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Rape case ruined my life

GAZETTE & HERALD EXCLUSIVE: ASHLEY Lawrence says a rape allegation has wrecked his life. He was charged with raping a 22-year-old care worker in St Andrew's Churchyard in Chippenham in September and spent a week in prison before being released on bail.

Last week the Crown Prosecution Service dropped the case because of a lack of evidence.

Mr Lawrence, 24, said the woman agreed to have sex with him and his life has been ruined by her rape allegation. The victim, protected by lifetime anonymity, insists she did not consent to sex with him.

"My life has been ruined and everyone knows who I am as my name was in all the papers," said Mr Lawrence.

"The papers don't even have to report that the case has been dropped against me, so everyone still thinks I am a rapist."

The victim, however, can never be named, even if a jury finds the accused innocent or she withdraws her allegation.

A victim will be offered help from Victim Support as soon as they make an allegation and there are many support services they can turn to.

But there is no support for the accused, even if they are found innocent or the case is dropped.

"People who are falsely accused are victims themselves and they have no counselling for the trauma they are put through. Their lives are ruined forever yet the victims can never be named," said the chairman of the False Allegation Support Organisation, who would only give her name as Hilary.

It is the only group of its kind in the UK that offers support and advice to the falsely accused, but it has no branches in the Chippenham area.

She said those accused of rape should receive the same anonymity as the victim.

She said the stigma sticks with the accused for the rest of their life and often means they cannot find work and lose their family and friends, and may be driven to suicide.

"Don't get me wrong, if they are guilty then they deserve everything they get, but they should not be named until a conviction is made," she said.

In 1975 the law was changed and banned the identification of rape victims in the hopes of encouraging more victims to come forward. At the same time, the accused was granted anonymity until conviction.

A decade later the law was changed again to allow the press to name defendants in rape cases. It was thought that this would encourage more victims to come forward if they had been attacked by the same person.

But the situation looks set to change, following the media uproar that followed the arrest of former MP Neil Hamilton and his wife Christine on suspicion of a serious sexual assault. The case was dropped but it triggered substantial controversy.

The Home Affairs Select Committee is expected to recommend soon that anonymity is extended to the accused to protect their reputations in the event of a case failing.

Justice failing on two counts

the law is failing both the wrongly accused and the genuine victims, says Wiltshire Victim Support.

Spokesman Sarah Norris agreed the lives of those falsely accused are ruined because the law allows them to be identified by the press, but she said countless guilty rapists are also getting away with it.

It is becoming increasingly difficult to prove a rape has taken place because it is often a case of one person's story against the other.

Ms Norris said the law lies on the side of the accused and not the victim. The prosecution has to prove that the accused raped the victim but the defendant does not have to prove that he did not.

She said it was very difficult to get a conviction and only one in ten rapes are reported in the first place.

"Many people don't report a rape because of the low conviction rate and they don't see the point of putting themselves through it," said Ms Norris.

But she did agree that the accused should have anonymity until they are found guilty.

She said date rape was very hard to prove and offenders were changing their patterns to adapt to this.

"Offenders will get to know the victim first and will groom a relationship because they know juries are reluctant to find them guilty if they had a relationship with the victim," she said.

False rape allegations are rare and even if a statement is withdrawn it does not mean the rape did not occur, she said.

"Some victims just can't face going to court and the situation is out of their control. The only way they feel they can get it dropped is to say they lied about the allegation, when in actual fact they were telling the truth," said Ms Norris.

She said the justice system was failing victims of sexual crimes and victims are devastated when the case is dropped, a conviction is not made or a short sentence is passed.

"They often say they feel like they have been raped all over again and it is worse than the original attack," she said. "They feel like society doesn't believe them. Most people have huge faith in the justice system and don't expect it to let them down."

The defence can drag up the history of the victim to discredit their allegation but the prosecution is not allowed to tell the jury if the accused has a history of sexual abuse.

In Britain only nine per cent of defendants accused of rape are convicted, according to a Home Office research study carried out in 1999.

Most cases do not even make it to court, with only 42 per cent charged in the first place.

Victims of physical or sexual abuse can contact Victim Support Wiltshire on (01380) 729476 or the freephone 24 hour national Rape Support Helpline 0808 800 1144.

Trauma leaves emotional scars

Two weeks after the alleged attack in the Chippenham churchyard the 22-year-old victim gave an exclusive interview to the Gazette. This is what she said at the time.

The woman had spent the evening of the attack, on Friday, September 13, with friends at the Rose and Crown pub in Chippenham and left on her own around midnight to get a taxi home.

But the rest was a blur. "I don't remember going any further than Chas Hart Jewellers," she said. "The next thing I remember is that I was in the churchyard being attacked."

Throughout the assault the victim was screaming but no one went to help her. "He kept telling me to shut up and I kept screaming louder," she said.

"My hands couldn't even touch the ground because he had me pinned to a tombstone.

"I was still screaming after he had gone and my friends said they could hear me before they could see me."

The first person she contacted was her ex-boyfriend. He rang her friends, who were first on the scene, and the police .

The victim said: "I was in a lot of pain. When all my friends arrived they dragged me from the churchyard. They had to literally pick me up because I could not move.

"I don't remember much after my friends arrived but I know I was taken to the Royal United Hospital in Bath."

The traumatic events of the night have left her terrified of going out, even during the day with other people. "I walked into the Porter Blacks in the afternoon the other day when it was empty and I still panicked then," she said.

She said the police had also been very supportive. "The police have been great. I did not think they could be like that."

She is angry and hurt that anyone could attack her and said she hoped she could get her confidence back.

"After the attack I was in shock and my injuries were so painful that it blocked out a lot of what had happened. But now I feel hurt and I hate the man that attacked me as he has taken my pride away," she said.

"I can't sleep at night and I am on sleeping tablets. I hope that one day I will not be scared when I go out."

She said that she thought she could take care of herself but has realised that this is not true. "I would advise other women to always go out in a large group and never go on your own," she added.