

Yet another crucial Court of Appeal decision...

Thursday, 22 June 2006

Two cleared of sex abuse at 80s care homes

Jun 16 2006

By The Huddersfield Daily Examiner

TWO men found guilty of sexual offences after an investigation into abuse at Kirklees children's care homes in the 1980s have had their convictions overturned.

Their names were cleared after top judges were told their alleged victim was a "theatrical attention-seeker".

John Siddall and Ian Brooke had already served their sentences.

Among other things, it was revealed that the girl, named only as RW, had also claimed to have been raped by 12 taxi drivers and abused by her own father and partners.

She had also testified against another care home worker who was acquitted of attacking her and had made an exaggerated payout claim to the Criminal Injuries Compensation Authority.

Siddall, 46, of Crown Close, Chickenley, Dewsbury, was jailed for four years after he was convicted of three counts of indecent assault and one of indecency with a child after a trial at Leeds Crown Court in July 1999.

Siddall, who consistently denied the charges, was said to have carried out the abuse while working at Rivendell Children's Home, Dewsbury, in the mid-1980's.

Ian Brooke, 47, of Trafalgar Street, Batley, who worked at Rivendell and at Westfields in Mirfield, was jailed for 10 years at Leeds Crown Court the following year.

He was convicted of four counts of rape, indecent assault and a further serious sexual offence.

However, Lord Justice Longmore, sitting at London's Appeal Court with Mrs Justice Gloster and Mr Justice Openshaw, declared both men's convictions unsafe and overturned them.

The men's lawyers had attacked the credibility of RW who claimed she was indecently assaulted by Siddall while at

Rivendell and abused by Brooke later on.

In the light of fresh evidence, their cases were referred to the Appeal Court by the Criminal Cases Review Commission, the independent body that investigates suspected miscarriages of justice.

Lord Justice Longmore said that, since the men's trials, a report had been uncovered written about RW when she was 14 and in which she was described as attention-seeking with adults, very demanding and needing "instant gratification" over any traumas she said she had suffered.

The report went on: "RW's whole existence appears to revolve around the dramatic aspects of her life. She thrives on exaggerating events to their most theatrical extremes.

"She employs shock tactics in an attempt to convince adults that her problems are more severe and serious than anyone else's."

On arriving at one children's home, the report said "each member of staff was treated to a secret revelation that 12 Asian taxi drivers had raped her".

The report quoted one staff member as saying: "When this story became uninteresting, we would then have dramatic stories relayed to us whenever she received calls from her mother."

The report was not available to defence lawyers at the men's trial.

When she absconded from a children's home in 1986, RW later returned and told how she "had been forced to take drugs and had been raped by two men".

Police investigated but eventually felt no rape had taken place.

Lord Justice Longmore said if the new items of evidence had been known to the defence at the trial "they could have been deployed with considerable force".

RW also at various times made claims that she had been physically and sexually abused by her father and partners.

Lord Justice Longmore said RW had in 2001 testified against another care worker who was acquitted of abusing her. She accused him of having kissed her and once had sex with her.

However, in her earlier claim for a payout from the Criminal Injuries Compensation Authority, RW claimed the man had had sex with her "on fully four or five occasions".

The judge said: "This might be thought to be a significant discrepancy in her account."

Lord Justice Longmore refused to accept that claims of rape and abuse RW had made in her teens were merely "childhood aberrations", particularly as she had continued to make such claims later, as a mature woman.

The judge said the new evidence raised concerns about the safety of all the men's convictions.