

Breaking News – Thursday 3 June 2010

Alleged rape victim admits lying to Gardai in statement:

The wife of a man accused of raping and assaulting her admitted she had initially lied to gardaí in a statement saying that her husband had not been living with her at the time the alleged offences took place.

The man, who cannot be named for legal reasons, has pleaded not guilty at the Central Criminal Court to charges of rape, false imprisonment and assault causing harm to the woman on April 12, 2009 at a house in Co Meath.

The woman told Ms Isobel Kennedy, SC, defending, under cross-examination, that she had lied to gardaí saying she had “only met up with her husband twice” since moving into her new accommodation in January 2009 as there was a barring order in place against him.

She then admitted in a second statement to gardaí that he had been “back living with her since mid-February 2009.”

“I made the second statement because at first I said he wasn’t living with me because I was scared of him,” she said.

Ms Kennedy asked her if she was “happy living with her husband” and she said she was not.

The woman denied she had consensual sex with her husband on the night and disagreed with Ms Kennedy when it was put to her that the “violence never happened.”

Ms Kennedy put it to her that her husband was at home cooking when she came in from work and then they both went to bed to watch a movie while she had a “few Bacardi Breezers.”

“You then had consensual sex with your husband,” Ms Kennedy said.

Earlier in the trial the complainant told Mr Patrick Marrinan SC, prosecuting, she had been married to the man for nine years but in November 2008 she separated from him as there was marital disharmony.

She had moved to the Women’s Refuge Centre and got new accommodation from the centre in January 2009 and in mid-February of the same year her husband moved back in with her.

She said on the evening of April 11, 2009 she came home from work at around 8pm. Her husband was in the kitchen cooking for their young son.

“I saw he was drunk and when I asked him was he drinking he said no,” she said.

“I think he was still drinking because after a few hours he was getting more drunk. He looked like he was drunk and he spoke differently,” she said.

She said he left the house at 10pm and returned half an hour later.

“He pushed me in the hallway and I sent our son to bed. He kept asking me why I put him in prison as I had acted on the barring order before and he was arrested. I kept telling him he should stop drinking.”

“He started to scream that he loved me and kept shouting “why did you put me in prison.”

She said she went upstairs and had a shower and got ready for bed. He followed her up and pushed her onto the bed and sat on her.

“He started punching me with his fists on my legs and I was screaming for him to stop. He started choking me with his hands on my throat and I screamed for him to stop.”

She told her husband she was going to ring the Gardai and she said he took her phone and hid it in his pocket.

“He grabbed my arms and then sat on my arms and then started to rape me. He wouldn’t stop and kept doing it about five or six times.”

She said when her husband went downstairs to have a cigarette she found the phone and hid it under the mattress.

She went downstairs “to see where he was” and then went back upstairs and rang a woman from the Women’s Refuge Centre who phoned Gardai on her behalf.

She said the Gardai arrived and arrested her husband and she was brought for a physical examination to Mullingar Hospital.

The trial continues before Mr Justice Liam McKechnie and a jury of six men and six women.