

**302.16 *Incriminating innocent people Rape claims Cases***

See also: *R v Beale* 2019 EWCA 665 (D was convicted of three counts of perjury and four of perverting the course of justice. In 2005, when aged 13, she was raped. In 2008, she claimed rape (retracted). In 2010, she claimed abduction and rape falsely. The victim was tried twice and sentenced to 7 years and served 2 years 9 months. D received £11,000 in compensation. In 2012, she claimed robbery and sexual assault, involving barbed wire at the entrance to her vagina. The victim, V, was charged and bailed and fled the country. CCTV showed the allegation was false and her gloating at V's misfortune. In 2012, D claimed she had been attacked by seven men including her ex-boyfriend, leaving her unconscious. This allegation was withdrawn. In 2013, D claimed attempted rape. Later she claimed rape where there had been consensual sex. One victim proved he was at home at the time. The other was on bail for two years. During the trial two victims were attacked as rapists with their character blackened. D was aged 18-21 during the offending and aged 25 when sentenced. She was of good character and had a borderline personality disorder. Held. The victims had suffered incalculable harm. The system of justice had suffered significant harm. Considerable resources had been expended. **10 years** was stern but not excessive.)

**302.36 *Statement Making a false statement***

*R v Mahmood* 2019 EWCA Crim 732 D pleaded to perverting. When driving, he filmed a collision and was sent a form about an intended prosecution. D returned the form claiming someone else was driving the car. He was caught and fined £51 for the incident. D was aged 33 and of good character. His family depended on him and he helped with a younger sibling who had Down's syndrome. Held. The family problems would be temporary rather than significant. Immediate imprisonment cannot be faulted. Because of D's good character, we start at 12 weeks, not 6 months, making with plea **8 weeks**, not 18.