UK jury finds Kevin Spacey not guilty of all charges

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A 12-person jury at London's Southwark Crown Court deliberated for twelve and a half hours across Monday afternoon, Tuesday and Wednesday before finding actor Kevin Spacey not guilty of all the sexual assault charges brought by the Crown Prosecution Service (CPS).

Spacey was in tears as the verdicts were read out by the forewoman. He gave a short statement outside the court saying he was "enormously grateful to the jury for having taken the time to examine all of the evidence, all of the facts, carefully before they reached their decision."

The jury's verdict expressed the common sense, compassion and deep commitment among broad masses of working people for core democratic rights and the struggle for truth. It rejected a central premise of the #MeToo movement: that facts, evidence and proof do not matter and that the allegations of accusers alone are sufficient to secure conviction and destroy the careers of the accused.

Spacey, who lived in London from 2004 to 2015 while artistic director at the Old Vic theatre, was charged with nine instances of sexual assault in which he allegedly inappropriately touched or performed sex acts on various individuals. Spacey strenuously denied all the allegations, and the jury believed him.

The prosecution portrayed Spacey as a "sexual bully" who took pleasure in making his victims feel "powerless and uncomfortable." The complainants came forward, prosecutor Christine Agnew argued, despite the "overwhelming power imbalance" between themselves and Spacey and "the glare of the spotlight" because they wanted to tell the truth about his behaviour. Agnew denied Spacey's claim that money was a motivation—two complainants have filed civil lawsuits against Spacey and a third left a message on his website seeking a "settlement."

During his closing statement on Friday, Spacey's defence lawyer Patrick Gibbs declared the prosecution had failed to prove its case against the actor. The defence was in the invidious position of having to prove a negative—that Spacey was not guilty of the crimes he was charged with—many years after the alleged events occurred.

Gibbs pointed out that the CPS had built its case around a "crotch-grab" sound-bite, i.e., Spacey's alleged sexual aggression, but "wilfully ignored the dissimilarities" in the various complaints.

Much of the prosecution's case rested on the testimony of family members and friends of the complainants and the jury should carefully consider what they had said, Gibbs reasoned. While these witnesses were not lying, the account in each case was "not independent but comes from the mouth of the complainant himself ... I suggest they are sounding boards for that which they were told," Gibbs added.

Of the complainants themselves, when they came forward, "quite rightly they were made to feel comfortable and believed ... they were gently encouraged ... not challenged or cross-examined ... accepted at face value ... given lifelong anonymity unlike the defendant [Spacey]." It was Spacey who was really suffering "an imbalance of power" in this courtroom and trial by internet and social media outside it, Gibbs asserted.

He said of Spacey's situation, "It's a life that makes you an easy target when the internet turns against you and you're tried by social media."

"That's when these claims were taken to the police," the attorney went on, "when it was, I suggest, only too easy to do and the prospects of a pay-off from the bandwagon were at their most irresistible."

Gibbs told the court that the prosecution had criticised Spacey for his poor memory about events but reminded everyone that his client had only received a two- or three-paragraph summary of the allegations in May 2019. It was not until 2022 that the actor was given the videos and transcripts of the complainants' police interviews, and not until this trial that his defence had been able to try and test the complainants' allegations for the first time.

Gibbs pointed out that testable facts and hard evidence were vital to ascertaining the truth but difficult to find—records were lost or destroyed—but "thank goodness" the defence was able to fill in the gaps in the police

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investigation. He said that otherwise the jury would have been left with “one person’s word against the others” of events that occurred 20 years ago.

Gibbs said, “With each allegation that’s discredited, [there is] the possibility, the reality, that false allegations, even apparently convincing false allegations, really do happen.

“Especially where fame, money, sex, secrets, shame and sexual confusion are all in the mix.”

He told the jury it was “easy” to lie convincingly, especially when it is about someone like Spacey—“A man who is promiscuous, not publicly out, although everyone in the business knows he’s gay, who wants to be just a normal guy, or at least some of the time...”

There were several instances where the defence was able to undermine the complainants’ allegations with hard evidence. Photographs produced by the singer Elton John and husband David Furnish proved that Spacey attended their annual showbiz party in a different year to the one claimed by one of his accusers, who alleged he had been assaulted while driving Spacey to the event. Gibbs also queried why the complainant, who claimed he hated Spacey, posted photos on social media years afterwards with phrases like “The Old Days with Mr Spacey.”

It had been “up to the defence to dig deeper,” to acquire programmes, schedules and other documents, which the police hadn’t bothered to do. It had been the defence team’s job to question the allegations of the second complainant of verbal abuse and a “grab” by Spacey during a West End dress rehearsal. Under cross-examination, the complainant was forced to reveal publicly for the first time about contacting lawyers regarding a civil claim against Spacey.

It was only through the defence’s investigations that the allegations of the third complainant, an aspiring actor who had written to Spacey asking for mentoring advice, turned out to be a “lie,” according to Gibbs. After meeting Spacey in his flat the complainant claimed he fell asleep (or was drugged) to awake several hours later to Spacey performing a sex act on him.

The “key” to assessing the complainant’s claims was the defence’s “sheer good fortune” in discovering telephone, text and social media account records the complainant had deleted or “attempted to conceal,” including one where he joked he might have to have sex with Spacey if his job prospects didn’t improve soon. The timing of the texts suggested the encounter between the two was much shorter than the complainant suggested.

The third complainant also admitted to contacting journalists and lawyers in the US about a civil claim.

Of the fourth complainant, cross examination revealed that he had contacted Spacey after the alleged assault, having denied he had done so, asking for “resolution.” “What did that mean? The man said he couldn't remember about it, but didn’t know we had the email,” Gibbs explained.

All the allegations against Spacey tested in court have now failed. Only two civil cases in the UK, taken by two of the complainants involved in this trial, are outstanding, and perhaps not for much longer.

The outcomes have vindicated the principled stand taken by the WSWS against the #MeToo witch-hunt. In an article posted on November 1, 2017, “May a word be spoken on behalf of Kevin Spacey?” arts editor David Walsh wrote, “We live once again in an era of denunciations, which have the power to wreck lives overnight. And everyone is expected to chime in.”

“We have consistently pointed to the undemocratic character of the #MeToo campaign as an extension of upper-middle-class Democratic Party identity politics and its hostility to the elementary constitutional rights such as the presumption of innocence.

“In the official narrative, there is an almost complete absence of understanding and elementary sympathy. The accused is a criminal, a monster, who must be destroyed.”

Perhaps the last word should go to Spacey. In 2018, following his fall from grace, the award-winning actor released a three-minute video in which he urged viewers not to “believe the worst without evidence” and not to “rush to judgment without facts.”

Alternating between his own predicament and that of his character Frank Underwood—on the series *House of Cards*, from which Spacey had been fired—he declared, “You want me back. Of course, some believed everything and have just been waiting with bated breath to hear me confess it all. They’re just dying to have me declare that everything said is true and I got what I deserved.”

Getting to the crux of the matter, he then asserts, “Wouldn’t that be easy, if it was all so simple? Only you and I both know it’s never that simple, not in politics and not in life.”

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