



JUDICIARY OF  
ENGLAND AND WALES

**Croydon Magistrates' Court**

**REGINA**

**-V-**

**PAUL MEEHAN**

**JUDGMENT OF DISTRICT JUDGE (MAGISTRATES' COURT) KAREN HAMMOND**

**5 AUGUST 2013**

**Introduction**

1. Paul David Meehan faces a single allegation that on the 6<sup>th</sup> August 2012, he caused wasteful employment of the police by knowingly making a false report to DC Seeley tending to show that he had information material to a police enquiry. The enquiry in question was the investigation into the then disappearance of a 12 year old girl, Tia Sharp believed at that time to have been on 3<sup>rd</sup> August 2012. Tragically, subsequent events were to reveal that Tia Sharp had in fact been murdered on the night of 2<sup>nd</sup>/3<sup>rd</sup> August. Stuart Hazell, the partner of Tia's grandmother, Christine Bicknell, was later tried and ultimately pleaded guilty to Tia's murder. Hazell's trial was concluded in May 2013.
2. The prosecution has stated without ambiguity that there is, *"absolutely no suggestion that Paul Meehan was in league with Stuart Hazell or acted to conceal*

*Tia's disappearance*". I restate therefore that the offence for which Paul Meehan is being tried is wasting police time. It is **not** one of assisting an offender or attempting to pervert the course of justice.

3. This offence has four elements which must be proved in every case:

- A person must knowingly
- Make a false report
- Tending to show they had information material to a police enquiry
- Thereby causing wasteful employment of police time.

The defendant admits he made his report, that subsequent events revealed it to be false and as a result, police time was wasted. Both parties are agreed in this case, the only issue here can be crystallised in the single word, *knowingly*.

4. The facts of this allegation against Paul Meehan are that late on the night of Monday 6<sup>th</sup> August 2012, Mr Meehan told DC Seeley that he had seen Tia walking down her grandmother's front path two days ago, on the Friday at about 12.15pm. The significance of Mr Meehan's report was that if he was right, his account corroborated what Hazell was then telling the police about Tia leaving the house at about that time to go shopping/meet a friend in Croydon. If he was right therefore, Paul Meehan would have been the last person to have seen Tia alive. Hence, he was given the status of a "significant witness". Police applied resources to interviewing him at length and indeed, other witnesses to confirm and explore his account. As stated, his purported sighting was false. It could not have been true as appallingly,

the young girl had by then been murdered by Hazell and her body concealed in the loft at number 20.

5. Paul Meehan has pleaded not guilty. His case in interview and in evidence before me is that at the time he provided his report to DC Seeley, he honestly believed what he was saying to be true.
6. The prosecution brings this allegation and the prosecution must prove it and prove it beyond reasonable doubt. Mr Meehan has to prove nothing at all. If what he says is true, or may be true, he is entitled to be acquitted. It is also right to observe that for obvious and entirely understandable reasons, this case caused and continues to give rise to a great deal of emotion and distress to Tia's family and the wider community; not least in this, the week of the first anniversary of her disappearance and murder. I must and do put such emotions to one side. This case, like any other, must be decided dispassionately and objectively on the evidence alone.
7. I have heard that Mr Meehan has a single previous conviction for theft in 1998 to which he pleaded guilty. This evidence was introduced for the sake of completeness. It has no bearing whatsoever on this case. At 40 years old, Mr Meehan is entitled to rely on his character as a hard working family man, employed as a bus driver who also undertakes volunteer work in his community. I take those characteristics into account as relevant to (but not determinative of) my assessment of both his credibility as a witness and his lack of propensity to commit crime. I should also add that I do not draw any inferences whatsoever from Mr Meehan's demeanour in the witness box which may in part have been due to his current medication.

8. In addition, Mr Meehan relies upon the evidence of a consultant psychologist, Dr Ian Anderson. Dr Anderson gave evidence to the effect that Paul Meehan may not knowingly have given a false report. Rather, he was “confabulating”; that is to say, giving an account which is false but which he, Paul Meehan honestly believed at the time to be an accurate memory; in other words, the defendant may have been suffering from “false memory syndrome”.
9. The prosecution also called an expert, a forensic psychiatrist, Dr Andrew Johns. Like Dr Anderson, Dr Johns accepts the scientific possibility of confabulation but his expert conclusion in this case is that that possibility of confabulation is “*overweighed by my finding that he [Paul Meehan] is unreliable in his accounts*”. I shall return to the expert evidence in due course.

### **The agreed facts**

10. In August 2012, Paul Meehan lived at 21 The Lindens, New Addington, in Croydon with his wife and two children; his son then aged 8 and his daughter aged 11. Their next door neighbours at number 20 were Christine Bicknell, Tia’s grandmother and Christine’s partner, Stuart Hazell. Tia was a regular visitor to her grandmother’s house and had also, on occasions visited the Meehan house and indeed, played there with Mr Meehan’s daughter who was almost identical in age. The relations between the two households were friendly but not close.
11. The Sharp family reported Tia missing at Croydon Police Station at about 10pm on Friday 3<sup>rd</sup> August. They reported that she had left 20 The Lindens at 12.10pm that

day to meet a friend and/or go shopping in Croydon. They gave a description of her and her clothing. They said she did not have her mobile telephone. CCTV of the estate, of the trams and buses and of the Whitgift Centre however, failed to find any footage of Tia or anyone matching her description in those locations on 3<sup>rd</sup> August or subsequently.

12. Tia's body was found on 10<sup>th</sup> August 2012 at about 3.30pm. Hazell was arrested for her murder at 8.20pm and charged two days on the 12<sup>th</sup>.

13. Paul Meehan was also arrested on 10<sup>th</sup> August 2012. At that stage, police were then investigating his possible involvement with Hazell in Tia's murder. He was interviewed under caution on three occasions. In the first two interviews, with a solicitor present, he made no comment. Thereafter, without a solicitor, he elected to answer questions. It is this latter interview which has been exhibited in evidence at this trial (exhibit 7) and upon which the prosecution (and the defendant) now rely.

14. Ultimately, on 5<sup>th</sup> February 2013, Paul Meehan was charged with the offence for which he is now being tried namely, wasting police time

### **The prosecution case**

15. Having been made aware that Tia was missing on the Friday evening, the Police instigated house to house enquiries on Saturday 4<sup>th</sup> August, that is to say, within 24 hours of Tia's disappearance. PC Tugwell from Wimbledon Police Station ("the Wimbledon officer") was the officer who conducted those enquiries at the addresses

in The Lindens. He told the court that he spoke to Paul Meehan at his home on that Saturday morning but Mr Meehan told him that he had not seen Tia since the previous weekend. He said that Mr Meehan seemed very anxious to help. He also questioned his own daughter who had come downstairs. In addition, Mr Meehan said he would keep an eye out for Tia on the buses whilst he was working. The prosecution say that on this occasion, Mr Meehan *was* telling the truth. He had not seen her that the day before.

16. At 14.23 hours that day, Paul Meehan texted his wife *"Just to let you know, Tia has gone missing"*. At 8.17pm that day, he sent her another text, *"Any news on Tia" (?)*. These texts, say the prosecution, further demonstrates that Mr Meehan did not believe he knew anything about the missing girl.

17. On the next day, Sunday 5<sup>th</sup> August, house to house enquiries were being conducted, on this occasion, by Croydon Police. Mr Meehan was spoken to again; this time by an unidentified officer ("the Croydon officer") whose log has been exhibited as agreed hearsay (exhibit 8). That log records that there were no positive sightings of Tia by neighbours that day. Hence by the end of the weekend, police had not received a single report of any sighting of Tia by any neighbour. Mr Meehan had been spoken to by two different police officers on those respective days.

18. By Monday 6<sup>th</sup> August, the evidence is that the story had moved from the local to the national press. Further, by lunchtime on that day, local people were wearing t-

shirts bearing Tia's picture and the missing helpline telephone number. In other words, Tia's continued absence was now fully in the public domain.

19. Also by Monday 6<sup>th</sup> August, the Sutton Police Murder Investigation Team had taken over the investigation. DC Gavin Seeley, who is the officer in this case, was involved in liaising with Tia's family from that date. At this stage, this was still a missing person enquiry albeit one now being handled by the Murder team as Tia was now being treated as a "high risk missing person"; hence within the remit of the murder team.

20. DC Seeley first met Paul Meehan at Stuart Hazell's address at lunchtime on that Monday. DC Seeley and the family were putting together photographs and descriptions of the clothing she had been wearing to put out to the media. Paul Meehan was present and party to these conversations. At his suggestion, he brought his i-pad from his house next door in order to source a picture from the internet of the precise trainers Tia had been wearing. Having found the picture, he and DC Seeley had a conversation during which Paul Meehan emailed that image to DC Alison Grubb (exhibit 2). The time recorded for that email is 12.17pm (exhibit 2). After that he again texted his wife. The text reads, *"They are falling apart at Christians (sic)".* ("Christian" is agreed to be a reference to Christine Bicknell, Tia's grandmother).

21. Later that same day, the media began to show CCTV footage of the last sighting of Tia at the local shops and on local transport. It is now known that the very last images of Tia were recorded at 4.41pm on Thursday 2<sup>nd</sup> August when she was seen to alight from a T31 bus at Fieldways with Stuart Hazell. Further, CCTV obtained

from a private address at 62 The Lindens (our map, exhibit 1) demonstrates that on the 3<sup>rd</sup> August, there is no figure matching Tia's description (nor indeed of any person) leaving number 20 at lunchtime or at all that day. The relevance of that absence is that in evidence Paul Meehan maintains that he still believes he did see *someone*.

22. That evening at about 8pm, there was a candle-lit vigil on the estate. Peter Herriott, a local resident, was one of many who attended. He gave evidence that as the vigil was ending, he bumped into Paul Meehan, whom he knew from a previous employment, and they had a conversation. Mr Herriott had heard rumours on Facebook that Stuart Hazell was implicated in Tia's disappearance and he asked Paul Meehan "*on the quiet*" what he thought of them. Mr Meehan replied with words to the effect, "*There's no way he did it. He loved her. Anyway, I saw her walking away*". Mr Herriott said in evidence he was "*99.9% sure*" this was said. He added that Paul Meehan seemed "*a little bit agitated. He didn't really look me in the eye*". Mr Herriott also observed that he thought at the time this was "*odd*" as there were both gas and water works going on the area at the time and none of the many workmen in the locality had reported seeing her. This is the first occasion upon which Mr Meehan disclosed that he saw Tia on the Friday she was then thought to have gone missing.

23. Still on that same evening, by now at about 11.20pm, DC Seeley had returned to the Bicknell/Hazell home to take a further witness statement from Hazell. Again, Paul Meehan was present at the address. Unprompted, Paul Meehan volunteered to DC Seeley that he had seen Tia at about 12.15 on Friday and significantly, had told the

Wimbledon officer (i.e. PC Tugwell) this on the Saturday. This was news to DC Seeley. Paul Meehan provided specific detail about the top she was wearing, even describing the motif and suggesting it had been bought from "George at Asda".

24. DC Seeley arranged with Mr Meehan's employers to enable him to be absent from his work and to attend an interview the next morning, Tuesday 7<sup>th</sup> August. He was interviewed on two occasions that day, on tape, under the "significant witness interview" procedure. The transcripts of those interviews are our exhibits 3 and 4 respectively. The first interview started at 12.55pm and lasted 35 minutes and runs to 36 pages. In it, Paul Meehan gives a very detailed description of his sighting of Tia at 12.15pm on Friday, leaving her grandmother's house, walking down the path and off down the road. He referenced the occasion to the delivery of a new bed he had taken that morning, the arrangements with his father in law to collect his own children at 11am and of his further movements that day with his wife to buy bedding for their new bed. He was advised by the officer of the importance of being sure he had not been influenced by the media reporting. Mr Meehan told the officer that he was *"100% sure I did see Tia that day"*.

25. The contents of that interview were transcribed into a witness statement more or less immediately and the second significant witness interview at 8.17pm on the same day concerned checking through the contents and explaining various procedures for witnesses in a criminal trial. Towards the end, Mr Meehan was again asked by DC Seeley if he is sure and again assures the officer, *"A hundred percent true from what I remember on that day"*. DC Seeley asks if it is possible he has got

his days muddled up. Paul Meehan replies again he is “100% sure” and again references the bed delivery.

26. Towards the end of the interview (page 14), Paul Meehan tells DC Seeley that he had told both the Wimbledon and the Croydon officers “*all this*” on the Saturday and Sunday mornings stating “*I told them before I’d even spoken to anybody else*”. When asked why he hadn’t told DC Seeley before the preceding evening, Mr Meehan’s response was that he thought that the initial house to house officers would have passed the information on. He said he hadn’t come to DC Seeley because he thought police would be working through all the information they had. During the interview, Paul Meehan signed the MG11 witness statement (exhibit 5). It bears the date 7.8.12.

27. By 10<sup>th</sup> August, following the discovery of Tia’s body in the loft that afternoon; the missing person enquiry had tragically become a murder investigation. At 8.10 pm that night Police arrested Meehan on suspicion of assisting an offender and attempting to pervert the course of justice. In response to caution he replied, “*I definitely saw her leave the house. Whether she came back, I don’t know*”. He signed DI Differ’s note of that conversation.

28. In his third interview under caution (11<sup>th</sup> August at 8pm - Exhibit 7), Mr Meehan again recounts in detail his sighting of Tia. In explaining why he hadn’t said anything to the Wimbledon officer on the Saturday, Mr Meehan says it was because he wasn’t

sure it was Tia whom he saw (@page 6). He asserted that he thinks he mentioned it to the Croydon officer on the Sunday that he might have seen her (@ page 7) but he was not 100 % sure now that he had said anything. Later in that interview, he was again pressed for his explanation of why he hadn't said anything to police on Saturday (@ page 13) and he said he had seen *"somebody leaving Chris' path....perhaps I jumped to the wrong conclusion"* but that he thought (still) that he did see Tia leave. He hadn't said anything to the Wimbledon officer in case he was wrong. *"I had to make sure in my own head that I did see her"* adding that he knew the importance of the information and didn't want to say anything to derail the investigation.

29. At the very end of this interview, when asked if he wants to say anything further, Mr Meehan states (@ page 21) *"I'm sorry if I've come across and given you the impression of wasting your time but I honestly did think it was Tia 'cos it's the only adolescent I've seen coming out of there. In no (way?) did I mean this maliciously..."*

### **The defendant's evidence**

30. Paul Meehan gave evidence before me. He tells me that he accepts he made the two witness statements to the police in which he records his sighting of Tia; that the contents in all their detail represent what he had said to them but he now accepts (as he must) they cannot be true. He said that at the time he made them, he did not know the statements not to be true and he did not believe them to be false. He wanted to help the police throughout and that is why he gave the statements. He

concluded by saying that he does, that is to say, to this day, have a recollection of someone walking up the path – even if it now knows it cannot be true.

31. As far as his conversation on Saturday with PC Tugwell is concerned, he says he was aware of the urgency of the enquiry and there was no element of uncertainty in his mind about his sighting of Tia 24 hours previously. However, he told that officer that he hadn't seen her since the previous weekend because he was tired and not fully awake when the police knocked. He added that he still thought he had told the Croydon officer on the Sunday. When he told DC Seeley in his witness interview on 7<sup>th</sup> August that he had told *both* of these officers it was because that is what he believed he had done. In evidence, he changed his account, explaining he had said this in interview because he couldn't remember which of the two officers he had told. Further, he denied he was saying at his trial that it was the Croydon officer only because in the absence of an identified officer, that account cannot be challenged.

32. Paul Meehan confirms that he recalls having a conversation with Peter Herriott as the Monday night vigil was ending but cannot recall the full conversation at this stage.

33. He did not say anything to DC Seeley on Monday lunchtime (when the email, exhibit 2 was sent) because it was not, in his view, "*appropriate*" to do so at that time. His role was confined to assisting with the internet search. He added also that he had left his own children indoors alone and was anxious to get back to them. With

hindsight, he agreed that he could have asked that officer to have come to him in his house.

34. He concluded his evidence by saying that he thought he was doing the right thing but accepted that a great deal of police time had been wasted as a result of his statement. As stated, he maintains to this day that he believes he did see someone on that path.

### **The expert evidence**

#### **Dr Ian Anderson**

35. Dr Anderson is a highly qualified psychologist called on behalf of Mr Meehan. Dr Anderson interviewed the defendant on 14<sup>th</sup> June 2013 for approximately 1.5 to 2 hours. He spent many hours before and after his interview considering all the evidence. He also had a copy of the defendant's proof of evidence.
36. Dr Anderson has a BSc in sociology, a master's degree in Social Psychology, a Ph.D. in psychological and psychiatric diagnosis and three further masters' degrees in experimental psychology, occupational psychology and psychological counselling. He is registered with the Health Care Professional Council and holds four restricted titles, namely as a clinical psychologist, a forensic psychologist, a counselling psychologist and an occupational psychologist. He is an experienced expert witness in these fields.
37. Having interviewed Mr Meehan, Dr Anderson found no suggested personality disorder nor signs of mental illness nor any evidence of grandiosity or narcissistic traits nor any evidence of pathological lying. He noted that the defendant was now suffering from mild to moderate depression for which he was receiving medication.

38. He described the phenomena of “confabulation” as people saying things that cannot be true but the person holds an honest belief nonetheless. A person can confabulate without having any psychological traits of the sort described. It is, in fact, relatively common. It is “not unusual” for a false memory to arise even after a few days. It need have no basis at all in truth but can contain very fine detail. Further, with each subsequent telling, the memory becomes stronger. Once challenged, a person who is confabulating may change their account. This is an entirely consistent response borne of the brain’s attempt to work out the “truth” of what it thinks it saw.

39. Dr Anderson told the court that the defendant’s memory of these events was “completely possible”. He could be describing Tia on a different day or a different person leaving on the same day or even, what he wished he had seen. A confabulated memory is lodged in the brain in exactly the same way as any other. He doesn’t of course say the defendant was confabulating but that it is a possibility; indeed he adds that in the absence of any other explanation, it seems the most likely. He added he had heard or seen nothing in evidence inconsistent with his view. In attempting to distinguish between a lie and confabulation, caution had to be exercised when seeking to interpret other behaviours, for example, not reporting to PC Tugwell. Dr Anderson said that none of the “behaviours” used to challenge the defendant in cross examination had caused him to doubt his conclusions stating that *“people behave in extraordinary ways in extraordinary circumstances”*.

## **Dr Andrew Johns**

40. Dr Andrew Johns was called after Dr Anderson on behalf of the Crown. He had interviewed the defendant for 2 hours and had spent in total about 14 hours on his report. He too had reviewed the case papers including too the defendant's proof of evidence.
41. Dr Johns is a highly qualified consultant forensic psychiatrist. He is an MD and a FRCP; he holds a diploma in forensic psychiatry and is a registered mental health practitioner under s.12 Mental Health Act 1983. He has held clinical posts at Broadmoor and the Maudesley hospitals (for 15 years and 4 years respectively). He has experience over 25 years of giving evidence at courts, tribunals and hospitals estimating he has been an expert witness in over 400 such cases. He specialises in memory disorders.
42. Dr Johns agreed with Dr Anderson that the defendant does not and did not in August 2012 suffer from any mental illness nor does he display any signs of any personality disorder. Dr Johns also agrees that confabulation is a recognised psychological occurrence. He accepted it is a possibility in a case like this. He too noted the current diagnosis of mild to moderate depression.
43. During his interview with the defendant, Dr Johns explored with him the reasons why he did not report to PC Tugwell on Saturday or to DC Seeley on the first occasion they met on the Monday lunchtime and the various explanations he provided for this in interview. Dr Johns formed the view that those accounts were inconsistent and significantly, there was a clash between the vividness of his recall of seeing Tia and

his earlier assertions that he had not seen her. Accordingly, whilst the explanation for those inconsistencies could be confabulation, he didn't find that as *“psychologically convincing as my interpretation that he is struggling to put a coherent explanation on his accounts to the police”*. Hence Dr John's conclusion is that the possibility of confabulation is *“overweighed in this case by my finding that he is unreliable in his accounts”*. Dr John's conclusion was that it is more likely than not that Mr Meehan knowingly gave false statements to the police.

### **The court's findings**

44. In my view, the prosecution has brought a strong case. Having assessed the evidence described above, I make the following findings:
- a. The last sighting of Tia was on Thursday 2<sup>nd</sup> August. There was no figure who could have been mistaken for Tia who walked down the path of 20 The Lindens at 12.15 or at all the next day, 3<sup>rd</sup> August.
  - b. I find that as of the evening of Sunday 5<sup>th</sup> August 2012, no one had reported a positive sighting of Tia Sharp to any officer conducting house to house enquiries. I do not accept that, if Mr Meehan believed he had seen Tia or even that he thought he had seen Tia, he would not have brought this to either of the officers' attention or as the prosecution put it, he would not have allowed the one let alone both officers to have gone away with the impression that no one in the Meehan household had seen Tia since the preceding weekend or that an officer on this enquiry would have received a report of a positive sighting but failed to record it or report it to a superior officer. As a father himself and as a neighbour, accepting as Mr Meehan did that a missing 12 year old is every parent's nightmare, such omissions, 24 or

48 hours after her disappearance are inconceivable. This was a man who the PC Tugwell said was anxious to help and even offered to keep an eye out for her whilst driving his bus. I conclude from the evidence that he did not believe he had seen her and that is the sole reason why he told the officers on both Saturday and Sunday that he had not seen her.

- c. It follows that I also reject his various explanations told at various times that he thought he had told one but not the other officer, or that he did not say because at that stage he was not sure, or that he was sure but was tired having just woken up and was taken aback by the enquiry so said nothing.
- d. Further, I also reject the defendant's account that he did not tell DC Seeley when first they met on Monday lunchtime as Mr Meehan's role was confined to assisting in searching on the internet for pictures of the clothing and shoes such as Tia was said to be wearing. He said in evidence the reason he did not do so was because it would not have been "*appropriate*". However, according to his own text shortly thereafter to his wife, Tia's family were "*falling apart*" at that stage, now 72 hours since the last purported sighting on Friday. I am prepared to accept that Mr Meehan was by this time anxious to get back to his own children left alone next door. Nonetheless, having formed the view of the Christine's family's state of mind that his text reveals he did *and* having been there at the very heart of the family's no doubt increasingly desperate attempts to progress the missing person enquiry, the very least he would have done would have been to ask the officer to visit him as he had urgent information to give. I agree this would have taken but 5 seconds to tell the officer. I cannot accept that it did not occur to him to ask

the DC Seeley to do this and I find he did not say anything because at that stage, he had not seen Tia and did not believe that he had seen her.

- e. For the same reasons, I cannot accept either that Paul Meehan did not tell DC Seeley this as he thought the house to house officers would have done so and the investigation team were working through all the information (his account in interview on 7<sup>th</sup> August). If he genuinely thought he had seen Tia, he would not have left it to chance for his information to reach the police or been so sanguine about the time it was apparently taking the police to follow this up with him or failed to have been surprised (to the extent that he would have said something himself) by DC Seeley's failure to ask him about it.
- f. Having heard Mr Peter Herriott give evidence, I also accept his evidence in its entirety. I believe that Paul Meehan did tell him at the end of the vigil that he had seen Tia "*walk away*" and this was the first disclosure made by Paul Meehan to anyone. The reason why he did this is unclear and I don't speculate. It would appear to be in the context of Mr Meehan's dislike of Mr Herriott attempting to spread the growing rumours about Hazell's involvement in Tia's disappearance. Mr Meehan did not believe that Hazell was responsible and said so. The fact that Mr Meehan claims not to remember the specifics of this conversation is also significant in my view; there is simply no answer he could have given.
- g. I also reject Mr Meehan's account that at the time of his encounter with DC Seeley on the night of the 6th August and in his witness interviews on 7th August, he did honestly believe that he had told both the house to house officers. The firmness and vividness of his description of the events of 3<sup>rd</sup>

August leads me to conclude this was a lie told by him to DC Seeley. A lie told in order to cover up what he knew then and now is his otherwise inexplicable failure to say anything to either of uniformed officers conducting the house to house enquiries.

45. These findings identify the “inconsistencies” (Dr John’s expression) or “behaviours” (Dr Anderson’s expression) upon which the reliability of the defendant as a witness turns.
46. It is against this background therefore that I must consider the disclosure the subject of this charge; namely to DC Seeley very late on Monday night 6<sup>th</sup> August. It was as result of this conversation that the subsequent witness interviews and witness statements came about. Was this a false statement knowingly made or was it or might it have been confabulation?
47. In order to arrive at a conclusion therefore, I have to decide between the undoubted expertise of two equally experienced and equally well qualified experts, albeit from different disciplines, both of whom have prepared careful and lengthy reports from which their evidence derives. Both doctors have concluded that there is no evidence of mental disorder or identifiable personality traits (grandiosity, narcissism, fantacism or pathological lying) which might account for the false report. Both agree also that the absence of such traits does not mean a person would never give a false report. It is right to observe that the difference between them amounts to whether confabulation is more likely than not. Dr Anderson asserts it is; Dr Johns asserts it is not. Distinguishing between differences of expert opinion is never an easy task. However, the fact that an expert has given an opinion is not in itself an adequate reason for a court to adopt that opinion where it is challenged by another. It is

necessary to look at all the evidence from all the witnesses and interpret the findings of fact in the light of the experts' evidence.

## **Conclusion**

48. Having reviewed the evidence referred to above and made the above findings of facts, I have concluded that I agree with Dr Johns' opinion that I must first consider the defendant's reliability before I consider any other explanation for the defendant's false account. That the many explanations for the many inconsistencies (as to why Mr Meehan did not tell various officers prior to the night of the 6<sup>th</sup> August) means Mr Meehan cannot himself believe that he saw what he later said he saw; or to put it as the prosecution asserts, *"the defendant cannot have it both ways"*. Dr John's fully reasoned analysis leads him to conclude that he finds the defendant's explanations for the many inconsistencies *"psychologically unconvincing"*. I adopt that analysis and would add that I find them, individually and cumulatively, *factually* unconvincing too.

49. Therefore, I conclude that I am sure Paul Meehan lied about believing he had seen Tia, lied about telling the house to house officers he had seen her, lied about the reasons why he did not tell them, lied about why he did not tell DC Seeley initially and lied about whether he thought he had told the house to house officers he had seen her. I am sure he told those lies deliberately to conceal the truth as obvious to him as to everyone – that he had not seen Tia at all on that fateful Friday. Again as Dr Johns put it, *"Mr Meehan is struggling with the inconsistencies in his stories and trying to put an appropriate gloss on these things"*.

50. Therefore whilst it is possible that he was confabulating in the sense that it is always a possibility in any case of unreliability, I am sure I may exclude the possibility of

confabulation in the circumstances of this case because the weight of the cited evidence of unreliability, which refutes that possibility on these facts, is sufficiently strong to make me sure that I can refute it. I accept what Dr Johns told me namely *“confabulation does not explain the inconsistencies in Mr Meehan’s evidence around his memory and his reporting of it”*. The number and nature of these lies, in my view, points away from genuine confabulation.

51. That being so, I am driven to the conclusion that that Paul Meehan did make statements to DC Seeley that were false and that he *knew* to be false. It is not in dispute that police time was wasted as a result. I am satisfied so that I am sure, that is to say, beyond reasonable doubt. The offence is made out. The verdict therefore can only be one of guilty.