



## **No impunity for rape No anonymity for defendants**

The Government proposes to give those accused of rape anonymity; this would mean that the police would not be able to name those they are investigating in order to secure vital evidence. In no other offence, including murder or those that relate to child pornography, is the suspect shielded from identification in this way.

Rights of Women, along with the other leading women's and human rights organisations who have endorsed this statement, believe that giving suspects anonymity, whether until charge or conviction:

1. Will hamper police investigations and enable serial offenders to evade detection, placing more women at risk of sexual violence.
2. Serves to reinforce erroneous and harmful myths about the prevalence of "false" reports of rape thereby deterring women from reporting rape.
3. Sends a clear message to women that they are not to be believed.

### **Shielding serial perpetrators of rape**

*Jo contacted our sexual violence legal advice line in June 2010; she had been raped by a health care worker while she was recovering from serious illness. Following a conversation with our advice line worker, Jo reported the rape to the police. The perpetrator denied the allegations and, in the absence of any forensic or other evidence, it appeared that no further action would be taken against him. An article on the case then appeared in a regional newspaper that named the suspect. As a result of this coverage three other women contacted the police to report rape and other incidents of serious sexual violence. The suspect was subsequently charged with a number of counts of rape and sexual assault and has been remanded in custody.<sup>1</sup>*

As this case and that of John Worboys<sup>2</sup> shows, the ability of the police to name suspects is a powerful tool for the detection of serial perpetrators.

### **'False' reports: why is rape different?**

Unreliable and incorrect assumptions about 'false' reports should not form the basis of a legal response to sexual violence. There is no reliable empirical

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<sup>1</sup> This case study comes from a recent call to our sexual violence legal advice line, to protect the confidentiality of the caller details have been changed.

<sup>2</sup> John Worboys was convicted of 21 sexual offences at Croydon Crown Court earlier in 2010. Twelve women gave evidence against him but the police believe that he may have assaulted many more.

evidence that suggests that there are problematic numbers of 'false' reports of rape being reported to the police.<sup>3</sup> Indeed, in her review Baroness Stern concluded that: **“those we spoke to in the system felt that there were very few [false reports]. A Crown Prosecution Service (CPS) lawyer told us, ‘They are extremely rare. I have been prosecuting for 20 years, and have prosecuted for a false allegation once.’ The judges we talked to said these cases occur very infrequently. An experienced police officer had come across two such cases in 15 years.”**<sup>4</sup>

By singling out those accused of rape as in need of special protection, when there is no evidence to justify this position, the Government is sending a clear message to all women that if they report rape to the police they will not be believed.

### **The critical need to support survivors**

In their 2007 examination of the way that rape cases are handled, inspectors of the police and CPS found that:

**“In no other crime is the victim subject to so much scrutiny during an investigation or at trial; nor is the potential for victims to be re-traumatised during these processes as high in any other crime..... Maintaining victim confidence in the criminal justice process, however, is absolutely key if offenders are to be brought to justice.”**<sup>5</sup>

Rights of Women, along with the following leading women's and human rights organisations, call on the Government to drop its proposals on anonymity and instead focus its energy where it is needed, in securing sustainable services for survivors of sexual violence and improving the investigation and prosecution of offenders.

1. Against Violence and Abuse (AVA) [www.avaproject.org.uk](http://www.avaproject.org.uk)
2. Ashiana Network [www.ashiana.org.uk](http://www.ashiana.org.uk)
3. Asylum Aid [www.asylumaid.org.uk](http://www.asylumaid.org.uk)
4. Barnsley Sexual Abuse and Rape Crisis Helpline (BSARCH) [www.bsarch.org](http://www.bsarch.org)
5. Beyond the Streets [www.beyondthestreets.org.uk](http://www.beyondthestreets.org.uk)
6. Brecknock Women's Aid

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<sup>3</sup> An analysis carried out by Philip Romney found considerable methodological failures in research that identified high numbers of false reports, leading him to conclude that claims about false reports are often made on the basis of little empirical evidence. Philip N. S. Rumney, *False allegations of rape*, Cambridge Law Journal 2006, 65(1), 128-158.

<sup>4</sup> *A Report By Baroness Vivien Stern CBE of an Independent Review Into How Rape Complaints Are Handled By Public Authorities In England And Wales*, The Government Equalities Office and the Home Office 2010, page 40.

<sup>5</sup> HM Crown Prosecution Service Inspectorate (HMCPIS) and HM Inspectorate of Constabulary (HMIC) (2007). *Without consent: A report on the joint review of the investigation and prosecution of rape offences*, page 162.

7. Bristol Fawcett [www.bristolfawcett.org.uk](http://www.bristolfawcett.org.uk)
8. Child & Women Abuse Studies Unit [www.cwasu.org](http://www.cwasu.org)
9. Coalition for the Removal of Pimping (CROP) [www.cropuk.org.uk](http://www.cropuk.org.uk)
10. Coventry Rape and Sexual Abuse Centre (CRASAC) [www.crasac.org.uk](http://www.crasac.org.uk)
11. East Kent Rapeline [www.eastkentrapeline.com](http://www.eastkentrapeline.com)
12. Eaves [www.eaves4women.co.uk](http://www.eaves4women.co.uk)
13. London Feminist Network [www.ldnfeministnetwork.ik.com](http://www.ldnfeministnetwork.ik.com)
14. National Alliance of Women's Organisations (NAWO) [www.nawo.org.uk](http://www.nawo.org.uk)
15. OBJECT [www.object.org.uk](http://www.object.org.uk)
16. One in Four [www.oneinfour.org.uk](http://www.oneinfour.org.uk)
17. One25 [www.one25.org.uk](http://www.one25.org.uk)
18. Rape Crisis (England & Wales) [www.rapecrisis.org.uk](http://www.rapecrisis.org.uk)
19. Rape Crisis (Wycombe, Chiltern and South Bucks)
20. Rape & Sexual Abuse Support Centre [www.rasasc.org.uk](http://www.rasasc.org.uk)
21. Rights of Women [www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)
22. Rise [www.riseuk.org.uk](http://www.riseuk.org.uk)
23. Scottish Women Against Pornography
24. Solace Women's Aid [www.solacewomensaid.org](http://www.solacewomensaid.org)
25. Truth About Rape [www.truthaboutrape.co.uk](http://www.truthaboutrape.co.uk)
26. the nia project [www.niaproject.info](http://www.niaproject.info)
27. The Rahab Project [www.rahab.co.uk](http://www.rahab.co.uk)
28. Tyneside Rape Crisis Centre [www.tynesidercc.org.uk](http://www.tynesidercc.org.uk)
29. UK Feminista [www.ukfeminista.org.uk](http://www.ukfeminista.org.uk)
30. UNISON Eastern Region Women's Committee
31. White Ribbon Campaign [www.whiteribboncampaign.co.uk](http://www.whiteribboncampaign.co.uk)
32. Women's Aid [www.womensaid.org.uk](http://www.womensaid.org.uk)
33. Women in Prison [www.womeninprison.org.uk](http://www.womeninprison.org.uk)
34. Welsh Women's Aid [www.welshwomensaid.org](http://www.welshwomensaid.org)
35. Women's Resource Centre [www.wrc.org.uk](http://www.wrc.org.uk)

To endorse this statement email Catherine Briddick, Senior Legal Officer at Rights of Women on [cate@row.org.uk](mailto:cate@row.org.uk). For further information about our services for survivors of sexual violence see [www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk).

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