

Assault victim: police have failed me

Woman cabbie left in tears over evidence failings

by Eleanor Perkins
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A Deal taxi driver has received an apology from the Crown Prosecution Service (CPS) after a series of failings led to her alleged attacker walking free.

Julie Prior, 49, of Links Road, Deal, was punched in the face and had her hair ripped out by a female passenger who was travelling in her cab last September.

When the case reached court four months later, police had failed to process audio footage of the incident which had been supplied to them by Ms Prior within 24 hours.

The recording was therefore not included in the case file leading the suspect's defence to successfully argue that it wouldn't be fair to use it as evidence against his client.

The case was dropped.

Despite apologies from the CPS and Kent Police, Ms Prior and her partner Lee Elms, 46, are not satisfied and are urging anyone with the power to reinstate the case to do so.

Ms Prior said: "I feel like the police have failed me. The evidence was there to be submitted and through no fault of my own it wasn't."

"The case should have been adjourned and not dismissed. I want to see it reinstated. I'm doing this for all others who are at risk."

Mr Elms, her partner of eight years, added: "Everybody pays a vast amount of money of their council tax bill for the police to do their job and they've failed us."

The taxi driver of five years had been transporting two women and a child from Hillcrest Gardens to the Hole in the Roof in Deal when she decided to suspend the job.

She claims the women were being rude and abusive so she pulled over in Telegraph Road and asked them to get out.

"That's when it all erupted," she said.

The woman in the front seat refused to leave the car.

"I turned to her to say that her daughter was getting really upset and then she lashed out.

"She punched me straight in the face and by this time the girl in the back is screaming.

"She then leant over and yanked my hair and pulled my

MORE APOLOGIES

Superintendent Andrew Pritchard of Kent Police said: "We take all reported offences seriously and always strive to put victims at the heart of everything we do.

"A full and thorough investigation had been carried out into this particular incident, in which it was alleged that a taxi driver had been assaulted by one of her passengers.

"Unfortunately, the case was discontinued when the suspect's defence successfully argued in court that an audio recording of the incident should have been included in the case file presented to the Crown Prosecution Service (CPS).

"While the recording did not contain key evidence to either prove or disprove the allegation, the investigating officer now accepts that he should have provided the CPS with a better description of what could be heard and taken more positive steps to supply a copy of the recording when he learned that it was required.

"The officer has accepted responsibility in this matter and apologies have been extended to the victim.

"He will receive management action including further training on the preparation and standards required for casefiles.

"We regret that the victim did not receive the same high standards of service that we aim to provide, or in fact that she deserved and was entitled to.

"We continue to encourage all victims of crime to have the confidence to come forward and report any offences committed against them."

head down to the hand brake.

"She was pulling my hair so hard that she pulled it out and that's when I was able to get out of the car."

Police investigating the alleged assault visited Ms Prior at her home the next day.

Ms Prior said: "I just listened to the dash cam recording I had on the laptop and then we put it on to an SD card for them."

A witness had also come forward.

It was only when Ms Prior attended Margate Magistrates Court on January 30, and after a four-hour wait learned that the case had been dismissed.



Julie Prior says her hair was pulled out during attack; both Julie and her partner Lee Elms feel let down by the police

She said: "The thought of going into court was harrowing and then to be told that she was walking out of the court to party that evening was even worse.

"I couldn't even describe how it made me feel. I couldn't stop crying for hours.

"We thought that it was going to adjourn. It was a failure, full stop."

The couple have since received letters explaining that the officer dealing with the case did not put enough descriptive detail on the file to say what the footage actually showed - he merely recorded that nothing could be seen.

The footage needed to be copied onto a disc if it was required for court. The officer was then on leave and then on a course and failed to make arrangements for the footage to be fast tracked by a colleague.

This made it too late for the Digital Forensic Unit to make copies.

In a letter to the couple written by Gordon Etheridge on behalf of Kent Police, and seen by the Mercury, he said: "Police have therefore failed in the preparation of the case and in failing to obtain copies of the footage in time for the hearing, as directed by the CPS."

Ms Prior said she wants her day in court to show to people that others can't attack someone and get away with it.

She said: "I just want the justice system to take notice that we're not going to go away.

"I give up my Saturday nights to get people home safely. What gives her the right to attack me?"

"It is not acceptable to attack anybody. It's not just taxi drivers, it's pub workers, road workers.

"It's against the law and that needs to be enforced."

Ms Prior says she suffers with anxiety and sleeplessness since the incident.

She didn't return to working evenings for three months.

She added: "It's not about the money or compensation, it's



about somebody being prosecuted. One of these organisations must have the authority to reinstate the case."

A CPS spokesperson said: "We accept that Ms Prior has been let down by the prosecution in this case. We recognise this and have previously apologised to her directly and are happy to take this opportunity to do so again publicly.

"When the case came to trial, we did make an application to adjourn the case, but this was refused, so we were left with no alternative but to offer no evidence. We are working with the

police to ensure the problems that arose in this case do not happen again and that lessons are learnt."

Dover and Deal MP Charlie Elphicke said: "I had serious concerns when I heard about this case and raised the matter with the authorities.

"If crucial evidence wasn't processed then that is completely unacceptable.

"We must do everything to protect hard-working people in our area. I'm seeking further assurances from the police and CPS that they will look again at this worrying case."

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Free hearing aid clinic Drink-drive biker ban

Two free aftercare clinics for hearing aid users in will be held at the Deal Centre in Park Street.

The first will be on Wednesday, April 5 followed by another on Wednesday, April 19, both from 9.30am to 11.30am. People with NHS hearing aids can have them cleaned and re-tubed and also collect fresh batteries, free of charge.

There will be advice on Hi Kent's wide range of equipment, including door entry systems, smoke alarms, telephones, conversation aids and television listening devices. No appointment is needed.

For more information call 01227 760046 or email enquiries@hikent.org.uk

A motorcyclist has been banned from the road after being more than twice the drink-drive limit.

Gary Martin, 38, of Stockdale Gardens, Deal, was sentenced by Folkestone magistrates last Wednesday.

He was stopped on his Honda CRB in the town's Matthews Close on March 5 and gave a breath test of 76 microgrammes of alcohol in 100 millilitres of breath. The legal limit is 35.

Martin pleaded guilty to drink-driving and magistrates banned him from driving for 18 months.

He must also pay a £200 fine, £85 costs and a £30 victim surcharge.