

## Lovers jailed for making false rape report

*By Jan Yumul*

A Filipina domestic helper and her Bangladeshi boyfriend were jailed on Feb. 22, after pleading guilty to making a police statement falsely accusing another man of rape.

Florgefel Flores Nueva and MD Aslam Uddin also pleaded guilty to a joint charge of conspiracy to pervert the course of justice when they first appeared at the District Court on Feb. 18.

Nueva admitted inducing Uddin's friend, against whom he had a secret grudge, to having consensual sex, and then falsely accused him of rape on Jun 3 last year.

Afterwards, she went along with Uddin's plan to have herself tied up and dumped in the New Territories while another accomplice called up the police to alert them. Nueva told police it was Uddin's friend, a tailor, who was behind her abduction.

Nueva was jailed for 28 months, while Uddin, who masterminded the crimes, was locked up for 44 months.

In sentencing, Judge Tallentire told Uddin: "You are the architect of the conspiracies. You abused the ill-advised affection D1 (Nueva) felt for you. Clearly, that affection was not reciprocated."

Nueva, a widow with two children, elicited some sympathy from the judge, who said she was "clearly beguiled" by her boyfriend that she ended up offering sexual favors to help establish the rape against his friend. The judge stressed that it was Uddin who stood to benefit from "unjust, false accusations" against an innocent man.

However, he said the attempt to mislead the police the second time around was alarming.

"The second false accusation was designed to bring him (Uddin's friend) back to custody and enhance prison sentence. These are extreme examples of conspiracy to pervert the course of public justice," said Judge Tallentire, who also commended the police for helping the accused man avoid what could have been a long prison term.

In her initial report to the police, Nueva alleged that a tailor whom she just met outside Chung King Mansions in Tsim Sha Tsui gave her a name card, then brought her to a nearby guest house ostensibly for measurement and fitting. But when they arrived at the guest house, the tailor, with "the assistance of an unknown male", reportedly raped her. The tailor was said to have not used any condom.

Nueva led the police to the tailor shop, identified the man and at around

11:55pm, that day, an arrest was made. Under police caution, the tailor remained silent. He was detained for inquiries until about 11pm the next day.

In the presence of interpreters, the Filipina gave a detailed statement to the police about the alleged rape.

A month later, or on July 17, police received a report that Nueva was tied up and abandoned on the roadside of Ma Shi Po in Fanling. Police rushed to the place and freed her.

Nueva said then that she had gone to Chung King Mansions to photocopy some documents for her employer. When she arrived at the rear lane of the building, the tailor and four unknown Bangladeshi males allegedly intercepted her and pushed her into a van.

The tailor then used adhesive tape to seal her mouth, then tied her up. He also threatened her not to testify in the rape case, otherwise, she "will be killed".

The tailor allegedly offered to pay \$50,000 on the condition that Nueva leave for the Philippines. Finally, she was abandoned in the Sheung Shui area.

Again, in the presence of interpreters, Nueva gave a detailed statement on the incident and her police report on July 20 and 30.

Police inquiries showed that Nueva had lied in her statements. Firstly, she claimed that she only met the tailor on the day of the alleged rape, which was June 3. However, telephone records showed that Nueva and the tailor had phone contacts with each other as early as May 30.

Secondly, Nueva claimed in her second report that she had gone to Chung King Mansions to photocopy documents for her employer. But when police interviewed her employer, he denied sending her out to get photocopies.

Thirdly, the Filipina claimed to have photocopied the documents at 8:25pm, but the shopowner said that there was no photocopy service after 7pm.

Further, during the investigation of the second report, the police seized the adhesive tape, which was used to tie up Nueva. Upon examination by an expert, the fingerprints were found to be not of the tailor's, but her boyfriend's.

Lastly, the CCTV installed outside the tailor's shop by the Chung King Mansions management office revealed that the tailor was working in the shop between 5pm and 10:54 p.m. on July 17.

He never left the shop, and so could not have gone to the Fanling area to commit the alleged offences.

Nueva was arrested on July 31, and gave four recorded interviews.

In the first and second interviews, Nueva maintained her original complaint but retracted them in the succeeding interviews. She admitted the offence in the presence of interpreters.

In gist, she admitted to the police that both of the reports were false and did them as instructed by Uddin who had a grudge against the tailor. Uddin reportedly wanted to get the tailor jailed as revenge.

Nueva said Uddin gave her the tailor's telephone number, and asked her to

induce him to have sex. She agreed, and had consensual sex with the tailor on June 3.

Nueva said she agreed to commit the offenses "because she loved Uddin". She said she, Uddin and another friend went to the New Territories to stage the abduction scene.

Uddin reportedly told her to lay on the ground and wait for the police. His friend was the one who made the call to the police. However, Nueva could not provide details about Uddin's friend.

The following day, Uddin was arrested by the police and had five records of interview.

After he was shown Nueva's interview, he admitted all the offenses and gave details on how they were carried out.

The tailor, who acted as a witness in the case, denied all the charges in a statement to the police, but confirmed having consensual sex with Nueva.

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