

- **Miscarriages of Justice, News**

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- By **Charlotte Hughes**
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Liam Allen accuses police of cherry-picking evidence



Prison window, from Flickr, decade-null

Liam Allen accuses police of cherry-picking evidence

Liam Allan accused the police of 'cherry picking' evidence after his rape trial collapsed following a bungled police inquiry and said every day in his ordeal was a 'battle'. Allan spent almost two years on

bail before proceedings were halted at Croydon Crown Court in December after messages undermining the case were found ([here](#)).

Police have apologised to the student after a review found mistakes were made in the disclosure of evidence which resulted in the trial against him being stopped. Commander Richard Smith, of the Metropolitan Police, standing alongside the chief crown prosecutor for London South, Claire Lindley, said that they had met with Allan and made a personal apology.

Speaking after the apology, Allan told the Press Association: 'The evidence uploaded appeared to be cherry picked because it only assisted the Crown's case.' He went on to say: 'Every day is just sort of a different battle, you either wake up and you give up on the day or you wake up and you're ready to sort of face the day,' Allan said.

The problems with disclosure in the case of Liam Allan were caused by 'a combination of error, lack of challenge, and lack of knowledge', a joint review by the Metropolitan Police and Crown Prosecution Service found. The officer in the case admitted he was mistaken in his belief that he had looked through an entire download of more than 57,000 messages in the alleged victim's phone. It is understood messages which later resulted in the collapse of the trial included some between the alleged victim and friends saying what a kind person Allan was, how much she loved him and that she had had a great experience with him. There were also references to rape fantasies, Allan's lawyer Simone Meerabux confirmed.

Relevant messages were only passed to the defence days before the trial collapsed at Croydon Crown Court. The entire download was not passed to the defence because the officer in the case said there was 'nothing relevant on it', according to the review.

The officer has not been disciplined but is not currently working on sexual assault investigations, Commander Richard Smith said. He added: 'The amount of cases he was investigating at the time, he feels, was a contributing factor to the mistake he made, compounded by the lack of recording and mistakes in the system.' The review found that the prosecutor in the case had relied on the officer's mistaken belief, when they should have 'probed and challenged' him.

Last week the CPS announced it is currently reviewing all live rape and sexual offence cases after a string of defendants facing such allegations had the charges against them dropped when critical evidence emerged late in the day. Smith confirmed the Metropolitan Police is reviewing 600 cases of rape and sexual assault and that in order to do so they had moved in 120 officers. Thousands more are under review nationally, the Crown Prosecution Service said. Chief crown prosecutor for London South, Claire Lindley said: 'During the review some cases have given cause for concern. Some cases are discontinued in the normal course of events.'

Allan now wants to go travelling and finish his degree at the University of Greenwich.

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Charlotte is currently training to be a barrister as a pupil at East Anglian Chambers. She was previously a Kalisher Intern at the Criminal Cases Review Commission

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