

Unit 3 Topic 2.1 Page 40
Activity: Research
Applying the Threshold Test

Learning objective

At the end of this activity you should be able to:

- understand the Threshold Test and apply it to case studies.

A. Using the article, complete questions 1 to 15 that follow.

<https://thetab.com/uk/2018/02/06/it-wasnt-against-my-will-or-anything-how-a-rape-case-built-over-two-years-fell-apart-with-a-single-text-59604>

1. When was Liam Allan accused of rape?
2. How long did the case last?
3. Why do we not have information about Allan's accuser?
4. What does the article tell us about Allan's ex-girlfriend?
5. What did Allan tell his mother about how he felt about the relationship?
6. Why did the couple split up?
7. Why was Allan arrested?
8. What happened to Allan after he was arrested?
9. What was the impact of the arrest on his studies?
10. What was the response of 'the Met' (Metropolitan Police) to the request by Allan's lawyer for access to text messages from his accuser's phone?
11. When were the texts received by Allan's lawyers?
12. What did the accused text to her friend about sex with Liam Allan?
13. What else was discussed in the text messages?
14. Read the texts that appear on the screen. What do they tell you about the accuser?
15. Why was Liam Allan so angry with the police?

B. From your answers to the above, did the case against Liam Allan pass the Threshold Text?

C. Using the article, complete questions 1 to 6 that follow.

<https://www.telegraph.co.uk/news/2018/06/05/almost-50-court-cases-dropped-six-weeks-issues-disclosure-cps/>

1. How many cases have been dropped by the CPS due to issues with disclosure of evidence?
2. How many rape and serious sexual assault cases fell through due to evidence being withheld?
3. How many defendants were in custody when their cases were dropped?
4. What types of evidence were not disclosed or were examined too late?

5. In Samson Makele's case, what evidence had not been disclosed?
 6. What measures are being brought in to try to improve disclosure?
- D. Using your answers to questions 1-6 above, explain how the failure to disclose evidence affects the tests carried out by the CPS.