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False rape allegation drove Powick dad to drink drive



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A RAPE allegation drove a devastated dad to drink and he was three times the limit when he was stopped in Worcester.

Oliver Whyman of Winsmore, Powick, was cleared of the rape in just five minutes of jury deliberations but has 'never properly recovered' from being accused and 'drinks to escape the misery of depression'.

The 38-year-old could be heard sobbing in the dock after he admitted driving with excess alcohol, appearing before magistrates in Worcester on Monday.

The bookseller was behind the wheel of a Mercedes C200 Sport when he was stopped by police in Temeside Way, Worcester on May 28 this year.

Amanda Tomkins, prosecuting, said police had received reports of someone drink driving in Kempsey and an officer noticed the car travelling in the opposite direction, so she turned around and followed the vehicle.

"She noticed the defendant was swaying into the middle of the road, nearly hitting oncoming vehicles," said Mrs Tomkins.

When she stopped him Whyman identified himself and said straight away: "I'm going to lose my licence. I'm drunk."

The lowest evidential reading was 112mcg of alcohol in 100ml of breath, more than three times the limit of 35mcg.

The defendant had no previous convictions or cautions and entered a timely guilty plea, making an early admission at the roadside.

Danny Smith, defending, said: "Really, my mitigation starts in 2016. He was arrested for rape. That rape allegation completely devastated his life. He lost his business. He lost his children in the process. He became very much isolated from everyone.

"It took 18 months to bring the case to charge. My client waited a further 12 months before it reached the jury's decision. The jury took five minutes to find him not guilty."

He added: "The net effect of all that is he has never really properly recovered from that experience.

"He finds himself very much isolated at home. While he doesn't describe himself as an alcoholic, he drinks to escape the misery of depression."

The solicitor told the court that magistrates could properly take into account the situation in prisons with regard to Covid-19 when it comes to sentence, citing the appeal of Manning.

Magistrates fined him £730, ordered him to pay a victim surcharge of £73 and court costs of £135.

They disqualified him from driving for 28 months. The defendant said the Mercedes was a lease car and was now awaiting collection.

He was offered the drink drive course. If he completes it by March 14, 2022 he will be entitled to a 28 week discount in the length of the ban.

<https://www.malverngazette.co.uk/news/18613761.false-rape-allegation-drove-powick-dad-drink-drive/>