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APPEAL AGAINST CONVICTION FOR FALSE ALLEGATION FAILS

The Court of Criminal Appeal has dismissed an appeal by a man against his conviction for falsely accusing a priest of child sexual abuse.

Paul Anderson (34), Crumlin, formerly of Fatima Mansions and Iveagh Trust Flats, New Bridge Street, Dublin, was convicted last year after a 17-day trial of making the false claim. He was jailed for 4 years by Judge Patricia Ryan at Dublin Circuit Criminal Court.

Anderson had denied making a false accusation to a detective garda at Kevin Street Station on the 18th June 2003, that acts of indecent assault and buggery were committed on him by the priest between February and May 1981.

The three judge-appeals court, with Mr Justice Joseph Finnegan presiding and sitting with Mr Justice Daniel Herbert and Mr Justice Paul Gilligan, yesterday dismissed Anderson's appeal against conviction. His appeal against his four-year sentence was adjourned.

Justice Dillon, SC, for Anderson, argued that conviction should be set aside on grounds including that the trial judge had erred by including as evidence during the trial a statement by Anderson to the Garda in which he made certain admissions.

The statement was made after his client had been in custody for more than five hours and should not have been admitted for a number of reasons, including the failure to video-record it. Mr Dillon said. He also claimed that gardai' had acted in an improper manner towards Anderson while he was in custody, that gardai' had threatened to jail his parents and had asked his sister to speak with him while he was detained.

Dominic McGinn, for DDP, argued that there was no evidence to show that Judge Ryan had erred and said the conviction should remain undisturbed.

The only evidence of any wrongdoing by gardai' was from Anderson and his witnesses and the trial judge had found that evidence was not truthful, credible or consistent.

The court dismissed all grounds of Anderson's appeal.

Mr Justice Finnegan said the court was satisfied there was evidence before the judge which justified her findings and that no error occurred.

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