come most naturally and which, probably, are already in the text being copied. The plagiarist, therefore, has to adapt the vocabulary part of the cognitive frame – effectively twisting it slightly out of shape, in order to make the disguise complete. The result, very often, is that the plagiarist's vocabulary choices are to a greater or lesser extent, less than ideal. What this boils down to in practice is that plagiarists frequently use words which are much less common than the source author's words to describe something or to talk about something. I refer to the source author as using a 'first line' lexicon: a lexicon of words which are right at the top of consciousness – common, everyday language that most readers can understand. The plagiarist, on the other hand, has only left-overs: 'second line' language, which may not be quite fit for the purpose.

Thus the potential source (Perdue's book) uses – for example – *luxury*, *sofa and chairs*, *tumbler* and *chilled*. Brown's book mirrors these strings in *lavish*, *cushioned chairs*, *crystal glass* and *fizzing*. Each of these words or phrases is less common than those in Perdue's book. The word *lavish*, for example, occurs with about 1/15¹ of the frequency of *luxury*, while *fizzing* is in roughly the same proportion to *chilled*. This, therefore, raises the question, why would Brown use words which are not from a more common lexicon? We could argue that he is attempting to portray something of a particularly luxurious type: we would naturally imagine that items such as the *oriental carpets*, would support such a contention. Brown appears to have been at pains to paint a particularly evocative scene of wealth and splendour with, for example, the touch about the pewter coffee pot being added to the rest of the list. However, there is at least one argument against this: we are told that the room contains cushioned chairs, oriental carpets and dark oak furniture, in addition to a 'broad desk'. One has the impression of quite a lot of furniture in the room and, having been told that it had the appearance of a 'lavish sitting room at a fine hotel' one would not imagine the room to be cluttered in any sense since this would certainly negate the notion of 'lavish'. One is therefore surprised, on re-reading the excerpt, to see that the room is in fact *small*: this despite the 'broad desk', the 'oriental carpets' (plural) and the 'cushioned chairs' (unspecified number) and the 'dark oak furniture'.

There are two other respects in which I suggest the Brown excerpt shows signs of similarity to the Perdue scene. In the Perdue scene we note

the implication that the characters are surprised at what they see: they look silently about them and then inventory the contents of the room for the reader. We cannot be certain that the characters are surprised, but this is certainly one implication of *silently* in this context. In the Brown scene we also gain the impression of surprise because the 'metal and rivets' were 'gone'. It seems as though this was unexpected. Yet surely, it could be argued, a client's viewing room in a traditional Swiss bank, is not likely to contain 'metal and rivets'. As with Perdue's scene, we note that this surprise – if it is surprise – is followed by an inventory of the contents of the room. One wonders why both Perdue and Brown create a scene which conveys luxury in an environment where one would expect luxury, yet both authors appear to cause their characters to be surprised. Or, rather, what one wonders is why Brown's scene is so similar to Perdue's – as seen from the point of view of the characters, why the scene appears to cause each set of characters to behave in very similar ways – that is, not talking but expressing or implying some surprise at a luxury the reader *would* expect. We note also that each excerpt finds closure in the idea of refreshment for the characters in almost identical terms, except that in Perdue's case we have a common 'tumbler', replaced in Brown with the much less common 'crystal glasses'.

The court saga around these questions was nothing if not dramatic. In the New York District Court, Judge Daniels decided to read the books for himself and make up his own mind, despite the evidence I and several other experts, including a literature professor, had submitted. After several months, the judge decided that no plagiarism or copyright infringement had taken place. All of the similarities, in his view, were 'generic' and co-incidental. He therefore ruled that there was no case to answer and dismissed Perdue's claims. Perdue appealed on a number of grounds: first, he said that the judge had misinterpreted some of our evidence, including our claim that the events portrayed by Perdue relating to the Emperor Constantine were not historical record, but fiction. The fact that Brown's interpretation of Constantine was very similar to Perdue's was not simply a matter of repetition of the historical record, but actually repetition of a fiction. The judge had claimed that he was reading the books as an 'ordinary lay reader': we challenged this point, stating that the judge could hardly be equated with 'ordinary lay readers', as his job was to read texts of all kinds on a professional basis. If the judge had really wanted the opinion of ordinary lay readers, why had he not used a jury, or a special reader panel? On this basis the appeal went all the way to the US Supreme Court who, however, upheld the district court's ruling. They decided that the judge had simply followed the law.

The Supreme Court, did, however, return the case to the judge to rule on costs. The judge ruled that Perdue had been right to make his claim, but that the claim was essentially wrong. This meant that Perdue was not responsible for the publisher's costs. Perdue felt vindicated: he stated 'Despite suing me first, Random House and Sony unsuccessfully demanded that I pay the \$310,000 in legal fees they spent to sue me.'

Well, it is decision time: time for you, the reader to decide whether, in your view, Brown infringed Perdue's copyright. What do you think?

Note

1. Linguists use large bodies of language to assess word frequencies. Such a body of language is called a 'corpus' (the plural is 'corpora'). We also use internet search engines.

5

THE DIARY THAT TOLD ALL

Between 2002 and 2004 a spate of tyre slashing, paint vandalism and shed arson hit the city of Lincoln. The area around Dixon Street, Knight Street and Shakespeare Street were particularly badly hit. The attacks always took place at night. Residents would wake up to find that several cars in adjacent houses could not be driven owing to the state of their tyres. Others would look out to their garden over breakfast only to see a smouldering wreck where their sheds had once stood. Several car and van owners had their vehicles doused in house paint. The nature of the attacks led detectives and fire experts to conclude that in all likelihood just one person was responsible for the entire crime wave. After months of inquiries that led nowhere and mounting complaints from residents, police eventually received a tip and arrested a local man.

However, despite several hours of questioning, officers were unable to get anywhere with 38-year-old Simon Frederick Barley. He kept telling them that he was suffering from Asperger's Syndrome and that he was not well enough to be questioned. Halfway through one interview he requested to see a doctor. The doctor advised officers not to continue with the questioning. Barley was released on bail and sent home. Some time later a series of diaries stretching back several years was found at his house. Police thought they had struck gold when they realized the diary included descriptions of many of the crimes they were investigating, but Mr Barley was not so easily caught. He denied the crimes and stated that he had compiled the diary only after his arrest, on the premise that since he was being accused he might as well look guilty.

Since the diaries contained a lot of detail about the offences police did not find this explanation entirely plausible and asked Barley where he had got his information from. He said he had looked at old newspapers and spoken to some of the neighbours of those whose vehicles and property had been damaged, and they had given him all the material he needed. Police also pointed out to Barley that the diaries were full of 'normal' entries – visits to the dentist, purchase of a bicycle, shopping