

Failure to Bother

Tuesday, 13 February 2018

Whilst Failure to Disclose is a vital area needing examining; so is Failure to Bother.

Failure to Bother

One of my (wrongful) convictions 18 years ago was a man who claimed he had come to my house (true); had sex (false) and never saw me again. But I remembered bumping into him in the street (Queensway) several times after that and having perfectly friendly conversations.

Since we are talking over 30 years ago, there would not be any CCTV at that time but even if there had been, police would NOT have attempted to view them as they may have proved my story and not his.

I have no idea whether he genuinely believed his story and had forgotten the further encounters, was intentionally manufacturing his story (for compensation, sympathy, attention or whatever) or was simply confused. Memory plays tricks. Some events get muddled and adapted with others.

I should not have had to prove my innocence. With no further evidence at all, CPS should not have brought the prosecution. Police should, I believe, investigate both sides of stories. And prosecution should not be allowed to put forward "similar circumstances" as evidence - when those "circumstances" may be for perfectly innocent or different reasons.

The law needs to be changed. Police behaviour needs to be changed. Most important of all; CPS behaviour needs to be changed.