

Press Release

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Attitude problem at heart of low conviction rates for rape

Ill-informed attitudes and myths surrounding sexual offences still permeate society and are a major stumbling block to improving on low rape conviction rates, says a new book.

The call comes in *Sexual Assault and the Justice Gap: A Question of Attitude*, which looks at why most rapes reported to the police do not result in conviction.

Despite increases in the number of rapes reported to the police, conviction rates have declined or remained stagnant in many Western countries. In England and Wales, the proportion of reported rapes that ended in a conviction declined from 32 per cent in 1979 to 5.3 per cent in 2004/5.

The book's authors – law professor Jennifer Temkin (University of Sussex, UK) and psychology professor Barbara Krahe (University of Potsdam, Germany) – identify society's continuing acceptance of myths and false beliefs about rape as an important problem in securing convictions - especially as such biased views can be held by the key players in the criminal justice system, such as police officers, prosecutors, judges and juries.

Typical rape "myths" include:

- True rapes are only ever carried out by strangers;
- Rape accusations against men known to the victim are usually the result of "misunderstandings", embarrassment or revenge and therefore aren't really rape at all;
- A complainant's sexual history, drunkenness or revealing clothes invalidate a complaint.

The book presents a series of new studies with more than 2,000 members of the public eligible for jury service, law students and prospective lawyers in vocational training, who were asked to assess a range of written rape scenarios.

Professor Temkin says: "We found that the more people believe in rape myths, the more they are inclined to blame the victim and exonerate the perpetrator, even though in all the scenarios the woman made it clear that she did not consent to sex. We also found that, where there was a previous relationship, there is a clear tendency amongst people in general to blame women who allege rape and downplay the responsibility of the perpetrator."

The authors studied a Home Office anti-rape poster campaign aimed at young men. They found little evidence that the posters were effective in promoting awareness about the importance of consent and in dispelling myths about rape. The authors conclude that their findings demonstrate the importance of careful design and pre-testing of material used in media campaigns.

In addition, the book includes the results of an in-depth interview study with highly experienced judges and barristers, which suggest that old attitudes persist, so that the law now surrounding rape does not work in the way that it is supposed to do.

The authors present strategies that could help reduce the adverse impact of rape myths. These include

- Enforcing laws that provide legal protection for those alleging rape and changing the law to permit evidence of the good character of a person alleging rape;
- Screening jurors with a view to deciding whether those who are likely to be implacably biased against the complainant or the defendant should serve;
- introducing expert evidence in the courtroom to educate jurors and the public about rape;

- Improving training of judges and barristers;
- Education of the public to dispel misconceptions about rape and emphasise the importance of consent in sexual encounters, starting in schools and through carefully constructed media campaigns.

Notes for Editors

***Sexual Assault and the Justice Gap: A Question of Attitude*, by Professor Jennifer Temkin and Professor Barbara Krahe, is published in paperback by Hart Publishing on 15 April 2008; £30; ISBN 9781841136707.**

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- Jennifer Temkin is a Professor of Law at the University of Sussex. Called to the Bar in 1971, she lectured at the London School of Economics before joining the University of Sussex. Professor Temkin was a member of the External Reference Group, Home Office Sex Offences Review, 1999-2000.
- Barbara Krahe is a Professor of Social Psychology at the University of Potsdam in Germany. She has been researching sexual violence over the past 25 years. Professor Krahe also has a long connection with the Department of Psychology at Sussex.

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