

Rapist says texts from victims can prove innocence

<https://www.thetimes.co.uk/article/rapist-says-texts-from-victims-can-prove-innocence-cr0zk7b25>

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Scott Pollock was jailed for six years after being convicted of raping four women

A man convicted of raping four women is trying to appeal against his sentence after presenting evidence that two of the victims sent him provocative photographs of themselves after they said he raped them.

The Scottish Criminal Cases Review Commission (SCCRC) has received a file from the legal team acting for Scott Pollock and will decide whether to refer the case back to the courts.

Pollock, 30, and his legal team believe that the case is similar to recent cases in England and Wales, where social media posts and text messages have helped to clear men accused of rape.

Two rape cases in England collapsed after it emerged that evidence had been withheld from the defence. Liam Allan, 22, was cleared in December after messages were discovered on his accuser's phone proving that she had lied. Oliver Mears, 19, had his case dropped in January. The Crown Prosecution Service is reviewing hundreds of rape cases in England and Wales.

Pollock is serving six years in jail after being convicted in 2016 of five rapes and an assault with intent to rape against four women in West Lothian, where he lived, between 2008 and 2012.

Pollock had claimed that the victims were known to one another and had colluded to have him jailed because they thought he had treated them badly. The testimony of his victims, however, painted a picture of a controlling man who would not take no for an answer.

Pollock's lawyers are challenging the convictions largely on electronic evidence gathered from text and picture messages, as well as Facebook posts, many of them public. Among these are intimate

photographs sent by two of the victims to Pollock after the dates on which they said they had been raped. One of the women also made a sex tape with Pollock, again after the date on which he was accused of raping her.

While the photographs and video cannot prove he did not rape them, Pollock's legal team believes a jury might have acquitted him if they had been aware of the material.

According to the indictment, one of the rapes he was convicted of occurred "on an occasion between 1 December 2012 and 31 December 2012". The victim's public Facebook posts earlier that month say she has had a great time with Pollock. However, on December 12 her status declared he was a "rat" with "bad teeth" and that he had abandoned her for another woman. The jury did not have the opportunity to take these posts into account.

Simon Collins, a solicitor advocate, was asked for an opinion on potential grounds for appeal. He said that Pollock's defence team did not attach weight to the social media evidence, and considered evidence of an ongoing relationship with a complainant "irrelevant". He added that Pollock had asked his legal team to look at social media connections between the complainers and at the evidence of a relationship with one of them after the date of the rape. Mr Collins said that the "failure to follow reasonable instructions . . . could amount to defective representation".

David Frew, Pollock's lawyer, said: "The information we have gathered from social media suggests there may have been collusion between witnesses. We hope the SCCRC will examine the information we have provided carefully and consider as we do that it should be referred to the appeal court."

Pollock's mother, Susan, said: "He is no angel but he is not a rapist. We will continue to fight to help him clear his name."

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Six years for five rapes and another assault?

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Bad teeth, but no shortage of women fighting over him it would seem.

If it turns out he is innocent, then charges must be brought against these accusers who have colluded to pervert the course of justice and potentially ruin this man's life.

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@babington

Fat chance. And so the ability of aggrieved women to make false rape accusations against ex boyfriends who upset them will continue again and again and again.

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@Anonymoose You missed out the bit that they would also remain anonymous. The alleged rapist is not so lucky. Can you imagine trying to get a job when the recruiter googles your name and the screen fills with allegations of rape? They are not going to be beating a path to your door.

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