

Weekend Citizen

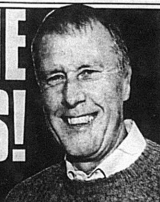


45p SATURDAY, MAY 2, 2009

AT THE HEART OF ALL THINGS LOCAL

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ALL THE BEST LADS!



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FREE WEEKEND PASS

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'JUSTICE' FOR RAPE ACCUSED BROTHERS

They're cleared of attack on same woman

TWO brothers, who were cleared yesterday of raping the same woman, have hit out at the justice system.

Joseph and Benjamin Billau had been charged two months ago after a five-month investigation, but yesterday the case against them was dropped at Gloucester Crown Court.

The former St Peter's High School pupils have said they believe laws need to be changed to give defendants anonymity in cases like theirs unless they are found guilty.

Prosecutor Robert Davies said the case had been reviewed and it had been decided there was no reasonable prospect of conviction.

By John Hawkins

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Judge Martin Picton recorded not guilty verdicts in favour of both the Billau brothers and discharged them, saying: "You are now free to go."

At an earlier hearing Joseph Billau, 22, of Delmont Grove, Stroud, had denied that he raped the woman on September 26 last year.

His brother, Benjamin, 21, of More Court, Amberley, Stroud, pleaded not guilty to raping her on September 28 last year.

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'The justice system has failed us'

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After the hearing, Joseph, a carpenter, said: "We are happy that justice has prevailed.

"I lost about £500 from having to miss work to attend the court appearances.

"We've been a bit wary walking about because you think people are looking at you. But people have told us they didn't believe the stories. Everybody has been on our side.

"We think it could have been dealt with much quicker. We were worried because at the beginning we thought it would never go to court and when it did we thought anything could happen."

In a statement issued on behalf of the family their father Bryan, said: "Today we have seen the result of an incompetent number of people within the police force who have charged these two young men with a heinous crime which they never committed.

"These same people have been employed to not only protect us, but to see that justice is done. They have failed on both counts.

"The evidence in this case has never been added to, or taken away, so why is it that after five months of investigation these



■ **FREEDOM:**
Joseph
and
Benjamin
Billau
with
their dad
Bryan.

men were charged and, on the same evidence, less than two months later, the charges are

dropped. The accuser remains anonymous even though her claims have proved to be false.

"Meanwhile my sons have had to face the humiliation of having their faces plastered all over

the front page of the local press, and accused of being perverts, and with absolutely no foundation.

"The anonymity laws relating to the accuser should now be changed or at least until after the trial, when the truth can be told."

A Crown Prosecution Spokeswoman, said: "The Code for Crown Prosecutors states 'Crown Prosecutors must be satisfied that there is enough evidence to provide a realistic prospect of conviction'.

"Both Joseph and Benjamin Billau admit they engaged in sexual intercourse with the woman so we can prove that the actual sexual act took place.

"However, they both claim she consented to have sex with them and there is insufficient evidence to show they did not reasonably believe she was not consenting.

"The Prosecution has an extremely high burden of proof and a jury would need to be satisfied so that they were sure enough of what happened in order to convict the defendants.

"Based on the evidence available we are not satisfied we could prove our case beyond all reasonable doubt and have therefore decided to discontinue the case."