

Cyprus rape case: Experts cast doubt on teenager's confession

Jonathan Ames, Legal Editor

January 3 2020, 5:00pm, The Times



The British teenager and her mother, left, leaving Famagusta district court on December 30AP

The conviction of a British teenager in Cyprus for making a false rape allegation is “flawed” if the judge was overly reliant on a written confession, a leading expert has said.

Two British specialists have cast doubt on the authenticity of a statement that police say the 19-year-old woman made in which she retracted her claim that she was attacked by up to a dozen Israeli boys and men.

The confession, which the woman is alleged to have written after an eight-hour interview with police and without the presence of a lawyer, formed a significant plank of the prosecution’s case.

Specialists have pointed to grammatical phrases in the short written confession that they say are unlikely to have been written spontaneously by a native English speaker. Their views raise the possibility that Cypriot investigators or other officials could have dictated the young woman’s statement, which was handwritten and dated July 28, 2019.

Malcolm Coulthard, Aston University emeritus professor of forensic linguistics, agreed about “the impossibility of the girl producing some of the phrases herself”. The professor, a respected expert witness for 20 years who provided crucial evidence that led to the quashing of the murder conviction of Derek Bentley in 1998, added: “If the statement is the main basis of the judge’s decision then the decision is flawed.”

Professor Coulthard’s analysis came after another leading expert said there was “very compelling linguistic evidence” that the retraction was dictated by a non-native English speaker.

Andrea Nini, a forensic linguistics specialist at Manchester University, told the *Daily Mail* that it was “highly unlikely” that the defendant had composed the statement in her own words.

He pointed to the phrase in the statement “doing sexual intercourse” as an example of a structure that would not be used by a native English speaker. Native English speakers, said the experts, would be far more likely to write “having sexual intercourse”.

Other sections of the woman’s statement that have raised concerns include the first sentence, which begins: “The report I did on the 17th of July 2019 . . .” Experts point out that a native English speaker would be far more likely to write “the report I made”. The teenager also wrote that the original allegation was “not the truth” instead of the more common construction of “not true”.

The statement also includes spelling mistakes in the relatively common words “apartment” and “apologise”.

The academic appeared as a defence witness at the woman’s trial, but the judge, Michalis Papatthanasiou, nonetheless found her guilty of the Cypriot offence of “public mischief”.

The woman, whom *The Times* is not identifying, is scheduled to be sentenced on Tuesday and faces a maximum jail term of a year and a £1,500 fine.

The trial judge has been criticised for reportedly behaving aggressively towards the woman and her Cypriot legal team during the trial.

Human rights and other lawyers have called on the island’s president, Nicos Anastasiades, to pardon the woman if the judge sentences her to a prison term. However, that would require her to accept some level of guilt.

Her English legal adviser, Michael Polak, a barrister with the campaign group Justice Abroad, said that she would appeal against the conviction regardless of the sentence handed down.

<https://www.thetimes.co.uk/edition/news/cyprus-rape-case-experts-cast-doubt-on-teenagers-confession-x8r9s3xcc?region=global>

Ref.: Cyprus rape case Experts cast doubt on teenager’s confession.docx
1/4/2020 10:23 AM