

Review of botched rape trial 'misses point' says Liam Allan

<https://www.thetimes.co.uk/article/review-of-botched-rape-trial-misses-point-says-liam-allan-w6rffi686>

David Brown, Chief News Correspondent

January 31 2018, 12:01am, The Times



The CPS and Metropolitan Police have apologised to Liam Allan

DAVID MIRZOEFF/PA

A student who was put on trial for rape after police failed to disclose evidence which proved his innocence has condemned an official review into the case.

Yesterday the Metropolitan Police and Crown Prosecution Service (CPS) apologised to Liam Allan, 22, who spent two years on bail awaiting a trial that collapsed on the third day at which point the case against him was dropped.

A joint review said that there was no evidence that the messages from his accuser's phone, which proved his innocence, had been withheld deliberately and concluded that no officer or prosecutor should face disciplinary action.

Mr Allan was "disappointed that the report fails to address the true failures of this case". He said it was clear that someone had looked at least a month before his trial at the messages which proved his accuser had lied.

"The issue I feel which is lost is who decides what assists and what undermines a case," he said. "It appears to me that it will always be in the interests of the police and the Crown to select messages which assist their case and it is this issue that I wish to be redressed."

The failure to disclose evidence has prompted a review by the CPS of all rape and serious sexual offence cases in England and Wales.

The joint review said that there was no evidence that the mobile phone messages were withheld deliberately. It blamed a “combination of error, lack of challenge and lack of knowledge”.

The report says that Detective Constable Mark Azariah, the officer in charge of the investigation, had assured a senior officer and prosecutors that the 57,000 text and social media messages from the woman’s phone contained nothing relevant to the case.

Commander Richard Smith, who oversees all Met rape investigations, said that he had personally apologised to Mr Allan, a criminology student from Beckenham, southeast London. “It is clear from our review that both the Met and the CPS did not carry out disclosure procedures properly in this case,” he said. “Although we are confident there was no malicious intent in this case, it was important that we carried out this urgent review and learn lessons from it.

“Those lessons will now be adopted across not only the sexual offences teams but across the Met. There are important lessons for us to learn from this case. Equally, there are important lessons for the criminal justice system.”

LAW

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Mr Allan’s lawyers had asked the CPS last June for any text and social media messages from the woman’s phone relating to their relationship. The review found that Mr Azariah had not carried out a check of social media and had refused the defence request, saying that it was not “proportionate or necessary”.

Commander Smith said that Mr Azariah would not face disciplinary action.

“The officer is unable to explain why he failed to make a record of the searches [of the messages] conducted,” he said. Commander Smith said that there was no evidence that the woman who made the allegations against Mr Allan had committed any criminal offence.

An extra 120 officers have been allocated to review all 600 rapes cases awaiting trial in London. The CPS has allocated 11 lawyers to the review.

Commander Smith said that caseloads for officers investigating rape cases were “higher than we want them to be” but denied that there was a shortage of funding. The review recommends disclosure training for police officers and the appointment of “disclosure champions” in the CPS.

Claire Lindley, chief crown prosecutor for south London, said that she knew that there had been “issues” with some other cases already reviewed.

“My view is that the cases we are seeing show we are not making decisions quickly enough when material comes to light,” she said.

Asked if innocent people could have been jailed because of disclosure failures, she replied: “If any defendant feels they are wrongly convicted they must appeal in the normal way.”

Ms Lindley said that Mr Allan’s case had “highlighted some systemic and deep-rooted issues that have been apparent to those working in the criminal justice system for some time”.

She added: “The prosecutors involved in this case did not sufficiently challenge the police about digital material. That meant that it took longer than was necessary to drop Mr Allan’s case. It is vital that lessons are learnt from this case and others which have come to light over recent weeks where disclosure obligations have not been met. It is incumbent on all parties in the criminal justice system to ensure that these issues are addressed . . .”

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Avicenna Apr 3, 2018

The point is there was malice and Azariah should be investigated or sacked for gross misconduct.

Flag

1RecommendReply

John Snodgrass Feb 3, 2018

I do not understand the figure of 57,000 social media messages to be examined. Surely the relevant messages to be examined as a first priority are not every post the complainant received in the last 5 years from her aunt in Wales about the family holiday in Bournemouth but what the complainant sent and what the accused sent during the relevant time period. These are the messages that were concealed, so far without a credible or consistent explanation.

This narrow range of messages can not possibly number 57,000. I therefore hope that this is not a contrived figure being put out to the media as "fact" to support the view/propaganda that being over-worked rather than serving a malicious agenda explains these dreadful failures. Let us not allow a more palatable version of appalling events to take root by means of questionable data and statements. As Trump (bless him) would say "fake news".

Flag

7RecommendReply

Si Oliver Feb 3, 2018

Surely the woman who made the allegations should be prosecuted? She must have gone for months not letting on about messages, was prepared to perjure herself. That is the way to stop false allegations - to show there are consequences.

Flag

15RecommendReply

Did You Ring Sir Feb 3, 2018

Surely its time for Saunders to go. These 'failures' happened on her watch. On the watch of someone appointed 'to increase' the proportion of convictions. There could be no clearer link. Why is she still there ? Regardless whether 'she' might not personally have made a 'mistake', the person at the top of any organisation sets the tone and the standard. That's why in every failed organisation its the person at the top who goes. Is Saunders being protected ? By whom ? That person must be identified and must go too.

Flag

3RecommendReply

John Hooton Feb 3, 2018

Justice does not come cheaply. I hope the Home Secretary, Justice Sec, etc both present and past are listening.

The number of these cases that have been waiting two years to come to court and are still woefully unprepared is very, very disturbing and despite what a senior police staff officer may say indicates a lack of resources. These sorry sagas of recent years start to bring the whole judicial system into question.

Flag

6RecommendReply

C J Delmege Feb 3, 2018

@John Hooton I would say it's a simple lack of managerial competence rather than funding (as in the NHS), which has resulted in a huge increase in workload.

"A stitch in time...."

Flag

4RecommendReply

John Hooton Feb 3, 2018

@C J Delmege @John Hooton

I wouldn't argue about the competency or lack of management but I feel the size of the problem is indicative of rush and under resourcing. If you compare our expenditure in many of the social area with those of other developed countries you will see generally a smaller percentage of wealth being spent to support these areas.

Flag

1RecommendReply

Siobhain Egan Feb 3, 2018

There are a number of issues which have led to this appalling situation -

1. This is nothing new ...CPS failures to properly review and disclose information has been going on for years ...defence lawyers (and I am one) have been screaming about this consistently ...neither the Judiciary or the MOJ are interested or have ever listened to our concerns and complaints , including the Court of Appeal
2. The police , in particular ,have been systematically underfunded and under resourced since 2008 - to be fair they have been raising this point consistently , only to have their views ridiculed and dismissed by successive Home Secretaries (including the current Prime Minister)
- 3.The DPP , picking up the policies set in place by his predecessor and his team , placed huge emphasis upon pushing the number of sexual offence prosecutions and stated openly that all complainants will be believed , by Police and Prosecutors , which led to a huge increase in ' weak ' prosecutions pushed through the system , based on contradictory and questionable evidence .
4. It used to be the case that defence solicitors , at any early stage , could make requests for disclosure and make representations about the quality of the evidence to the CPS . Such representations helped to filter out the weaker prosecutions because the CPS had to review the case when requested by the defence .It is impossible to have any contact with a CPS reviewing lawyer now , and this has been the situation for years .

This is because the CPS had to make enormous staffing and budget cuts , again as a result of the Governments Austerity programme

5.The volume of the evidence in these cases can be staggering ...I am currently defending a case 27,000 emails alone (not forgetting the texts / videos / WhatsApp/ / Twitter)have been downloaded from his phone - young people record every thought and incident .We have a team of 4 people working on this case alone - the client is fortunate in that his family are funding this , it would be impossible if he was subject to a legal aid order .

Flag

7RecommendReply

Lazy Dogg Feb 3, 2018

That's a really impressive post clearly based on reality

Just one question - I have read that in the Liam Allen case , once the defence gained access to the complainant's phone, 2 word searches revealed material responses - ' Liam ' and 'Sex' respectively. Which sounds like a few minutes' work .

There may well be financially related problems , but this does suggest an egregious failure at either or both the charging / disclosure stages .

Flag

5RecommendReply

C J Delmege Feb 3, 2018

@Siobhain Egan A very concerning post, but, as LD suggests, there must be a technological solution to scanning social media.

Perhaps you could give an insight into why there are no penalties for making accusations subsequently proved false by the accuser's own media output.

Flag

2RecommendReply

Jonathan Portch Feb 3, 2018

He's right. His argument is reasoned: the idea or practice that the the prosecution "select" that which suits their case should be abhorrent to the right-minded.

It is , simply, NOT THEIR JOB to pick evidence as it suits them.

Flag

4RecommendReply

RECH Jan 31, 2018

And here is another simply terrible case of a woman's lies only being exposed when - inevitably - text and social media messages came to light.

<http://www.bbc.co.uk/news/uk-42892530>

Flag

5RecommendReply

Mrs Ruth Bruce Jan 31, 2018

@RECH

Dreadful. As I commented below:

Rape hits the headlines because it is sensational. In how many other cases, involving less spectacular crimes, is there the same sort of thing?

This is one example.

What sort of police, what sort of courts and justice system, do we have today?

Flag

3RecommendReply

PB Joyce Jan 31, 2018

I don't believe the non-disclosure is because of lack of time or resources; I suspect it is consistent with an unstated policy, in line with pressure to get more sexual convictions. This affects more than just non-disclosure. Some readers may remember the terrifying Mark Pearson case from two years

ago, when the poor man was accused of violating a woman "penetratively" when he brushed past her at Waterloo station while he carried a case and a newspaper. An expert hired by the defence had to prove in court that someone at the CPS must have slowed down the CCTV footage in order to make the alleged crime possible. This was surely illegal, but no one at the CPS was imprisoned, fired or even slapped with a wet train ticket. These are the real crooks.

Flag

8RecommendReply

Barry Stone Jan 31, 2018

A Constable refused a defence request because he did not consider it proportionate or necessary. Do they have supervision in the Met? Having been a police officer when disclosure rules were introduced and know the efforts made in my force to comply, I find it difficult to believe the current state of affairs. Ok there was no social media then but surely the police service can adapt to change. Given the stupid and dubious use made by some officers of Twitter they can't claim a lack of knowledge.

Flag

7RecommendReply

David13 Jan 31, 2018

Azariah actually read all 57,000 messages? I very much doubt it!

P.S. wouldn't someone spewing out 57,000 messages have their fingers worn down - or dropped off?!

Flag

3RecommendReply

RECH Jan 31, 2018

Re anonymity of complainants.

I actually think it's difficult, as there are arguments for anonymity (though I think judges should be able to make an order lifting it).

But there is little doubt that it is abused. Does anyone remember the bizarre case of the barrister (male) and the solicitor (female) having sex more or less in public on Waterloo station, with her knickers around her ankles? He was named - but she alleged sexual assault, so to this day is anonymous, although she actually withdrew the complaint.

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6RecommendReply

Luke Watts-Apnin Jan 31, 2018

What was that stuff they used to paint police and prison cells with?

Ah, yes, I remember ... whitewash.

Flag

6RecommendReply

RECH Jan 31, 2018

And here's another one, a Connor Fitzgerald, reported elsewhere in the midday edition of TOL.

Almost unbelievably these people are the lucky ones, because the evidence exists to be disclosed, even if it is disclosed late. What would have happened to Liam Allan, Connor Fitzgerald and the others if their accusers has lost their phones, or just not sent the texts?

There is a really urgent need to re-balance these he said / she said cases. That may result in some guilty people getting away with it, and the awful prospect of some women who are genuinely victims not seeing justice done, but that is the risk we have to take if we want the presumption of innocence to really mean what it says.

And surely the time has come for a judge to be able to make an order to identify a clearly mendacious and vindictive accuser.

Flag

9RecommendReply

Philip PM Jan 31, 2018

'Ms Lindley said that Mr Allan's case had "highlighted some systemic and deep-rooted issues that have been apparent to those working in the criminal justice system for some time".'

Yes, this is the real nature of the problem. The phrases, 'We apologise, mistakes have been made, and lessons will be learnt,' have now become standard stock for use by various government departments and agencies when things go wrong. OK, genuine mistakes can sometimes be made, and organisations should always be seeking to learn from past experience and to improve future performance.

However, this kind of event is happening far too often now, whether it be in the NHS, social care or, as in this case, the criminal justice system. What Liam rightly highlights is that someone had access to the undisputed evidence well before trial, but had refused to disclose the evidence. He's not necessarily demanding the head of the policeman in question on a spike, but he does want to know why this kind of blunder/ mistake/ deliberate action is allowed to occur. To that extent we are talking about deep-rooted systemic problems.

The contributory factors may include the shortage of manpower and the consequent overload of existing staff. It may also include elements of misjudgement on the part of the police and the CPS. Whatever, as Sean Connery says in the role of General Hackett in 'A Bridge too Far,' when he discovers that the vital radios aren't working because of a catalogue of errors, 'For God's sake, get it sorted, or we'll have a bloody disaster on our hands!'

Flag

3RecommendReply

Jack Jones Jan 31, 2018

The contributory factors may also include political pressure to increase conviction rates. As Liam Allen himself argued, guilty convictions are now treated as 'targets'.

-

These problems are so widespread I don't see how we can avoid the conclusion that they're part of a deliberate strategy to focus not on finding out who's guilty but simply FINDING people guilty regardless.

Flag

5RecommendReply

Bryn Lewis Jan 31, 2018

I think this young lad has acted and spoken with such dignity considering what has happened to him. He's a real class act.

It is beyond any reasonable doubt this was simply a mistake by the police, apologies won't fix this, a change is needed to the system.

We should start by changing the status of the 'victim' to 'complainant' to ensure people aren't 'guilty till proven innocent'.

I'd also name my accuser, to hell with the consequences. She lied, the police were complicit in the deceit.

Every rape case, including the majority of which are no doubt real, is now being questioned. What a total mess Alison Saunders.

Flag

8RecommendReply

Saint John Jan 31, 2018

He is right . It is ridiculous to expect the Police and CPS to disclose evidence that stops convictions .

Thats why its called a Crown PROSECUTION service. Its not a Crown fair trial service.

Flag

4RecommendReply

Lucy's dad Feb 3, 2018

You can happily hold that view until you're the one stood in the dock in court.

Flag

1RecommendReply

Saint John Feb 3, 2018

Defence lawyers should have access to all evidence not just what the cps and police choose to give them

Flag

2RecommendReply

Mrs Ruth Bruce Jan 31, 2018

It looks as though this goes beyond carelessness or incompetence.

To speak plainly: in all the cases of this sort the police, the CPS and the courts, in the pursuit of more rape convictions, have repeatedly fitted up innocent citizens. The cases we hear about are those (almost certainly a minority) where (a) tangible evidence to prove innocence actually exists, and (b) the victim manages to access it. How many men are currently in prison because the criminal was careful enough to leave no electronic trail? or where the defence (for whatever reason) had no access to it?

If I had been told only a few years ago that in a British court there could be an almost un rebuttable presumption of guilt, supported by concealment of vital evidence, I could not have believed it.

Rape hits the headlines because it is sensational. In how many other cases, involving less spectacular crimes, is there the same sort of thing?

Flag

8RecommendReply

Not-so-Jolly Roger Jan 31, 2018

Guilty until proven innocent.

Saunders must go.

DC Azariah must go.

Flag

13RecommendReply

Martin R Jan 31, 2018

The crazy bit is if the real victim (the man) publicly names the real attacker (the woman) he will be arrested.

Flag

9RecommendReply
Mrs Ruth Bruce Jan 31, 2018
@Martin R

An interesting situation would arise if a man in this situation did name the criminal. I suspect that any attempt to bring a charge against him would fall through sheer absurdity.

Flag

4RecommendReply
Martin R Jan 31, 2018
@Mrs Ruth Bruce @Martin R As this whole area of law seems to be based on sheer absurdity and that the CPS could gain a conviction I would fully expect them to push for a trial. ?!?!?

Flag

3RecommendReply
John Austin Feb 3, 2018
@Martin R @Mrs Ruth Bruce Yes, out of spite to punish him for showing them up.

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RecommendReply
31linden Jan 31, 2018
I think Mr Allen is being very generous in his interpretation as to why the Police did not disclose the vital evidence disproving the claimants allegations.

They seem to be far more interested in convictions rather than finding out the truth.

Flag

9RecommendReply
Prabhat Jan 31, 2018
These so called reviews and the recent decision by the DPP to look into her own department and the police (who are following her guidance and aims) for some of these lapses are nothing less than one person being the judge, jury and the accused.

One may get better review and justice in Saudi.

Flag

3RecommendReply
Old Peculier Jan 31, 2018
Mr Allen's barrister, interviewed on C4 News, said that on receipt of the downloaded messages, she used a single word - 'Liam' - as a search term and, within seconds, revealed content that was obviously relevant to the defence, and sufficient to warrant a request to the judge for more time to examine the trawl. A further search using keywords such as 'sex' revealed further relevant material.

If it was that easy and quick for her, what on earth prevented DC Azariah from doing the same? If it wasn't malicious, his detecting skills are deficient to the point of questioning his basic competence. Lucky for him the police are so prepared to close ranks.

Flag

19RecommendReply
Vicious Hippo Jan 31, 2018
I wasn't aware that maliciousness was the accusation against the CPS and police. More the policy of believing all rape accusers, and bias in not working too hard to find any evidence to the contrary. Making up an accusation against themselves that they can neatly refute looks like diversionary tactics.

Flag

5RecommendReply
John B Jan 31, 2018

As usual there is a greater drive to introduce rules, guidelines and "disclosure champions" so that no one can be held to account for anything. We just continue to blame systems which become ever more complicated and protect everyone from ever accepting blame or responsibility.

The biggest problem with the police is that they are driven by a target culture which ignores what they are there for, which is to maintain law and order. The police are not there to "get convictions", they are there to uphold the law and that means ensuring the innocent go free as much as ensuring the guilty are punished.

Flag

18RecommendReply

Jeremy Greaves Jan 31, 2018

"Commander Smith said that there was no evidence that the woman who made the allegations against Mr Allan had committed any criminal offence."

If there was no offence, perhaps we may be enlightened as to how this state of affairs came about. Mistake? Bad luck? Accident? Act of God?

Flag

15RecommendReply

Saint John Jan 31, 2018

@Jeremy Greaves

At the very least allowing him to be charged with rape and not stopping it is perverting the course of justice.

Flag

5RecommendReply

Len Gurrie Jan 31, 2018

@Jeremy Greaves Really, Commander Smith? What did she say under oath in court? And what are you going to do about it - no, don't tell us, you'll learn lessons.

Flag

4RecommendReply

Bishop Jonathan Blake Jan 31, 2018

Who decides? The police and the Crown Prosecution Service, even the judges, decide what is and isn't relevant to a case. They are all susceptible to influence and partiality according to their interests and their views. Liam Allan highlights the fundamental injustice that this can occasion. The defence must be able to have access to all the prosecution material and must be free to present their defence in the way they choose. Anything less than this results in the innocent being convicted and imprisoned.

Flag

5RecommendReply

Graeme Harrison Jan 31, 2018

@Bishop Jonathan Blake What is the defence going to do with all your private data (none of which has any relevance to the alleged offences) that you've disclosed in the course of everyday life to someone who then became the victim of a crime?

Flag

1RecommendReply

Bishop Jonathan Blake Jan 31, 2018

But therein lies the rub. It is often within that 'private' material, that the critical piece of evidence is found, that can clear the defendant.

Flag

1RecommendReply

RECH Jan 31, 2018

Having watched a couple of interviews with him, I am amazed by Liam Allan's dignity, generosity in accepting the Met's apology and constructive attitude towards preventing this in future. The

government could do a lot worse than asking him to participate in any review, especially as he is studying a law based course (I can't remember exactly what).

Flag

7RecommendReply

Families Need Fathers Jan 31, 2018

Mr Allan - disappointed that the report fails to address the true failures of this case"

Mr Allan is so right. Who decides the terms of reference of what will be investigated is another question one might ask?

Same in family justice - 'the system is not biased' they say, but ignore the fact that over 99% of applications to enforce family court orders do not result in enforcement action. What did they learn from investigations into bias and workings of family courts? Will those lost relationships with parents result in compensation to children and parents alike, because courts fail to enforce their own orders? They don't even get their application fee back.

Commander Smith - "there was no malicious intent"

Is that a defence to wrongdoing, not following protocols or inadequate procedures? And after what he has been through, will Mr Allan be compensated by the Criminal Injuries Compensation Authority or anyone else for that matter? It might put a different focus creating a truly learning culture and what procedures should be and safeguards applied.

Interestingly, new rules were introduced in April last year limiting police bail to 28 days, unless a magistrate grants an extension of three months. The rules were supposed to end the injustice of people languishing for months or years on bail, without charge. However, evidence is beginning to emerge that some police are switching to encouraging applications for Non-Molestation Orders as these are relatively easy to get and not time-restricted in this way. It results in very similar conditions to police bail being imposed on the accused and is a way of getting around what Parliament intended.

Flag

5RecommendReply

Hayhoo Jan 31, 2018

The Officer is unable to explain why...

Utter nonsense, can Commander Smith explain why Mr Azariah is still in a job?

Flag

14RecommendReply

Nigel Benson Jan 31, 2018

Because they worry they'd be accused of racism if they fired him. Even though that's cobblers too.

Flag

5RecommendReply

Lazy Dogg Feb 3, 2018

@Nigel Benson You forgot "diversity targets "so he's double bombproof !

I'm just thinking how a civil action for defamation and malicious falsehood would proceed - not much point against her as she's no doubt not worth pursuit , but against Police and CPS?

Of course at one level he's wise not to - if he wants a job in either public sector or academe he cannot afford to offend the many Alison Saunders acolytes who no doubt proliferate (any more than he has done so already by having the temerity to prove his innocence And to boot to have done this so publicly).

Flag

2RecommendReply

Dr Jekyll Jan 31, 2018

Viewed in the kindest light Constable Azariah was incompetent and lazy and following the latest creed that accusers must not be doubted.

Commander Smith utters the usual crass "important lessons for us to learn" rubbish.

It's also an utter disgrace that this took two long years to reach trial.

Flag

23RecommendReply

Richard Pursehouse Jan 31, 2018

Actually the real issue missed is naming the woman who made the false allegations and also to put her on trial for wasting police time and making libellous claims (I assume the police hasn't lost her statements?)

Flag

20RecommendReply

Len Gurrie Jan 31, 2018

@Richard Pursehouse No, the police won't have lost them but they won't have read them and still maintained there was nothing relevant in them.

Did she lie under oath in court and if so why hasn't she been charged with perjury?

Flag

2RecommendReply

William Croom-Johnson Jan 31, 2018

Liam Allen of course has been lucky, in that the mobile information was available at all. If the woman in question had not been so forthcoming on the phone, he would now be facing a serious trial.

Obviously it is a lesson to all false accusers - watch what you say on the phone,. and delete past messages before making your accusation. That should make the police's job easier, and cut down on expensive court time.

Flag

5RecommendReply

S Hodges Jan 31, 2018

As the woman sent the messages that exonerated him, did Mr Allan not receive them ? Surely they would have been on his phone. If he knew about them, then why didn't he tell his defence legal team ?

Flag

1RecommendReply

Richard Pursehouse Jan 31, 2018

@S Hodges Actually, according to previous articles, most of her texts were to friends etc, not him.

Flag

3RecommendReply

Michael Chitty Jan 31, 2018

Could someone please explain to me why bringing a totally false accusation of rape against an innocent man is not a criminal offence. Does this horrible woman simply get away with it?

Flag

32RecommendReply

Richard Pursehouse Jan 31, 2018

@Michael Chitty 'Wasting police time' and 'libellous accusations' (as she would have done a statement) spring to mind.

Flag

8RecommendReply

Graeme Harrison Jan 31, 2018

@Richard Pursehouse @Michael Chitty Except, of course, 'libellous accusations' isn't a criminal offence and making a false statement to the police can't found an action in defamation.

Flag

1RecommendReply

Peat Jan 31, 2018

Why was poor Mr Allan 'outed' by a false accusation - and police incompetence - when the false accuser remains anonymous and now, apparently, won't even be prosecuted. It seems that innocent until proven guilty has gone out of the window in order to pander to the PC brigade. Hope that Mr Allan can find a way to sue his accuser.

Flag

37RecommendReply

Richard Pursehouse Jan 31, 2018

@Peat He could bring a private prosecution but is a student, and maybe wants to put it all behind him - then again, maybe there is a generous lawyer out there who wants to make a name for herself/ himself who is prepared to take on the case 'pro bono' as surely the legal profession is concerned about such a miscarriage of justice.....

Flag

6RecommendReply

Graeme Harrison Jan 31, 2018

@Richard Pursehouse @Peat Perhaps you should be volunteering your time and money.

Flag

1RecommendReply

Lazy Dogg Feb 3, 2018

@Richard Pursehouse @Peat Oh I see you are volunteering *Someone Else* to donate or work for free.....And there was me thinking you were making a principled and well thought out posting .

So much easier to sit in a comfy armchair posturing and calling for Someone Else to work for free

Flag

RecommendReply

Nigel Benson Jan 31, 2018

Because the Greenham Common, cropped hair, bovver boot-wearing, lesbian self-styled moral guardians of all poor women run amok and are allowed to. As I've often said, imagine if their dad was charged and then it collapsed. Maybe they'd feel a little less vociferous.

Flag

2RecommendReply

Venetian Lady Jan 31, 2018

@Nigel Benson There is no reason for being offensive.

One doesn't have to be a '*Greenham Common, cropped hair, bovver boot-wearing, lesbian self-styled moral guardian.*' to support victims of abuse and rape. If women weren't vociferous, we wouldn't have any rights at all. But maybe you're one of those men who like to have women 'in their place', wherever that is.

The majority of women agree that this woman needs to be brought to justice, named and shamed. She and the likes of her, are doing immense damage to the true victims of rape.

Flag

10RecommendReply

Nigel Benson Jan 31, 2018
@Venetian Lady @Nigel Benson

Perhaps my stereotype was a little overstated but I stand by the sentiment. Let's be honest, it is now a matter of irrefutable evidence that multiple cases have suffered non-disclosure, multiple cases have had to be thrown out, multiple cases have - when the evidence was disclosed - proven beyond doubt that he not only wasn't guilty, he was cast-iron innocent.

I have long said - and I've yet to find a soul who can argue otherwise legitimately - it's a disgrace that those alleged are named before even going to trial let alone being found guilty: lives trashed, families forever in doubt; yet the lying accusers - now evidentially many, and evidentially almost all women - retain their anonymity and are never tried.

There is widespread publicised concern that Saunders is totally unfit to hold the job and that in many of the recent cases, the police were asked repeatedly for the evidence by both prosecution and defence, and didn't "forget", they point blank refused to give it.

The pendulum has swung so far the opposite way that it's shameful. Women - it is virtually always women - who propagate this nonsense that far fewer women would come forward if men weren't named - should be hounded, and those false accusers named, when this disgraceful scenario unfolds - repeatedly, one after another, consistently, as is now becoming evident.

I also think it's telling that virtually everyone commenting here is male - is that because the wider female population is slightly ashamed at what their own sex has brought about?

Flag

1RecommendReply
Venetian Lady Jan 31, 2018
@Nigel Benson, Nigel you were doing so well and went to ruining it all with your last sentence!

Probably the reason why women don't write in here is because they would be called 'Greenham Common, cropped hair, bovver boot-wearing, lesbian self-styled moral guardians of all poor women' and all be painted with the same 'men hating' brush. That would be a real shame, I love men!

As for being ashamed, why should we? The majority of us haven't done anything wrong. However if you want to start appointing shame it would probably take me a couple of days to list all of the things that the male gender should be ashamed of (i.e. Fascism, Nazism, Slavery, current and historical child abuse, multiple wars etc.). I'm pretty sure that by the time I finished you would start feeling suicidal.

Flag

1RecommendReply
Nigel Benson Jan 31, 2018
@Venetian Lady @Nigel Benson

Well is good-)

I think perhaps you misconstrue the last - I meant contextually.

Of course you're right and Rotherham was a prime example - not rape but serial abuse by, there's no sugar coating possible, Asian men. The relevance is it is another example of people and organisations in wider society now being terrified to speak up in case they offend anyone. Different of course but the principle is the same - the women who propagate feel the women allegedly raped will be hard done to if anyone dares speak out. The issue they now have is that their case is being undermined by the number of farces which are being uncovered.

I don't think it's about the majority having done nothing wrong - I agree - it's about the majority having sat on their hands and said nothing, and also - widely reported - going along with the accusers because sic and I paraphrase - women must be protected from evil men.

Flag

RecommendReply

Venetian Lady Jan 31, 2018

@Nigel Benson,

I believe that women must be protected from evil men, but that's not the same as saying that all men are evil. In the same way some women are evil, and what they did to those men is despicable.

But it seems to me reading through the comments that the blame has now shifted entirely on the women and their right of being believed. Remember that this came about because the police was brushing lots of rape cases under the carpet and turning genuine women away.

It now seems to have gone from one extreme to the other.

The responsibility here is laying with the Police and the CPS who are being at the best incompetent and at the worst malicious liers.

Flag

1RecommendReply

Lazy Dogg Feb 3, 2018

@Venetian Lady @Nigel Benson There Is a need

Because now the accepted wisdom - epitomised by Saunders - has amounted to brushing aside patent abuses such as that which has now occurred to Liam Allen and others. And sadly there are many who cannot or will not accept that a man can ever be a victim , but sees us in simple "groups".

Flag

RecommendReply

John Prince Jan 31, 2018

Azariah "assured" senior officers and the CPS that the messages contained nothing relevant.

Azariah last June blocked deliberately the release of the messages to the defence.

Azariah "can't explain" why he can't find the record of his alleged searches. Haha!

Please could the press ask Commander Smith why Azariah is not out on his ear?

Flag

21RecommendReply

Wanderer Jan 31, 2018

And why is Commander Smith not out on his ear too? Although thinking about it responsibility also lies with the those who conceived, promoted, drafted, and approved the legislation which created this system of evidence and other processes. Ah, that would include MPs, Ministers, civil servants etc. who are very quiet on the subject. But then are there votes or promotion in speaking up?

Flag

8RecommendReply

David Jaundrell Jan 31, 2018

@John Prince Civil servant...

Flag

RecommendReply

Brian Davies Feb 3, 2018

@John Prince Well said, my thoughts exactly on reading this article.

Flag

RecommendReply

JoaoMendes Jan 31, 2018

I don't have any access to the evidence but I would be interested to know what the woman who made the allegations is not facing some form of action against her but someone will correct me if I am wrong but it is not up to her to decide if to prosecute?

I worry sometimes that in the rush to ensure that equality deserved by women is sometimes hijacked by the modern and often misguided touchy-feely, no one can never be offended view of the world and that this has led to a lopsided view of justice where woman equals victim and man equals guilty.

More worrying is trial by social media that takes place normally fuelled by those of strong opinions or agenda and very little evidence, something that to a point I think that everyone is guilty of this.. Those who can try watching episode 7 "Majority Rule" of The Orville, it makes you think.

Flag

2RecommendReply

Mark Eltringham Jan 31, 2018

@JoaoMendes She's not being charged because if they did it would show up in the data as a false accusation. And that would undermine their ideology and belief that if a woman says a man did something, then he did. No other proof needed.

Flag

2RecommendReply

island voice Jan 31, 2018

Will the lady who made the false accusation be prosecuted for wasting police time?

Flag

22RecommendReply

Wanderer Jan 31, 2018

It is terrifying that the police and CPS not only manipulate evidence but that even when an example is exposed they can rely on internal 'review'. This should be investigated by an external body. Most worrying is that the truth has so little value in the legal system. It seems to be that as long as each person is required just to do their part in the overall objective of obtaining prosecutions the truth is excluded. In contrast, it seems there is no downside for the officers or organisations. The officer and chain of command make some conciliatory noises and that's it.

Flag

11RecommendReply

RM Jan 31, 2018

Truth and Justice are seemingly incompatible components in many sexual offence cases.

Flag

2RecommendReply

Wanderer Jan 31, 2018

@RM Also in other types of case susceptible to police bias from the outset.

Flag

2RecommendReply

RM Jan 31, 2018

"The issue I feel which is lost is who decides what assists and what undermines a case," he said. "It appears to me that it will always be in the interests of the police and the Crown to select messages which assist their case and it is this issue that I wish to be redressed."

Well done Liam, you have hit the nail on the head.

The bias starts right at the beginning when the police decide they are going to try and achieve a conviction. They are not going to waste time if they think a case will be unsuccessful, so they do all they possibly can to make sure the evidence they choose to collect, backs up the alleged victim's account.

I can only imagine that they are under great pressure to achieve results dictated to them from above. However it is sad to say that I am dismayed that these officers do not have the strength to stand up

to their superiors and challenge them. I can only assume they do not do so because they will be considered vexatious and as such ruin their chances of promotion. This distresses me more as that means they are putting themselves before the lives of the people they are paid to serve. The hierarchical manner in which forces are run means that targets are being set by high ranking, office based managerial officers, many of whom are out of touch with current crime. Whilst it is unquestionable that Azariah should be subject to an independent investigation, so should his numerous line managers.

Flag

24RecommendReply

Contravariant Jan 31, 2018

But why should we need evidence that "proves innocence" ? In cases such as this there must have been a lack of evidence proving guilt beyond reasonable doubt. Since when does that not matter?

Flag

12RecommendReply

NickWickPapers Jan 31, 2018

"Commander Smith said that Mr Azariah would not face disciplinary action... [and] there was no evidence that the woman who made the allegations against Mr Allan had committed any criminal offence."

Mve along, folks, nothing to see here...

Flag

14RecommendReply

Peat Jan 31, 2018

@NickWickPapers Except that a young man has had two years of hell and his life ruined by a false accusation and police incompetence.

Flag

14RecommendReply

Peter Dawe Jan 31, 2018

@Peat @NickWickPapers The false accusation and police incompetence are only part of the picture. Perhaps more worrying is the hypocrisy of The Public, who, whilst proclaiming a pious belief in that fundamental principle of our Justice system, "innocent until proved guilty" will also ruin the life of the accused by believing the accusation without hearing the evidence. It's not the charge (which is bad enough without strong evidence) which ruins the life and prospects of the accused, it's the gleeful willingness of so many people to jump to unsupported conclusions.

Flag

1RecommendReply

Charles Atkinson Jan 31, 2018

@Peat @NickWickPapers In this case 'police incompetence' seems to be a weak description of the police actions/inactions.

Flag

2RecommendReply

Andrew Daws Jan 31, 2018

"Although we are confident there was no malicious intent in this case,"

That's all right then. The officers could have been lazy, or they could be yielding to Alison Saunders's campaign against men, or they could be keen to get a conviction to help their careers, but so long as they're not 'malicious' ...

Flag

26RecommendReply

Ian Grattidge Jan 31, 2018

@Andrew Daws Bizarre use of the English language to explain the wrongful prosecution of an innocent man. I am no wiser, having read the remarks of Commander Smith and Ms Lindley, than I was before. This does not do much for my faith in the legal system.

Flag

21RecommendReply

Andrew Daws Jan 31, 2018

My faith in our legal system was badly knocked by doing jury duty. What a travesty of justice. I managed to get the case judged a mistrial thankfully.

Flag

2RecommendReply

james murray Jan 31, 2018

"Commander Smith said that there was no evidence that the woman who made the allegations against Mr Allan had committed any criminal offence."

-

Well of course there is no evidence.

-

You have to bother looking at that which is in front of you and is as plain as the nose on your face to find the evidence.

-

The woman's texts or social media entries showed that her evidence could not be trusted.

-

A man shown to have given such unreliable evidence would at least have the new on-line evidence shown to them under caution and asked "In view of what you said to your on-line friends, how can you have made that original accusation? Where you lying in your statement or in your on-line posts?"

-

But of course to go take that line if wnquiry would be to admit that the police made a mistake - and that would never do...

-

Jim Murray

Flag

12RecommendReply

David Jan 31, 2018

Azariah clearly couldn't be bothered to examine the social context of the woman's accusations. Either that or he withheld what he'd found.

Flag

11RecommendReply

Avicenna Jan 31, 2018

But think of the conviction rate? The head of the CPS wants it higher, what's a bent copper to do?

Flag

12RecommendReply

JoaoMendes Jan 31, 2018

@Avicenna What tells you the police officer is corrupt? Incompetent, most likely but corrupt? Where's your evidence of corruption, or are you just not reviewing it all, being selective for a successful prosecution or corrupt.

It's difficult isn't it not to fall into that same trap.

Flag

RecommendReply

James Austin Jan 31, 2018

@David

I agree entirely, the Detective Constable was either incompetent or dishonest.

Amazingly he wasn't able to explain why there was no record of his search of the data; I can think of a simple explanation.

Either way he should face disciplinary action and should be put back on the beat.

Flag

21RecommendReply

Tony, London Jan 31, 2018

Why is he not being disciplined for the clear lie in saying that there was nothing in the messages to help the defence?

Flag

5RecommendReply

James Austin Jan 31, 2018

@Tony, London

He could have missed the evidence in his painstaking search. Lucky for him he couldn't find his notes!

Flag

2RecommendReply

Avicenna Jan 31, 2018

Common excuse for police. Loss of notes should always be taken as no notes made because job not done.

Flag

RecommendReply

James Austin Feb 1, 2018

@Avicenna

I agree entirely and that would be position in, for example, a Professional Negligence case

Flag

RecommendReply

C J Delmege Jan 31, 2018

So perjury is not a criminal offence (if you're a woman)?

Flag

35RecommendReply

NickWickPapers Jan 31, 2018

@C J Delmege She didn't testify at trial, so couldn't be perjury. Wasting police time on the other hand....

Flag

9RecommendReply

onlyfair Jan 31, 2018

"My view is that the cases we are seeing show we are not making decisions quickly enough when material comes to light," But surely the fundamentally unacceptable point is that decisions are being taken (to charge and prosecute) before all relevant material has been considered. It is plain wrong that the police (and CPS) are not looking thoroughly at the messages on an accuser's phone, email account etc as part of the standard investigatory procedure before a decision is taken to charge and prosecute. To drop charges which should never have been brought is vastly more prejudicial to an innocent accused than not bringing those charges in the first place.

Flag

18RecommendReply

Avicenna Jan 31, 2018

The root cause of the disclosure scandal is Saunders misandry. She introduced 'guilty till proven innocent' and trial of men by media ahead or during trials by denying them the rights of accusers in 'he said she said' cases.

Liam Allen's case is a tragedy and life destroying event caused by police and CPS determination to collude and 'up' the conviction rate.

Liam's case is not the worst. In the case of school teacher KATO HARRIS, Retired police and CPS lawyers advised the family of the accuser how to bias the case, which fell apart after full disclosure.

<http://www.dailymail.co.uk/news/article-3717456/Private-school-teacher-cleared-sex-abuse-left-ruined-195-000-legal-costs-Friends-say-geography-tutor-s-ordeal-left-crushed-stress.html>

Putin would be proud to have Saunders working for him on his agenda of hate.

Flag

32RecommendReply
Freebooter Jan 31, 2018

Of course no one is to blame and no one should be punished. Not the prat who was supposed to review the phone evidence originally, nor whoever it was accessed the relevant information pointing to his innocence a month before the trial and did not tell anyone.

Individually there are tens of thousands of decent police and public servants in other sectors who are nice people. Working in totally corrupt, inefficient and incompetent organisations like the Met.

We get the public sector we have because they are controlled by politicians who just as useless and self-serving.

Flag

RecommendReply
Mizula Montana Jan 31, 2018
He seems a nice lad.

Flag

3RecommendReply
A Firswell Jan 31, 2018
@Mizula Montana
Unlike Azariah who deserves to be slung out of the Fuzz on his ar5e.

Flag

16RecommendReply

*Ref.: Review of botched rape trial 'misses point' says Liam Allan.docx
26/04/2018 10:58*