

Two Sportsmen With No Appeal

By *Alexander Baron* - Oct 30, 2015



5
SHARES

Two sportsmen have been back in the news recently, both for entirely the wrong reasons, ones that have absolutely nothing to do with sport. In April 2012, the leading Welsh soccer player Ched Evans was convicted of rape, for which he received a five year sentence. In September last year, the better known Oscar Pistorius was given the same sentence after being cleared of murder, but convicted of culpable homicide. Both men are now out of prison; Evans was paroled in October 2014; Pistorius **very recently**, although he remains under house arrest.



Ched Evans

While both are disgraced, Evans has a chance, perhaps a good chance, of having his conviction overturned. On the other hand, Pistorius may soon find himself back behind bars if the prosecution's appeal is successful.

The two men are chalk and cheese; although clearly a talented player, Evans belongs to a fraternity that as well as grossly overpaid is just as well known for its antics off the field as on. The list of football players who have been convicted of drink-related, violent offences or even rape beggars belief. Evans was convicted after he and another player recruited a local tart for a “roast”. She went willingly, but when she woke up alone in a hotel bed the next morning, she had – or claimed to have – no memory of the previous night.

This dubious prosecution went ahead, probably to teach people like Evans a lesson, and the verdict was surprising to say the least, with the acquittal of Clayton McDonald followed by the conviction of Evans. It was probably Evans who convicted Evans as much as anything else, he exuded arrogance in the witness box – why wouldn't any girl go with someone as famous, handsome, talented and rich as himself? You forget modest, Ched.

Evans has already **lost one appeal** but the Criminal Cases Review Commission has referred his conviction back to the Court of Appeal after a private investigation. Evans is a lucky man, not only because he has a gem of a fiancée who stood by him but because she has a rich Daddy who has put his hand in his pocket to make this happen.

Although Evans has found a new humility since he was paroled, he has been unable to resume his former career due largely to a public outcry by “wimmin's” groups, a problem Mike Tyson never faced, and unlike Evans there was never any real doubt about the soundness of his rape conviction. It remains to be seen if his employment prospects will change should his appeal succeed, but this case raises serious issues for men of a certain age. For decades, feminist and anti-rape activists (so-called) have been whining about what they claim is an abhorrently low conviction rate for rape. Pressure has been put on legislators, state prosecutors and especially the police to *reform* the way rape cases are handled. In practice, this means to increase the conviction rate regardless of the soundness, quality or even the credibility of the evidence.

This has resulted in **all manner of historical cases** being prosecuted, cases that should never have got anywhere near a courtroom, but what we are seeing now is rape being redefined to include a narrowing of the meaning of consent, especially where drink is involved. Clearly a man who has sex with a woman who is incapacitated by drink warrants

conviction, but what about two people who get drunk together and end up in bed? What about a woman who has had two or three drinks then decides the next morning either that she has been raped, didn't consent, or can't remember? And why doesn't this cut both ways? The outcome of this appeal could be as significant for men in general as it is for Evans.

While there is still a big question mark over the conviction of Ched Evans, it is difficult to see how anyone outside of his own family could truly believe Oscar Pistorius did not murder Reeva Steenkamp, least of all Mrs Justice Masipa, who was appointed to the High Court in 1998. Unlike Evans of that dubious, overpaid profession, athlete Pistorius was a man who struggled to overcome enormous adversity; had he been born in 1886 rather than 1986 it is doubtful if he would have had any quality of life at all. He had charisma too, but it is now clear that he is a man who has serious issues, including an obsession with guns.

Reeva Steenkamp may have been a rising star in South Africa and worldwide, but although blonde and talented she did not have an easy life either. Not all South African whites are rich, she also broke her back in a horse riding accident during her final year of university, and had to learn to walk again.



Oscar Pistorius

Broadly speaking there are only two reasonable explanations for what Pistorius did that fateful night; either he had some sort of psychotic episode, perhaps brought on by mind-altering drugs, or he attacked Reeva for whatever reason and murdered her in cold blood. There is no credible evidence that he abused drugs, so what does that leave?

On November 3, the State will argue that his culpable homicide conviction is unsound. Whether or not Pistorius is eventually returned to prison a convicted murderer, his athletics career is surely over, certainly there will never be anymore sponsorship deals coming his way.

5
SHARES