

Child sexual exploitation trial of five accused of crimes in Folkestone, Deal and Gravesend halted at Canterbury Crown Court

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The multimillion pound Folkestone "sexploitation" trial – in which a teenager claimed she was sold for sex from kebab shops – was dramatically halted today.

The hearing at Canterbury Crown Court – involving dozens of top QCs, junior barristers and translators – started in January.

But the jury will not now have to bring verdicts against five people accused of rape, forcing a 13-year-old into prostitution and other sex offences.



The case was heard at Canterbury Crown Court

Judge James O'Mahony ruled that the evidence given by the alleged Slovakian victim – who is now 16 – was inconsistent and included lies.

He said the trial had been “momentous” and had raised issues which will be reviewed nationally on how sex cases are investigated by police and the Crown Prosecution Service.

He also praised police officers for carrying out their investigation “in good faith” – and described one as “a decent honest officer doing her best” - but ruled that protocols in the investigation had been breached.

He said some of the interviews with one young witness was “wholly inappropriate, excessive and oppressive, although not deliberately so, and the witness was left under considerable pressure”.

"Her allegations concern gross sexual abuse of her and there is no doubt that she is in every sense a vulnerable witness, who is in every probability and through no fault of her own, has had a very traumatic and unfortunate young life..." - Judge James O'Mahony

Seven people - including Rene Bandy, 23, from Cheriton Road, Folkestone; Roman Bodnar, 33, from Leeds; Josef Dirda, 30, from Folkestone Road, Dover; Alice Kalejova, 37, from Dover Road, Folkestone; Marian Cisar, 22, from Athelstan Road, Folkestone and Jolana Rohalova, 40, from Brockman Road, Folkestone - originally stood trial but two were formerly acquitted earlier.

They had all pleaded not guilty to a total of 19 charges including rape, sexual activity with a child, administering a substance with intent and causing child prostitution.

After hearing days of legal discussions, led by Oliver Saxby QC for one of the men accused of rape, the judge took the unusual step of halting the trial.

Mr Saxby judge that the girl had “a background of concocting and maintaining serious sexual allegations”.

He added: “Her account, as against Roman Bodnar is wholly uncorroborated, self-contradictory, contradicted by the known evidence and inherently flawed.”

It was later revealed the girl had earlier made sex allegations in Bradford, which had been investigated but no prosecutions were brought after they were later withdrawn.

In his judgement, Judge O'Mahony told the court: “The evidence of this girl stands alone and all charges on the indictment relate to her alone.

“No evidence has emerged from other victims or for example the numerous places including kebab shops where prostitution is alleged to have taken place, to support her evidence.”

The Slovakian youngster had claimed she had been prostituted when she was 14 and 15 and given drugs by numerous men in Folkestone, Deal and Gravesend.



Judge James O' Mahony

She had implicated eight men from the Slovakian community in Folkestone of serious crimes – but later admitted she had lied about one of the men out of jealousy.

Judge O'Mahony added: "Her allegations concern gross sexual abuse of her and there is no doubt that she is in every sense a vulnerable witness, who is in every probability and through no fault of her own, has had a very traumatic and unfortunate young life."

But he said a jury should only be allowed to bring in verdicts if there had been "sufficient reliable credible evidence".

Even before the criminal trial had begun in January, there had been proceedings in the family court before Mrs Justice Theiss, who had ruled the teenager should not be called to give live evidence.

"Her account, as against Roman Bodnar is wholly uncorroborated, self-contradictory, contradicted by the known evidence and inherently flawed..." - Oliver Saxby QC

She criticised the police for breaching 'good practice' codes of conduct in the way they interviewed her.

Judge O'Mahony decided that, despite the reservations, the girl's evidence should be heard by the jury.

He said: "I ruled that there was a voice which had to be heard. It has been heard but the time has come for me to deal with these matters within a trial process."

The judge said police had asked leading questions, had failed to consider the girl's "tendency to confabulate", had failed to challenge inconsistencies in her evidence and had failed to restrict the number and length of interviews with the teenager.

He said there had been a serious lack of neutrality during police interviews with officers telling the girl, "I know you have told the truth", and "I think it's awful what you've gone through".

He added: "I have no reason to doubt that officers involved in the investigation are decent and honest.

"And it was clear to me from the senior officer that the approach of the police was significantly affected by a determination not to make mistakes made by agencies in the past of not listening or being dismissive of complaints of this nature."

The judge ordered the jury to return not guilty verdicts against the remaining five defendants, who were then freed.

<https://www.kentonline.co.uk/folkestone/news/sexploitation-trial-collapses-33123/>