

COSA's first gathering-style meeting: August 2000

At our meeting in August 2000, our first 'gathering', John Lindsay and members were pleased to welcome several visitors. The gathering, John's idea and to try to make our meetings more informal, seemed to work very well.

We were pleased to hear that the Community Trust had granted us an amount for our new computer system. COSA South Newsletter editors think it is gratifying to see such an acceptance or recognition by the community for acknowledgement of our role, by this funding. We thank the Trust.

As to the computer system, moves are underway to finalise details for it, and we will use the equipment to do more easily what we can to assist people.

The meeting heard of 2 new cases. One of these, the Case Manager said, had been nipped in the bud. Regarding the other, a new member told us of a daughter's false allegations of sexual abuse against him and his wife. Our educational referrals worker reported 3 education sector cases, where he had had telephone contact with people affected by allegations.

The chairman reported that he and others had attended meetings about the review of the Police Complaints Authority. It ought to be disbanded, he felt, because the public perceived it to be a closed shop, an old boy network, or simply protecting 'their own'. If the perception was removed by disbanding the Authority and instituting a new one, the public might establish some confidence in it, he said. Functions of a body like the PCA ought not to be carried out in private or in secrecy, because a person bringing a complaint may well be someone against whom criminal allegations have been made in public with no name suppression. It was only fair that an investigation into a complaint from such a person, itself be open to scrutiny.

The chairman referred to correspondence from COSA South in the Sunday Star Times, refuting a writer who disparaged our group in the context of Morgan Fahey.

## No. 6 OCTOBER 2000

COSA's first gathering-style meeting: August 2000

Review of Police Complaints Authority nears its reporting date.

Imaginary memories: "The major mental health scandal of the twentieth century" Public Lecture by Professor Elizabeth Loftus in Dunedin

Rape Crisis, Police: conflicting claims and numbers about rape False sex allegations in the spotlight

Creche case: 'When kids lie', & 'How false complaints can destroy lives'

Patea High School teacher cleared: false sex allegations

Leaked Police report on childabuse units:

Recovered memories, later retracted

False complaints, false rape complaints

Rape Crisis accused

Teenager made false rape allegations

One 'unable to sleep', another's career destroyed, by false sexual allegations

Child sexual allegations retracted and compensation likely

March 1999 - August 2000: Looking back at CYFS - 'abuse claims unfounded', lawsuits, department called 'obsessed'

Girls fail to appear in court.

Creche case: Inquiry result delayed is justice delayed

Teacher cleared of sex charges False sex abuse conviction:

Arrest warrant for 'loose cannon' - accusing rape and sodomy Information and help on the Web "I can't believe that!" said Alice

However, Fahey did not seek membership. Our letter asserted we supported people falsely accused, and our experienced people detected and excluded doubtful cases.

The secretary reported correspondence to the Minister of Justice, the Hon Phil Goff, The letter writer said she wrote in response to advertisements placed in the Christchurch Press in July. These asked "Are you a victim of abuse at the Christchurch Civic Creche in the 1980s?" and gave a contact number to ring, which turned out to be associated with TV1's "60 Minutes" programme. These ads had alarmed a number of us. Mr Goff was reminded that Helen Clark, now Prime Minister. had in 1994 stated she was concerned "that false memories about abuse may be stimulated", and "about the damage that would do to individuals, those around them, and society at large".

Several people spoke on Professor Loftus's visit to the New Zealand Psychological Society conference, to talk on children's memories, and the row it caused. David McLoughlin had written balanced articles for Wellington paper the Dominion.

After a break - a lot of energy was released and the room buzzed with our talk - John presented his own story of the false allegations that a young woman had made against him.

He impressed us all with his recounting of how he went through and coped with the long and difficult process including police and court dealings. He was not convicted, and the complainant has since retracted the allegations. John's therapeutic report jogged others' memories, reminding one falsely accused man how he had felt comfortable going out socially while such accusations hung over him, but his partner had not.

We rounded off this satisfying and sociable evening with cups of tea, cakes, and conversation.

# Review of Police Complaints Authority nears its reporting date of 31 October 2000

Currently there is a review of the Police Complaints Authority. Some COSA South members have been negatively affected by police actions in their cases of false allegations of sexual abuse, and may have made complaints to this Authority. If you did, and felt dissatisfied (or if you have other reasonable grounds, we suppose), you could still make a quick submission to a current review.

The Authority is a body of one person, meant to be "entirely independent of the Police service" (their pamphlet, see copy enclosed). In announcing the review, Justice Minister Phil Goff referred to the Waitara incident, alongside a denial of police racism. Geoff Keey of MP Tim Barnett's office said there is dissatisfaction about the review's framing, but the main point is about whether the Authority is in fact independent. A 1999 Consumer review of complaint authorities rated the Authority poor and said police did most investigations. David Small, a Christchurch lecturer who recently won a High Court case against the Authority, said weaknesses were about lack of independence, lack of sanctions against people lying to an investigator from the Authority, and lack of a channel for appeal. Secrecy around what police say about a complaint was also a concern, he reportedly said.

The front line that concerns COSA South in relation to the Authority is not racism or the street, but where concepts of imaginary abuse intersect with police practices.

Send submissions to Hon Justice Rodney Gallen, C/- Constitutional Team, Dept Justice, Box 180, Wellington. They should ideally reflect personal experience, be concise and structured, and be as challenging and professional as practicable. The report will address:

- · Has the Authority achieved its statutory objectives (PCA Act, s 12), and are they suitable ones?
- · What aspects of investigations does the Commissioner do, as distinct from the Authority?

- · Is the Authority using its resources efficiently?
- · How effective has the Authority been in dealing with complaints?
- How effective has using Police who understand practices - to conduct investigations, been?
- · What safeguards are there against bias and should the Authority have an independent investigative capacity? If so, how? What costs would have to be met?
- · What is the right balance of secrecy and transparency for an Authority like this?
- · Should the Authority be able to initiate a prosecution of an officer?
- · What skills, experience and qualifications would be desirable in members of the Authority?
- · Should any changes be made to the Authority's relation to the 3 branches of government?
- · How accessible has the Authority been to the public, and how accessible is it perceived to be?

Relationship of Police Complaints Authority to branches of government in New Zealand.

The 3 branches of government are

- the Executive (the Governor-General, Ministers of the Crown, and government departments and agencies);
- the Legislature (ie, Parliament);
  and
- the Judiciary (judges and the courts).

The following information based on the Police Complaints Authority Act 1988 (NZ Statutes 1988 Volume 1 pp 6-22) refers to the Authority's relation to the 3 branches of government (E = Executive, P = Parliament, and J = Judiciary).

The Police Complaints Authority is appointed by the Governor-General (E) on the advice of

the House of Representatives (P). For all purposes the service is taken to be service as a Judge (J), and to be not for the Crown; however, remuneration is fixed by the Higher Salaries Commission (maybe E).

The number of staff the Authority has is determined by the Minister of Justice (E). It can receive complaints by various means, eg, through police, and the Commissioner of Police (both E).

If the Authority decides a complaint is resolvable by conciliation under the Police Act 1958, it may indicate that decision to the Commissioner (E). The Act describes interaction between the Authority and the Commissioner (E). The Authority may report a decision to the House of Representatives (P) (eg, in a dispute?).

The Authority's relationships to the branches of government seem complex. This writer's opinion is that the Authority does have to be strongly delineated, and the best idea might be to have a chair who is an Executive representative and not the Police Commissioner or from the Police, and two other members, one from the Judiciary: the Authority would report to Parliament.

#### **IMAGINARY MEMORIES**

"The major mental health scandal of the twentieth century"

Public Lecture by Professor Elizabeth Loftus in Dunedin

Renowned memory researcher Elizabeth Loftus of the University of Washington recently gave a public lecture on "Imaginary Memories" in Dunedin, in front of 350.

"Elizabeth Loftus may be the most controversial psychologist of the 20th Century" said colleague Harlene Hayne, a reseacher on child interviewing from the University of Otago, in introduction. Reciting the string of very good academic credentials that Prof Loftus has, Dr Hayne said Prof Loftus is the world authority on human memory distortion. Carrying her career out into the community by applying her

work to eyewitness identification and sexual abuse, and serving as a witness in many trials, has not been without controversy, with some lawyers openly calling her by derogatory names Dr Hayne said.

"Her studies on the fallibility of human memory have shown us that we often make mistakes", and she has taught us things about ourselves that we probably didn't want to know. "The other part of the problem is that she just won't go away" despite all the name calling. Prof Loftus is relentless in her pursuit to prevent wrongful conviction and to overturn these convictions once they have occurred, Dr Hayne said. She brings together these different facets of the community to the mutual benefit of science and society.

Prof Loftus began by referring to alarm bells already set ringing in New Zealand by COSA North member Gordon Waugh, about recent proposals to suspend limitations of lawsuits based on long ago memories, as seen in the Sunday Star Times (23/7, 30/7, 5/8/00).

#### SUING FOR FRAUD

Prof Loftus said widening of the scope for cases based around "repressed memories" in New Zealand could mean future massive lawsuits for fraud, if the American situation was anything to go by. In America there were many people, who had previously been hoodwinked into imagining they were abused, now taking out the lawsuits against their former therapists, she said.

Cases based on imaginary memories constituted the major mental health scandal of the twentieth century, some professionals calling it the lobotomy of psychotherapy.

Prof Loftus recounted that she first looked into 'something called repression', back in 1969. This was when in the US a man called Franklin was charged with murder based on the repressed - and obviously later de-repressed memories (we usually refer to these as recovered memories) - of his daughter. There was no additional evidence that Mr Franklin was the murderer. But when Prof Loftus went looking for credible evidence of support for

repression in the previous 60 years of research literature, she found none.

Meanwhile, such a personality as Roseanne Barr came out saying - and she was pictured on the front of People magazine - that she remembered being sexually abused by a family member when she was 6 months old.

In one case an American court has now ruled that it was forseeable that sodium amytal (a so-called truth drug) could lead to a situation like Roseanne Barr's - allegations that were false - and the father did have the right to sue the psychotherapist who administered the drug. And he did, Prof Loftus recounted, to the tune of several hundred thousand dollars.

Prof Loftus stabbed another used butt out into the dirty ashtray of life, Multiple Personality Disorder. People with multiple personalities in some cases had 100 of them. Someone had a dog personality and someone else a lobster. In such "MPD" cases as had now been taken to court, the psychotherapist was being sued for not advising the patient of dangers such as of hypnosis and guided imagery, using sodium amytal to 'recover memories', abreactions, using group therapy for 'MPD', and using the drug Pamelor [tricylic antidepressant Nortriptyline hydrochloride] without blood testing.

They were also being sued for indoctrinating or contaminating the patient, such as with false statements, saying imagery could be used to recall and under sodium amytal you can't lie, falsities of satanic cults, false videos (such as depicting Baptist or Catholic ministers as abusers), and false statistics. In one case a therapist was sued for \$2.76m.

In another case involving MPD and hospitalisation of a mother and 2 children, that woman was suing for \$10.6m. The issue was presented as defrauding the insurance company through implanting false memories.

# Creating imaginary memories

Our ability to study how false memories are produced is constrained because we don't want to conduct research that causes actual trauma, said Prof Loftus. The answer was to see if some other kinds of imaginary memories could be produced in subjects by some means, and to test some different ideas to isolate the elements that produced them.

In an experiment, in subjects to whom false memories were suggested, 20% "remembered" them as real memories after 3 suggestive interviews. In subjects to whom true memories were suggested 70% remembered them after 3 such interviews.

In another experiment an older sibling telling a younger one false and true stories changed the younger sibling's LEI (Life Experience Inventory - compiled from a list of questions about things that might have happened in childhood): the younger sibling reported 4 new "memories" only 1 of which was true. A similar kind of experiment with 3 and 4 year olds found 35-45% of the children who were told false stories had false memories after 3 suggestive interviews.

In a similar experiment, using adults, 45% were so induced. "But therapists aren't that suggestive, are they?" you might say. Prof Loftus's answer is: "Maybe not. But, what if the therapist asks, and the person says maybe, and the therapist then says Where! When! Who! How often!?"

### Imagination inflation study

A piece of research involving a 1-minute active imagination produced change in something a subject believed, in what has been called an imagination inflation study.

Often correlated with imagination inflation was a person's DES, which quantified a person's tendency to have lapses in memory and attention. Arriving somewhere with no memory of how you got there is such a lapse. In this research, an Italian cognitive therapist, Juliana, involved false post-dream inculcation of childhood trauma, by disguise, in an LEI test: afterwards 70% of the subjects - adults - imagination inflated their childhood LEIs. The experiment utilised popular radio 'dream' therapist 'Dr Lombardo'. He 'interpreted' subjects dreams and under instruction no matter what they were, he said they indicated that

some traumatic childhood separation event had occurred. The experiment found that the subjects imagination-inflated their LEI inventories on these kinds of incidents.

A piece of research in the US found that a significant minority of psychotherapists had a notable use of photos, journalling, physical symptom reporting, and dream interpretation, used as techniques, in their psychotherapy.

### Conclusion

Professor Loftus's research is about the flimsy curtain that separates our imagination from our memory, said Dr Hayne in conclusion, to applause from the audience for the presentation.

In answer to a question about recanters, Prof Loftus said they might be influenced by their health insurance running out, or getting separated from "the love machine", ie, group therapy, but what made a real difference to those with imaginary memories was retractors being publicised. Such a person hearing a retractor say she mistakenly came to believe she was abused after her therapist interacted with her, could start thinking, but that's what my therapist said to me too! That's just like me! I might be mistaken too!

#### **Footnote**

Critics distributing material at the Hamilton Psychological Society conference misrepresented Prof Loftus's views. The material had inaccurate and defamatory comments about her work. She acknowledged the seriousness of child sexual abuse but some critics wrongly viewed her as denying such abuse (Otago Daily Times 2/9/00). Psychologists Hilary Haines and Eileen Swan distributed the material (Dominion 28/8/00 p2). Dr John Read, Psychology Department, Auckland University, resigned from the conference organising committee in protest at Professor Loftus's status of 'keynote speaker'. Judith McDougall of Victoria University supported his stand (Dom. 5/8/00 p8). It is clear that there is still an influential body of opinion clinging to the repressed memory myth. It can be noted that reportedly 60 others would have resigned if Loftus's invitation had been withdrawn.

### **RAPE CRISIS, POLICE:**

## conflicting claims and numbers about rape

Provisional figures show that only 45% of the 385 incidents of sexual violation that were reported to the police in New Zealand in the first half of the year 2000 were resolved.

Detective Inspector Rob Pope said this is clearly not acceptable but the nature of the crimes makes corroborative evidence very difficult to obtain. Such incidents are taken very seriously and investigated in great detail he claimed.

The term 'resolved' includes prosecutions, acquittals, the dropping of charges and any other event that leads to the closure of the case, including police belief that there is no substance to the complaint (ie, it is false).

Clair Benson, Rape Crisis national spokesperson, states "We find only a third of our clients will actually contact the police". Amy Ross, Independent Rape Crisis Centre, Wellington, says "Only 10% of rape victims are estimated to go to the police" (The Press 12/7/00, 24/8/00).

Given current police figures adjusted annually, approximately 750 complaints are processed.

Ms Benson would therefore seem to be suggesting about 2,500 sexual violation victims are supported by Rape Crisis annually - or is she saying there are 2,500 such victims in the community per year?

Amy Ross's claims of 10% reporting to the police would project her figures out to 7,500 victims within an annual time frame. The conflicting claims have a discrepancy of 5,000 victims or annually 200%. It is unknown how many of the complaints incidents are 'recent', ie, are within one annual period, and how many are 'historical', ie, start outside an annual period, and whether the figures include a combination of both.

Both women claim media publicity about false sexual complaints discourages many victims from coming forward for fear of not being believed and/or the long interview and examination process.

Ms Ross claims "this is about faults in our justice system; this isn't about nasty, dangerous women complaining or about nasty organisations like us pressuring the police". Detective Inspector Pope does not accept that view, saying "It's too personal a crime and it's too serious".

COSA South would challenge these groups to demonstrate and verify their claims of systems failure and negate our contention that many allegations to both official and support agencies are driven by personal agendas and/or dis-function. If exposure of false allegations is a deterrent for potential complainants is it because in fact so many alleged incidents are without substance?

### FALSE SEX ALLEGATIONS IN THE SPOT-LIGHT March 2000

# Patea High School teacher cleared: false sex allegations

In March one of the earliest headings this year about someone cleared of false allegations of sexual abuse appeared in a local paper ("Patea High teacher cleared of allegations", The Press, 23.3.00). This was to become a pattern in the lead up to the 31 August 2000 reporting date for the inquiry into the investigation in the Christchurch Civic creche case.

This was a mass-allegations case where unbelievable accusations were made against staff at the Civic Childcare Centre, culminating in 1992. Peter Ellis was unfortunate enough to be taken to court and found guilty on some charges, based on the faulty evidence of children influenced by parents and the system in a climate of hysteria.

#### June 2000

Leaked Police report on child-abuse units: no properly trained people

In June The Press exposed a leaked report on police child-abuse units in New Zealand, written by "specialist course co-ordinator Det Sgt Brent Tomlinson." It said his report asserted there were no properly-trained people in these teams. Maggy Tai Rakena of Christchurch's Start Inc - 'Sexual Abuse

Therapy and Rehabilitation Team', an agency previously implicated in the Creche case - was quoted as saying in her opinion the child abuse staff at the Christchurch Police gave a high level of service. The politics of all this has not been explored in public. (27/6/00).

## **July 2000**

# Creche case: 'When kids lie', & 'How false complaints can destroy lives'

A few months later the national newspaper The Truth carried a prominent picture of Peter Ellis with his mother Leslie. The interesting thing was that the picture was below the huge heading "WHEN KIDS LIE" and the large subheading "How false complaints can destroy lives" (7 July).

The item connected the Ellis and the Christchurch creche case, then awaiting results of the inquiry, with issues in the case of Auckland man "Roger Smythe", jailed after false allegations of sexual abuse made by his small son. A retired judge decided the boy had been bulldozed into lying by a therapist, the article said. In the same article, Gordon Waugh, a COSA North member, said the therapist was working at Catholic Family and Community Services, and of Roger's experience he said that similar ordeals are suffered by a substantial number of other Kiwis.

## Recovered memories, later retracted

Another case, involving a step-father falsely accused, and now aged 71, was also discussed in the article. The man's step-daughter, who had made similar allegations against other men, had now retracted but he had lost his life savings.

# False complaints, false rape complaints

In the same month (July) a paper reported an intellectually impaired woman was warned about making numerous, unspecified, false complaints.

The same day it reported a Wellington man was awarded \$88,000 damages over a 1997

false rape claim, although the accuser Debra Helen Wood who has been sentenced to 2 years jail for it and said she was sorry, couldn't pay. Because he didn't go to prison, he would be unlikely to get anything under a proposed government policy for compensation for those wrongfully convicted and imprisoned.

### Rape Crisis accused

Beside an article in which Wood said she was sorry, it was reported that Rape Crisis in Wellington had received 15 replies to its fundraising campaign containing only angry responses and copies of reports about false rape cases. There had been little response to its appeal so far that year.

### Teenager made false rape allegations

A few days later the paper reported a teenager from Timaru being charged with making a false rape complaint. She was given name suppression, community diversion, and remanded until 29 October. (The Press 5/7/00 (2); 11/7/00, 12/7/00).

One 'unable to sleep', another's career destroyed, by false sexual allegations

A feature article said Nick Wills, now a lawyer, when a student was falsely accused of rape. He said the woman told variations of her story to police, Rape Crisis and friends. Wills was horrified and depressed when he went to trial, and at Paremoremo prison hospital he was drugged and unable to sleep.

In the same article Roger Laybourn said the career of John Edgar formerly of Hamilton - and a remarkable teacher at the time - had been destroyed. He had had 6 months of hell. There was such pressure from organisations such as Rape Crisis, that even cases with no foundation like that of Edgar, go to court, Laybourn reportedly said. (The Press 15/7/00 Weekend p 5).

# Child sexual allegations retracted and compensation likely

Further articles appeared about what appears to be the Auckland man elsewhere referred

to as "Roger Smythe" saying payment was likely for his wrongful jailing (The Press 7/7/00). A report said he was an innocent man locked up for 14 months which was a tale which should make all fathers very afraid (Sunday Star Times, 9/7/00 p C3, "Lying with conviction" by Donna Chisholm).

### March 1999 - August 2000:

## Looking back at CYFS - 'abuse claims unfounded', lawsuits, department called 'obsessed'

Since November 1999 a number of headings about the Child Youth and Family Service, CYFS, have been seen in Christchurch's The Press. These have included the following.

"Almost half abuse claims unfounded" (22/11/99 p3) and "CYFS hit with \$5 million in lawsuits" (3/5/00). What the subject is for these suits is not clear but historical culpability for alleged maltreatment in residential institutions appears to be one new field.

"300 children taken from abusive homes" (12/7/00 p 11), and "CYFS obsessed - parent group" (17/8/00 p 8). The latter article, based on a parent support group backing reform, said the group asserted that the Child Youth and Family Service was out of control. Spokesperson John Tonson had said removal of children had resulted from "inadequate investigation and arbitrary decisions by dictatorial social workers".

### August 2000

# Girls fail to appear in court to back sex allegations in residential case: acquittal

In August, another case was in the news in Christchurch. A former Kingslea Residential Centre staff member was acquitted of 13 charges relating to allegations of abuse of former inmates. The girls did not now wish to proceed with the case and refused to give evidence. Defence Counsel, Nigel Hampton QC was highly critical of Kingslea for failing to thoroughly investigate the sexual abuse claims before handing the matter over to the police. Mr Hampton described the complainants as "quite unreliable and known for collusive behaviour". One of the complainants was now working as a prostitute, two others were

living in gang houses and two more had had babies. The defendant is now pursuing the matter through the Employment Courts (The Press 8/8/00).

#### **CRECHE CASE:**

### Inquiry result delayed is justice delayed

At the end of August, when the results of the inquiry into the Christchurch Civic Childcare Centre investigation should have been ready, Justice Minister Phil Goff said the inquiry by Sir Thomas Eichelbaum had been extended. There was a new date for delivery of an outcome, which would be 28 Feb 2001.

"It is important to get it right", he said, and if it took another six months it was time that had to be taken. This would allow consultation with overseas experts on mass allegations cases. Their timetables sometimes had to be worked around, he said. It is more delay in a long saga of injustice.

Judith Ablett-Kerr QC said Ellis had earlier been invited to make submissions on who the experts should be, but his nomination, Cornell University's Professor Stephen Ceci, had been rejected. Mr Ellis has never been advised as to which expert the inquiry will be engaging but has been told he will not be permitted to comment to the inquiry on their findings.

Peter Ellis, pictured with lawyer Ablett-Kerr, said in reports on TV One that he was outraged at the delay and the lack of justice, both for himself, and for the people of New Zealand.

## Teacher cleared of sex charges

A 13-year old Taranaki schoogirl's obsessive crush on a teacher had led to false allegations of rape and indecent assault (Daily News, New Plymouth 11/8/00).

Defence counsel Tom Sutcliffe told the jury there was no stepping back from the fact the teacher had been 'foolish in the extreme', to the extent that he allowed this young woman to become close to him, to the extent that they kissed!

Mr Sutcliffe said the girl's obsession had gone horribly wrong and her evidence was contrived

and sounded like a Mills and Boon novel. He criticised the evidence of Dr Robin Fancourt, a specialist in sex abuse, who examined the girl and found her hymen intact despite the girl claiming she had sex with the teacher.

Dr Fancourt argued that partial tears could heal without leaving a visible mark. Defence counsel accused Dr Fancourt of misinterpreting scientific evidence on the issue. To questions under cross examination she was evasive, Defence counsel asserted, and her performance shocking.

The defendant was shown to be having a meal with friends when he was alleged to have raped the girl.

The teacher's employment situation is to be further examined by the school's Board of Trustees.

### September 2000

# False sex abuse conviction: compensation benchmark/precedent

Justice Minister Phil Goff announced a compensation payment of \$570,696 to a man wrongfully convicted of sexually abusing his two sons and imprisoned for 14 months (eg, Sunday Star Times 3/9/00).

This outcome reflected evolving Government law and guideline initiatives by the Minister with Justice officials. Mr Goff said the case was an ideal one to consider for compensation because the man had an unblemished record. People with clean slates would be entitled to more compensation for emotional trauma than those who had been jailed for something else.

Mr Goff also intends to lower the threshold for the wrongfully convicted to prove their innocence, from the present higher level of 'beyond reasonable doubt' to the lower civil level based on "the balance of probabilities'. While the first case (the man awarded \$570,696) had already met the most stringent of guidelines, Mr Goff was not sure how many innocent people could do that.

The new formula had to be fair to those wrongfully imprisoned but also to taxpayers, said Mr Goff, given that many victims of crime were never compensated.

# Arrest warrant for 'loose cannon' - accusing rape and sodomy

A woman's failure to appear in court at a private prosecution in Blenheim caused Judge Craig Thompson to issue a warrant for her arrest.

The Christchurch woman's complaints of rape and sodomy in 1996 led to 8-year jailing for Dunedin brothers Paul and Jason Dale, and their friend Callum McCleod.

Subsequently the woman signed an affidavit before a JP admitting she made up the allegations in that case and a case involving two Upper Hutt men. The affidavits referred to her 'rape fantasies'. She later withdrew her retractions amidst considerable publicity.

The private prosecution is being brought by one of the Upper Hutt men whom the woman accused (of drugging and raping herself and her husband). The men were able to produce videotape showing prior consensual sex in the face of the women having told police that she had never met her 'attackers' (Press 14/9/00 p11) Police brought no charges in relation to her allegations.

# FALSE SEX ALLEGATIONS: information and help on the Web

All of the following were accessed on 21/8/00 UK

http://www.false-allegations.org.uk/ Soyouth.htm

This page is written by a teacher whose story of being falsely accused of sexual abuse started in January 1998 when he was suspended from his job. The allegations were historical - 25 years old in fact - and pertain to a time while he was working as a residential social worker. He mentions Cardiff (prison), and is apparently to face charges in November 2000.

# US or probably US

http://community-1.webtv.net/ @HH!C8!7B!537A56059B5F/ACHjoseph/ htmlFontsize20/

This web page is about a custody case where a mother in Kentucky apparently fought her

own mother in Georgia to regain custody of her 7-year-old for herself and her husband. They were subjected to psychological tests although there was no question of abuse according to the writer. They regained custody of their boy in December 1999. This page is part of a larger web site, and has links to related sites.

http://www.vix.com/pub/menfalsereport/cases/wilcox.html

This page in a larger site says police coercion is behind a girl's false allegations of sexual abuse in 1984. By 1996 these had resulted in 10 years imprisonment for Jenny Wilcox and Robert Aldridge in a case called Ohio's equivalent of California's McMartin case, North Carolina's Rascals case, and New Jersey's Kelly Michaels case. [COSA South editors would add "and Christchurch's Civic Childcare Centre case".] A new hearing had been scheduled for February 1996 because witnesses - the girl's brothers - would now explain how the police threatened them into saying they were abused. The site alleges prosecutorial misconduct.

http://abuse.excuse.com/tips.htm

On false allegations, this is a well-designed, apparently one-man-maintained site. Dean Tong says he is an authority on combating false abuse allegations and refers to writing books on the issue. He gives tips. Also, he distinguishes, in simple terms, real sexual abuse from fabricated cases. He mentions authorities Stephen Ceci ("Jeopardy in the courtroom") and Elizabeth Loftus.

http://www.nccpr.org/issues/3.html

"Understanding child abuse numbers" is a page in a larger web site. It says child savers misstate the nature and extent of child abuse in America to gain public support for phony solutions. There are 2.9 million reports a year; a minimum of 60% are false. It disputes labels of "confirmed" abuse.

http://www.fathermag.com/htmlmodules/apr96/xxknight-abuse.html

On "The false child abuse industry", this page in a larger web site gives some statistical

analyses about what false allegations of sexual abuse cost.

http://www.experlaw.com/library/pubarticles/Family\_Law/false\_accusations.shtml

This has information from a lawyer who dealt successfully with a false allegations case in the context of divorce.

#### Canada and US

http://millennium.fortunecity.com/sweetvalley/ 210/making\_false\_claims\_.htm

This page dated apparently 1998 in a larger web site reports that the head of a federal committee examining Canada's custody laws said some women falsely accused their spouses of abusing their children in order to get custody in divorce proceedings. And to bolster their claims they took refuge in women's shelters.

#### Australia/Canada

http://www.mensrights.com.au/page18d.htm "False child abuse allegations frequent in Canada as well", this page says, and putting an end to "false, self-serving accusations of child abuse that arise in divorce proceedings" is an ignored issue. A judges' report from Queens University said of 196 abuse allegations involving separated parents, 46 were judged to be abuse, 45 were judged to be false; the rest were unproven.

"I can't believe that!" said Alice.

"Can't you?" the Queen said in a pitying tone - "Try again, draw a long breath, and shut your eyes."

Alice laughed. "There's no use trying," she said, "One can't believe impossible things".

"I dare say you haven't had much practice," said the Queen. "When I was your age, I always did it for half-an-hour a day. Why, sometimes I've believed as many as six impossible things before beakfast."

Lewis Carroll, "Through the Looking Glass"

#### **FINIS**