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Woman acquitted over false claim of rape

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A JUDGE directed a jury yesterday to acquit a woman on charges, of knowingly making a false claim of rape against a garda during 1994. When the Dublin Circuit Criminal Court heard medical evidence of Ms Helen Clune's psychiatric state at the time she made the claim, Judge Kieran O'Connor said it would have been "perverse" if the jury was to find her guilty of knowingly making the false allegations.

Dr Margaret O'Regan had given evidence Ms Clune had been delusional at the time and consequently believed her allegations to be genuine. She now accepted her rape allegations were untrue and had withdrawn them.

Dr O'Regan said she believed Ms Clune had been damaged in the past by a sexual assault by a man and was in a psychotic or associated state. She was reliving the incident in her mind and a belief system grew out of this.

While making her allegations, she exhibited the shock and trauma of someone who had been recently raped. She had a history of depression, psychiatric treatment, self damage and attempts at suicide. "She may have constructed her stories initially but they became her beliefs. She was never sexually assaulted by the man [the garda] she named in one of her allegations," Dr O'Regan said to Mr David Holland, defending.

Ms Clune (21), formerly of Monkstown, Cork, had pleaded not guilty to knowingly making false reports of rape to Dr O'Regan and to gardai in Cork on various dates during 1994.

It was alleged that on May 17th, 1994 she claimed she was raped in Cork city on March 25th, 1994, by a person unknown. She had also denied that on July 7th,

1994, she falsely claimed to have been raped by a named garda on June 25th, 1994, in Salthill, Galway. She faced a total of five charges.

Judge O'Connor directed the jury to return not guilty verdicts on all the charges and he discharged Ms Clune. He also made an order directing the press not to identify the garda who was the subject of the false allegations.

Dr O'Regan told Mr Patrick J. McCarthy, prosecuting, that Ms Clune was referred to her on March 25th, 1994. She claimed that earlier that evening, a man she did not know forced his way into her flat and dragged her by the hair to her room at knifepoint. She claimed he hit her fondled her and forced sharp objects into her vagina. Dr O'Regan said after examining Ms Clune she was sent to hospital and objects were found inside her. She also had marks on her face.

The doctor said she had believed Ms Clune's claims as she was shaking and shivering. She appeared to be in shock and it would be almost impossible to fake this, Dr O'Regan told Mr Holland.

Ms Clune declined to make a formal complaint to gardai but attended psychotherapy with Dr O'Regan where she made allegations of further incidents. A number of times after the initial rape claims Clune rang her late at night with panic attacks and nightmares about further assaults. During a psychotherapy session on July 7th, 1994, Ms Clune claimed she was raped on June 25th in Galway by a garda she named. She again declined to, make a formal complaint but agreed a female garda should be told of her allegations.

Later, after urging, she did, make a statement to gardai and the matter was investigated.

Dr O'Regan said Ms Clune telephoned her on July 16th and arranged to come to the doctor's surgery with her aunt. She was "extremely surprised" to hear Ms Clune admit all her rape allegations were false. Ms Clune then spoke to gardai and withdrew her allegations.

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