

The Riverporter

ISOLATION DAY 40 - READ AND FORWARD ON!

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A TOTALLY INDEPENDENT NEWSPAPER • UNCONNECTED WITH ANY GROUP OR ORGANISATION

'Suddenly he's just a naughty boy'

Former Police and Crime Commissioner Jason Ablewhite will not face criminal charges for sending an indecent image to a vulnerable woman he had only recently met, according to the Crown Prosecution Service.

The decision by the Criminal Prosecution Service [originally due in February] said that 'There is no evidence to suggest that the suspect considered the specific photograph to be indecent or obscene' and that the woman had 'encouraged' him.

It is understood that the woman will appeal the CPS decision not to prosecute.

As we have reported before Mr Ablewhite resigned his £85,000 a year post last November as Cambridgeshire's police and crime commissioner. A nine-day exchange of sometimes sexually suggestive messages with a woman he had met at police headquarters in Huntingdon was behind the resignation.

The woman complained to police about Mr Ablewhite sending an indecent image. The matter was handled by the Independent Office for Police Conduct (IOPC) who sent a file to the Crown Prosecution Service (CPS) to decide whether the 47-year old should face any criminal charges. The CPS concluded the woman, 50, appeared to 'encourage' Mr Ablewhite, adding she was 'flirtatious'.

The woman was quoted in the Hunts Post as saying, 'In all honesty I feel let down.'

Suddenly he's just a naughty boy and I'm flirty and led him on.

Solicitor explains decision

The CPS solicitor who handled the case, Kirstie Dye, reviewed material provided by the IOPC following their investigation into the Facebook messages exchanged last October.

In a letter she told the woman:

'There is no evidence to suggest that the suspect considered the specific photograph to be indecent or obscene.'

'Whilst I understand that you said you deflected away from his comments, 'with being funny but never encouraging', in my opinion the conversations taken in their entirety do appear flirtatious.'

'I accept that you did on occasion try and change the subject but on others you appear to encourage continuation of the type of conversation.'

Ms Dye quoted an extract from one of the messages in which the woman told Mr Ablewhite: 'I'm sure your truncheon is very impressive chief, but you'll have to wait till tomorrow to boast'. The CPS lawyer concluded that 'at no time did you make it clear that the innuendo was categorically unwelcome or shut down the conversations'.

Ms Dye said: 'There is a suggestion that the same or a similar picture had been sent previously but no indication of what your response was, if any.'

'The suspect did not make any admissions in respect of his intention at the time of sending the image, but he did say that he did not intend to cause you any annoyance or upset.'

'He said that he believed that at all three times your messages were in a flirty and humorous tone and if he had thought that he had upset you in any way he would have stopped the conversation.'

'Although I understand that the suspect's position at the time may have added to your impression of him, he was not acting in this capacity when he messaged you.'

Ms Dye said there was insufficient evidence to bring a prosecution and no realistic prospect of a conviction. She went on to say that the IOPC had asked her look at whether a charge should be brought under the Communications Act of 2003, and although agreeing that the picture concerned could be described as indecent or obscene, she noted that there was a mental element to be considered.

She said that 'Case law makes it clear that this mental element is directed exclusively to the state of the mind of the suspect and not the recipient'. She continued, 'I have to consider what the suspect's intention was when the message was sent'. She concluded that the evidence did not show that Mr Ablewhite intended to send the woman an indecent or obscene message and therefore Ms Dye could not prove that element or part of the offence.

An IOPC spokesman said: 'We can confirm that the Crown Prosecution Service has decided to take no further action.'

Dear Erik,

I hope you are well in these trying times. I am a director of a print company on Burrell Road in St Ives. We are based over the road from the very busy local Ambulance centre.

Last week we - very secretly - installed a graphic onto the side of their building.

We wanted to show some appreciation for the outstanding job, service and dedication these people show. Needless to say - they loved it.

Best wishes **Tim Egan**



A moment of quiet reflection

Sunday evening just before sunset residents of the Quayside were pleasantly surprised when a Turkish gentleman (obviously out on his daily exercise) turned up and started to sing and play a traditional Turkish Dombyra. He played for around 30 minutes in the silence of the quayside and then packed up and left. Who ever you were sir... Thank You that was lovely.

From our Environmental Correspondent Heidi N. de Triese

HEIDI'S BIG NEWS

Well darlings, how are you getting on? Isn't it awful?

Well, Ed Gasket came round (I know, but I can't get out you see). He kept his distance though and said he needed a mask. Oooh I thought, how exciting, but then I had to banish the thought. He explained they are recommended now. As it happens I had heard that one cup from a used bra can be usefully recycled into a very soft and close fitting version, and so I had made one in preparation. As you know, to say I am a generous girl is an understatement, and so when he tried it on, yes it covered his mouth and nose - but also the whole of his face so he couldn't see a thing! And then he said, 'I can't go out in this, I'll look a right tit!' I'm still laughing now darlings.

Right: Ed tries it on (not for the first time!).

Well, we have to find our fun where we can don't we?

[I didn't know Ed Gasket was Scottish? - but of course he must be if he comes from 'Edinbra!]

Mind you I always thought he was a bit of a big head, or as we now say... a Double D! **Editor]**



Now the Big News

But look, I do have other 'big' news. Remember my lovely friends on the Great Ouse Valley Trust are worried about the possible Third River Crossing plan from the Combined Authority's Mayor? It's in his Local Transport Plan for Cambridgeshire and now it has appeared in the adopted Prospectus for Growth for St Ives.

My other friends on the Town Team said that as consultees, they didn't mention it, so who did? Well, the thing is darlings, what the Mayor doesn't seem to have appreciated is that the Government's budget pledge to commit a whopping £28.8 billion on a massive road building policy, which presumably includes his transport plans for our region, actually flies in the face of its previous commitment to reduce carbon emissions to zero by 2025. Even I can see you can't do both!

[I take it all back Heidi, you can be serious. **Ed]** But listen - now, even more momentous, is the news that the same team that challenged and halted the Heathrow expansion plans because

they didn't meet the government's obligations under the Paris climate agreement of 2015, is now launching another legal challenge - this time claiming that the road building programme also breaches its obligations. So, will the Mayor have to rethink?

What I have noticed dears, even from indoors but with window open, and I'm sure you have too, is that the air is clearer and cleaner, the traffic noise is reduced and I can hear the birds singing and smell the blossom. Now isn't that wonderful? Wouldn't it be marvellous if it was always like this?

Kisses and don't forget your masks!

Heidi xx

Read online at www.theriverporter.uk



having your say ... The Riverporter

Get it off your chest, email Erik at: editor@theriverporter.uk

NEWS UPDATE

St Ives Town FC to stay at Westwood Rd

In case you haven't seen it, there was an article in last week's Hunts Post and on Radio Cambridgeshire saying that the club has decided to stay where it is, install a 3G pitch, and redevelop the club house. One reader sent us this message:

So now we know. St Ives Town Football Club will stay put at Westwood Road. Which means that there will be no spanking new sports facility for St Ives up the Somersham Road. It is sad too that St Ivo School also was not able to muster the energy and buy the football ground for its own development. In its determination to sell the ground to a housing developer the football club led St Ives folk and local Councils a merry dance for many a year.

Dear Erik and Heidi N de Tries,

Not being taken out for too many walks I've been mainly lying about in the garden.

I've seen things, Heidi, that you see all the time. When you're a 'hidin' and a 'skulkin' in trees and bushes. Like the delightful mating practices of some of our feathered friends:

male wood pigeon a' duckin and a' weavin trying to impress; female insouciant 'til the last mallard landing for a quick rest. Jackdaws in the trees together, stroking twigs with their bills, magpies frantically flapping wings at each other. Dunnock in super-fast flight, one chasing the other with split-second landings anywhere and everywhere.

Others are also about in abundance, but more coy: rook, collared dove, stock dove, great spotted woodpecker, green woodpecker, blackbird, goldfinch, greenfinch, blue tit, long-tailed tit, robin. Spring a delight and not to be denied. Congrats to Boris and Carrie!

Regards Doberman

Dear Erik,

Aside from our own sickened thoughts about what Ablewhite did, what his victim had to suffer and now this shocking whitewash, his victim is a vulnerable person and so the treatment of her by the Crown Prosecution Service is a public disgrace.

This was gross misconduct in a public office, by any benchmark. Had it been anybody else, wouldn't there have been an arrest, formal charges and then a continuing investigation? It's also shocking that the CPS solicitor can assert that Ablewhite could acceptably switch on and off being Police & Crime Commissioner - truncheon sheathed or unsheathed, so to speak.

We must hope that his victim appeals to the highest level and that one outcome is that Ablewhite is barred from holding a public office ever again.

Disgusted of St Ives.

[name withheld]

Solicitor's ruling raises concerns

This decision by the CPS not to prosecute Jason Ablewhite has drawn some criticism, ranging from a 'whitewash' (letter above) to a 'Cop Out' (local facebook page). Reading the details of the ruling does raise several issues, namely:

Why does the decision to prosecute seem to rest on what the suspect intended? If that were always the case then wouldn't it be almost impossible to convict on many occasions?

Mr Ablewhite may have considered that a picture of his 'manhood' wasn't intended to be indecent or obscene but we at *The Riverporter* would suggest that might be a minority view.

The suggestion that Mr Ablewhite 'was not acting in his capacity' as PCC when he messaged the woman is also tenuous. He certainly was the PCC when they first met and clearly used that position to start the exchange of messages. When Mr Ablewhite was being the PCC and when he wasn't would be difficult to ascertain as he regularly acted in that role even when attending non police functions.

To acknowledge that the images sent by Mr Ablewhite are considered indecent and obscene, as stated by the solicitor, would seem to be enough to expect a prosecution. Whilst we want the law to be even-handed with a view to prosecutions, if there

was anyone who should have known better, surely it would be a Police and Crime Commissioner. The very person setting policing policy and presumably a good example. Ignorance of the law could not be a defence and one would hazard a guess that if someone was caught flashing their privates in a public place they would most likely be arrested, whoever they are.

Another concern is the perception, once again, that the law seems oblivious to the feelings of the victim and women in particular. Whilst Mr Ablewhite gets off with no arrest, no charges and no conviction, the woman concerned comes in for criticism.

The solicitor, Ms Dye, added in her letter to the woman: 'Please be reassured that I am making absolutely no criticism of you in these comments. I simply make reference to your responses only insofar as they would have been received and factored into the suspect's decision to send you the image at the time he did.'

This comment could be said to lay blame at the victim's feet, deflecting it onto her and away from Mr Ablewhite, leaving one to wonder if protecting the post of Police & Crime Commissioner is more important than justice?

Letter sent to every household

Households throughout the District have received a letter from HDC explaining some of the efforts being made to keep vital services running and help with measures to combat the effects of the virus on businesses and residents. The letter contains important contact information and it seems that HDC is performing well during the crisis.

Unusual move?

In what seems an unusual move, the letter wasn't signed by the chief administrative officer - Managing Director Jo Lancaster - but by the political leader of the Council, Ryan Fuller. *The Riverporter* understands that the letter was sent out before councillors from the other parties in the District were informed, some of whom expressed concern about the fact that their support for the proposals was therefore missing. As one Councillor told us: 'At this time it is more important that the information is out, so that we can support our residents and businesses.'

Under normal conditions questions might have been raised about the lack of consultation and the propriety of who it came from, considering it will have cost around £50,000 of tax payers money to send out. Funds that might have been used more effectively at this time.

30% of businesses still to apply for grants

The Riverporter also learned that around 30% of local businesses have not applied for the funds available to help them, which includes grants of £10,000 or £25,000 per property depending on their rateable value. One business told *The Riverporter* that the authorities said that the qualifying businesses would be contacted and automatically receive the funds. However as they had heard nothing they contacted HDC, who replied swiftly and soon paid the money they were entitled to.

Another district councillor said that officers were 'under a great deal of pressure', so it's not surprising that some businesses had not received a letter from HDC. The councillor suggested that businesses who think they qualify should contact the council. So if you own a business the advise is to contact HDC or go on-line at www.huntingdonshire.gov.uk where there is a form that can be downloaded and filled in to make a claim.

Amazing support from Muslim community

St Ives is recognised as a great place to live. Not only because of our beautiful location but it is our people and supportive friendly approach that sets us apart from other towns. If proof was ever needed it has been shown by the way our town has pulled together during this terrible virus outbreak.

None of us have had to face anything like this before, yet, individual groups have been springing up and rallying to support those that need help. Shopping deliveries, Neighbours cooking for friends [Thanks for the scones]. Food deliveries, advice lines, neighbours checking in on each other and looking out for those at risk. One of our towns Muslim groups has been delivering hundreds of free meals a day and the St Ives Mosque has been raising funds for our local food bank. The food bank is administered by All Saints Church who liaise with over 60 individual groups and the Mosque, that has been in St Ives for 33 years, chose to raise money to support it, the aim that supplies can be distributed to those with the greatest need. Remarkably the Mosque raised an amazing figure of £3,010 a fantastic effort.



Police say we must maintain lock down

The sunny weather has proved too strong a lure for some. Those that chose to defy the ban in town last weekend found the police ready to send them home. Police were seen several times on the Quay and through town last weekend, where they dispersed groups of sun bathers that were sitting far too close together and even defying the public space protection order that bans drinking alcohol in the towns streets with potential big fines and even 24hour exclusion notices.

One incident in Bridge Street saw a group of disruptive drinkers arguing with police who eventually dispersed the group. Police are warning that they will enforce the ban and have said that anyone concerned that people are standing in groups or are acting in defiance of the street drinking ban, should call 101 and report the problem.

