

Prior claims revealed

Judge lambasted detective



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Suppression lifted: Rotorua woman Louise Nicholas admitted in evidence making up a prior rape claim.

Fresh revelations about the back-ground of Louise Nicholas's pack-rape allegations show she admitted making up a rape complaint against a group of Maori youths.

Details about Nicholas's claims were aired in three trials held in Rotorua during 1993 and 1994, although they were covered by suppression orders lifted only yesterday after an application by the Dominion Post newspaper.

Under cross-examination in the third trial, Nicholas admitted telling a teacher that she had been raped by a group of Maori youths out riding their horses.

"I don't know why I had said that obviously I did but I have never been raped by any Maori on horseback."

The trials related to a former policeman accused by Nicholas of indecently assaulting and having sex with her in the mid-1980s, when she was 15 and boarding with him and his family.

The first two trials were aborted because of inadmissible evidence given by Detective Inspector John Dewar. The third jury acquitted the former policeman, whose name remains suppressed.

During the trial a separate allegation by Nicholas came to light, that she had been pack raped and violated with a baton by three other police officers - Tim Richards (who has been stood down as district commander of the Auckland police), Brad Shipton (now a Taranaki District councillor and his owner) and Bob Schollum (now a Napier car salesman). All three strongly deny the allegations.

Nicholas's allegations are the subject of a commission of inquiry and a top-level criminal investigation ordered after she went public in January claiming that the pack-rape complaint was covered up by Dewar.

The trials were told that in January 1993, after counselling, Nicholas told her parents what had happened. Her father contacted a policeman he knew, then Senior Sergeant Ray Sutton.

Dewar assumed responsibility for

the complaint and took two statements from her that year, although they only related to the former policeman, who eventually charged.

At the time, she had accused several other policemen.

Nicholas also named Richards, Shipton and Schollum, but Dewar said he advised her not to make a statement because the allegations were not specific in time and event. Court documents show Judge Michael Lance made a stinging rebuke of Dewar's conduct - "I am of the view the failure to record and detail these allegations was not only remarkable, it was utterly inexcusable," the judge said in his decision granting costs against the police. "After all, here was an experienced detective inspector investigating allegations of serious sexual offending."

"During his interview with the complainant, he is told of allegations of potentially serious sexual offending by three other named and currently serving police officers."

"Such disclosures should have triggered alarm bells that would have permanently silenced Big Ben, no matter how vague in terms of time and event."

"Even more surprising than the failure to record is the officer's deliberate advice to the complainant not to make a statement about her allegations against these officers," Lance said.

At the second trial Dewar was also criticised by the court judge Philip Evans, questioned Dewar's motives in giving hearsay evidence at a similar point in the trial to where he gave hearsay evidence at the first trial.

Dewar as officer in charge of the case also arranged for Schollum, Shipton and Richards to give evidence for the prosecution at the third trial.

The three men said in a closed



John Dewar

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Michael Lance
judge

court session at that trial that they had consensual sex with Nicholas on different occasions but they denied using a baton to violate her.

He eventually took a statement about Richards and the other officers in February 1994.

The allegations against the officers accused of interfering with Nicholas as a teenager were found by her to have been not proved, a decision backed up by the Police Complaints Authority at the time. Another Police Complaints Authority investigation criticised Dewar's handling of the pack-rape complaint.

Nicholas alleged seven officers committed sexual offences against her but when she sought to make a formal complaint to police in 1993, Dewar had discouraged her from making official accusations against six of them.

In her evidence against the seventh, Nicholas said that she first had sex with her who she was a 13-year-old.

Nicholas mother Barbara Crawford told the court that in 1983 the former policeman offered to let Nicholas board with his family in Rotorua. But the former policeman and his wife said Nicholas's parents had asked if she could stay with them.

Nicholas said she invested about going and alleged that she abuse continued during the two to three months she was boarding there.

The former policeman denied all sexual contact.

She returned home after the former policeman confronted Crawford and said that her daughter was saying he was having sex with her.