

Law student falsely accused of rape

Hamilton law student Nick Wills was accused of brutally raping a woman called Wendy who lived in his hall of residence. She described a detailed assault and also named him as a serial rapist. At the time in question he was in fact not at home, but out at a bar with a good friend. The police however ignored the evidence of his alibi and charged him. He lost his job as warden of the residence, was subject to harassment and there was a planned poster campaign to publish his name on campus (not actioned on legal advice). He faced about 9 years in prison if convicted.

Nick, his parents Bruce Wills, previously a police detective, and Viv D'Or, a researcher, and his lawyer, Warren Scotter, were horrified at the presumption of guilt by the police and conducted their own investigation. Amongst other things they discovered that Wendy had a rich fantasy life and told friends many untrue stories such as her father owning his own plane. They also established further alibis for Nick.

This information was given to the police, and when they had demonstrated that Wendy was consistently lying to them, she admitted that she had never been raped.

Wendy was convicted of making a false complaint, sentenced to 150 hours community service and to pay Nick Wills \$5000. Although the judge recommended her name be made public, Wendy with the support of Rape Crisis managed to obtain name suppression through the courts.

Wendy has now changed her story again to say that she was really raped, but it was a case of mistaken identity. This is the version believed by Rape Crisis spokeswoman Toni Allwood, who said how easy it is for a traumatised woman to make a mistake, and spoke of the desperation of victims to be believed. She felt that Wendy had been "very harshly punished" by the courts and was outraged at the suggestion that what had happened to Nick was in any way comparable to the effects of rape – such an idea "minimised the reality of rape" and "could only be made by a man".

I would suggest that the trauma Nick suffered from Wendy's false allegations was considerable. He lost his job and had to endure the reaction of people who believed her; he faced a long prison sentence, the destruction of his career and the life-long effects of a rape conviction; he felt betrayed by the system he had confidence in to protect him; and it cost him \$20,000. His parents also suffered extreme distress. Rape victims often describe their loss of trust in men; men who are falsely accused similarly become distrustful of women as well as the justice system which they had believed would protect the innocent.

(60 Minutes, TV 1, 31 March 1996)