

Wigan man's rape trial collapses



Josh Lines

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Published: 17:18
Thursday 21 September 2017

A young Wigan man has been cleared of raping a university friend after juries were unable to reach a verdict in two separate trials spanning a three-year-period.

Joshua Lines, 23, of Abbeyfields, Beech Hill, hung his head as a second jury returned from nine hours of deliberation to deliver no verdict today (Thursday).



Josh Lines

The former Winstanley College student, who has already been through one trial, which resulted in the same outcome at Manchester Crown Court, has now been cleared of all charges and a verdict of not guilty has been recorded following the result.

The panel comprised of eight women and four men and, having already told the judge they could not reach a unanimous verdict, they also later found that an acceptable majority of 11-1 or 10-2 could not be attained either.

Prosecutor Justin Hayhoe told the judge Miss Recorder Goode, that the crown would not be seeking to take the charge to court for a third time. The Crown does not seek to persuade that this is an exceptional case," he said. "The crown is not seeking a retrial."

Mr Lines was accused of raping his friend in her university dormitory while she slept after the pair of them had been drinking and watching a movie together and fell asleep in bed facing each other.

The complainant said the next thing she remembers is waking up on top of Mr Lines and he was having sex with her.

On day two of deliberations, the jury asked for a repetition of the complainant's evidence in which they heard that the students had been drinking and watching a Disney film on the night of the incident.

Miss Recorder Goode read evidence to the court saying: "Josh kind of turned me to face him, just to cuddle. We have always cuddled. It was nothing out of the ordinary. I was like 'what's up?' He said I love you and I said I love you Joshy. I presume we fell asleep like that."

The next thing the victim said she remembered was that she woke up on top of him, with no pyjama bottoms on and he was "having sex with her". Defence barrister, Brian McKenna, argued that Mr Lines had slept over at the victim's request.

Mr Lines said that he had fallen asleep after putting his head back to prevent the room from spinning and woke up with the victim's head on his chest.

"I don't even know if I penetrated her or not," Mr McKenna read to the jury on behalf of his client. "I pushed her off to run out and be sick. I remember leaning against a wall but I don't remember where that was."

The hearing was told that there was no forensic evidence that the couple had had intercourse. The matter had only been reported several days after it was alleged to have happened.

Despite the repetition of evidence, the jury concluded at around 4pm, that they would not be able to reach a clear verdict even with additional time.

<https://www.wigantoday.net/news/crime/wigan-man-s-rape-trial-collapses-1-8766321>