

# Chester public toilet rape accused found not guilty

Jury issues statement criticising professionals who 'let down' complainant with severe mental health issues

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**Chester Crown Court**

A homeless man who found himself accused of rape after simply trying to help a vulnerable woman who had become lost in Chester has been cleared – but the jury in his case has criticised the professionals who encountered her and 'let her down' in her 'moment of need'.

A jury of seven women and five men took less than 45 minutes to unanimously find Nick Chambers not guilty on the fifth day of his trial at Chester Crown Court today (April 15).

The complainant – who has paranoid schizophrenia – claimed 39-year-old Chambers dragged her into one of the public toilets at the Kaleyards and forced himself on her on May 29 last year.

Chambers insisted throughout that he was just trying to ensure she reached a place of safety after spotting her on a bench and realising she needed help.

## Jury express concerns

But in an ‘unprecedented’ move ten minutes after retiring to deliberate, jurors sent a statement to Judge Roger Dutton, expressing their concerns over the treatment she received that night at the hands of the police and medical staff at Wrexham Maelor Hospital.

The court heard earlier on in the proceedings that Chambers had taken the complainant to Chester Town Hall Police Station as she told him she did not have enough money to get home and he thought officers would be able to get her a bus ticket or a lift.

At the back door of the station they encountered PC Paul Povey as he was nipping out to get his dinner.

He advised them to go to Boughton homeless hostel Richmond Court. It was on their way there that the woman said the alleged attack took place.

The complainant – who had been reported missing by her family – told PC Martin Middleton she had been raped when he picked her up at the Mill Hotel but he said he was under the impression it was a historical allegation which had been resolved.

## Claim made at hospital

She was returned to her home in Flintshire by police later that night and her father took her to the A&E department at Wrexham Maelor Hospital to have her mental health assessed.

There she told her father and psychiatric nurses that she had been raped by a vagrant in Chester, but the matter was only reported to police when she repeated her claim to her mother more than two weeks later.

“We believe that the complainant has been let down by the professionals who should have cared for her and given her assistance in her moment of need, from her first contact,” members of the jury revealed.

They wrote that they do not wish to attribute blame to any one individual in her case, but any claim of rape ‘should be taken seriously irrespective of the mental health of the complainant’.

“It is essential that all agencies employed are trained to follow through such complaints, instead of assuming that some other person in the chain of care will be dealing with the claim,” they said.

## 'Sad episode'

They also added their ‘sincere regrets’ to the complainant and her family for the distress that ‘this sad episode and trial must have caused them’.

Judge Roger Dutton described the jury’s statement as ‘unprecedented’ and something he had never come across before, but said he respects its verdict and understands its conclusion.

He announced his intention to send copies of the statement to the chairman of Betsi Cadwaladr University Health Board – of which Wrexham Maelor Hospital is part – and the Chief Constable of Cheshire Constabulary inviting their comments. Of the complainant’s claim at the hospital, Judge Dutton said: “It seems that no-one took any action on her claim that she had been raped by a tramp in Chester that night and I for one would like an explanation why.”

<https://www.chesterchronicle.co.uk/news/chester-cheshire-news/chester-public-toilet-rape-accused-11192976>