

---

## **Criminal Proceedings Against Richard Holland and Ronald Outteridge**

---

On 11 May 1994, the day after Charlotte Kiszko's funeral, the Crown Prosecution Service issued a statement saying that summonses had been served upon Richard Holland, by then retired from the police service, and Ronald Outteridge, the retired forensic scientist, accusing them 'of doing acts tending to pervert the course of justice'. The summonses were returnable at Rochdale Magistrates' Court in July 1994. The Home Office issued a statement saying that Outteridge (who was the person responsible for overseeing the scientific evidence in the case) was the first forensic scientist to face such a prosecution. He had gone on to become the head of the Forensic Science Laboratory at Huntingdon.

In May 1995 committal proceedings were listed before Ms Jane Hayward, a stipendiary magistrate (now called district judge (magistrates' courts)). The prosecution case against the defendants was that in the course of an investigation into the murder of Lesley Molseed and the prosecution against Stefan Kiszko for her murder they suppressed the results of scientific tests performed on semen found on the clothes of the little girl and on semen provided by Stefan Kiszko from a handkerchief belonging to him. The prosecution alleged that that evidence, which was highly relevant, if disclosed as it should have been, would have led to Stefan's acquittal in the event of him being charged.

Lawyers for both Holland and Outteridge made legal submissions that Hayward should stop the case against them, and that it should not go further to the Crown Court for trial, on the ground that because of the lengthy delay in bringing the proceedings the defendants were so prejudiced that they would not receive a fair trial. It was submitted to her that there had been general prejudice by reason of the delay of some 19 or 20 years but also on the basis that because of that long delay each accused faced serious specific prejudice because of the death of important

witnesses, the loss of vital exhibits and the loss of other vital and important documents.

Chief Superintendent Jack Dibb was the officer in overall charge of the case. He was responsible for most of the briefings to the investigating officers and he had died before this prosecution commenced. Ms Hayward found there were two possibilities concerning him, first that he suppressed information from both Mr Outteridge and Mr Holland and they were in the dock for acts or omissions which were in reality those of Mr Dibb; second that although he was doing his best in what he said to one or both of the accused men, he made statements to them which would excuse criminal liability on their part. There was no written record to replace his potential oral evidence.

The prosecution argued that there was no significant prejudice to the defence and said that the defence might be better off without Mr Dibb. As far as the missing documents, which included briefing notes and the message book, were concerned it was unlikely that they contained anything of relevance and any prejudice that might exist could be dealt with by simply putting the matters before the jury.

Hayward was not persuaded by the prosecution arguments and upheld the defence submissions. She declined to commit the two men for trial and discharged both defendants.