

Cupar woman who falsely claimed rape sentenced to six months' detention

by News reporter

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A young Fife woman who falsely claimed she had been raped by an ex-boyfriend has been detained for six months at Cupar Sheriff Court.

Dorothy Russell (20), Halford Court, Cupar, alleged that a former partner had forced her to have sexual intercourse with him against her will on June 3.

The court heard from the Crown that although Russell had split up from the complainer and was in a relationship with someone else, she continued to visit him and had consensual sex on the evening in question.

Thereafter Russell told her new partner her ex-boyfriend had raped her and she then reported it at Cupar police station where arrangements were made for her to be medically examined.

Russell's ex-partner was taken into police custody and interviewed for 12 hours overnight by officers.

He told officers that Russell was lying and that she had made up the allegation because she wanted to "get back with him" but he was not interested. He was able to prove this by showing police numerous text messages from her.

Russell was interviewed again the following day and denied that she had visited the accused for sexual purposes, as suggested by her text messages. She said she had gone to use his computer.

With regard to the text messages she said: "I was just winding him up."

She told police that when she got there her ex-partner was wearing only a towel and that she had been feeling unwell and hot so had removed some of her clothes and fell asleep. It was then, she said, that the rape occurred.

At a later police interview, she was asked again if she felt she had been raped and she said: "Not in so many words."

She then said she had previously said she had been "sexually assaulted" and that it was a police officer who had used the word "rape".

The Crown said: "It was then put to her that she had lied because she seemed to be ashamed of what she had done and did not want to upset her new partner, and she agreed that was the truth."

Russell's defence lawyer said his client came from a "difficult background" but she "fully accepted" her actions. He added that certain events that occurred in her childhood relating to abuse could be a factor.

However, Sheriff Charlie McNair made the point that, seeing as there was no evidence to suggest any abuse had occurred, she could be "crying wolf" about that as well.

Sentencing her to six months' detention, he said: "Rape is one of the most serious charges a person can face in criminal law ... and it is right that men that are prosecuted of rape are sentenced accordingly.

"The attitude of police and prosecutors to rape have quite properly changed over the last few years. The problem, however, with that attitude is that it is undermined by false allegations of rape, when in fact consensual sexual intercourse has taken place.

”In this case luckily there were text messages that got you to retract the allegation. If they had not been there, however, it is highly likely the complainer would find himself on trial at the High Court. As it was he spent 12 hours in custody.”

Sheriff McNair said his reports showed Russell’s allegation occurred while she was on bail for an ”identical” offence committed in August last year.

He added that, in light of all the evidence, there could be no alternative to a custodial sentence.

<https://www.thecourier.co.uk/news/local/fife/109503/cupar-woman-who-falsely-claimed-rape-sentenced-to-six-months-detention/>