

Questions About the Ghislaine Maxwell Trial



FILE – In this June 25, 2013 file photo, Ghislaine Maxwell, founder of the TerraMar Project, attends a press conference on the Issue of Oceans in Sustainable Development Goals, at United Nations headquarters. Despite his suicide, disgraced financier Jeffrey Epstein will still be put on trial in a sense in the coming weeks by a proxy: his former girlfriend, Ghislaine Maxwell. The 59-year-old Maxwell is to go before a federal jury in Manhattan later this month on charges she groomed underage victims to have unwanted sex with Epstein. (United Nations Photo/Rick Bajornas via AP)

The recent trial of [Ghislaine Maxwell](#) raises, as prominent or complicated trials in the United States often do, serious questions about how the American criminal justice system operates.

I have known Ghislaine Maxwell for 35 years and knew her father quite well when we were both proprietors of British

national newspapers. He was a flamboyant but undoubtedly highly unethical man who had an extraordinary career including a creditable war record, a discreditable status as supplier of school texts to African countries, and a creditable career as publisher of the London Daily Mirror and affiliated newspapers, in which capacity he showed considerable talent at pitching to the British tabloid market.

Altogether discreditable was his fawning over communist leaders in what were then called the satellite countries and in continually representing himself as a person of great political influence in many of the countries of the world, usually, but not always, a complete fiction. His last interview with Romanian dictator Nicolae Ceausescu, a few weeks before he was overthrown in a mass revolt and executed with great public enthusiasm, included the gem: "Tell me, Mr. President, why do your people love you so?"

I remember visiting him at his home near Oxford and asked him at one point about a splendid dinner service displayed in glass-doored cabinets along an entire wall of a large room. Bob nonchalantly explained that when, as a multilingual member of the British Army occupation force in West Berlin after World War II, he roamed about the prosperous residential areas, which had not been heavily bombed, requisitioning valuable objects for himself, (a serious breach of military rules for which he could have been reduced in rank from his status as a captain). He happened upon this service for which he claimed the provenance of the Romanoffs (ruling house of Russia), which was believable given its magnificence.

Bob's detachment of men for his mission of personal looting was forcibly removing it from a private home and putting it in a British Army truck, oblivious to the fact that he was in the French quarter of West Berlin. A patrolling French soldier happened by, notified higher-ups and a French colonel shortly arrived and advised him to put the dinner service back where he found it.

Bob said to me, quite plausibly and with evident pride that he responded to the French colonel: "I think I have a better idea Colonel. Why don't you and I designate someone to divide this splendid dinner service equally and I will have one half delivered to your attention anywhere in the three Western Allied zones, and I'll take care of the other half." This was agreed. Bob Maxwell was a talented raconteur and had many tales to tell.

Ghislaine Maxwell was a very attractive young woman, vivid, vivacious, and charming. When her father died, unleashing an immense scandal over his alleged removal of extensive funds from the Mirror pension fund, which his family has never ceased to claim he intended to repay, his considerable fortune vanished.

It has never been clear whether his death was accidental or a suicide, (I discount the inevitable rumors of murder), and his two younger sons were charged with complicity in financial fraud and were acquitted, which leaves Robert Maxwell himself, tenuously unconvicted of financial wrongdoing. His sons were tried as replacements for him, as Ghislaine's counsel alleged in her recent trial that she was for the late Jeffrey Epstein.

Ghislaine was scrambling for income somewhat until after some years she took up with Epstein. I knew Jeffrey also, though not as well; he was a very close advisor to a director of our company, the very successful women's clothing retailer Leslie Wexner, with whom he was financially very influential, as well as personally close. I saw Jeffrey and Ghislaine from time to time and they seemed to me to be a prosperous and presentable middle-aged man and his attractive girlfriend.

Obviously, I had no idea of the illegal activities that they have been convicted of committing. Alan Dershowitz acted for Jeffrey and at times for me also and I trust his analysis of Jeffrey Epstein's original legal problems. These were settled on a basis that Epstein's critics considered to be too soft,

and which caused some embarrassment to the prosecutor, the future Trump era Labor secretary, Alexander Acosta, who had to resign under this pressure when Epstein was reindicted.

Both Mr. Acosta and Professor Dershowitz have stated that the evidence against Epstein was not particularly convincing and that the available witnesses would have been vulnerable on cross-examination. There was certainly audible complaint over the allegedly soft sentence that Epstein achieved, in reporting to the prison in West Palm Beach only in the evenings and for about eleven months.

So when he was seized when he landed in his own airplane coming back from Europe and his grand house on Fifth Avenue (which he bought from Wexner), was broken into by the police, and heavy charges were laid against him following which he notoriously died in prison apparently a suicide, I was one of the few people who suggested that we might wish to give him the benefit of a trial before convicting him.

All he stands convicted of today is the 2009 plea bargain. His premature death made that question academic. Years passed and as Ghislaine Maxwell would not be difficult to locate, I assumed she had cleared herself of any legal vulnerability. She is a French citizen, among other nationalities, and I assumed that if she had any concerns in that regard she would relocate to France which does not extradite to the United States, as Roman Polanski has demonstrated.

I didn't follow her trial exceptionally closely, but I was not especially impressed with the testimony of the four anonymous witnesses and some of the testimony from more than 25 years ago, and I did not agree with the judge's commendation of them as courageous.

They came forward anonymously after a silence of many years, and were encouraged by the prosecutors, who authorized substantial amounts of money for them from the Jeffrey Epstein

Defense Fund if they would testify and who advised them that if they did testify, they would have a stronger argument to get more from the Epstein Defense Fund, towards which such prosecutors have some fiduciary obligation.

I believe this is an improper form of incentivization of witnesses and that in this, as in a great many other areas, American criminal procedure is stacked against defendants. Other recent revelations of conversations between a juror who had himself been sexually victimized, and the media and his influence on other jurors cast additional doubt upon the proceedings. A declaration of mistrial has been requested.

I emphasize that there is no alternative but to assume that the verdicts are just, but for the sentence of Ghislaine Maxwell to be just, extenuating factors should be considered. Of course Ms. Maxwell is responsible for her actions and if she had any reason to know that she was procuring minors for Epstein's and even her own sexual delectation, though there was no evidence of coercion or penetration, that is a grievous criminal matter.

But the legal status of women of the age of consent, who voluntarily returned, were never victims of physical coercion and remained silent for over a decade until incentivized from the Epstein Defense Fund being used by prosecutors as a slush fund to convict Ms. Maxwell to generate larger payments out of the same fund, would be unfair to Ghislaine Maxwell and to the legitimate heirs of Epstein's estate.

I think discussion of a sentence in this case of over 15 years is distressingly severe. I discount as wildly exaggerated reports that a large number of prominent people paid Epstein scores or even hundreds of millions of dollars in blackmail, and ultimately had him murdered, and are rewarding Ghislaine Maxwell for her silence. The world is full of false conspiracies.

As I've written before here and elsewhere, the United States has five percent of the world's population and 25 percent of its incarcerated people, and an average of nine times as many incarcerated people per capita as Australia, Canada, France, Germany, Japan, and the UK.

In federal indictments the conviction rate is approximately 98 percent, 95 percent without a trial, because the chances of a successful defense are so minimal, chiefly because of the prosecutors' ability to manipulate the plea bargain system to suborn or extort evidence that is immunized from charges of perjury. If this case is not deemed a mistrial, there is still no excuse for inflicting a penalty of 15 or more years in prison, as is widely expected, on Ghislaine Maxwell.

First published in the [*Epoch Times*](#).