

Senedd Cymru  
Y Pwyllgor Deddfwriaeth, Cyfiawnder  
a'r Cyfansoddiad  
Gwneud i Gyfiawnder weithio yng  
Nghymru  
MJW 01  
Ymateb gan: Sefydliad Cymorth  
Honiadau Ffug y DU (FASO)

Welsh Parliament  
Legislation, Justice and Constitution  
Committee  
Making Justice work in Wales  
Response from: False Allegation  
Support Organisation UK (FASO UK)

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Although this input is on behalf of our organisation the False Allegation Support Organisation UK (FASO UK) [www.false-allegations.org.uk](http://www.false-allegations.org.uk). This also affects others who maintain innocence.

Our organisation cover both the criminal element of false sex accusations and those falsely accused of child protection issues. The latter also needs to be addressed by having both Family and Criminal court work together when cases present themselves, and as part of making justice work in Wales.

Many allegations reported are not truthful; the Criminal Injuries Compensation is one of many reasons for the influx of allegations where money is received easily. The rhetoric that too many 'accusers' are losing out in the investigations, or in court by people not prosecuted, they say there is an aberration in the numbers accused, to the numbers prosecuted.

No argument appears that; Individuals are not guilty of the crime purported, that more robust investigative procedures have been put in place since the Henrique report, and account for the drop of prosecutions. There is no solid empirical data collected to-date, to confirm or deny reasons for that drop – just rhetoric and supposition.

### **My comments and suggestions on how the different elements of the system on the Making Justice work in Wales follows;**

**1. Wales Justice Board** – Within the consultation this appears to be only a talking shop combined of many elements of the criminal justice system. For a fair and equitable system to be introduced – the board need to be transparent, question inconsistencies of practice within each of the board organisations – in order to create checks and balances that scrutinise, change and keep healthy the Welsh justice system.

**2. Police** – Using the term victim pre supposes this person is not guilty when only the court can decide that. It brings greater stigma to the accused especially in sex cases and exacerbates the media to make up lurid suppositions.

a. Amending the pre-bail/ under investigations to a determined date for ceasing investigations. This will then create and not exacerbate mental health issues as at present.

- b. Stop advising accusers of date/time of accused's interviews – homes are ransacked and often all goods and chattels removed, sold or locks changed. Appropriate applied consequences to police personal, if this happens.
- c. Statistics are needed as to the reasons why cases have been opened, progressed and reasons for dropping the case.
- d. All arrested or asked in for voluntary interviews to have, pre interview, a mental health 'triage' by qualified practitioner – paid for by Health service.
- e. Given the prison service are using the lie detector test for those coming out of prison – this should happen at the question time for both accuser and accused. Equality of arms.

### **3. CPS**

- a. A decision within a set time frame as to whether a charge is made or a case dropped.
- b. Consequences for not handing over material that aids the defence in a timely fashion.
- c. Sharing information with Family courts in a cost effective and timely manner to aid the family courts to have shorter trials.
- d. Prosecuting and completing cases with integrity, not as such in the Lynette white debacle.

### **4. Prisons**

- a. Both Black/white and private prison governors to be under the same codes of practice given by the Senydd.
- b. NHS facilities to be in charge of and monitor the 24 hr health care of prisons and to administer local drugs and those prescribed from specialists at the given times.
- c. Robust access for prisoners to outside specialists for all that is required on a human body.
- d. Specialist end of life care, along with alzheimer's, dementia management, in appropriate surroundings.
- e. Prisoner records, in particular OASIS – kept up to date and being signed annually by prisoner.
- f. Discrimination of individuals to stop for all those maintaining innocence and actively inputting for or wanting appeals.

### **5. Rehabilitation of prisoners**

- a. A fair and equitable system where all prisoners have regular access to probation both internal and external to be supported through the gates.

- b. Ensuring prisoners' rights to parole boards are easily accessed with updated personal records.
- c. All prisoners to receive rehabilitation information within their last 6 months and appraised of difficulties they may face in the community.
- d. No prisoner to be released without appraisal of lists of relevant contacts where they are being sent, especially those sent to hostels.

## **6. Legal Aid**

- a. Legal aid needs to be made available to lawyers in order for a robust defence of individuals, along with access to specialist's reports such as mental health practitioners.

## **7. Victim Support** – there are no victims until the court decides on guilt or not.

- a. Court findings to be the arbitrator of who is entitled to compensation. No payment until after trial.
- b. All those having their case dropped and found not guilty in court should also have a right to access this fund, as they are now victims.
- c. The police to pass on those in the above category to the CICA for compensation.

## **8. Public Health**

- a. To be intrinsically involved with police and prisons for the welfare of all those going through the criminal proceedings.
- b. Have robust plans for each offender released from prison into the community through local authorities.

## **9. Voluntary Sector**

- a. Take on support, with all other areas for those maintaining innocence especially the sex offenders whose problems are not being addressed.

## **10. The family court system**

- a. Both family and criminal court are often party to the same allegations, especially when children are involved. They have to share information and each court holds the other up. To save costs they should work together on joint cases. This helps alleviate the psychological impact on all involved.

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The FASO also drew the following report to the Committee's attention:

[Report on an unannounced inspection of HMP Parc](#) by HM Chief Inspector of Prisons.