

Ex-policeman on sex charge

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NZPA

^{AP} Gisborne
A former Gisborne policeman faces a sexual violation charge in the High Court after a complaint more than three years ago.

James Kenneth Cunningham, aged 33, is charged that on April 7, 1990, he sexually violated a woman by having unlawful sexual connection.

He pleaded not guilty and is standing trial before Justice Anderson and a jury.

The crown prosecutor, Mr Phil Cooper, said that Cunningham, who was living in Auckland at the time, came back to Gisborne as part of his work.

On the afternoon of April 6, Cunningham went to a bar and was drinking and socialising with people.

The complainant was at the same bar and Cunningham tried to chat her up, Mr Cooper said.

"The complainant wasn't interested in his overtures."

Cunningham was staying at a hotel but pestered the woman to let him stay at her home. In the end she relented, but made it quite clear Cunningham was to sleep on a couch in the lounge.

The woman got Cunningham some bedding and then went into her bedroom. She was woken by Cunningham some time after 4 am and he sexually violated her.

The court heard that Cunningham was to have taken leave from work and fly out of New Zealand on May 15, 1990.

However, on April 12 he visited an airline employee and changed his ticket to the first available flight, and he left New Zealand on April 14, 1990. He was extradited to face the charges.

Mr Cooper said the police spoke to Cunningham some years after the incident and he denied the allegations.

The trial is proceeding.