



Daniel Rawlings was detained for six days on a Pacific Island cruise after wrongful claims of rape. Credit: Supplied

Royal Caribbean Cruises appeals \$100k payout to Daniel Rawlings, wrongly detained over false rape allegation

Heath Parkes-HuptonNCA NewsWire

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A cruise line has argued in court its ship captain was justified in detaining a Sydney tradie for several days after a young woman wrongly accused him of sexually assaulting her during a threesome in his room.

Royal Caribbean Cruises is appealing a decision to award Daniel Rawlings more than \$100,000 in damages and court costs after he successfully sued the cruising giant last year.

Mr Rawlings was 28 when he was held in isolation for six days on the Explorer of the Seas in November 2016 following allegations made by a woman known as Ms A, who was found confused and disoriented.

Mr Rawlings, from Sydney's northern beaches, denied any wrongdoing and was never charged by police.



Daniel Rawlings was on the cruise in 2016. Credit: Supplied

The other woman involved in the threesome said Ms A “knew exactly what she was doing” during the consensual sex session that lasted several hours.

In December Judge John Hatzistergos ruled the air conditioning tradesman’s continued detention was not reasonable and based on “a suspicion of a crime rather than any evidence”.

Judge Hatzistergos found Mr Rawlings' initial isolation for two days from November 15, 2016 was justified as ship staff were investigating a serious allegation against him.

But he ruled captain Richard Sullivan's decision to prolong captivity on November 17 defied the advice of a company security expert, and appeared to have been influenced by the reaction of Ms A's mother who said she would throw Mr Rawlings overboard if he was released from isolation.

The Court of Appeal heard on Monday, however, that Judge Hatzistergos did not properly consider "the risk to order on the vessel" given the emotionally charged environment on board.



The Explorer of the Seas's captain was operating with the safety of passengers in mind, the court heard. Credit: Channel 7

Royal Caribbean's barrister Edward Cox said captain Sullivan had the ultimate decision-making power and believed keeping Mr Rawlings locked up would protect him, Ms A and preserve a potential crime scene.

Mr Cox also argued the decision to award Mr Rawlings \$97,394 was excessive as it took into account the initial shock at first being detained, which the judge had ruled was appropriate.

He said the judgment stating Mr Rawlings should receive \$70,000 for the last three-and-a-half days he spent in a windowless room, receiving room service and watching TV, was “out of all proportion”.

The court heard Ms A was found wandering naked through the ship in the early hours of November 15 and told security she had no memory of what had happened after she left the ship’s nightclub, Dizzy’s, about 2am.



NSW Police boarded the Explorer of the Seas when it docked in Sydney. 7
News Credit: Channel 7

She was captured on CCTV walking into Mr Rawlings’ room with him and another woman, and was later seen leaving naked before walking into an elderly couple’s room.

Security staff formed the view the woman could not have consented to sex due to her intoxicated state, and her mother suggested she might have been drugged.

Mr Rawlings was held for the bulk of the 10-day trip from Sydney to Vanuatu he booked for \$2500 with his best mate. For two days he was detained wearing only a pair of shorts.

The court heard Captain Sullivan had intended to have Mr Rawlings disembarked at Noumea while the cruise continued to Sydney on November 16, but local authorities refused to allow it.

A police investigation found Ms A's memory of the night was contradicted by CCTV footage on board the ship and that she had no recollection of events inside Mr Rawlings' room.

The hearing continues.

<https://www.perthnow.com.au/news/court-justice/royal-caribbean-cruises-appeals-100000-payout-to-tradie-detained-over-false-rape-allegation-following-threesome-c-3705436>