

No. 7223/Y3/88

IN THE COURT OF APPEAL

CRIMINAL DIVISION

Royal Courts of Justice,

Monday, 24th April, 1989.

Before:

THE LORD CHIEF JUSTICE OF ENGLAND  
(Lord Lane)

MR. JUSTICE McCOWAN

and

MR. JUSTICE POTTS

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R E G I N A

-v-

SARAH JANE LOUISE GOODWIN

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(Transcript of the Shorthand Notes of Marten Walsh Cherer Ltd.,  
Pemberton House, East Harding Street, London, EC4A 3AS.  
Telephone Number: 01-583 7635. Shorthand Writers to the Court.)

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MR. B.S. BUATIA appeared on behalf of the Appellant.

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J U D G M E N T  
(As approved by Judge)

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A THE LORD CHIEF JUSTICE: On 2nd December 1988 in the CrownCourt  
at Lincoln, this appellant, Sarah Jane Goodwin, who is now  
20, pleaded guilty to attempting to pervert the course of  
justice, and she was sentenced to three years' detention in  
a Young Offender institution.

B She now appeals against that sentence by leave of the  
single Judge.

C The facts of the case are these. On the evening of  
3rd July last year the appellant went to the police station  
in Lincoln and reported that earlier on that day she had  
been raped. She made a full and detailed statement about  
the circumstances of that alleged offence describing the  
offender, said that she did not know him but she thought  
D she would be able to recognise him again if she saw him.

E She was examined by a doctor who noticed that she had  
suffered some bruising, but not as much as he would have  
expected in the circumstances.

F Three days later, on 6th July, she told the police  
officers that although at the time she had not recognised  
her assailant, she had since realised that it was an  
ex-boyfriend of hers called Thomas Glencross.

G The police were not altogether satisfied by this  
account. She was repeatedly asked if her story was  
correct. She asserted that it was, and as a result of  
that the unfortunate Thomas Glencross was arrested, he was  
taken into custody, and there he stayed from 7th July until

21st July. But the police not being entirely satisfied, continued their investigation.

A It was then found that the appellant had spent the whole night with another man altogether called Robert, and in fact it seems had had consensual intercourse with him.

B As a result the appellant was seen again on 20th July and this was put to her. She agreed that it was correct. She agreed that the intercourse with Robert had been consensual, although he had been rough and had left her bruised and also scratched. That seems to have been the beginning of the trouble, because when she got home her mother noticed that these injuries were upon her, her mother assumed that the appellant had been the victim of rape and she had agreed that that was the case. That, as I say, seems to have been the genesis of this unhappy story.

D The subsequent events really cast very little credit upon the appellant. She gave a number of different accounts, and indeed, finally when interviewed by the probation officer in order for a social enquiry report to be prepared, she then said that she had been raped by the second man, Robert. It is a little difficult to know where the truth lies. However the fact remains that as a result of this woman's lies, Glencross spent fourteen days in custody.

Mr. Buatia before us in a submission which was both helpful and succinct, submits to us that the term of three years was in the circumstances excessive.

We have before us a very helpful welfare report from the Lincolnshire Probation Service, which sets out the the home background and the capabilities of this young lady. It is a firm home background, it is reported, and she is no doubt a talented young woman.

Mr. Buatia points out correctly that she was deeply regretful and full of remorse and indeed was devastated by being taken into custody. She has no previous convictions. A medical report describes her as being an immature 19 or 20. Mr. Buatia points out correctly that she admitted her offence to the police when she was finally confronted with the facts which they had discovered and she pleaded guilty at trial.

On the other hand this was, on any view, a wicked thing to do. The appellant only abandoned the false story because the police had continued their inquiries. As everybody knows it is an easy allegation to make and may be very difficult to refute. The possibilities are terrifying when one considers what might have happened had the police not been so persistent.

The question is was a term of the length of three years custody necessary? We think it was not. It is necessary to make people understand that this sort of lie will be met by severe punishment. But we have to balance

against that the age of this young woman and the  
circumstances in which she saw fit to tell these lies. We  
think that in the circumstances a term of eighteen months  
would be sufficient. We accordingly quash the terms of  
three years custody and we pass a sentence in place of it  
of eighteen months. To that extent the appeal is allowed.

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