



## False sex assault claims damaging to everyone: Daya

By AdvocateDaily.com Staff



False sexual assault claims have a damaging effect on society because they cast suspicion towards legitimate complaints, says Toronto personal injury lawyer [Jasmine Daya](#).

The *New York Post* [reported](#) on the case of a U.S. woman jailed for making up sexual assault complaints against two college football players, and Daya, managing principal with [Jasmine Daya & Co](#), says it's not the only case stemming from false allegations that she's seen receiving extensive media coverage in recent years.

Although the number of false claims is minuscule compared with the 460,000 sexual assaults that are [estimated](#) to occur every year in Canada, Daya says they have received disproportionate news coverage because of the publicity surrounding the wave of legitimate complaints unleashed by the #MeToo movement.

“It’s very upsetting because when you get more of a spotlight on the very few individuals who make false claims, that in turn causes people to wonder about how many more women are making these stories up,” Daya tells [AdvocateDaily.com](#). “That’s not only unfair to the people who are falsely accused, but also to the positive women’s movement that is striving for equality and recognition of victims who have been truly harassed and assaulted.”

According to the news story, the U.S. case dates back to late 2016, when the woman first approached police with a complaint about two football players who she claimed had forced her into sex in a bathroom during a party.

After initially rowing back on the story, admitting she had crafted it to protect a prospective relationship with another man, the news outlet says the woman then reverted to the original version when the case came up for a court hearing.

The woman later pleaded guilty to charges of false reporting and interference with a police investigation, and received a one-year jail sentence, with a further two years suspended.

The newspaper also reported on the victim impact statements by the falsely accused men, both of whom left their school after the allegations were made.

One said his life would “never be the same” despite doing nothing wrong, while the other said he had been left \$30,000 in debt and without a scholarship thanks to the events of the last two years, which were “definitely my most difficult of my life.”

“I feel terribly for these men,” says Daya, who adds that they may have recourse in civil court for their ordeal.

In addition to seeking damages from the woman on the strength of her conviction, they may also have a case against their university for the way it handled the accusations, she says.

“Regardless of any monetary compensation, it’s not going to erase the emotional trauma associated with these events, or the time lost to pursue their education and career,” Daya says. “I don’t think we can fully appreciate what it must have been like for them, and they will probably be scarred by the experience for the rest of their lives.”

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