

24th July 2014

'False rape claim has ruined my life' says Clydebank granddad



The 52-year-old, who the Post has chosen not to name, was impassive as a jury of five men and eight women returned a unanimous not guilty verdict on Friday.

But when he left the court room the relieved man was embraced by family members and friends who had supported him throughout his traumatic ordeal.

He told the Post: “It has ruined my life for the past two-and-a-half-years. I couldn’t eat, I couldn’t sleep, I was frightened to go out the house on my own.

“The trial itself was the worst time of my life. When the verdict came through I just heard the word ‘not’ and it was just pure relief. My lawyer had told me just to sit still and don’t react but I was jumping for joy inside. Now I just want to be left alone to get on with my life and feel safe in my own home.” Advocate Paul Brown, representing the Faifley man, urged the jurors to acquit because he said the Crown’s case was “riddled with inconsistencies” and that his client was the victim of what he described as a “witch-hunt mentality”.

He had been accused of raping the woman at a property in the Maryhill area of Glasgow between January 1 and January 31, 2012, but despite being labelled a liar by his accuser, the jury was not persuaded and he walked free.

During his closing speech, advocate depute Allan Nicol reminded the jury that prior to the alleged offence the woman regarded the accused as a “good friend and confidante”.

However, after both had spent the night together after a house party the woman, who can’t be named for legal reasons, claimed he had taken advantage of her when she was asleep.

ALLEGATION The woman confided in her sister who advised her to do something about it but the woman did not want to do anything at the time and it was more than a year later before the allegation was formally reported.

Mr Nicol asked the jury to consider whether they thought it was plausible that she was trying to conjure up the allegation and pointed out that if she had wanted to prevent her partner from finding out that she had had sex with him she would have simply said nothing about it.

He said: “Throughout 2012 she refused to face up to doing something about it until the police came to see her when her husband got

involved. She wanted to get on with her life and forgive him.” Mr Nicol challenged the defence’s position that it was a vigilante crusade based on a lie by asking the jurors to consider whether they thought it was realistic to think the complainer and the witnesses would concoct such an elaborate scheme.

Advocate Paul Brown, defending, started his summing up by bluntly saying: “You know the Crown’s case is in trouble when they come to you and don’t lay any proof before you.” He contended that asking the question, ‘why would she lie?’ did not amount to evidence and he described the complainer’s evidence as unsatisfactory, adding that the same could be said for all the Crown witnesses. He said the complainer was a “complex character” and urged the jurors to approach her evidence with “extreme caution”.

He said: “In the middle of someone raping her she has the thought process and does not shout out because she doesn’t want to make a fuss about it. That’s what you are being asked to convict on, ladies and gentlemen.” Referring to the family members who gave evidence, he said they too told “lie, after lie, after lie” and told the jurors: “They just want you to push it over the finish line and get you to be complicit in this.” Referring to a confession that the accused was alleged to have made, Mr Brown said it was a “kangaroo court confession” that came about as a result of a “witch hunt mentality”.

After just over one hour’s deliberation the jury returned a unanimous not guilty verdict and Judge Lord Mathews said he was free to go.