

# Sydney man plans to sue police after two years battling rape allegations

**A 'PRETTY young woman' told police a false story that cost her husband \$200,000 and two years clearing his name.**



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The Sydney man's life was turned upside down by the rape allegations. *Source: Supplied*

## EXCLUSIVE

A SYDNEY man who battled for two years to clear his name of rape and assault allegations has vowed to sue police for acting like “robots” and ignoring crucial evidence.

The man, who is in his 40s, had been accused by his estranged wife of sexual intercourse without consent and assault occasioning actual bodily harm but was acquitted of the charges by a District Court jury.

The trial judge slammed the way the case was handled and said such serious charges should never have been brought against the man, who spent \$200,000 in legal fees defending the charges.

He also spent more than a month behind bars until he was granted bail. Police refused to drop the charges despite being handed photographic evidence — including email and text exchanges — that cast serious doubt on his wife’s version of events.

Judge Mark Williams labelled the prosecution case into the rape and assault charges as “most unsatisfactory” and lashed them for ignoring “cogent and consistent objective evidence” that supported the man’s evidence the sex was consensual.

The judge went further to say the serious charges should not have been brought against him, Fairfax reported.

The man is now planning to sue them for malicious prosecution and has condemned the officers involved in his case.

## CLAIMS OF BIAS

A court order prevents either party from being identified. The man told news.com.au it was hard to articulate the “emotional stress” the ordeal had on him.

He said: “The failures as I see it are that there was no investigation ... Even the judge said, ‘at what time did you sit down and question her on the evidence?’”

The man accused officers of taking the accuser at face value. “They saw a pretty young woman who walks into a police station, she’s single, she’s a doctor, she’s from the north shore and despite having written a statement completely different [from the one] she made at another station.”

At the time, he was confident that common sense would prevail and the charges would be dropped. His view was the messages between the couple showed his estranged wife in a poor light — leaving investigators, he hoped, to question the claims she was making.



The doctor accused her husband of rape and assault. *Source: Supplied*

But that never happened. Documents disclosed to his legal team showed a senior officer, after viewing the material provided, instead told the woman “we can see what his defence is going to be” and invited her in to make another statement.

He was angry at the officers who carried out his inquiry, who he said showed “cognitive bias” — something he was sure “they were trained not to do”. “Maybe we should have robots in police stations that aren’t going to be swayed by looks or personality or things like that when taking these kinds of statements,” he said.

## **‘I THOUGHT ABOUT ENDING IT’**

“For two years, every day I expected a call from my lawyers to say ‘no, it’s OK, they have dropped the case, it’s false, it’s obvious’. I was expecting that call every day for two years. You are in a permanent state of panic. If she was victorious I could have gone away for years.”

The man told news.com.au that constant panic “affects everything” in his life.

“I’m a strong person, I don’t have wild emotional swings,” he said. “But there was a lot of times I thought about just ending it — it feels like everyone is just turning on you.”

He said he understood how difficult it was for genuine victims to come forward with complaints of sexual assault and said he was “absolutely an advocate for women” who suffer domestic violence.

“I support that, I don’t want to see this sort of thing brushed under the carpet ... But the police did a complete disservice to them and genuine victims, failing them on so many levels when people like [his former wife] make false allegations. All that does is create a sense in society that these women are making things up.”

He said there was no issue with authorities being “hyper-vigilant” around domestic violence. “I just have an issue with them assuming you’re guilty.”

## **JUSTICE**

Now the trial is over, he still doesn’t feel like there has been justice.

“We shouldn’t have to take away the rights of men to give women theirs, we ought to institute fair and equitable protection for both men and women.”

When he finally got his laptop back from the officer-in-charge, he confronted him over whether he going to charge his former wife. He was told no one at the station could do that because they had all been involved in the case against him and there was a conflict of interest.

“There are laws in place to charge people who make false complaints, but they tend to overlook gender ... If the roles were reversed, I guarantee you they would be charging me.”

The man pleaded guilty to charges of using a carriage device to menace and damaging property relating to an argument the two had in their home. That took place after the man discovered explicit texts on her phone between her and another man in the United Kingdom.

The UK-based man said to the wife he wanted to see a “pic of that p\*\*\*\* please”. During a heated row, he threw her phone out the door and later sent her an explicit picture of herself she had previously sent to him with a message that said the man in the UK “asked to see this”.

Judge Williams dismissed those two charges and didn’t record a conviction. A New South Wales police spokesman said it would be inappropriate to comment on a court result.

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