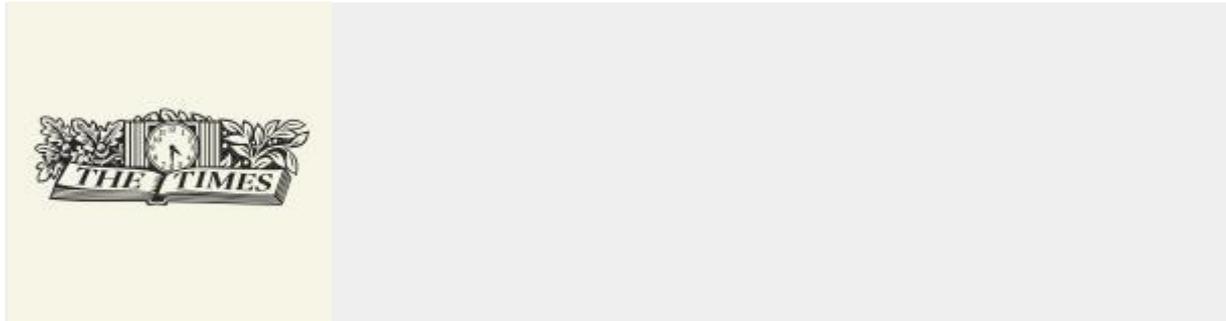


## Justice Served

The Metropolitan Police should not automatically believe accusers in sex abuse cases



Perpetrators of sexual violence are almost uniquely difficult to prosecute. These crimes are committed in private and leave little evidence. Victims are often reluctant to come forward, fearing social stigma, and when they do, investigators sometimes have to rely on one person's word against another. Yet in recent years the determination of police to secure convictions, sometimes in the face of evidence of innocence, has led to poor decisions, ruined lives and injustice. It is welcome that Cressida Dick, the Metropolitan Police commissioner, is adopting a more [common-sense approach](#).

The police began a period of soul-searching in 2011 after the failure to investigate accusations directed at the former BBC host Jimmy Savile, who was revealed after his death to have been a paedophile who raped dozens of children. Under fire for failing to follow up on allegations, the Met and other police forces introduced a policy that officers were always to "believe the victim", hoping that this would encourage those abused to come forward and encourage police to take such crimes seriously.

The pendulum has now swung the other way. When a man known only as "Nick" came forward with sensational allegations of a VIP paedophile ring in Westminster, one of the Met's detectives declared his uncorroborated claims "credible and true". They were neither. The Met's Operation Midland groundlessly sullied the reputations of innocent public servants. The Conservative politician Harvey Proctor said that the investigation "irreparably ruined" his life, and the former chief of defence staff Lord Bramall described it as an "unjust burden to an innocent person of my age with a dying wife". Both were interviewed under caution and had their homes searched. This has happened to too many innocent people.

Police policies are now changing. Ms Dick has told *The Times* that she has directed her officers to "start with a completely open mind" when investigating sex crimes, explaining that she has "rethought" the policy of automatic belief. When victims come forward, "we should treat them with dignity and respect and we should listen to them", she says. "We should record what they say. From that moment on we are investigators."

This is the right approach. Conscientious investigators do not belittle complainants nor suggest that they bear the blame for crimes committed against them. They do not ignore complainants or treat

them with scorn or suspicion. They do, however, ask probing questions, seek corroboration, and attempt to collect evidence that gives a reliable guide to events.

There is still a long way to go, particularly as far as the proper disclosure of evidence is concerned. Last year Liam Allan, a 22-year-old student, was put on trial for 12 counts of sexual violence only because the police had not disclosed text messages from the alleged victim that would have cleared him. Days after the case against Mr Allan collapsed, prosecutors dropped charges of rape and sexual activity with a child against Isaac Itiary, 25, after text messages from the complainant proved she lied about her age. Similar cases have followed.

These failings speak to the same cultural problems as a policy of blind credulity. Too often the police and prosecutors chase convictions for their own sake, without stopping to ask whether the courts have all they need to make an objective determination of guilt. That needs to stop.

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**Fiona Hamilton, Crime & Security Editor | Rachel Sylvester**

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Cheradenine Apr 2, 2018

"Perpetrators of sexual violence are almost uniquely difficult to prosecute. These crimes are committed in private and leave little evidence."

Is that really true? Or is it that all crimes are hard to prosecute and its the concept of sexual violence which is hard to accept someone getting away with?

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Beazle Apr 2, 2018

On the same day that we are finally informed that the most disastrous and incompetent DPP since 1987 is going, we now have the clock turned back to good old common sense. This disastrous policy was always practically inimical to the onus of proof and the trial process but only Alison Saunders could not see that. Never having actually been counsel, how would she know anyway ?

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Carefullyconsidered Apr 2, 2018

The huge cutbacks to police resources mean that not only are there far fewer officers than required, but also that training has been cut too, at every level. Uniformed and detective officers used to be thoroughly trained and their training updated regularly to ensure they did a professional job; it is quite apparent that senior officers don't have the expertise or training to instil basic policing skills in their juniors. Why else would it be necessary for the Commissioner to direct them to have "open minds" when interviewing a complainant? What else don't they know or haven't been taught? We are lucky to have Commissioner Cressida Dick in London: a very intelligent and experienced officer, with evident commonsense.

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Philip Thompson Apr 2, 2018

Crime is not simple - we need to spend more money on quality detectives and the Justice Department needs to have the resources that it needs under its own control. I think they have done a magnificent job with one hand tied behind their backs despite the number of mistakes. They all flow from the 2008 recession, so its the Banks we should blame and they should pay..

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David Eggins Apr 2, 2018

Thank goodness this appeared on April 2nd! Did the original "policy" appear on an April 1st?

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SixG Apr 2, 2018

Because of the difficulty of obtaining a prosecution in sexual cases, there is no doubt that numerous innocent people - almost exclusively men - have been or are imprisoned. This is a shameful disgrace.

The police and the law ignored Blackstone's ratio, accepted in English law since the 1760s.

"It is better that ten guilty persons escape than that one innocent suffer"

People tell lies - and it makes no difference whether they are victim or accused. The police's job is to investigate and get to the truth.

I am amazed and dismayed that our police should ever for one moment have adopted a 'policy' of automatically believing the victim. It flew in the face of all common sense and rendered the police unable to do their job.

But somehow, in our cruel PC idiocy, they did - incredible!

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Hawthorn Apr 2, 2018

Some bizarre priorities here - fantasist "Nick" believed without question and yet when a Telford child is raped(Daily Mail 1-4-18) there is no prosecution because according to the CPS there was consent.

And yet a child can never consent

"it should be the fundamental, working assumption of all front line staff working with children and young people that sexual relations between an adult and a child under the legal age of consent are non-consensual, unlawful and wrong"

Parliamentary Home Affairs Commttee 2013

This obviously didn't filter through to the CPS

Seems like there are malign influences at work here.

When will "Nick" be prosecuted? - probably never

Will there be a proper enquiry into Telford? - which is probably at least as bad as Rotherham - likely not

Will there be sackings and prosecutions of derelict/complicit police/cps/council staff?

Judging by the Rotherham experience where several dozen police officers were under investigation yet no action was taken - almost certainly not.

Will public confidence in the integrity and effectiveness of British "justice" be restored. Not at this rate, definitely not.

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RM Apr 2, 2018

It is a shame that officers do not currently investigate with an open mind.

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BMP Apr 2, 2018

I'm shocked it's even necessary to 'direct' officers to start investigating' with an open mind'.

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