

Published: 22/10/2013 17:11 - Updated: 22/10/2013 17:20

Alness woman jailed for false rape allegation



At Tain Sheriff Court today.

A WOMAN who cheated on her boyfriend and then cried rape after having sex with a man she met in a pub, was jailed for 14 months at Tain Sheriff Court today.

Sentencing Charlene Seel, Sheriff Jamie Gilchrist said she used the man for sex then stigmatised him when she falsely accused him of raping her.

Seel (22) of Kirkside, Alness, had earlier pleaded guilty to falsely claiming to have been raped by the man on November 26 or 27, in 2011, at an address in Invergordon.

But in court Sheriff Gilchrist said the social work reports caused him concern because although Seel had pleaded guilty, what was contained in the reports amounted to a plea of not guilty and she had shown no remorse.

Seel's solicitor Alison Foggo said the Sheriff must ignore the terms of the report.

Depute fiscal Roderick Urquhart told Sheriff Gilchrist that Seel had been in licensed premises in Invergordon with a friend when she met the man.

"She told her friend she fancied him. Later on she kissed him."

She left with the man and returned some time later and Seel said to her friend: "I've done it".

"At that point she didn't appear in distress but said she had cheated on her boyfriend and her life would be over if he found out."

The fiscal said Seel tried to persuade the man concerned to say that it was some other woman he had slept with.

About 3.30am in the morning the police received a report of a complaint of rape and attended at Seel's home. She made the allegations at her home and at the Northern Constabulary Victim Support Suite in Inverness.

Mr Urquhart said the man involved in the allegations cooperated with police and gave a full account of consensual sexual intercourse having taken place which was in accordance with the account given by Seel's own friends.

Sheriff Gilchrist asked if the man had ever been charged with rape.

The fiscal said there was no record of him ever being charged.

"But the mere fact it was being investigated means there would be people unwilling to give him employment," the fiscal added.

Ms Foggo said in the background report Seel had told social workers she had "no option" but to do what she did.

Sheriff Gilchrist said he struggled to see where he could go with sentencing Seel when she had pleaded guilty and showed no remorse and denied any wrongdoing.

Ms Foggo said it was now two years since the offence and she had a child and a stable family life.

The Sheriff said he would need time to consider the case before sentencing.

After an adjournment he told Seel she had falsely accused a young man of raping her.

"It's absolutely clear you were not coerced in any way. You deliberately set out and pursued him and got what you wanted."

But the Sheriff said Seel then wanted to conceal that fact from her boyfriend so she decided to make up the allegation of rape.

"It resulted in a wholly innocent young man being detained by police and subjected to intrusive and other invasive procedures."

Sheriff Gilchrist said the man was upset by the stigma attached to the case, suffered trauma and financial loss.

"For the avoidance of doubt, false allegations of rape is a very serious offence. Reputations can be ruined and lives can be devastated. It affects also the prospects of women who are genuinely raped.

"In your case you were misguided and malicious and you were indifferent to the victim's position. Having used him sexually you have expressed no remorse and seek to portray yourself as the victim."

The Sheriff added that even the evidence of Seel's friends demonstrated her position was untrue.

"I have concluded to impose a non-custodial sentence would send the wrong message from the courts."

He jailed her for 14 months and said the sentence would have been 18 months but for the guilty plea.