

Just Representation?

**Press reporting and
the reality of rape**

**Natasha Marhia
The Lilith Project 2008**

CONTENTS

A note on terminology	3
Executive summary	4
1. Introduction	5
2. Gender, the media and representations of rape	
Findings from previous research	7
2.1. The news media: a man's world	7
2.2. Representing rape	7
3. Rape and sexual assault in the UK	
The current policy and socio-cultural context	10
3.1. The continuum of violence against women and girls	10
3.2. Sexual violence in the UK	10
3.3. Prospects for justice and support	11
3.4. Rape myths and the criminal justice process	11
3.5. Public perceptions and rape myth acceptance	14
4. Press reporting on sexual violence in the UK	
The legal and regulatory context	16
4.1. Anonymity laws	16
4.2. Libel laws	17
4.3. The Press Complaints Commission and the Code of Practice	17
4.4. National Union of Journalists' Code of Conduct and ethical guidelines	18
5. Representations of rape in the press: a content analysis	19
5.1. Genre of reporting: tabloids, broadsheets and the BBC Online	19
5.2. Position in the paper	19
5.3. Word length	20
5.4. The press profile of rape	21
5.4.1. <i>Stage of judicial proceedings / outcomes of cases reported</i>	21
5.4.2. <i>Perpetrator relationship to victim</i>	23
5.4.3. <i>Victim age</i>	23
5.4.4. <i>Additional violence, aggravating factors and serial offending</i>	24
5.4.5. <i>Offence location</i>	26
5.4.6. <i>Perpetrator's ethnic or national origins</i>	26
5.5. Summary: press reporting versus reality	27
6. Representations of rape in the press: a discourse analysis	28
6.1. Differences between tabloid, broadsheet and online genres of reporting	28
6.2. The individualising effect	28
6.3. Voice and authority in press narratives of sexual violence	29
6.4. Perpetrators: the 'sex beast' and the 'wronged man'	34
6.5. 'Asylum-seeker rapists' and 'foreign criminals': rape, race and nation	36
6.6. 'Proved innocent': constructing the 'ideal victim'	38
6.7. 'False allegation' narratives	42
6.8. Conclusion	43
7. Conclusion	44
8. Recommendations	47
References	50
Appendices	52
A Methodology	52
B News reports sampled	53
C Circulation figures for sampled newspapers	59

A NOTE ON TERMINOLOGY

Some feminists choose to avoid the term 'victim' due to the risk of implying that women and girls who have experienced sexual violence are nothing more than passive victims, and ignoring the fact that they are also in control of their own lives and find creative ways to survive and recover. The terms 'survivor' or 'victim-survivor' are sometimes used instead.

This study, which looks in detail at constructions of the 'victim' category in the press, recognises that the term 'victim' is inherently problematic, and is wary of reproducing harmful stereotypes. However the term 'survivor' is equally problematic, not least because a number of the women and girls referred to in this study, who were sexually attacked by men, did not survive.

Perhaps the least problematic way to talk about women and girls who have experienced sexual violence is simply to call them, 'women and girls who have experienced sexual violence'. This phrase will appear sometimes in the report. But we also recognise that it is possible both to have an experience of being victimised and to survive, take charge of one's own recovery and live a life that is not defined by that experience of victimisation.

For the sake of brevity, we use the term 'victim' as an imperfect shorthand, while insisting that women and girls who have experienced sexual violence are first and foremost women and girls, and in no way reducible to their 'victim' status.

Please also note that the definition of 'aggravated' differs from Table 3 to Table 7. In Table 3, the term 'aggravated rape' is applied where the rape was recognised as 'aggravated' in court. In Table 7 we have used the term 'aggravating factors' to mean any form of additional physical violence, from pushing and slapping through to use of a weapon (not all of these factors are recognised in court as 'aggravating' the rape), wherever these were mentioned in the sampled news reports.

EXECUTIVE SUMMARY

Since its inception in 2003, the Lilith Project, part of Eaves, has monitored and reported upon the press. This has led to an increasing awareness that newspaper reports about sexual violence do not accurately reflect these crimes. Lilith identified a random sample of 136 news articles about rape and sexual assault appearing in mainstream newspapers and on the BBC Online news site during the calendar year 2006 and analysed their content, in relation to the offence(s), perpetrator(s), victim(s) and judicial proceedings, and language used to represent all of the above.

Key findings

The main finding of the study was the identification of a press construction of rape, perpetrators and victims which is contrary to all research and crime statistics and which has a damaging effect on public perceptions of sexual offences and in turn the reporting of, and conviction rates for, sexual offences.

This construction depicts rape as an outdoor crime at the hands of a monstrous or bestial deviant stranger, who may be 'foreign', and uses extreme violence to overpower a victim. In this construction the female victim must be 'proven innocent' through press reporting of her actions before, during and after the attack, including her unimpeachable conduct, valiant resistance, subsequent helplessness and physical and emotional trauma.

This finding echoes earlier research in this area. The report also explores new and emerging themes such as the press failing to link individual cases of rape and sexual assault to a wider continuum of violence against women; the press tendency to over-report 'false allegations'; and the use of rape cases involving non-British nationals by the press as a vehicle for mobilising xenophobia.

The press construction of rape contrasts with the research evidence in the following ways:

- Rape cases which led to a conviction account for 48.5% of news reports about rape, but in reality only 5.7% of reported rapes result in a conviction.
- Attacks by strangers account for over half – 54.4% – of press reports about rape, despite the fact that only 8-17% of rapes in the UK are stranger rapes.
- The majority – 56% – of rapes are perpetrated by a current or former partner, but these cases are almost invisible in the press, accounting for only 2% of stories about rape.
- Although only 13% of rapes take place in public places, these account for 54% of press reports of rape.
- The press disproportionately covers rape cases involving excessive additional violence including grievous bodily harm and murder, the use of a weapon or intoxicants, abduction and kidnapping and/or multiple assailants.
- Attacks against underage girls are over-reported in the press, while attacks against adult women are under-reported compared with recorded crime statistics.

Key recommendation

Action is required by central government, women's organisations, press organisations, newspapers and individual journalists. This should focus around best practice, ethical reporting, training, monitoring, transparent complaints procedures and awareness-raising.

A key recommendation is the development of guidelines on gender and reporting, including detailed guidance on the reporting of sexual violence, to be adopted and enforced by individual newspapers as well as by the Press Complaints Commission.

1. INTRODUCTION

Why this focus on the news? Because it is the major source of information, facts, ideas and opinion for people throughout the world. In today's 24-hour news environment, it matters profoundly who and what is selected to appear in news coverage, and how individuals and events are portrayed. Equally, it matters who is left out and what is not covered.

Global Media Monitoring Project, Who Makes the News? (2005), p. 16

This report presents the findings of a detailed quantitative and qualitative study of representations of rape and sexual assault in the mainstream British national press during the calendar year 2006.

Many people's knowledge and perceptions of sexual violence are derived largely from what the media tells them. This includes information from specialist service providers and advocates working with women who have experienced sexual violence, from police and legal experts, and from the academic and research communities working on the issue. Often the expert knowledge and information these specialists produce is filtered through the press (and sometimes, it has been argued, greatly distorted¹) for public consumption.

The press, as part of the mainstream media, is a critically important source of information which helps to shape and construct the reality it claims to represent:

News is a cultural product that reflects the dominant cultural assumptions about who and what is important, determined by 'race', gender, class, wealth, power and nationality, and about what social relations and arrangements are deemed normal, natural and inevitable. (Gill 2007: 114)

In an era in which we are constantly surrounded by multiple forms of media, it can influence what we think and do. This is not to suggest that people are passive recipients molded by media influences without any capacity for critical reflection; but the media, and indeed the news, does not only reflect our dominant cultural assumptions about what is normal, natural and inevitable – it helps to create and reinforce them. It can also, under the right circumstances, play a role in challenging them.

Transnational women's movements have therefore identified the media as a critical site of transformation in the struggle for global gender equality. The Beijing Platform for Action² specifies 'gender and the media' as one of its 12 areas of critical concern. It calls on governments and civil society around the world to work towards the increased participation of women in creating and producing media, and to give due attention to the representation of women in the media by taking measures to tackle 'degrading' and 'discriminatory' stereotypes which help to reproduce gender inequalities, including the conditions that normalise sexual violence against women and girls. The Platform calls on the media to 'disseminate information aimed at eliminating... all forms of violence against women.' The way in which sexual violence is portrayed in the press is critical to this task.

Although much research examining press reports of sexual violence exists, new studies are needed to inform current efforts to pressurise the media to fulfill this role of disseminating information aimed at eliminating violence against women, and to inform campaigning for justice for women and girls who have experienced sexual violence. Soothill and Walby's (1991) important study of the British tabloid press was based on a sample collected in 1985, more than 20 years ago. During those 20 years, rape conviction rates have plummeted, half of rape crisis centres have closed and recorded rates of sexual violence have increased, yet there is an assumption that gender equality is a 'battle that has already been won,' and that we live in a 'post-feminist' age. Those years have seen a backlash against feminism and the decline of its restraining influence on the media, while the sexualisation of women's bodies in the media has become increasingly acceptable as soft porn culture seeps into the mainstream, and dubious 'post-feminist' discourses of female empowerment through sexual objectification are proffered to young women and girls.

¹ Soothill & Walby 1991: 118

² See Beijing Declaration and Platform for Action (1995) available at <http://www1.umn.edu/humanrts/instreet/e5dplw.htm> (last accessed 19/01/2008) - Section J: 'Women and the Media'

This study analyses the representation of rape in the British press in 2006 using a random sample of 136 news stories. The findings are compared with Soothill and Walby's analysis where possible. While Soothill and Walby specifically scrutinised the tabloid press, the findings of this study cover three genres of reporting: broadsheet and tabloid newspaper stories, and online reporting from the BBC Online site.

The aims of the report are:

- To conduct a detailed content and discourse analysis of representations of rape and sexual assault against women and girls in the mainstream national press, using both quantitative and qualitative methods³;
- To consider how press representations may impact upon the criminal justice process, from women's decisions about reporting sexual violence, to jurors' decisions about convicting alleged perpetrators; and
- To make recommendations based on these findings.

The report begins with an overview of previous research which demonstrates that the news media is profoundly gendered and dominated by male voices and perspectives, and that the press has a poor record for responsible representations of sexual violence. Section 3 then details the facts about sexual violence as established by a wealth of previous research, and argues that myths and stereotypes about rape impact on both the criminal justice system and public opinion in the UK. Section 4 shows that existing regulatory mechanisms surrounding press reporting of sexual violence fail to recognise, or guard against, the potential role of the press in circulating harmful stereotypes which reproduce gender-based discrimination and inequalities.

Sections 5 and 6 present the findings from the analysis of the 136 news articles. The content analysis presented in Section 5 shows that the press disproportionately reports tried and convicted rapes which conform to a package of misleading myths about rape but account for only a small minority of actual rapes. Section 6 then explores how the language used in press reports contributes to constructing these misleading myths while obscuring the continuum of gender-based violence against women and girls in which these crimes are embedded. The report concludes by arguing that press constructions of rape impact upon women and girls who have experienced rape, and upon the criminal justice system, by contributing to a vicious cycle of attrition and low conviction rates, meaning that most rapists escape justice.

2. GENDER, THE MEDIA AND REPRESENTATIONS OF RAPE

Findings from previous research

The news media: a man's world

The Global Media Monitoring Project (GMMP) has conducted a number of pieces of research monitoring the gendered composition of both news media production and outputs (i.e. the roles of men and women, both as reporters or presenters of news, and as subjects of representation in the news) on a global scale since the Beijing Declaration and Platform for Action was drawn up in 1995. While acknowledging that the number of women media professionals is rising, the GMMP's research has consistently found that men dominate among both newsmakers and news subjects, and that the news presents a deeply gendered, and distorted, vision of reality which renders women, their needs and concerns largely invisible (GMMP 2005: 17).

In 2005, 21% of news subjects⁴ were female (an increase from 17% in 1995). In the UK this figure was slightly higher at 25% - but in British newspapers women were news subjects in only 21% of cases, the same as the global average for all media. Older women are even more invisible, with 75% of women news subjects being under 50.

Women's points of view are rarely heard on the topics that dominate the news (such as politics), the researchers argued. Men dominate among news subjects even in stories about violence against women (64%). Men dominate more overwhelmingly still among people cited as 'experts' (83%) and 'spokespeople' (86%) in the news. In contrast women are represented primarily as celebrities or as 'ordinary people' (homemakers, students) called upon to give 'personal' (non-expert) reactions. Women are twice as likely to be portrayed as victims. Globally 19% of women news subjects are portrayed as victims in contrast to eight per cent of men (ten per cent in the UK). Globally, women news subjects are more than three times as likely as men to be identified by their family status, while in the UK these figures are particularly stark: 84% of women news subjects are identified by their family status, compared with 16% of male news subjects. Women are more likely to be displayed in photographs, the researchers emphasise, and their bodies are often used to titillate (ibid.: 18).

Twenty-nine per cent of newspaper stories are written by female reporters, both in the UK and around the world. There are typically more female news subjects in stories reported by female journalists (25%) than in those reported by male journalists (20%). Women journalists are more likely than men to write stories which challenge gender inequality and gender stereotyping: while women journalists report 37% of the news worldwide, they are responsible for 47% of such stories. The presence of women, however, does not automatically lead to more gender-sensitive reporting or gender-balanced representations. Academic researcher Ros Gill (2007) has argued that women journalists tend to 'take on the professional values and ideologies' of the media organisations they join, in order to succeed. As the GMMP has demonstrated, those values and ideologies produce a worrying gender bias in the news.

Overall, the stories which challenge stereotypes and/or address gender (in)equalities are few and far between, representing only eight per cent of news stories in the UK (ahead of the global average, which is just four per cent). In 2005 the GMMP researchers concluded that, '[b]latant stereotyping is alive and well in news reporting around the world', and, '[m]any news reports use language and images that reinforce gender stereotypes in a subtle way' (ibid.: 20). Unsurprisingly then, they also argued that news stories frequently miss opportunities to analyse issues that differentially affect men and women from a gender-sensitive perspective, particularly violence against women (GMMP 2005: 98). The GMMP researchers use examples of news coverage from around the world to show the lack of depth of analysis in news reports about violence against women, and the lack of a gender perspective to make visible links between different incidence and forms of violence against women. Instead, they argue that the news tends to de-politicise and normalise violence against women, showing it as inconsequential.

Representing rape

It is against this background of a profoundly gendered media that we examine representations of sexual violence in the British press. It is important that sexual violence is reported responsibly in the press, a source of information which circulates among millions of people. Sexual violence is a pernicious form of

³ For full details of the methodology used to carry out this research, please see Appendix A

⁴ Either the people interviewed or the people whom the news was about

gender-based violence whereby a man attacks a woman's sexuality in order to humiliate and control her. It can cause long-lasting psychological trauma (Gill 2006), and it affects the lives of millions of women.

Research has shown that gendered myths surrounding sexual violence, myths about 'appropriate' and 'natural' male and female behaviour, about 'deserving' and 'undeserving' victims and about what constitutes 'real rape', remain prevalent among people's 'common-sense' assumptions (Kelly 2001). They impact on the criminal justice process, playing a significant role in the cycle of attrition and low conviction rates that help to prevent rapists and other sexual offenders from being brought to justice (ibid.), and to create the conditions under which rape and sexual assault are perpetuated, normalised and often go unchallenged. It is therefore imperative that we understand the contribution of the media, and the press, to perpetuating rape myths⁵.

Many forms of media, from 'lads' mags', to adverts, to mainstream 'quality' newspapers, surround us on a daily basis with sexualised, (semi)-pornographic images of women's bodies which reinforce the kinds of degrading stereotypes that the Beijing Platform called on governments and civil society to strive to eliminate. It is important that news reporting of sexual violence does not work in tandem with these images to reinforce the stereotyping of women as sexual objects for male gratification.

It is imperative that sexual violence is identified, named and recognised as a pervasive social problem rooted in wide-reaching gender inequalities, and part of a continuum of violence against women that intersects with other forms of violence and discrimination (Horvath and Kelly 2007). If the media reported sexual violence responsibly and thoughtfully, combining in-depth, gender-sensitive analysis with efforts to raise awareness of the reality of sexual violence, it could play an important role in politicising the issue and catalysing change.

But what counts as 'responsible' and 'irresponsible' reporting of sexual violence? New York-based NGO Take Back the News has worked to identify ways in which the media under-represents and misrepresents sexual violence, as well as to promote what it calls 'appropriate media representations' of sexual violence. Take Back the News argues that media misrepresentations of rape typically treat the victim with disbelief, portray her as promiscuous or infer that she is at least partly responsible for the rape, disproportionately represent the perpetrator's voice at the expense of the victim's, and draw attention to the victim's sexual history but not the perpetrator's⁶.

In addition to the work done by Take Back the News in the US, a number of previous studies, both in the UK and elsewhere, have analysed the representation of sexual violence in newspaper stories and found such representations to be deeply problematic. Researchers such as Helen Benedict (1992) and Marian Meyers (1997) have studied news representations of sex crimes and violence against women in the United States; Cynthia Carter (1998) has written about the portrayal of sexual violence in the news in Canada; and recent studies of the portrayal of sexual violence against women and girls in both the Turkish and Israeli press have been published in English by Zeynep Alat (2006) and Alina Korn and Sivan Efrat (2004) respectively. In Britain Kate Clark (1992) has researched the representation of women in The Sun's coverage of sexual violence and Sue Lees (1995) studied the portrayal of 'date rape' in the British press in 1993. But perhaps the most significant study of the portrayal of sexual violence in the British press remains Keith Soothill and Sylvia Walby's (1991) *Sex Crime in the News*, which analysed a sample of newspaper articles from the 1985 tabloids, comparing their findings with data collected for previous studies over four decades.

The findings of all these studies have been strikingly similar. They have found that the press generates a distorted picture of sexual violence, 'a dangerously narrow version of sex crime' (Soothill and Walby 1991: 147) shaped by their focus on a small number of exceptional cases, almost invariably stranger rapes. This distorted picture draws heavily on (and reinforces) myths surrounding rape and sexual assault. These include victim-blaming myths which construct women who have experienced sexual violence in terms of the dichotomised categories of 'virgin' vs. 'vamp', 'deserving' vs. 'undeserving' victims. Only the 'deserving' warrant sympathy, while those who are seen to have transgressed the norms of appropriate female behaviour are deemed to have 'asked for it' (Benedict 1992: 225; Meyers 197: 3-4; Soothill and Walby 1991: 146; Alat 2006; Korn and Efrat 2004). Benedict (1992) observes that women must fulfill a range of criteria (white, middle-class, a virgin / married with children, respectable, not drink-

ing, raped by a black or working-class man) to be viewed sympathetically as a 'deserving' victim, and the press then constructs a 'virgin narrative' which perpetuates the view that only women fulfilling these criteria can really be rape victims.

Soothill & Walby (1991) observe that woman-blaming emerges in the courtroom coverage in the British tabloid press, in contrast to the focus on the perpetrator as 'rape fiend' in coverage of the police search for a sex offender. The 'rape fiend' is constructed as 'sick', and as recognisably different from ordinary men. Stereotypes of perpetrators work in conjunction with woman-blaming myths to portray 'real rape' as 'dreadful, but rare, and... best dealt with by an increased law and order effort, rather than wider social reform' (ibid.: 145). They promote a view of rape as a problem of 'isolated pathology or deviance', unrelated to 'the larger structure of patriarchal domination and control,' a view which 'ignores the social roots of this violence' (Meyers 1997: 117-8; 10).

Race and class prejudices are often mobilised in the construction of both the pathological 'rape fiend' and of 'deserving' and 'undeserving' victims. Soothill & Walby observe that photographs are used disproportionately when the offenders are black, while Meyers and Benedict both note that news coverage of sexual violence against black and working-class women is seldom taken as seriously as violence against white, middle-class women in the press.

Soothill & Walby observe the increase in press reporting of sexual violence in the UK in the 1970's and 80's, arguing that rape stories operate alongside 'page three' and stories of sex scandal as part of a sexualised package that sells newspapers. This means that rape is conflated with sex, hence, they argue, press stories of sexual violence print excessive gratuitous sexual details about the attack and the victim in order to titillate. Meyers (1992: 9) argues that newspaper reports of sexual violence have another function, acting as a warning to women, a mode of social control, delineating the boundaries of appropriate feminine behaviour, which women transgress at their peril. Carter (1998) observes the disparity between representations of sexual violence in local newspapers, which tend to publicise less exceptional, more typical cases, and the national press, which treats only the most bizarre and exceptional cases as newsworthy. She argues that the effect is to normalise and naturalise sexual violence, presenting it as an inevitable, even acceptable fact of life. It is against this background of normalised sexual violence that the most exceptional cases derive their newsworthy character, staking out the definition of 'real rape' in the narrowest terms.

In contrast to the kind of reporting shown to be prevalent by previous research, Take Back the News identifies the following criteria for 'appropriate' representations of rape. In addition to following the standard ethical guidelines established by professional media organisations, stories should include both the victim's and the perpetrator's voice, treat the victim with respect, acknowledge the severity of the crime and pay due attention to the potential long-term emotional and psychological impact, and finally, highlight the broader issue of sexual violence and how difficult it is to prosecute⁷. Researchers working on news representations of sexual violence have similarly ventured suggestions about what good practice in reporting sexual violence consists in. Meyers (1997: 124), for instance, comments that 'exemplary' reporting of sexual violence is, 'sensitive to the needs and concerns of abused women, avoid[s] further victimising them through the use of unnecessary details, and relie[s] on advocates for the background and context within their stories.'

This study will carefully consider the factors which previous research, and feminist organisations such as Take Back the News, have identified as exemplifying both problematic and responsible press representations of sexual violence in its analysis of British newspaper reports from the 2006 sample. The level of conformity to harmful rape myths both in individual stories and in the overall picture presented by the press, the level of gender-sensitivity in reporting, the depth of analysis and the extent to which interconnections and patterns of violence against women are explored and highlighted will be evaluated in the course of the analysis. The analysis will show that there is a lack of reporting which delves into the structural causes of sexual violence, and a failure to understand it as a form of gender-based violence. Connections between different incidences of sexual violence are not made, nor are they linked with other forms of violence against women. News stories in the British national press typically sensationalise, but de-politicise and individualise, sexual violence against women and girls, and this is directly linked to the lack of gender sensitivity in reporting.

⁵ A full explanation of the term 'rape myths' and examples of these myths identified by previous research are given in Section 3, below.

⁶ See Take Back the News website: http://www.takebackthenews.org/siteupdate_07/mediareponse/exmis.htm (last accessed 20/01/2008)

⁷ See Take Back the News website: http://www.takebackthenews.org/siteupdate_07/mediareponse/exres.htm (last accessed 20/01/2008)

3. RAPE AND SEXUAL ASSAULT IN THE UK

The current policy and socio-cultural context

The continuum of violence against women and girls

Although men and boys are sometimes subject to rape and sexual assault, sexual violence disproportionately affects women and girls, and is therefore understood by feminists as a form of gender-based violence. It is an expression of patriarchal power and control which both reflects and reproduces societal gender inequalities, and it forms part of the continuum of violence against women and girls which is the backdrop against which women and girls live their daily lives. The continuum theory argues that all forms of violence against women and girls, from sexual harassment to domestic violence to prostitution to the normalisation of pornography, are interconnected and a manifestation of structural gender discrimination and patriarchal power relations (Kelly and Radford 1998). Sexual violence intersects considerably with domestic violence, as evidenced by the fact that women are most at risk of rape from their partners. It also, like other forms of violence against women, intersects with other forms of violence, discrimination and inequality along lines of 'race', ethnicity, national origins, religion, class, income, sexual orientation, age and disability (Horvath and Kelly 2007).

Sexual violence in the UK

Two reviews of British Crime Survey (BCS) data during recent years have variously put the number of women over 16 raped per year in England and Wales at 47,000 (Walby & Allen 2004) and 61,000 (Myhill & Allen 2002). Walby & Allen estimate that 190,000 women experience serious sexual assault per year. According to their figures, 0.3% of women experience rape or attempted rape in any year, 0.5% experience serious sexual assaults and two per cent experience less serious sexual assaults. Myhill & Allen's figures for annual incidence among adult women are 0.4% for rape or attempted rape, and 0.9% for 'any sexual victimisation' (defined to include both rape and sexual assault).

Both studies indicated prevalence rates (the number of adult women who have experienced rape or attempted rape once or more during their lifetime) at five per cent⁸. Walby & Allen estimate that a further seven per cent of women have experienced some other form of sexual assault during their life time, while Myhill & Allen estimate that 9.7% of women have experienced some form of sexual victimisation (including rape) since the age of 16. BCS figures for the prevalence of rape and sexual assault are thought to be underestimates, however, not least because, 'using the word 'rape' greatly decreases the reporting of forced sex' (Kelly 2001: 7). Kate Painter's (1991) survey of 1,007 women in 11 cities found that one in four had experienced rape or attempted rape in their lifetime (cited in Kelly 2001: 7). In a literature review of studies of rape and sexual violence, Kelly (2001: 8) also points out that international data (e.g. from Canada and the USA) points to higher prevalence rates than those indicated by the BCS data, suggesting that more than one in three women are sexually assaulted during their lifetimes, and almost one in five experience rape or attempted rape.

Research indicates that many women and girls who are sexually victimised are victimised more than once. Myhill & Allen found that 41% of women who reported rape or sexual assault had experienced multiple incidents. Those who were raped by their partners were most at risk of multiple attacks.

Studies have consistently shown that most rapes are committed by men known to the victim. Walby & Allen's review of BCS data put stranger rapes at 17% while Myhill & Allen put this figure at just eight per cent. Both studies found that women are most at risk of being raped by their current or former partner, with current partners responsible for 45% of rape attacks. Other known assailants include acquaintances, dates or other intimates.

The majority of rape victims tell no-one immediately after the attack. Painter (1991) found that 91% told no-one, while Myhill & Allen put this figure at 66% and comment that the number of rape victims who tell someone and seek help is increasing. However their data indicates that only 18% of rapes and sexual assaults come to the attention of the police. Walby & Allen put this figure at just 15%. Myhill & Allen also found that stranger attacks were far more likely to be reported to the police: 36% of sexual victimisations by strangers were reported to the police, while only 16%, 14% and eight per cent respectively of acquaintance, partner and date rapes and sexual assaults were reported to police.

⁸ Allen & Myhill's 4.9% prevalence rate refers to the number of adult women who have experienced rape or attempted rape once or more since age 16. Walby & Allen (2004) use figures for adult women who have experienced rape or attempted rape once or more during their lifetime.

Prospects for justice and support

In 2006/07, the police recorded 43,755 most serious sexual offences, including 12,630 rapes of a female and 21,403 sexual assaults on a female⁹. We know from studies of attrition (e.g. see Kelly et al. 2005; Dustin 2006) that police do not record all rapes that come to their attention as crimes. Of those cases which are reported to the police, around one-quarter are 'no crimed' (i.e. police record that no crime has taken place). According to research conducted by the Home Office, the police 'significantly over-estimate false reporting in rape cases' (Dustin 2006: 8). Between one-half and two-thirds of cases do not proceed beyond the investigation stage (HM Crown Prosecution Service Inspectorate 2007: 8). Kelly et al.'s (2005: 71) study of attrition found that only 12% of cases went to trial. The conviction rate for rape has steadily declined over the past three decades: in 1977 it stood at 32% (Kelly 2001) but only 5.29% of reported rapes resulted in the conviction of the perpetrator in 2005. This figure increased slightly to 5.7% in 2006 but still remains abysmally low.

The fall in conviction rates has been accompanied by an intensifying funding crisis in sexual violence support service provision which has begun to come to a head over the past year. The number of Rape Crisis Centres in England and Wales has halved since the 1980's, and half of all remaining centres are threatened with closure because they have been unable to secure sufficient funding from statutory or other sources. A recent report mapping violence against women service provision in the UK and published by the End Violence Against Women Coalition (EVAW) in partnership with the Commission for Equality and Human Rights (CEHR), Map of Gaps (Coy et al. 2007), argued that women survivors of violence face a 'postcode lottery' in trying to access support services. The researchers found that most women in the UK do not have access to a Rape Crisis Centre and, although the government has invested in a number of Sexual Assault Referral Centres (SARC's) since the 1980's, such as The Havens in London and St. Mary's SARC in Manchester¹⁰, fewer than one-quarter of local authorities have any sexual violence support service provision at all.

Rape myths and the criminal justice process

Extensive research has identified problems in the criminal justice system's approach to rape and sexual violence, from the police handling of complaints from rape victims right through to the court room (see Kelly et al. 2005; Dustin 2006; HM Crown Prosecution Service Inspectorate 2007). The research base widely recognises that high levels of attrition and low conviction rates are connected to the persistence and pervasiveness of myths about what constitutes 'real rape'¹¹, which may be internalised by victims themselves, as well as professionals involved in the criminal justice process.

On the basis of an extensive review of existing research on the investigation and prosecution of rape, Liz Kelly (2001: 6) has argued that, 'at each stage of the legal process stereotypes and prejudices play a part in decision making.' The myths surrounding rape to which Kelly refers are various, and differ across time, place and context, but she identifies a number of particularly powerful contemporary myths which are represented in the table below.

⁹ Home Office Recorded Crime Statistics 2002/03-2006/07, available at www.homeoffice.gov.uk/rds/pdfs07/recorded-crime-2002-2007.xls (last accessed 10 February 2006)

¹⁰ These offer victims of sexual violence medical services, forensic examinations and support services provided by specialist staff in addition to connecting them with the police if they wish. However SARCs generally only provide short-term support for women who report a sexual attack within one year of the incident taking place, and do not provide support for sufferers of historic sexual abuse. In short the support service provision is very limited in comparison with organisations such as Rape Crisis.

¹¹ Kelly 2001: 5. Kelly borrows the notion of the 'real rape' template from Susan Estrich's (1987) study of the legal construction of rape in the USA. It pertains to those rapes and sexual assaults which are taken most seriously and vigorously prosecuted by the police and the courts.

Rape myth	Research evidence
It is committed by strangers	It is mainly committed by known men
'Real rape' happens at night, outside and involves a weapon	Rape happens at many times, most commonly inside, often involving threats and other forms of coercion
There are always injuries	A minority of reports involve clear external or internal injuries
Anyone facing the possibility of rape will resist	Many do resist, many freeze through fear or shock, or decide that resistance would be futile and/or dangerous
Women 'ask for it' by their dress/behaviour / taking risks	Many sexually aggressive men deliberately target their victims, and a proportion know them very well
All victims react in the same way if they have really been raped	There are a range of responses, from extremely distressed through to quiet and controlled
To be raped is worse than being killed, or at least one of the most terrible things that can happen	Rape – defined as sex without consent – is in fact rather commonplace, and most victims choose to survive
Source: Professor Liz Kelly (2001) <i>Routes to Injustice: a research review on the reporting, investigation and prosecution of rape cases</i>, p.4	

Further myths about rape that operate through the legal and criminal justice system have been identified by the Scottish Executive (2000) and are summarised by Kelly (2001: 5) as follows:

- That someone who has sex with persons A and B is more likely to have it with person C;
- Someone who is 'sexually promiscuous' has less right than someone who is not to choose who they are sexual with;
- Someone who is 'sexually promiscuous' is generally less trustworthy, and therefore less likely to be telling the truth;
- Women have a tendency to 'lead men on' and are therefore to blame if men fail to resist their physical impulses;
- When women say no they do not always mean it;
- False allegations of rape and sexual assault are more common than false allegations of other crimes.

Source: Scottish Executive (2000) *Redressing the Balance: Cross-Examination in Rape and Sexual Offence Trials – A Pre-legislative Consultation Document*, reproduced in Kelly 2001: 5

This body of myths and stereotypes coalesce to form what Kelly calls the 'real rape template'. She argues that this template adheres in more than just stereotypes; 'it is a framework or model that people create on the basis of past experience, and they then use it to assess whether subsequent events fit' (ibid.). Kelly's literature review demonstrates the powerful influence of this framework at work throughout the criminal justice process, weeding out the majority of cases which do not fit the template and thereby reinforcing the template in the process.

Existing research on women's reasons for not reporting rape to the police, Kelly (2001:9-10) argues, shows that 'the factors which encourage and discourage official reports are explicitly or implicitly reflections of the real rape template'¹². While there are a range of reasons for women's decisions not to report

¹² This finding is borne out by international research, for instance DuMont et al. 2003

rape to the police, not identifying the event as rape, thinking that others (including the police) will not identify the event as rape, and fear of disbelief and blame are high on the list, while, 'factors that increase the likelihood of reporting include: the offender being a stranger¹³; the use of force; injuries; [and] a location in a public place or in the context of a break in' (ibid.). The fact that rapes conforming to the 'real rape' template are disproportionately reported to police both reflects the impact of this template and helps to reinforce it (McGregor et al. 2000).

In their study of attrition in rape cases, Kelly et al (2005) found that investigating police officers were likely to significantly over-estimate the number of reported rapes which are false allegations. Another myth is at work here: the presumption that women routinely make false rape allegations. This reflects the findings of numerous other pieces of research (Kelly 2001: 22). 'Unsurprisingly,' comments Kelly (ibid.), 'the cases least likely to be considered false reports are those which are close to the real rape template.'

Research also shows that women have historically not been treated as credible witnesses in the criminal justice process (Kelly et al. 2006: 1). The fear of disbelief can motivate some rape complainants to withdraw their complaints early in the process, while in other cases, victims may adjust their stories to make them more 'believable' due to expectations placed on them, shaped by the 'real rape' mythology:

The belief amongst some CJS¹⁴ professionals that many complaints are false, that victims are to blame for 'risk-taking', places unreasonable requirements on complainants to demonstrate that they are 'real' and deserving victims. Aware of these implicit standards, many victims / survivors adjust their initial account in order to appear believable... The danger is that these omissions and/or evasions are understood through the lens of a false complaint at worst, and as creating evidential problems at best. (Kelly et al. 2005: 80).

Only a minority of cases is referred to the Crown Prosecution Service (CPS) and many of these are discontinued, accounting for 10-15% of the total number of cases which fall out of the system (Kelly 2001: 16). It appears that the mythology surrounding rape influences the CPS's decision to prosecute in two ways: as part of the criteria by which the rape complainant is judged to be a credible witness, and as part of the criteria by which the case is judged as 'strong' or 'weak' on evidential grounds. Those that are judged the strongest, that is, most likely to result in a conviction, tend to be those which conform to stereotype (Kelly 2001: 27). There is an aspect of self-fulfilling prophecy here: the most common rape cases are least likely to be brought to trial because they are the least likely to result in conviction; the decision not to bring these cases to trial in turn helps to keep their conviction rates down, and reinforce the myths about what constitutes 'real rape'.

Finally, previous studies indicate that the package of 'real rape' myths helps to determine which cases are convicted and which are acquitted, with rapes against children¹⁵ and those perpetrated by strangers resulting in the highest conviction rates (Kelly 2001: 16, citing Lees and Gregory 1993; Kelly et al 2005: 77). One study from the US found that, 'acceptance of rape myths accounted for trial outcomes more accurately than any of the evidence presented in the case' (Kelly 2001 citing the findings of LaFree 1989). This is reflected by Finch and Munro's (2005) study of jury decision-making in rape cases involving alcohol and other intoxicants in the UK. They argue that, 'a variety of extra-legal factors assume great importance to jurors in the decision-making process', and, 'many of these are based upon rape myths and stereotypical notions concerning appropriate female behaviour' (ibid.: 37; see also Finch and Munro 2006).

Against the background of these persistent problems (and by way of efforts to address some of them), recent years have seen the introduction of a number of legal, policy and procedural reforms aimed at preventing sexual violence and improving the investigation and prosecution of rape. Sections 41-43 of the Youth Justice and Criminal Evidence Act 1999 attempted to clarify the law around the use of sexual history evidence and further restrict its use in rape trials (though with limited effect – Kelly et al. 2006). The new Sexual Offences Act introduced in 2003 sought to clarify the definition of 'consent' and overhauled existing legislation on sexual offences.¹⁶ In 2004 the CPS published its Policy for Prosecut-

¹³ This is reflected in Myhill and Allen's (2002) analysis of the BCS data, cited in the subsection 'Sexual violence in the UK' above.

¹⁴ Criminal Justice System

¹⁵ Kelly et al (2005: 77) found that the conviction rate for rapes that went to trial involving under-16's was twice as high as that for rapes that went to trial involving adult victims.

¹⁶ Finch and Munro (2006) argue that this has had a limited impact.

ing Cases of Rape, and the following year the Association of Chief Police Officers (ACPO) developed its Guidance on Investigating Serious Sexual Offences. Last year the government launched its Cross-Government Action Plan on Sexual Violence and Abuse¹⁷ and the Home Office ran a publicity campaign on consent aimed at potential male perpetrators of rape¹⁸, emphasising men's responsibility to secure consent before proceeding with sex and the threat of a lengthy prison sentence for rape. A number of reforms of rape prosecution procedures have been proposed. The notion of 'myth-busting packs' for juries has been embraced and an expert panel appointed to devise the material, to be delivered to juries either in written form or verbally by the judge. However the proposal to allow expert witnesses was rejected, as were further measures to restrict women's capacity to consent while drunk.¹⁹

Another myth that stubbornly persists in policy-makers' treatment of sexual violence, however, is the belief that it is a gender-neutral crime. This is evident, for example, in the summary of the 'consent campaign' on the Home Office website²⁰:

Rape and other sexual assaults are sexual acts carried out without the consent of one of the people involved. Consent means making an active decision to say yes, an assumption of consent is not enough.

While women are of course 'people' and bearers of rights and entitlements, this kind of gender-neutral language obscures the gendered and sexual specificity of sexual violence, and the fact that it is rooted in, and helps to reproduce, social gender inequalities and discrimination. It obscures the fact that sexual violence is mostly committed by men against women and girls (Drew 2007). There remains strong resistance to recognising sexual violence as a gender-based problem, which compromises the innumerable efforts to improve responses to it.

Public perceptions and rape myth acceptance

In spite of the ostensible recognition that myths and attitudes around rape distort the criminal justice process and contribute to systematically disadvantaging victims of sexual violence, there appears to be little change in public perceptions of rape and the force and prevalence of the myths and stereotypes which distort it (Kelly 2001: 5). Two recent ICM polls prepared for Amnesty International UK (2005) and EAW (2006) respectively have yielded worrying results.

The former indicated that almost a third (30%) of British adults believe a woman is at least partly responsible for being raped if she is drunk, and over a third (34%) think she is at least partly responsible for being raped if she behaved flirtatiously. Almost a quarter (22%) of men thought a woman was partly responsible for being raped if she wore sexy or revealing clothing.

The second poll (for which 16-20-year-olds were interviewed) examined the extent to which young people consider coercive sex and intimate partner violence to be legitimate in relationships. It found that over a quarter (27%) of respondents thought it was acceptable for a boy to expect a girl to have sex with him if she behaved very flirtatiously. The figure among young men was much higher at 38%, and a further 21% of respondents were not sure. Forty per cent of respondents knew at least one girl who had been pressurised to have sex by a boyfriend, and almost a fifth (19%) knew at least one girl who had been pressurised to have sex by another male.

A further study by Rape Crisis Scotland²¹ found that 40% of adults surveyed thought a woman could be held partly responsible for a rape attack if she put herself in a 'risky' situation by, for instance, going home with a man. Twenty-six per cent of respondents to this survey thought a woman was partly responsible for being raped if she was drunk, 23% if she was involved in some form of sexual activity with the perpetrator, and 20% if she was wearing revealing clothing.

The way in which debates about the role of alcohol in rape attacks have been framed is further evidence

¹⁷ Available at <http://www.homeoffice.gov.uk/documents/Sexual-violence-action-plan> (last accessed 21 January 2008)

¹⁸ The campaign posters can be viewed at <http://www.homeoffice.gov.uk/documents/consent-campaign/> (last accessed 21 January 2008)

¹⁹ Both of these two proposals which were rejected would have had both advantages and disadvantages for rape prosecutions, but there is not space to explore these here.

²⁰ See: <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/sexual-offences/> (last accessed 10 February 2008)

²¹ See 'Revealed: 40% of people say women 'to blame' for rape' in *The Sunday Herald*, 9 December 2007, and <http://www.rapecrisisscotland.org.uk/news.htm> (last accessed 10 February 2008).

of entrenched stereotypes. Women are warned that irresponsible drinking can render them vulnerable to rape. However, in spite of research indicating that the majority of men who rape do so under the influence of alcohol, and that alcohol consumption increases the likelihood of completing the rape and causing injury (Finney 2004), men are rarely warned not to get drunk in case they rape someone, or that coerced sex with a woman whose ability to consent, or resist, is severely impaired by alcohol is illegal and abusive. Only women who had actually passed unconscious at the time of the rape are protected against the defence claiming that she consented. Finch and Munro's (2005) research shows that jurors are likely to attribute less blame to alleged perpetrators on account of alcohol consumption, but more to alleged victims of rape. Similarly, research from other jurisdictions indicates that juries are less willing to convict in cases where the victim has consumed alcohol (Kelly 2001: 16).

A number of high profile cases have recently highlighted the problem of rape and consent under the influence of alcohol, one of which appeared in our sample of news stories.²² The capacity of a woman to consent to sex while heavily intoxicated has been fiercely defended, partly on the grounds that restricting women's capacity to consent while drunk would open the flood gates for a surge of 'false allegations'. The attitudes to alcohol-facilitated rape which currently dominate public opinion thereby recycle two classic rape myths: that women can precipitate rape by means of their behaviour and therefore deserve to be sexually attacked (i.e. by getting drunk), and that women have a tendency to 'cry rape' out of revenge or because they regret a sexual encounter.

Reflecting this latter misconception, the last few years have seen a worrying spate of prosecutions, of women who have reported a rape to the police, for attempting to pervert the course of justice. In these cases the women involved were deemed to have fabricated allegations of rape, usually because a previous unproved allegation came to light, but sometimes because their credibility was badly damaged by evidence of their behaviour prior to the attack or by inconsistencies in their account of the rape. These reasons fail to take account of the fact that many women who experience sexual violence are victimised more than once, most rape allegations are, legally speaking, 'unproved' due to the extremely low conviction rate (therefore an 'unproved' allegation is not necessarily a false allegation), and inconsistencies in a victim's testimony are to be expected in rape cases as this is a sign of psychological trauma. In some cases the women pleaded guilty to attempting to pervert the course of justice, but it is noteworthy that in three out of the four cases which featured among our sample of newspaper reports, the women did not withdraw the rape allegation. Section 6, below, includes a section analysing how the press represents cases that are thought to be 'false allegations'.

²² See 'Maybe I should have shown more responsibility, but I am only human. In no way does that make it rape. Student cleared of sex assault on drunken girl says police should not have taken the case to court' in, *The Daily Telegraph*, 4 November 2006. This report refers to the Jonathan Hagan case, in which a student President was accused of raping a very drunk 'fresher' despite having signed a 'no sex' agreement. He was cleared of the rape. Other cases include that of Ryairi Dougal who was cleared of raping a fellow student in a corridor while she was extremely drunk, in spite of her insistence that she could not have consented, because she was deemed too drunk to remember whether she had consented or not.

4. PRESS REPORTING ON SEXUAL VIOLENCE IN THE UK

The legal and regulatory context

Press reporting in the UK is subject to a number of legally binding and voluntary regulatory codes, some of which refer specifically to the reporting of sexual violence.²³ These include the law protecting the anonymity of rape complainants in the press, the law enabling individuals to bring defamation suits, the editor's Code of Practice²⁴ which is enforced by the Press Complaints Commission (PCC), and a number of other ethical codes specific to particular organisations, such as the National Union of Journalists' (NUJ) Code of Conduct and ethical guidelines,²⁵ which are discussed below. In spite of these various instruments, regulation of press reporting of sexual violence is very limited. The press as an industry is largely self-regulating.

The regulation of press reporting of sexual violence is inextricably linked with the wider legal and socio-cultural context in which incidents of sexual violence are situated. In their earlier study, for instance, Soothill & Walby (1991) pointed out that laws about the use of sexual history evidence in court – specifically, their ineffectiveness – had repercussions for press reporting, because the information about a complainant's sexual history and behaviour detailed in court was thereby made available to the press. The press has privileges when it comes to covering both parliamentary debates and courtroom proceedings, in the interests of freedom of information. What this means is that the press can extensively but uncritically cite comments made in court, as long as they are displayed in quotation marks to distinguish 'opinion' from 'fact'. Section 6, below, examines in more detail how judges' comments, for instance, are used in the representation of rape in the press. On a separate but related issue, in 2006 press privileges to cover parliamentary proceedings came into conflict with the laws protecting the anonymity of rape complainants, sparking controversy over press freedoms and the anonymity laws surrounding rape.

Anonymity laws

The anonymity laws pertaining to reporting on rape and sexual assault date back to the Sexual Offences (Amendment) Act 1976, which guaranteed press anonymity for rape complainants. A number of changes in the 1980's and 1990's led to the granting of lifelong anonymity to alleged victims of most sexual offences, from the time an offence is reported, under the Sexual Offences (Amendment) Act 1992. It is therefore a criminal offence for the press to print the name or any identifying details of a rape complainant. Soothill & Walby (1991) argued that in 1985, the press frequently printed enough information about complainants to make identification possible.

The anonymity provision is important because it enables women to report a sexual attack without being publicly named, which some may find humiliating and stigmatising. It therefore enables more women to safely report rape.

The 1976 legislation granted anonymity to defendants in rape cases, but the Criminal Justice Act 1988 repealed this provision; therefore, as with other serious crimes, alleged perpetrators of rape no longer enjoy press anonymity. The lack of protection for the accused in rape cases was challenged by Labour peer Lord Corbett in 2001, who called for anonymity for those accused of rape, after Conservative MP Neil Hamilton and his wife were questioned by police in relation to a rape investigation (although they were not suspects).

The complainant's right to anonymity was publicly undermined in a high profile incident in 2006, in which Labour Lord Campbell-Savours named a woman complainant in the House of Lords and accused her of being a 'serial liar' and making false rape allegations. Her alleged attacker's conviction was quashed on appeal when evidence that the complainant had made previous allegations against other men, which had never been proved in a court of law, came to light. However the woman did not withdraw her complaint. A legal debate ensued about whether the media's qualified privilege for covering parliamentary proceedings should take precedence over the 1992 legislation, prohibiting the naming of an alleged rape victim in the media. Most newspapers did not name the woman, but The Daily Mail did. The Lord Chancellor, Lord Falconer, appeared to support the unrestricted right of the media to repeat word for word the content of parliamentary proceedings.

²³ This section represents a lay person's interpretation of the legal and regulatory context, not that of a legal expert.

²⁴ The code can be downloaded here: <http://www.pcc.org.uk/cop/practice.html> (last accessed 10 February 2008)

²⁵ These can be downloaded from <http://www.nuj.org.uk/innerPage/nuj.html?docid=25> (last accessed 10 February 2008)

Following the public outing of this particular complainant, 'Miss A,' the right of alleged rape victims to anonymity came under attack both within parliament and in the media, with the argument being made that the law enabled women such as Miss A to make false rape allegations without repercussions. This debate followed on the heels of a series of prosecutions of women whose rape allegations had not been proved for allegedly attempting to pervert the course of justice (see Section 3, above), and served to resurrect and bolster the myth that women frequently 'cry rape'. All of these women were named in the press.

In early 2007 the government began considering amending the law on complainant anonymity in sex offence cases in response to the case involving Miss A, whose alleged attacker, it was argued, had spent three years in prison for a rape charge that was deemed 'false'. At present the law protecting the anonymity of complainants in sexual assault cases still stands, but the government is still considering giving the Court of Appeal the same powers as the Crown Court to remove anonymity in very specific circumstances. The debate around this issue has been damaging, as it appears to have left the public with the impression that rape laws protect the complainant and leave the accused vulnerable, and that women take advantage of the situation to make pernicious false rape allegations.

Libel laws

Under the Defamation Act 1996, a claimant is empowered to bring a civil case against a newspaper for publishing defamatory words or statements about her or him, which are likely to harm her or his reputation in the minds of right-thinking members of the public. To successfully bring a case the defamatory words or statements must be untrue, and the claimant must have a reputation to protect. This legislation is relevant to reporting of sexual violence cases insofar as newspapers must protect themselves against the potential threat of libel actions by exercising caution about implying that an accused man committed an offence of which he was acquitted. This may partly account for the disproportionate press focus on tried and convicted rape cases (see Section 5, below): a conviction frees the press to demonise the perpetrator. However the impact of this legislation is likely to be limited, given that bringing a civil case against a newspaper is costly and in most cases the claimant must cover the costs up front, so few individuals are in a position to do this. Similarly, not everyone can claim to have a 'reputation' to protect.

The Press Complaints Commission and the Code of Practice

The Press Complaints Commission (PCC) is the independent body responsible for regulating press adherence to the newspaper and periodical industry's Code of Practice, a self-regulating code drawn up by the Editor's Code Committee, which is made up of the independent editors of national, regional and local newspapers and magazines. The code aims to set the professional and ethical standards governing journalistic practice. It covers the principles of fair and accurate reporting and a range of other ethical issues relating to journalism such as the right of individuals to privacy and freedom from harassment, discrimination or intrusion into grief or shock, the confidentiality of sources and the protection of vulnerable subjects such as children and young people.

A number of sections have particular relevance for the reporting of sexual violence, although they leave the boundaries of acceptable reporting of rape and sexual assault wide open. Clause 11 on 'Victims of Sexual Assault' simply reiterates the press duty to protect complainants' anonymity. Clause 7 on reporting sex offences against children is more detailed and more emphatic about 'protecting' victims, but its focus is similarly almost exclusively on preventing the identification of victims in the press. Section 5 on 'Intrusion into grief or shock' offers very basic guidance that may be applied in approaching alleged victims of rape and sexual assault, but nothing that addresses the specificity of sex crimes. Section 9 on the 'Reporting of Crime' offers little guidance on reporting sex crimes, but is intended to protect the relatives of perpetrators and vulnerable witnesses. Finally, Section 12 on 'Discrimination' prohibits the 'prejudicial or pejorative reference to an individual's race, colour, religious, gender, sexual orientation or to any physical or mental illness or disability'. While it is important to highlight the media's responsibility not to discriminate, this amounts to a narrow definition of 'discrimination', which does not fully deal with issues such as harmful stereotyping.

The PCC also publishes a series of Guidance Notes on the application of the code. Those ostensibly relevant to the reporting of sexual violence include those: 'on the reporting of people accused of crime', 'on Refugees and Asylum Seekers', 'on the reporting of cases involving paedophiles', and 'on court reporting'. The importance of upholding the complainant's right to anonymity in rape and sexual assault cases by withholding information (for instance, about the perpetrator) that could identify them, is reiter-

ated at several points in these guidance notes. In the Guidance Notes on court reporting, the right of the press to report a full, accurate and fair account of legal proceedings is emphasised, meaning that complaints about intrusion into privacy by publishing statements made in court are not usually upheld, as long as accuracy is maintained. The notes state that the PCC sometimes receives complaints about imbalanced representations of the defence and prosecution counsels, something which researchers looking at press representations of sexual violence have identified as a problem in the past (Soothill and Walby 1991). However the PCC has never considered such a complaint serious enough to warrant investigation.

The notes on Refugees and Asylum Seekers are relevant insofar as some stories of rape and sexual assault name the alleged perpetrators as a 'refugee', 'asylum seeker' or 'illegal immigrant', or explicitly draw attention to their status as a foreign national (see Section 6, below). The Guidance Notes indicate that the PCC receives an abundance of complaints about the representation of refugees and asylum seekers, but usually upholds only those that relate to inaccurate use of terminology (such as inappropriate use of the terms, 'asylum seeker' or 'illegal immigrant'). It mentions the risk of 'creating an atmosphere of fear and hostility' but gives members of the public few options for redress. There is virtually no guidance aimed at dealing with the effect of those newspaper articles deliberately connecting refugees, asylum seekers and 'immigrants' with sexual violence, which serve to stir up racist prejudices about dangerous, foreign 'others'.

The PCC handles complaints from members of the public relating to breaches of specific clauses of the code, resolving disputes and adjudicating where necessary. In 2006 the PCC received 3,325 complaints, the majority of which related to the 'accuracy' clause. Complaints about reports of rape and sexual assault can fall under any of a number of clauses and many will no doubt fall under accuracy. The PCC does not have a record of the percentage of complaints which relate to articles on sexual violence. However a word search of the cases currently listed on the PCC website (only a snapshot of the total number of complaints handled) returned 30 complaints related to articles about rape, and 178 related to articles about sexual assault. These complaints fell under various clauses of the code, including clause 11 on Victims of Sexual Assault and clause 1 on Accuracy.

National Union of Journalists' Code of Conduct and ethical guidelines

The National Union of Journalists' (NUJ) Code of Conduct is an ethical code that is binding for NUJ members. The NUJ Ethics Council considers complaints, aiming to resolve them by conciliation and discussion, but initiating disciplinary proceedings as a last resort. It works to promote high professional and ethical standards in journalistic practice as well as to ensure compliance with the Code of Conduct, and claims that it 'may sometimes investigate issues of wider concern where no specific breach of the code is alleged.'²⁶

In addition to the Code of Conduct the NUJ has ratified a set of Race reporting guidelines, including a special sub-set of guidelines on reporting immigration and asylum issues; it also has Age reporting guidelines, Disability reporting guidelines and guidelines on reporting HIV/AIDS issues. These guidelines acknowledge the material impact of harmful stereotypes (especially in relation to asylum and immigration issues) and the need to actively avoid stereotyping and work towards educating instead. To this aim, they recommend that journalists are attentive to the language they use, and warn against the dangers of sensationalism. In this sense they are more far-reaching in their definition of 'ethical journalism' than the Editor's Code of Practice enforced by the PCC.

However, curiously, there are no such guidelines relating to gender or sexual violence. The Age reporting guidelines touch on gender, advising that care should be taken in the representation of older women, but they fail to recognise gender as an axis of inequality intersecting with other axes of inequality: they go on to say that older men are discriminated against as well. The omission of gender issues and sexual violence from the NUJ's guidelines indicates a failure to recognise that there is real discrimination and inequality surrounding gender and sexual violence, and that the press is a critical site where ideological battles around these issues are played out.

²⁶ See the NUJ Ethics website: <http://www.nuj.org.uk/innerPagenuj.html?docid=25> (last accessed 22 January 2008)

5. REPRESENTATIONS OF RAPE IN THE PRESS

A content analysis

This section presents the findings from a basic statistical analysis carried out on the sample of 136 newspaper articles from the 2006 press, the main aims being:

- To summarise the overall picture of rape and sexual assault that the articles cumulatively construct;
- To compare this press profile with what we know about the reality of rape and sexual assault from the British Crime Survey (BCS) and the wealth of existing research on sexual violence;
- To make some observations about the kind of rape and sexual assault cases that are selected to receive coverage in the national press; and
- To comment on the potential effects and implications of the selective representation of rape and sexual assault in the press.

Genre of reporting: tabloids, broadsheets and the BBC Online

Tabloids are more likely to report cases of rape and sexual assault than broadsheets. One article about rape was chosen at random each calendar month for every tabloid and broadsheet. In eight cases a story meeting the sample criteria could not be found for the specified broadsheet newspaper for the specified calendar month, so the broadsheet sample subset totals 52 articles instead of 60. Two articles per month were selected from the BBC website.

A high number of stories was reported on the BBC website, but this is due to the fact that the BBC reports both local and national news across the UK, rather than a feature which distinguishes online reporting from the printed press in its treatment of sexual violence.

Position in the paper

In newspapers, the news considered most important and interesting is positioned at the front of the paper. Rape and sexual assault stories rarely appear on the front or opening few pages of the newspapers in the sample²⁷. In tabloids the majority (56.3%), appear after p.10, whereas in broadsheets the majority (61.6%) appear before p.10, with a particularly high concentration of stories (40.4% of the broadsheet sample subset) appearing on pages 6-10.

Table 1: Position of rape and sexual assault reports in newspapers

	Tabloids				Broadsheets			
		%	cumulative	cumulative %		%	cumulative	cumulative %
P.1	3	5	3	5	3	5.8	3	5.8
Pp. 2-5	7	11.7	10	16.7	8	15.4	11	21.2
Pp.6-10	10	16.7	20	33.3	21	40.4	32	61.6
After p.10	34	56.7	54	90	20	38.5	52	100
NS*	6	10	60	100	0	0	0	0
Total	60	100	60	100	52	100	52	100

*Not specified

A total of six stories in the sample appeared on the front page (5.4% of the total 112 articles from the tabloid and broadsheet sample subsets); three from the broadsheet sample and three from the tabloids. Four out of these six stories (66.7%) describe attacks perpetrated by non-British nationals whose 'foreign' status is typically highlighted in the headline, using the assaults to insinuate that allowing dangerous foreign 'others' into the country exposes the British public to sexual violence and criminality. These include headlines such as: 'Double rapist from Latvia was able to kill and rape in UK'²⁸; 'Rapist we can't deport'²⁹; and, 'Freed to rape girl of 6; Exclusive new foreign prisoners scandal'³⁰. Due to the promi-

²⁷ Page numbers were unavailable for six stories from the tabloid sample subset, all of which appeared in *The Sun* in 2006.

²⁸ *The Telegraph*, 30th March 2006, p.1

²⁹ *The Daily Mail*, 27th May 2006, p.1

³⁰ *The Mirror*, 16th May 2006, p.1

nence afforded to these stories, particular attention is paid to them in Section 6, although only a minority of reports in the sample mentions the national or ethnic origins of the perpetrator.

Of the two remaining, one front page story appearing in a broadsheet newspaper describes the unusual event of a rape victim winning a large sum of compensation in civil case from the estate of a perpetrator who died before police could finish investigating the rape allegation³¹. Most rape cases, if they come to trial at all, are tried in criminal, not civil, courts, and not only are victims not automatically eligible for compensation from the Criminal Injuries Compensation Authority, but are likely to receive only a negligible amount if successful. It is the unusual nature of this occurrence that gives the story its 'newsworthiness'. The remaining front page story, appearing in a tabloid newspaper, is a typical 'sex-beast prays on innocent child victim' story³². It is not clear why this is more worthy of its place on the front page than the many other similar stories appearing in the tabloid press, but it is worth noting that the rape is constructed as a symptom of a public order and morality problem in the local community and thus instrumentalises the rape story in the service of a different agenda in a similar manner to the stories linking sexual violence to the 'foreign prisoners' scandal and attacks on the immigration system.

Word length

Table 2: Word length of rape and sexual assault reports

No. words	Tabloids		Broadsheets		Online		Totals	
		%		%		%		%
1-49	1	1.7	3	5.8	0	0	4	2.9
50-99	5	8.3	5	9.6	7	29.2	17	12.5
100-199	14	23.3	5	9.6	9	37.5	28	20.6
200-499	20	33.3	23	44.2	7	29.2	50	36.8
500-999	17	28.3	15	28.8	1	4.2	33	24.3
1000-1499	1	1.7	0	0	0	0	1	0.7
1500+	0	0	1	1.9	0	0	1	0.7
Total	60	100	52	100	24	100	136	100

The articles sampled range in length from 33 to 1584 words, although the majority are in the region of 200 – 600 words, and the online sample sub-set has a smaller range of 74 – 539 words.

This study did not observe any direct correlation between word length and more or less responsible styles of reporting. A characteristic requirement of news stories is that they convey as much information as possible in as few words as possible. While some of the longer articles have more 'space' for in-depth analysis of issues surrounding sexual violence, some of them use this space to cite problematic comments from the judge, the defence counsel or (in some cases) even the alleged perpetrator at length, while in others the issues analysed marginalise or instrumentalise the problem of sexual violence (as in the case of the articles focusing on the 'foreign prisoners scandal'). As will be explained further in the next section, there was a dearth of articles in the sample analysing structural or systemic issues around sexual violence in any depth. Furthermore those news reports of rape and sexual assault which are afforded more words tend to be either the most extreme, violent or unusual cases, sometimes involving murder or serial offenders, which do not reflect the everyday reality of sexual violence, or those articles which instrumentalise sexual violence in the service of another agenda.

³¹ 'No witnesses and the attacker dead - but rape victim wins £259,000 in civil case' in *The Guardian*, 15th November 2006, p. 1
³² 'Hooded beast rapes girl, 11; attacker strikes on wasteland as child walks from centre' in *The Express*, 11th January 2006, p. 1

The press profile of rape

The following analysis is based on 136 news articles covering the offences detailed in Table 3.

Table 3: Offence categories represented in the sample

	Tabloid		Broadsheet		Online		Totals	
		%		%		%		%
Rape*	26	43.3	16	30.8	10	41.7	52	38.2
Rape plus other violent offences / aggravated rape	9	15	9	17.3	3	12.5	21	15.4
Gang rape	1	1.7	0	0	4	16.7	5	3.7
Gang rape plus other violent offences	1	1.7	0	0	0	0	1	0.7
Rape plus other sex offences	6	10	10	19.2	3	12.5	19	13.9
Rape plus other sex offences plus violent offences	4	6.7	6	11.5	1	4.2	11	8.1
Rape plus murder or attempted murder	2	3.3	4	7.7	1	4.2	7	5.1
Rape plus child sex offences	1	1.7	0	0	0	0	1	0.7
Rape plus other sex offences plus child sex offences	0	0	2	3.8	1	4.2	3	2.2
Gang rape plus murder or attempted murder	1	1.7	2	3.8	1	4.2	4	2.9
Sexual or indecent assault	5	8.3	2	3.8	0	0	7	5.1
Group sexual assault	1	1.7	0	0	0	0	1	0.7
Sexual assault plus child sex offences	1	1.7	0	0	0	0	1	0.7
Other (e.g. exposing offences)	2	3.3	1	1.9	0	0	3	2.2
Totals	60	100	52	100	24	100	136	100

*Includes the offences of both rape and attempted rape, one or more counts, wherever it appears in this table. Only a very small percentage of the sample reports relate to attempted rape.

The offence of rape or attempted rape features in 91.2% of the sample reports, reflecting the search terms 'rape' and 'wom*n OR girl*' used to identify them. The remaining 8.8% of reports describe sexual or indecent assaults or other sexual offences. Due to the search terms used to construct it, therefore, the sample tells us more about press representations of rape than of sexual assault or other sexual offences. However it is difficult to separate the representation of rape clearly from the representation of other sexual crimes and sexual violence: rape is a form of serious sexual assault, and over a quarter (27.4%) of the newspaper reports in the sample which feature the offence of rape or attempted rape relate to a perpetrator who had (or was alleged to have) also committed other sexual offences. Anecdotal evidence suggests that the press does not cover the full range of sexual offences, and is particularly less likely to cover sexual assaults not linked with a more 'serious' offence such as rape. These crimes may receive more coverage in the local press.

Stage of judicial proceedings / outcomes of cases reported

The first important point to note is that in more than two-thirds (69.1%) of cases reported on in our sample, the case had already gone to trial, and close to half (48.5%) of all the reports in the sample relate to cases in which a conviction had already been secured. The online sample subset differed from the newspapers in this regard: 45.8% of online articles related to cases that were still at the police investigation stage, whereas in the combined tabloid and broadsheet samples only 15.2% of articles related to offences that were still being investigated by police. One possible explanation for this is that, because the online sample is taken from the BBC Online, it includes both national and local news, and there is some evidence that rape and sexual assault are reported differently in the local press, with

more attention being given to a wider range of less high profile cases (Meyers 1997: 4; Soothill & Walby 1991)³³. Because of this difference, Table 4 also displays the aggregated figures representing the stage of judicial proceedings and / or outcome reached for both of the two newspaper sample subsets. Of the newspaper articles, almost three-quarters (73.2%) relate to cases that had already gone to trial, while just more than half (51.8%) relate to cases in which the perpetrator has already been convicted. The majority of these reports describe the trial proceedings and / or the sentencing and comments of the sentencing judge. Very few acquittals are represented in the press. There were more reports of women who had reported a rape being tried for perverting the course of justice (6.7% of the total tabloid subset) than reports of acquittals.

Table 4: Stage of judicial proceedings / outcomes of cases reported in the sample

	Tabloids		Broad-sheets		Online		Totals		Totals (newspapers only)		Comments
		%		%		%		%		%	
No proceedings	6	10	3	5.8	1	4.2	10	7.4	9	8	Three of these are also represented in the 'civil case' category and four in the 'victim on trial' category
Police investigation	10	16.7	7	13.5	11	45.8	28	20.6	17	15.2	
<i>Complaint withdrawn</i>	1	1.7	0	0	1	4.2	2	1.5	1	0.9	Victim tried for perverting the course of justice after withdrawing her complaint
Sub judge	13	21.7	11	21.6	4	16.7	28	20.6	24	21.4	
Conviction	30	50	28	53.8	8	33.3	66	48.5	58	51.8	
Trial stayed	1	1.7	0	0	0	0	1	0.7	1	0.9	Perpetrators underage; judge stayed trial because 'they would not understand the proceedings'
Acquittal	0	0	2	3.8	0	0	2	1.5	2	1.8	
<i>Civil case</i>	2	3.3	1	1.9	0	0	3	2.2	3	2.7	No criminal proceedings
<i>Victim on trial</i>	4	6.7	0	0	0	0	4	2.9	4	3.6	Accused of perverting the course of justice by bringing false allegations
Totals	60	100	52	100	24	100	136	100	112	100	

Totals do not add up because some of the categories overlap – those in italics can appear in more than one category

Overall therefore, convicted rapes and sexual assaults are disproportionately represented in the press, representing half of all newspaper coverage, which obscures the 5.7% conviction rate. Similarly, rapes and sexual assaults which go to trial are disproportionately represented, hiding the high attrition rates for rape cases: only one in five reported rapes in England and Wales and one in three cases in Scotland reach trial (Kelly 2001: 16).

This disproportionate representation of rapes and sexual assaults which go to trial, and particularly which result in a conviction, has repercussions which affect and distort the 'profile' of rape and sexual assault which the press coverage cumulatively constructs. We know that there are deep-seated problems with the way in which the criminal justice system deals with rape and sexual assault, as evidenced by the low conviction rates for rape. We also know that there is a correlation between those rapes which conform to myths and stereotypes about what constitutes 'real rape', and those which are brought to trial and, ultimately, convicted (Kelly 2001). The fact that the press mostly covers those rapes which are tried and convicted therefore means that it tends to disproportionately represent those assaults which conform more or less to 'real rape' myths. This is borne out by the profile of rape and sexual assault that emerges from the press reports in our sample. The likely consequences of this selective and stereotyped profile of rape are discussed in the conclusion to this section.

³³ This observation is drawn from existing studies but has not been tested against this study, which was designed to concentrate on the national press and introduced the online sample subset as a comparator.

Perpetrator relationship to victim

Stranger rapes are disproportionately represented compared with attacks where the perpetrator was known to the victim.

Table 5: Perpetrator relationship to victim

	Tabloids		Broadsheets		Online		Totals		BCS data % total rapes
		%		%		%		%	
Stranger	30	50	30	57.7	14	58.3	74	54.4	8-17
Known	26	43.3	19	36.5	5	20.8	50	36.8	83-92
<i>Family to victim</i>	4	6.7	2	3.8	0	0	4	2.9	-
<i>Partner or former partner</i>	1	1.7	2	3.8	0	0	3	2.2	56
Not stated	3	5	3	5.8	5	20.8	11	8.1	-
Both known and unknown victims attacked	1	1.7	0	0	0	0	1	0.7	-
Total	60	100	52	100	24	100	136	100	-

**Totals do not add up because some of the categories overlap – those in italics can appear in more than one category*

As shown in Table 5, the majority (54.4%) of the assaults represented in the press sample were perpetrated by strangers, while just over one-third (36.8%) of the attacks were perpetrated by known assailants. In contrast, the BCS estimates that only 8-17% of rapes in England and Wales are stranger attacks: 83-92% of rapes are carried out by known assailants, predominantly (45%) current partners, with former partners accounting for a further 11% (Myhill & Allen 2002: 30). Very few of the newspaper reports in our sample describe the rape of a woman by her current partner. Research has shown that a higher proportion of stranger attacks than sexual attacks by known assailants are reported to the police (Kelly 2001: 13). Of course the vast majority of rapes and sexual assaults which receive press coverage have been reported to the police, otherwise they would not have come to the attention of journalists.³⁴ However this does not account for the discrepancy between the figures: in Kelly et al's (2005) study of attrition in reported rape cases, only 28% of rapes reported to the police in their sample period were stranger attacks. Another report carried out by HM Crown Prosecution Service Inspectorate (2002: 31) into the investigation and prosecution of rape put this figure at 14%.

Victim age

The balance between adult victims and victims under the age of 16 is closer to that observed in recorded rape statistics than the balance between known and unknown perpetrators in the sample. However victims under 16 are slightly over-represented in the sample of newspaper reports as compared with adult victims. Table 6 shows that the majority (56.6%) of victims in the cases in the sample reports were women over 16, while almost two-fifths (38.2%) of reports relate to assaults on girls under 16. In 2005/06, 65.8% of recorded rapes of a female were of a woman over 16, while 34.2% were of either a girl under 16 or a girl under 13³⁵. Where the sample starts to diverge from the recorded crime statistics however is with the representation of the under-13 category. In our sample, almost one-third (29.4%) of the total reports relate to the victimisation of a girl under 13, compared with only one-tenth (10.5%) of recorded rapes. This suggests that press reporting is skewed in favour of reporting attacks on the youngest victims.

³⁴ Although not exclusively – in one newspaper article in our sample described a coroner's report on the death of a young woman thought to have committed suicide. She had reported a recent rape to a friend before her death, but had not reported the crime to the police.

³⁵ Home Office Recorded Crime Statistics 2002/03-2006/07, available at www.homeoffice.gov.uk/rds/pdfs07/recorded-crime-2002-2007.xls (last accessed 10 February 2006)

Table 6: Victim age (over 16, under 16 and under 13)³⁶

Victim age	Tabloids		Broadsheets		Online		Totals		Recorded crime stats %
		%		%		%		%	
Under 16	22	36	21	40.4	9	37.5	52	38.2	34.2
<i>Under 13</i>	<i>17</i>	<i>28.3</i>	<i>17</i>	<i>32.7</i>	<i>6</i>	<i>25</i>	40	29.4	10.5
Over 16	31	51.7	31	59.6	15	62.5	77	56.6	65.8
Not specified	6	10	0	0	0	0	6	4.4	-
Victims both over and under 16	1	1.7	0	0	0	0	1	0.7	-
Totals	60	100	52	100	24	100	136	100	-

*Totals do not add up because some of the categories overlap – those in italics can appear in more than one category

International data suggests that a large proportion of sexual victimisations occurs when victims are under 18 (Kelly 2001: 8) so it is not at all inappropriate that the newspapers report childhood sexual abuse and rape attacks on under 16's. However the problem is the way these are selected for reporting because of assumptions about ideal victimhood and sexual innocence, and may be linked to the fact that sexual attacks on child victims are more likely to be successfully prosecuted than attacks against adult women. This will be explored further in the next section.

Additional violence, aggravating factors and serial offending

Determining whether newspaper reports portray a representative picture of sexual violence in terms of the levels and nature of additional physical violence accompanying rape attacks, the likelihood of other aggravating factors (kidnap, a weapon, multiple assailant attacks), the likelihood of serial offending and the connections between rape and other offences (both sexual and violent) has been the most challenging aspect of this study, because comparable data is not available.

Myhill and Allen found that 'use of force' was reported in 74% of rape attacks, and some kind of physical injury was reported in 37% of cases (these figures are 46% and 14% respectively for sexual assault). While rape is a form of violence, however, 'violence' in this context does not necessarily mean physical brutality. Kelly (2001: 42) points out that only a 'tiny minority' – four per cent according to research conducted in the US – of rape attacks result in serious injury. Often the forms of coercion used are far more insidious than the use of a weapon or even the use of brute physical strength.

Newspaper reports do not usually offer any clear indication of whether a rape attack involved the 'use of force' in a way that is comparable with Myhill and Allen's analysis of the BCS data. However, Table 7 shows the number and percentage of cases which appeared in the sample involving a range of aggravating factors, including additional physical violence (that is, additional to the force exerted to carry out the rape), insofar as these are mentioned in the newspaper reports. The majority (55.9%) of cases reported in the press involved one or more aggravating factors, and more than one-third (35.3%) involved the use of additional physical violence, ranging from slapping and pushing to grievous bodily harm, use of a weapon and murder. The use of a weapon featured in 12.5% of reported cases, and abduction, kidnap or imprisonment in 13.2%. A multiple assailant attack was described in 8.1% of the articles.

36 These age categories correspond to the victim age categories specified in the Sexual Offences Act 2003

Table 7: Aggravating factors and additional violence

	Tabloids (out of 60 sampled)		Broadsheets (out of 52 sampled)		Online (out of 24 sampled)		Totals (out of 136 sampled)	
		%		%		%		%
Aggravating factors	36	60	28	53.8	12	50	76	55.9
Additional physical violence	21	35	18	34.6	9	37.5	48	35.3
Use of a weapon	6	10	9	17.3	2	8.3	17	12.5
Kidnap/ abduction/ imprisonment	10	16.7	5	9.6	3	12.5	18	13.2
Intoxicant facilitated	4	6.7	3	5.8	0	0	7	5.1
Breaking and entering	1	1.7	1	1.9	0	0	2	1.5
Multiple assailant	4	6.7	2	3.8	5	20.8	11	8.1
Images made of the attack	3	5	2	3.8	1	4.2	6	4.4

*Totals not possible because many of the categories overlap

Table 3, which shows the offence categories featuring in the sample articles, shows that in more than one-quarter (32.4%)³⁷ of reported cases the offender(s) was accused of or charged with aggravated rape or other violent offences such as grievous bodily harm, kidnapping and murder (but excluding other sex crimes) in addition to the rape or sexual assault. In 50% of cases represented in the sample, the perpetrator(s) had committed multiple offences in addition to and including the rape (or sexual assault), including other sex offences such as making indecent images of children, causing sexual activity without consent and sexual assault, as well as violent offences.

Table 8 shows that a high proportion (39.7% of the total and 44.6% of all the newspaper stories) of the press reports in the sample relate to rapes perpetrated by serial offenders.

Table 8: Serial offenders and assaults involving multiple victims

	Tabloids (out of 60 sampled)		Broadsheets (out of 52 sampled)		Online (out of 24 sampled)		Totals (out of 136 sampled)		Totals (newspapers only: 112 sampled)	
		%		%		%		%		%
Multiple victims (attacked simultaneously)	3	5	3	5.8	1	4.2	7	5.1	6	5.4
Serial offender (multiple attacks on different victims)	24	40	26	50	4	16.7	54	39.7	50	44.6

While there are no comparable statistics to measure these figures against, they seem to indicate that the press has a preference for reporting those rapes and sexual assaults that involve aggravating factors, especially more extreme forms of physical violence, or those that are perpetrated by 'paedophiles' and other serial offenders.

According to Myhill and Allen (2002: 31), rates of repeat victimisation among victims of rape and sexual assault are high: 41% of women experience more than one incident. Often repeat victimisation occurs at the hands of a single perpetrator, and is especially likely if the perpetrator is a partner. However, in the reports of rape complainants being prosecuted for attempting to pervert the course of justice, previous rape allegations are uncritically treated as evidence that the complainant is lying. The overall impression the press creates is that 'real rapists' are serial offenders attacking multiple victims, and/or wielding

37 This figure is the sum % of the categories rape plus other violent offences / aggravated rape; gang rape plus other violent offences; rape plus other sex offences plus violent offences; rape plus murder or attempted murder; gang rape plus murder or attempted murder.

excessive physical violence and causing injury, while women are highly unlikely to ever be sexually attacked more than once – which is in contrast to the evidence indicated by existing research on rape. The way in which these cases are reported also has the effect of creating malign characters out of particular serial offenders (the ‘shoe-rapist’, the ‘bath-rapist’, etc.) and focusing on these cases as if they were exceptional, rather than exploring the reality that a high proportion of men who perpetrate sexual violence do so more than once, although they may not necessarily be convicted.

Offence location

Just as the press disproportionately reports tried and convicted cases and stranger rapes, it also disproportionately focuses on attacks which take place in a public place. The majority (54.4%) of attacks reported in the sample took place in public places. Only 14.7% took place in the victim’s home, and in a further 20.6% of cases, the location of the attack was not reported in the article. In contrast, Myhill and Allen (2002: 37) found that 55% of women were raped in their own homes (sexual assaults were more likely to take place in public; however our sample is overwhelmingly made up of rape cases).

Table 9: Offence location

	Tabloids		Broadsheets		Totals				BCS data % of total rapes
		%		%		%		%	
Public place*	32	53.3	26	50	16	66.7	74	54.4	13
Victim's home or bedroom	10	16.7	7	13.5	3	12.5	20	14.7	55
Perpetrator's home or bedroom	6	10	0	0	1	4.2	7	5.1	20
Hotel room	3	5	2	3.8	1	4.2	6	4.4	-
Location disputed	1	1.7	0	0	0	0	1	0.7	-
NS	8	13.3	17	32.7	3	12.5	28	20.6	-
Totals	60	100	52	100	24	100	136	100	-

*Defined to include all public spaces, including enclosed spaces such as toilets, and buildings which victims were dragged into after being apprehended in a public place. Offences that took place in perpetrators' cars following the abduction of victims are also included in this category.

The disproportionate representation of stranger rape in the sample partly accounts for the high number of attacks in public places, as 59% of stranger attacks reportedly take place in public, according to the BCS data (ibid.).

Perpetrator's ethnic or national origins

A section on the perpetrator’s ethnic or national origins is included here because previous studies have indicated the salience of racial prejudices in press narratives of rape and sexual assault. However Table 10 indicates that the ethnic or national origins of the perpetrator are not specified in the vast majority (72.8%) of articles.

Table 10: Specification of perpetrator’s ethnic or national origins

	Tabloids		Broadsheets		Online		Totals	
		%		%		%		%
Not specified	47	78.3	39	75	13	54.2	99	72.8
Specified or indicated	13	21.7	13	25	7	29.2	33	24.3
Indicated only by picture*	-	-	-	-	4	16.7	4	2.9
Totals	60	100	52	100	24	100	136	100

*This category applies only to the Online sample subset as the newspaper articles were identified using a database and any accompanying pictures were not available.

This could be because white British ethnicities are considered the ‘norm’ and therefore not marked, whereas ‘other’ ethnic and national origins are specified. However, Table 11 shows that in almost half (48.5%) of the articles which do specify the ethnic or national origins of the perpetrator, white British ethnicities are specified.

Table 11: Ethnic and national origins of perpetrators specified (sample = 33)

		%
White, English or Scottish	16	48.5
E. European nationalities (Latvian, Romanian, Albanian)	5	15.2
Black or of African/Caribbean nationality	10	30.3
Of Asian nationality or origin	2	6
total	33	100

However in the few cases where the accused is identified as not a British national, particularly if he has asylum seeker or refugee status, this is accorded particular significance, as will be explored further in the next section.

Summary: press reporting versus reality

	Press profile (based on a random sample)	Actual rape statistics (BCS and recorded crime statistics)
Conviction rate	48.5% (newspapers only: 51.8%)	5.7%
% of assaults carried out by strangers	54.4%	8 – 17%
% of assaults carried out by known men	36.8%	83 – 92%
% of assaults carried out by current or former partners	2.2%	56%
% of assaults on women over 16	56.6%	65.8%
% of assaults on girls under 13	29.4%	10.5%
% of assaults involving aggravating factors	55.9%	No comparable data
% of assaults involving additional physical violence	35.3%	No comparable data
% of assaults involving the use of a weapon	12.5%	No comparable data
% of assaults perpetrated by serial offenders or involving multiple victims	44.8%	No comparable data
% of assaults taking place in a public place	54.4%	13%
% of assaults taking place in the victim’s home	14.7%	55%

Through highly selective reporting, the press constructs a profile of rape that contrasts sharply with hard evidence drawn from a wealth of research about the reality of rape. By disproportionately reporting tried and convicted cases, the press profile of rape gives the impression that rapists can be easily identified and brought to justice, obscuring the appallingly low conviction rates and the institutional discrimination which women face in their efforts to seek redress after a sexual attack. Furthermore, the press disproportionately selects cases which conform to the myths about what constitutes a ‘real rape’, discussed in Section 3: according to the press, rape is committed outside, in remote or dark places, by strangers who use extreme physical violence to overpower their victims and are particularly likely to prey on underage girls. This reinforces the package of myths in the public imagination and feeds them back into the criminal justice system, meaning that the majority of rapes which do not conform to the stereotype may not be identified as rape, whether by the victims themselves, who may experience confusion and feelings of self-blame, or by the police, members of the jury in a rape trial or the public at large.

6. REPRESENTATIONS OF RAPE IN THE PRESS

A discourse analysis

This section examines the discursive techniques deployed in the sample set of newspaper reports to construct both sexual violence and the perpetrators and victims thereof. On the basis of this qualitative analysis, it evaluates the extent to which the press is participating in the (re)production and reiteration of harmful, gendered myths and stereotypes surrounding rape and sexual assault.

Differences between tabloid, broadsheet and online genres of reporting

There are some observable differences in the way these different outlets report rape and sexual assault, most notably that sensational language and gratuitous details are more prevalent in the tabloid press. The stories from the BBC Online news site were usually short and to the point: less sensational than the tabloid stories, but offering less in-depth analysis than the broadsheets. Although more in-depth analysis might be expected from the broadsheet category, a key finding of this research was the striking lack of in-depth analysis of systemic and structural issues surrounding sexual violence in any of the sample articles across all three genres. This research focuses on identifying themes which cut across all three genres of reporting: they have a lot in common by way of approaches to reporting sexual offences. Differences will be mentioned where relevant to the analysis.

The individualising effect

Press reports of sexual violence very rarely portray it as a social or structural issue involving systemic injustices and discrimination, and almost never as a gendered practice of power and control. Instead rape and sexual assault are portrayed as highly individuated and isolated crimes. This individualising effect is partly achieved through reporting rape almost exclusively on a case-by-case basis. However, the fact that rape and sexual assault are reported almost exclusively in this individualising way reflects the common sense assumption that sexual violence, where it is recognised as such, is an anomaly, an unusual crime perpetrated by the monstrous or pathologically evil few, who must therefore be locked away from society, rather than part of the backdrop against which women live their daily lives. The construction of perpetrators as anomalous, monstrous perverts is dealt with in more detail in the relevant subsection below.

The lack of attention to the structural or systemic dimensions of sexual violence is reflected in the failure of the press to make connections or identify patterns between cases in reporting sexual violence, in contrast to reporting on, for instance, gun or knife crime, which are typically linked to issues of poverty and deprivation in the inner cities and/or youth and gang culture. This failure to make visible the inter-connections between separate incidents of sexual violence, the norms and conditions which make them possible and the systematic discrimination suffered by women victims at the hands of the criminal justice system, reinforces the individualising effect of reporting on a case-by-case basis.

It is worth noting that there are a few exceptions. For instance, in our sample one article appearing in a broadsheet newspaper featured the mother of a young woman who had been sexually attacked, and who had subsequently committed suicide, calling for a complete overhaul of the criminal justice system's treatment of women who report rape.³⁸ This piece stood out as unusual, however. On the whole, where rape cases are linked to wider social issues, they are linked to the wrong issues in misleading, potentially harmful ways. For instance, sexual violence tends to be instrumentalised and marginalised in the service of themes such as policing the boundaries of the nation against the security threat posed by 'foreign criminals', a tougher law and order agenda, anti-social behaviour and the breakdown of communities (see Case Study 8, below, for an example).³⁹ Linking rape to the 'foreign prisoners scandal', for instance, belies the fact that most sexual violence is perpetrated by men against women and girls of

³⁸ See 'Rape victim's suicide exposes the faults in 'crazy' prosecution system, says mother' in, *The Scotsman*, 15 June 2006

³⁹ See also 'Freed to rape a girl of six; Exclusive new foreign prisoners scandal' in, *The Mirror*, 16 May 2006; 'Double rapist from Latvia was able to kill and rape in UK' in *The Daily Telegraph*, 30 March 2006; 'Clarke must go, says rape victim' in, *The Times*, 30 April 2006; 'Why nanny's asylum seeker rapist has to stay in UK' in, *The Daily Mail*, 4 February 2006; 'Fake refugee gets life for sex attack' in, *The Express*, 10 March 2006; which link rape with the 'foreign prisoners scandal' and the asylum and immigration system, and 'Boy, 14, admits raping four girls in park: Victims, aged seven to 10, approached at swings: Attacks happened in area plagued by violent crime' in, *The Guardian*, 31 January 2006, which links the rapes to anti-social behaviour, gang and yob culture, crime and community breakdown.

similar social and ethnic backgrounds, who are known to them, and are often in the same family and social networks. These themes are explored further in the subsection on 'rape, race and nation', below.

Voice and authority in press narratives of sexual violence

Most press reporting of sexual offences is sympathetic to the victim(s) and condemns the actions of perpetrator(s), where it is acknowledged that a 'real rape' has taken place – hence the high proportion of reports relating to convicted cases which conform to 'real rape' stereotypes – that is, perpetrated by strangers, in public, using additional violence and causing physical injury, etcetera. The 'real rape' stereotypes identified by previous research, and discussed in Section 3 of this report, remain a force to be reckoned with in press reporting of sexual violence as well as in the court room. As shown in Section 5, most press reports of rape cover the trial and sentencing stages. The nature of rape trials and of the criminal justice system itself is such that they are prone to reinforcing myths and assumptions about rape, which then risk being reproduced in the press reports.

Press representations of rape depend in part on the kind of information made available to the press in the courtroom,⁴⁰ and the nature of the 'expert opinion' consulted. Journalists are selective about whose voices they privilege and treat as authoritative, and whose voices they marginalise. The tendency to report rape on a case-by-case basis means that experts with a valuable wider perspective on the reality of rape and its long-term impact on women's lives, such as representatives of the rape crisis movement and other frontline service providers, are rarely consulted. Journalists often cite comments of the judge and the prosecution and defence counsels, and sometimes statements released by the police. This subsection discusses the effects of the decision to privilege certain voices at the expense of others. It also considers how other, less authoritative voices, such as that of the victim in a rape case, are sometimes evoked by the press so as to belittle or discredit the victim by turning her testimony against her, or strategically instrumentalised in the service of a separate agenda.

In our sample of press reports, the voice of the judge is most typically privileged and afforded authority. This is likely to be both because the judge is an authority figure, and because judges often make sensationalist comments at the sentencing stage of a rape trial. Indeed judges are often cited in the sample articles making comments which reinforce 'real rape' myths. Most often cited are comments which construct the perpetrator as an anomalous, pathologically evil individual, a 'beast', a 'pervert', a 'predator'. Newspaper reports, particularly tabloid papers, invest heavily in such sensationalist vocabulary.⁴¹ While these labels no doubt seem appropriate in the context of a particularly pernicious assault, they pervade newspaper reports of sexual violence and their cumulative effect is to foster the impression that a man who doesn't fit this stereotype cannot be a 'real rapist' – a harmful myth, which will be explored further when we come to analyse the construction of perpetrators, below.

The judge's comments in Case Study 1 from our sample, by contrast, have the effect of excusing the perpetrator. This case is not represented in the press as a 'real rape'. The judge's comment that the man is of 'previous exemplary character' implies that he is therefore an unlikely rapist. He then says the sexual attack resulted from the fact that the defendant is 'sexually and socially unsophisticated'.⁴² The judge and the defence counsel are cited at length in the report in ways that make the defendant into an object of pity. Overall, the article implies that sexual assault is an inevitable consequence of men being unable to control their urges when women lay temptation in their way.

⁴⁰ Soothill & Walby (1991) comment, for instance, that the frequent use of 'sexual history evidence' in court, in spite of legislation introduced (in 1976) to limit its use, made it possible for the tabloid press to print intimate details of the victim's personal life and behaviour preceding the attack, often using this information to blame and discredit the victim. Despite further changes in the law sexual history evidence is still used in court (Kelly et al. 2006) but was less common in this sample of news reports than in Soothill & Walby's. See the subsection on constructions of victim-hood, below, for details of how the victim's behaviour is used by the press.

⁴¹ E.g. in 'Two twisted babysitters raped a child of 12 weeks' (*The Express*, 11 January 2006), Judge Baker is quoted as describing the defendants as 'doing evil', and 'malign'. In 'UK's worst paedophile' *The Sun*, 4 August 2006), Judge Hoffman is quoted as describing the 'sheer wickedness' of the defendant, and calling the case the 'worst of its type' that he had ever had to deal with. In 'Predator gets life for bath girls rape; Beast may never be freed' (*Daily Record*, 2 December 2006), Judge Hodson calls the defendant, 'dangerous predatory male'. In 'Freed to rape and kill: two men who should have been deported' (*The Telegraph*, 26 April 2006), Judge David Radford is cited calling the defendant, 'an evil and dangerous man'.

⁴² 'Sex attacker freed but must say sorry in a letter' in, *The Daily Telegraph*, 11 August 2006

Case Study 1: 'Sex attacker freed but he must say sorry in a letter'

This story appeared in *The Daily Telegraph* on 11 August 2006. It describes the case against Prashant Modi, who was accused of the attempted rape of a woman but pleaded guilty to the lesser charge of sexual assault.

The circumstances of the offence are described in the article. The attack took place in the accused's hotel room after he had spent an evening socialising with three women, all of whom fell asleep there. The article specifies that the rape was prevented when one of the women woke up and interrupted Modi assaulting her friend.

The article makes a point of noting that Modi is Indian, the three women were Swedish, and they had all been drinking alcohol.

The article cites the defence and the judge without any critical commentary, implicitly endorsing their interpretation of the attack:

Judge Jeremy Roberts accepted submissions from Sasha Wass, QC, defending, that being alone with three good looking women was an alien situation to Modi, whom she described as "shy, polite and geeky".

She said Modi had dedicated his life to his father's oil business and had little time for girls in India, where he had been brought up to consider sex outside of marriage as wrong.

"He was unable to know how to behave," Miss Wass said. "Not surprisingly he was aroused..."

In sentencing, Judge Roberts described Modi as "sexually and socially unsophisticated". He said Modi should be "grateful" that the rape had been prevented...

"Within three days you will write a letter of apology..."

Explaining his judgment, Judge Roberts said: "I regard the facts of the case as being exceptional... You were previously of exemplary character.

"By Western standards... Mr Modi is unsophisticated."

Modi was given a six-month suspended sentence, asked to sign the sex offender's register and ordered to write a 'letter of apology' to the victim.

In another article, Judge Pitts is cited telling serial rapist Lester Ford that he understands that his propensity for abuse stems from his relationship with his 'overbearing mother', whom the defence counsel claims exerted a 'malign influence' over the defendant, which Judge Pitts concludes, 'prevented [him] from developing normally'.⁴³ The article implies that sexual violence stems from psychological disorders typically caused by bad and irresponsible mothering, thereby deflecting the responsibility from the defendant and locating it with another woman. Newspaper reports typically fail to question the assumptions underlying these kinds of comments. Hence the authority accorded to the judge's voice in press reports of rape and sexual assault trials can help to (re)circulate misperceptions about rape in the public domain.

The victim's voice is typically effaced in the press reporting of rape, except in a very small number of cases where victims waive their right to anonymity to speak to the press. In those specific instances where the victim's voice is afforded particular authority, it is often instrumentalised in the service of another agenda, such as drawing attention to the 'foreign prisoners scandal'.⁴⁴

In some cases the victim's testimony in court is cited, but it is often used to construct the situation equivocally and implicitly suggest that she may have consented. For instance, in Case Study 2 from our sample, one of the victim's testimonies is cited at length, as are some comments made by the prosecution. However in the context of the article, these voices are presented in such a way as to create a feeling of ambivalence in the reader about whether a rape has really taken place. By the time the victim's voice is introduced, the context of her drinking and 'flirting' has been established to subtly discredit her.

⁴³ 'Sex attacker who kept diary of his assaults is jailed for life' in, *The Guardian*, 9 September 2006

⁴⁴ E.g. see, 'Clarke must go, says rape victim' in *The Sunday Times*, 30 April 2006

None of this information is directly relevant to whether or not a rape took place, but it is positioned in the article as if it is. This report stands out for its reluctance to take the women's story seriously as a 'real rape', in contrast to the numerous articles which vilify the perpetrator as a 'sex-beast'. The victim's feelings of confusion, disorientation and self-blame are effectively turned against her. Instead of recognising that victims often experience such feelings and may not always self-identify a rape because they have internalised common stereotypes about rape, the article takes advantage of the victim's honesty and self-deprecation to cast doubt on whether the rapes really happened.

Case Study 2: 'Two teachers 'raped by surgeon after club drink binge''

This article appeared in *The Daily Mail* on 12 December 2006. Plastic surgeon Dr Mark Rance met to women in a nightclub and went back to their flat, where both the women fell asleep. One of the women, Miss X, allegedly awoke to find him raping her. She pushed him off and asked him to leave. Rance pretended to leave, but went into the bedroom of the second woman, Miss Y, where she was sleeping. He was also accused of raping Miss Y.

The article repeatedly emphasises that the women were enjoying a night out and drinking alcohol before the attack took place, deliberately drawing attention to this in the headline. The first comment from the prosecution is: 'the women were drinking, they were merry and by the end of the evening feeling quite drunk.' This comment is cited early in the article, lending it particular importance. The prosecution continues, 'they chatted to a number of men, one being this defendant.' The article emphasises the consensual intimate activity ('kissing and cuddling', a foot massage) which took place between Miss X and the defendant before Miss X fell asleep and prior to the alleged rapes.

The article selects excerpts from Miss X's testimony (some of which were responses to questioning from the defence) which emphasise that she was drunk, that her memory is vague, and that she was 'confused and disoriented' but not scared, that she was not really sure at the time if what had taken place was rape, and that she thought maybe it was her own fault. The way in which the article is constructed, and the ways in which it uses the various voices, work to subtly discredit Miss X as a witness in the mind of the reader, and imply that one or both women may have consented to sex, or at best, exposed themselves to the attack through their behaviour.

The issue of how to incorporate the victim's voice into press reporting raises real dilemmas, because seeking out women and girls who have experienced sexual violence for interview risks breaching ethical guidelines on privacy and intrusion. It may be that putting the spotlight on the victim is not the most ethical approach. However the need to avoid the risk of intrusion or blame must be balanced with the need to educate the public about the range of long-term effects of sexual violence on women and girls, the fact that responses vary widely and all responses are legitimate, and that victims are not just victims, and may adopt a range of strategies to survive. An alternative would be to include comments from expert sexual violence support service providers and advocates, but this is rarely done, partly because rape is reported on a case-by-case basis and the deeper issues are not explored in any depth.

The voice of a relative of the victim may be included, such as the parents if the victim is a child. Parents' comments are typically instrumental to constructing the authenticity of the victim's 'victim' status, for instance by connecting evidence of psychological trauma with connotations of the loss of childhood innocence. Case Study 3 from our sample is a good example of this.

Case Study 3: 'Supermarket rape victim, 11, spotted attacker on street'

This story appeared in *The Daily Telegraph* on 22 July 2006. It describes the rape of an 11-year-old girl in a supermarket toilet. She later identified her teenage attacker when she happened to spot him on the street. The attacker was a 15-year-old boy who pleaded guilty to the attack and was sentenced to nine years in youth custody in addition to four concurrent terms for other attacks.

A Detective Chief Inspector of police is cited praising the girl's 'bravery' for her assistance with the police investigation. The article points out that the girl was 'still in her school uniform' when attacked and emphasises her distress. Her mother is cited at length testifying to the emotional trauma caused by the attack:

The victim's mother said the attack had deeply traumatised her daughter.

"She was bubbly, had a nice personality, outgoing, friendly, with lots of confidence. She would go anywhere, do anything on her own.

"Now she's different, she's lost her confidence. We take her most places now. She has to be taken to the toilet.

"She doesn't like coming out of small rooms, she still has nightmares..."

This case is reported in a number of other articles which appeared in the sample.

The effect of the victim's mother's comments in this article are complex. What the mother says is important because it reflects the fact that sexual violence serves to intimidate women and girls and discipline their behaviour so as to restrict their freedom of movement and self-confidence. It can have far-reaching psychological effects. However the article completely fails to make this point. Instead the mother's comments are deployed to construct the 'ideal victim-hood' of the victim, displaying her shattered innocence and psychological trauma as evidence of her genuine victim status (constructions of 'ideal victim-hood' are explored in more detail in the relevant subsection, below)⁴⁵.

In cases where the press (and the courts) have treated a rape allegation as 'false', or where a man is acquitted, considerable print space may be given to his voice, which serves to reconstruct the alleged rape from his perspective. For instance, Case study 4 dedicates much of the print space to the defendant's comments and uncritically accepts his version of events. He is even cited making excuses for his behaviour and attacking the police in the headline.

Although we know that very few rape cases are successfully prosecuted, meaning that many men who have in fact committed assaults are acquitted, newspapers have to be very careful about implying that a man might be a rapist who has escaped justice, because of the risk of libel actions. However it is possible to report an acquittal in a manner that does not disproportionately privilege the voice of the alleged perpetrator, as Case Study 5 from the sample demonstrates. It is possible, however, that the victim's death in this case accounts for the respect she is shown in the press in spite of the acquittal of her alleged abuser, in contrast to the alleged victim in Case Study 4.

⁴⁵ Another example of the use of the parents' voice in this way comes from 'Hunt for men seen trying to lure girls into car' in, *The Independent*, 6 January 2006. The victim's mother is cited commenting: 'My little girls is always so chatty and loves playing with her Barbie dolls. But she's hardly spoken a word since this happened. She gave her dad a smile this morning. But she's just completely overwhelmed and in shock.'

Case Study 4: 'Maybe I should have shown more responsibility, but I am only human. In no way does that make it rape. Student cleared of sex assault on drunken girl says police should not have taken the case to court'

This article appeared in, *The Daily Telegraph* on 4 November 2006. It describes the case against Jonathan Hagan, a student President who was accused of raping a newly arrived first-year student. He had signed a 'no sex' contract due to his role as 'week one rep'. He was asked to take the girl home from a party because she was so drunk. Hagan admitted he 'had sex' with the student, who claimed she did not consent. Hagan was acquitted of rape.

The article cites Hagan's indignant comments uncritically and at length. He challenges the definition of rape as coerced or non-consensual sex, and claims the police have contravened his human rights by pursuing the complaint. He complains bitterly about the effect of the trial and investigation on his life:

"I question whether this case should ever have come to court. It has taken two years out of my academic life and I was suspended by the university and forced to move out of my accommodation..."

"This is surely a contravention of my human rights. Myself and my family have suffered greatly during this ordeal and it will take time to rebuild our lives."

The victim is repeatedly described as 'a drunken girl' and the article is peppered with references to her level of intoxication so that when her comments are cited, toward the end of the article, her credibility had been subtly dismantled. By endorsing Hagan's version of events, the article implies that she consented.

The 'moral of the story', according to this article, is for women to avoid the 'dangers of binge-drinking'. However men are not warned that having sex with a woman who is too drunk to consent amounts to rape – indeed the article gives the opposite message, that it is the woman's responsibility to avoid this situation.

Case Study 5: 'Father cleared of raping chess girl who fell to her death from hotel'

This article appeared in *The Daily Telegraph* on 15 December 2006. It describes the case of Ian Gilbert, who was accused of repeatedly raping his daughter over a five-year period during her childhood. In July 2006 the alleged victim, then aged 19, died falling from a hotel window in a suspected suicide. He was also accused of a number of other sexual offences against three other females.

The article describes the accused's acquittal. However no comments are included from the accused, although his solicitor's comments are cited half way through the article. There is also a brief description of the victim's video testimony and statements from her mother, the police and the CPS honouring her life and her courage in coming forward to report sexual violence.

This case is reported in a number of other articles which appeared in the sample.

Perpetrators: the 'sex beast' and the 'wronged man'

There are three key figures of perpetrators that appear in press narratives of rape: the 'sex beast', the 'wronged man', and a third, shadowy figure who floats between these two dichotomised stereotypes. This subsection examines the construction of each of these three figures in turn.

The figure of the 'evil' 'sex beast' dominates national press reports of sexual violence. Soothill and Walby (1991) identified this character as a central feature of the articles they sampled from the 1985 tabloid press. This perpetrator appears exclusively in narratives which construct an attack as a 'real rape'. The construction of the 'sex beast' is dependent upon another press construction, that of the 'ideal victim' who is 'proved innocent': this construction is explained in the next subsection. His presence is indicated by vocabulary such as, 'beast', 'monster', 'pervert', 'predator', 'evil', 'depraved', which recurs frequently in the sample articles. This sensationalist language is most prevalent in the tabloid sample set, where it often features in the headlines.

Examples of tabloid headlines:

- 'Hooded beast rapes girl, 11' (The Daily Record, 30 January 2006)
- 'Beast raped his stepdaughter' (The Express, 24 February 2006)
- '7 years for rape predator' (The Mirror, 31 March 2006)
- 'Heroin rape beast is caged' (The Daily Record, 1 March 2006)
- 'A depraved loner who was obsessed with older women' (The Daily Mail, 13 April 2006)
- 'This monster tortured and murdered our sister, 16 years is a mockery' (The Daily Record, 1 April 2006)
- 'Baby-rape monster 'must die in jail'' (The Express, 4 May 2006)
- 'Vampire psycho is jailed for life' (The Express, 24 June 2006)
- 'Sex beast is locked up for rape of young mum' (The Express, 1 August 2006)
- 'Predator gets life for bath girl rape; Beast may never be freed' (The Daily Record, 2 December 2006)

Broadsheets are more likely to use the terms 'rapist' and 'paedophile' instead of 'beast' and 'monster'. Across all the sample articles, character names are created for particular perpetrators – the 'bath rapist', the 'Rosslyn Chapel rapist', the 'shoe rapist', the 'spider rapist.'

While broadsheets tend to deploy more subtle discursive strategies they produce the same effect, constructing the figure of the rapist as an anomalous, pathological individual. Case Study 6 from the sample illustrates this point. Despite the slightly less sensationalist vocabulary in the broadsheet story, both versions construct the rapist as a pathological 'sex beast'. This is reinforced by the 'moral of the story', that parents should leave their children in the care of adults whom they 'know and trust', which obscures the fact that the majority of children (and women) who are sexually abused are attacked by adults whom they do know and trust, often within the family.

Case Study 6: 'Babysitter raped 12-week-old as girlfriend took photographs'

This article appeared in *The Times* on 11 January 2006. It describes the case of Alan Webster, who raped a 12-week-old baby while he was babysitting her. His girlfriend photographed the abuse.

The judge is cited repeatedly calling the defendant 'depraved', 'evil' and 'malign', and emphasises that the attack was perpetrated against, 'the most vulnerable victim it is possible to imagine, a little baby.'

The article explains that the baby's 'struggling single mother' needed help to look after her child when she moved home. At the end of the article a child protection professional from the local County Council is cited warning parents to entrust the care of their children only to registered childcare providers or adults they 'know and trust'.

This case is also reported in a number of other articles which appeared in the sample, including the article in *The Express* on the same day, 'Two twisted babysitters raped child of 12 weeks'. The language used is more explicitly sensational, with the word 'twisted' in the headline, and the terms 'evil' and 'monster' appearing in the opening three lines.

Soothill and Walby found that, in their 1985 sample, the creation of the 'sex beast' in the press accompanied the police hunt for a particular offender, whereas the report of the trial stage focused considerable attention upon the woman or girl victim. In contrast, in our sample the figure of the 'sex-beast' or dangerous rapist tends to emerge at the trial stage, particularly at conviction and sentencing. It was noted in the previous section that a high proportion of press reports refer to convicted cases. There are reasons why the image of the evil 'sex-beast' is often evoked at or after a conviction. Journalists may be wary of applying such labels to a man who may yet be acquitted and claim that such descriptions are libelous. At conviction the man is confirmed a rapist in the eyes of the law and therefore enters the realm of the monstrous. As observed in the previous subsection and as Case Study 6 exemplifies, the comments of the judge (and sometimes the prosecution) serve as a resource for the press to draw on to demonstrate his monstrousness.

The second stereotype, that of the 'wronged man', appears in a handful stories, including: stories in which the alleged victim is believed to have made a false allegation and is tried for perverting the course of justice, as in Case Study 7, and stories in which the alleged perpetrator is acquitted and the press implies that the victim consented, as in Case Study 4. In a small number of cases, such as in Case Study 1, the perpetrator does not strictly fall into the 'wronged man' category but is portrayed as so pitiable that he more closely approximates this figure than that of the 'sex beast'. These are cases in which the assault is acknowledged but not constructed as a 'real rape' because it is reduced to an indiscretion or a 'misunderstanding'. The construction of the 'wronged man' is dependent on the construction of the 'cry rape girl' (which will be elaborated in the following subsection), or at least on the implicit presumption of the victim's precipitation of, and/or complicity in, the alleged rape (as in Case Study 4). The presence of the 'wronged man' is much more likely to be accompanied by language which suggests, or even explicitly asserts, that the rape was consensual sex.

The 'wronged man' is depicted as innocent, traumatised by the rape allegation, and putting back together the pieces of his ruined life. Case Study 7 illustrates this construction. Case Study 4, is another classic case of the 'wronged man'. The alleged rape is repeatedly described as 'sex', and the accused, who is quoted at length, makes himself into an object of pity.

Case Study 7: 'Cry rape' girl is jailed; Student, 19, gets year for 'wicked' lies

This article appeared in *The Mirror* on 2 June 2006. It describes the case of Ben Guerin who was accused of raping a friend as he walked her home from a party. When Guerin, and a number of other 'young people in [their] company', accused the complainant of lying, she was tried and found guilty of perverting the course of justice.

The article, starting from the sensationalist headline, uncritically accepts that the case is a false allegation and condemns the complainant's actions. Guerin is constructed as an object of pity who has suffered a terrible injustice: we are told in the second line that he has been through 'ten months of hell': 'He was forced to quit his job, hit with a bottle outside his home and lived in fear of constant threats.' Later on his father is cited commenting, 'The whole thing has traumatised Ben – he's still not over the shock.'

Guerin is portrayed as a reasonable, ordinary man ('when [the complainant] accused him of rape he immediately volunteered to go to the police to explain what happened'). Guerin is cited describing the alleged attack as consensual sex, and emphasising that the complainant took the initiative and enjoyed herself. His perspective is endorsed by the article's description of her as a 'cry rape girl' and a 'wicked' liar in the headline.

His father is later uncritically cited commenting, 'when girls cry rape they're not always the victims'. To reinforce the generality of this comment, that 'girls cry rape', the article ends by citing a number of other recent cases of false allegations, as if to indicate that this case is part of a trend.

The third figure is noticeable by his absence. Only a shadow of him is present in press narratives of rape, due to his ambiguity. This is the figure of the accused in cases which are sub judice, but where the press reports insinuate that the rape is not a 'real rape', such as Case Study 2. In the event of his acquittal this kind of shadowy figure may become the 'wronged man', as in Case Study 4. Indeed the alleged perpetrator in Case Study 2 comes close to the 'wronged man' construction when the article repeatedly cites a comment he made immediately after the first alleged rape: 'You're going to say I took advantage of you.' If he is convicted, he may become the 'sex beast', but this is unlikely: in most cases there is no

room for ambiguity about who is a 'sex beast'. A 'sex beast' is constructed as identifiably a 'sex beast' from the start. In rare cases he may be acquitted but remain merely an invisible, shadow-like figure, as in Case Study 5. In this case, despite the accused's acquittal, the victim did not fit the stereotype of a 'cry rape girl' (due to her suspected suicide), therefore the accused did not fit into either stereotype ('sex beast' or 'wronged man') but remained unrepresentable.

These constructions of perpetrators have two significant effects. Firstly, they draw a sharp boundary between the figure of the 'rapist' or 'sex beast' and ordinary men. This boundary negates the everyday reality of sexual violence, which is most commonly perpetrated by ordinary men against known women and children, particularly current or former partners. Clearly, where a man has been acquitted, or where he appears likely to be acquitted, the press must exercise caution in its choice of vocabulary for legal reasons. However in a context in which only 5.7% of rapes reported to police result in conviction, a high proportion of those who are acquitted (or who are never brought to trial) are likely to have perpetrated the sexually violent crimes of which they are accused. This fact is consistently obscured by the portrayal of sexual violence in the press, which divides the evil 'sex beasts' from those unfortunate men who have naively 'misunderstood' a sexual situation, or worse, fallen prey to a woman's vengeful lies. As a high proportion of those rapes and sexual assaults which result in conviction, and indeed, which are reported in the press, conform to 'real rape' stereotypes, the press thus works in tandem with the criminal justice system to reinforce the boundaries of 'real rape' myths, while there are men around us, not identifiable as sex beasts and perverts, who continue to get away with rape.

Secondly, the construction of the rapist or sex offender as an isolated, anomalous and pathologically evil figure has a dual individualising and normalising effect. It contributes significantly to the individualising effect identified in the previous subsection, above, whereby rape and sexual assault are constructed as the exceptional acts of a dangerous minority of evil 'beasts' who can be identified and duly punished, rather than as part of a continuum of gender-based violence which pervades social relations in a society fraught with gender inequalities. It obscures the connections between constructions of masculinity and sexual violence as a practice of power and control, constructing it instead as an expression of abnormality, sexual perversion and immorality. This conveniently lets society, and policy-makers, off the hook when it comes to the conditions which make sexual violence possible: no-one can be held responsible except these evil few, and the solution is to lock them up.

The flipside of this individualising effect, ironically, is that most everyday sexual violence – that which doesn't fit comfortably into the 'real rape' stereotype – is both hidden from view, and normalised, that is, made to seem not so bad in comparison, rendered ordinary, inevitable, even acceptable. The likely consequences of these constructions are therefore that, as illustrated by the victim in Case Study 2, women do not always identify their experiences (which do not match the stereotype involving a 'sex beast') as rape, or are not sure whether they have been raped. If they do recognise their experience as rape, they may be reluctant to report it to police for fear of being disbelieved and vilified as a 'liar' and 'cry rape girl'. The construction of 'victims', analysed below, works in tandem with these constructions of perpetrators to produce these effects. First we look at the construction of the most monstrous of 'sex beasts': the 'foreign' rapist.

'Asylum-seeker rapists' and 'foreign criminals': rape, race and nation

Soothill and Walby (1991) and US-based researchers such as Marian Meyers (1997) and Helen Benedict (1992) have drawn attention to the mobilisation of racial prejudices and stereotyping in press accounts of sexual violence. The data presented in Section 5 showed that most newspaper reports of sexual violence do not explicitly mention the 'race', ethnicity or national origins of the perpetrator⁴⁶. However there is a group of articles which explicitly highlight the perpetrator's status as a foreign national, asylum-seeker, refugee or 'illegal immigrant'. These articles account for four out of the six reports of rape or sexual assault from our sample that appeared on the front pages of newspapers. They also demonstrate how the mobilisation of racist stereotypes in press narratives of sexual violence has evolved since Soothill and Walby's (1991) research.

There are eight articles in the sample which fall into this category, almost all of which (with only one exception⁴⁷) explicitly refer to the perpetrator's foreign or immigrant status in the headline, for example:

⁴⁶ Most reports don't mention the 'race', ethnic or national origins of the victim either.

⁴⁷ The exception is 'Clarke must go, says rape victim' (*The Sunday Times*, 30 April 2006). However given that this was published as a front page story during the height of the 'foreign prisoners scandal' in which the Home Office became embroiled in 2006, it is likely that the connection with 'foreign criminals' would have been instantly evident to most readers.

'Double rapist from Latvia was able to kill and rape in UK'; 'Freed to rape and kill: two men who should have been deported'; 'Why a nanny's asylum-seeker rapist has to stay in Britain'; 'Fake refugee gets life for sex attack'. This is a small number of articles relative to our sample size – that is because the cases they describe are rare. However they have a particular significance for the way in which press reporting constructs and makes sense of sexual violence.

Case study 8: 'Rapist we can't deport'

This story appeared on the front page of *The Daily Mail* on 27 May 2006. It describes the case of Yonis Dirie, a man convicted of rape and sentenced to ten years in prison. The main focus of the article is the judge's 'fury' that he cannot deport Dirie to his native Somalia because he has been granted permanent sanctuary in Britain as a refugee.

The article launches a sustained attack on the asylum and immigration system and on the Home Office. It instrumentalises the victim's voice in the service of this attack: 'he is here with the blessing of the authorities'. It also links the case to the 'foreign prisoners scandal' (the furore over the number of foreign prisoners who escaped consideration for deportation in 2006).

The defendant is described as a 'drug addict and career criminal', and his history of violent crime is detailed, emphasising his deviance. The extreme physical violence with which he and his accomplice overpowered the victim is also described.

As illustrated by Case Study 8, these articles typically refer to particularly extreme, violent and exceptional attacks committed by serial offenders, often involving the use of weapons or other aggravating factors. These articles do a number of things. Firstly, they construct the 'foreign' rapist as a hyper-monstrous version of the 'sex beast': this is the most dangerous beast of all, and his 'foreign-ness' is inextricably implicated in his monstrousness. His criminal history is detailed at length in a way that is uncommon in reports of rape and sexual assault. Details are proffered not only of previous sex crimes but of the full range of criminal activity, from fraud and identity theft to recreational drug use, violent assault and robbery. Care is taken to portray this kind of 'sex beast' as exceptionally devious, calculating and deceptive.

The focus on the 'foreign' status of these perpetrators implicitly links the categories of 'immigrants', 'refugees' and 'asylum-seekers' with this disconcerting picture of deception, criminality and deviance. Often the link is made even more explicitly, for instance, where strategies deployed by perpetrators to gain entry to Britain (and in some cases, abuse the immigration and asylum system – e.g. pretending to be from war-torn Somali, using false identities) are detailed, bolstering the portrayal of these people as engaged in all manner of deception and trickery, and positing a direct connection between criminality and immigrant status.

The fact that sexual violence is among the perpetrator's array of criminal pursuits is marginalised and instrumentalised in the service of demonising dangerous, 'foreign' Others who are deemed a threat to British public security. The sexual attacks in these cases all conform very closely to the 'real rape' stereotype: perpetrated by a stranger, often with a weapon. By linking the rapes with the perpetrators' histories of criminality and deception they contribute to reinforcing the myth that all rapists are criminal deviants, casting doubt on those cases where there is no such history and context to indict the alleged perpetrator and lend credibility to the victim.

Secondly, the articles relate the rapes to wider systemic and social issues in a way that few press accounts of rape do. However they do not set the rapes within the context of a continuum of violence against women, the sexualisation of women's bodies and gender-based discrimination. Instead they diverge to discuss at length the failures of the immigration and asylum system and the systems for monitoring 'foreign prisoners', deportations and sex offenders who cross international borders. Several of the articles refer to issues of 'public security' or 'public protection'. Sexual violence against women and girls is almost never constructed as a public security issue. The irony and hypocrisy is that these articles do not in fact posit rape itself as a public security issue. They instrumentalise the rapes in the service of what is deemed to be the more urgent public security issue, the policing of the boundaries of the nation against dangerous foreign criminals.

There is a lot of finger-pointing at 'the system' for mistakes which enabled the perpetrators to enter and/or continue to stay in the country in spite of their criminal histories and in some cases, previous convictions for sex crimes. 'He should not even have been in the country' is frequent refrain. The un-

derlying message is that the attacks were enabled, or made possible, by the systems which allowed the perpetrators to enter and reside within our national borders. The implication is that it is not the fact that the men raped that was so despicable, but the fact that they were able to rape British women and girls. This in turn implies that, as foreigners, they have crossed boundaries because they do not have sexual entitlements to British women and girls. The bodies of the women and girls are implicitly taken to symbolise, or embody, the nation itself, and therefore become battlegrounds in an imagined power struggle with these 'dangerous foreigners'. Similarly, it suggests that tighter controls on immigration, asylum and 'foreign criminals' would substantially protect British women and girls from the 'worst' sexual violence. The idea that rapes and sexual assaults which are not committed by foreign Others are somehow less serious (and less of a 'public security' concern) is yet another harmful myth contributing to stereotypes of 'real rape', which trivialises everyday rapes committed by known offenders.

On the subject of how assumptions about race, national origins and difference are mobilised to make sense of sexual violence in press reports, Case Study 1 also requires particular attention. The defence counsel and the judge are cited extensively as claiming that the attack stemmed from the defendant's lack of 'social and sexual sophistication', supposedly a product of his Indian cultural norms conflicting with Western norms. He is described as motivated by uncontrollable lust and lacking the proper understanding and cultural precedents for appropriate behaviour. The article cites this commentary uncritically.

This article is interesting because it demonstrates the complex ways in which racist stereotypes can be mobilised to make sense of sexual violence. In this case the attack is directly linked with the perpetrator's 'otherness' in an extraordinarily patronising way, which asserts the supposed 'superiority', sophistication and self-mastery of the 'Western' male over the infantilised figure of the unsophisticated Indian who cannot master his bodily urges. This 'difference' is however evoked to generate sympathy and excuse him of the attack. Of course, this strategy can only succeed in tandem with the gendered myth that rape is motivated by men's uncontrollable sexual urges, in addition to the racist myth of Indian men's lack of 'sexual and social sophistication.'

Explicit racism has, thankfully, become increasingly taboo and unacceptable in recent decades. However racist stereotyping still features significantly in some press narratives of sexual violence, as this analysis has shown. The ways in which it surfaces in the current sample do not map directly onto constructs of 'race' but deploy notions of 'foreignness' that reflect contemporary fears about the expansion of the European Union, (as reflected in the article about the rapist from Latvia), and in particular, xenophobic hysteria about immigration and asylum stirred up by right-wing political agendas.

'Proved innocent': constructing the 'ideal victim'

Constructions of women and girls who have experienced sexual violence in the press also fall into three categories: there is the 'ideal victim' whose innocence is 'proved' (the corollary of the 'sex beast'), the 'wicked', mendacious, 'cry rape girl' who is not really a victim at all (the corollary of the 'wronged man'), and again there is a third, more ambiguous category, who could be described as the 'fallen woman'. She is not as unequivocally 'wicked' as the 'cry-rape girl', but it is subtly implied that she has laid herself open to, or is complicit in, the rape. There is a sharp boundary between both of these latter two figures and the 'ideal victim'. This subsection explains each of these categories in turn.

First, an important general point is that newspaper reports often focus attention on the victim and put her on display. This is done in different ways, depending which of the three stereotyped categories of victim she is constructed as. It is often achieved partly through the use of passive constructions, such as, 'a woman was raped', in contrast to the active, 'a man raped a woman'. This can make the attack seem authorless; something that just happened. While in some cases passive constructions can serve to imply that a woman was complicit in the attack, often they are deployed, in contrast, to construct her 'ideal victim' status, such as: 'a frightened teenage girl was sexually abused by another patient as she lay on a hospital casualty bed unable to reach the alarm button'⁴⁸.

The 'ideal victim' only appears in press narratives of rape where a 'real rape' is acknowledged to have taken place, and is therefore co-dependent upon the construction of the 'sex beast'. Indeed, the monstrosity of the rapist seems to increase in proportion to the victim's demonstrable innocence. A number of factors feed into constructions of 'ideal victim-hood': the young age or sexual innocence of the

48 'Sex ordeal of teenager as she lay in casualty' in, *The Daily Mail*, 10 January 2006.

victim, her 'innocent' behaviour preceding the attack, her evident helplessness in the face of the attacker and/or valiant efforts to resist, and her 'appropriate response' following the rape, including the display of recognisable physical and/or psychological trauma and her 'bravery' in assisting the police in bringing the rapist to justice.

The most 'ideal' of 'ideal' victims is the child or infant, because innocence – particularly sexual innocence – is associated with childhood. In fact two of the stories which conformed most closely with the 'sex beast' / 'ideal victim' binary received the most coverage in our sample: Case Study 9, the case of Peter Voisey, the 'bath rapist', and Case Study 6, the babysitters who raped a baby and filmed the abuse. Images of childhood innocence are evoked in the construction of this kind of victim: 'splashing happily in the water'⁴⁹, 'my sweet little girl is always so chatty and loves playing with her Barbie dolls'⁵⁰, 'the most vulnerable of victims, an innocent baby'⁵¹.

Case Study 9: 'Bath-time predator; Cops praise courage of victim, 6; Rapist facing years in jail'

This story appeared in *The Daily Record* on 21 October 2006, but the case was covered in six articles appearing in the sample. Peter Voisey was convicted of abducting a six-year-old girl from her bath while her mother was in the adjacent room. He raped her and then dumped her in a lane.

The article describes Voisey as 'twisted', and, 'a serial sexual predator who preys on young and vulnerable children'. It details his history of burglary and emphasises that he was a 'stranger' who 'violated' the family home and has shown 'neither guilt nor remorse.'

The article specifies that the victim was found 'naked and bleeding', and cites a Detective Chief Inspector of police paying tribute to her 'courage' and her performance as 'a first-class witness'.

The same newspaper later reported on the sentencing of this offender ('Predator gets life for bath girl rape; Beast may never be freed', 2 December 2006). In this article Voisey is described variously as a 'beast', 'sick' and, 'a dangerous predatory male' who has committed, 'the most grave of offences.' The fear and terror of the victim and her family are emphasised four times.

If the victim is an adult woman, or even an older child, more discursive work is needed to construct her as a helpless, 'ideal victim'. Firstly, the victim's behaviour prior to the attack is typically discussed. This is common across all the genres of reporting sampled⁵². The description of her behaviour places the victim under scrutiny and puts her on display. Often it appears to serve the implicit function of showing how she didn't precipitate the assault – yet the cumulative effect is to imply, conversely, that certain other behaviours or contexts can precipitate a rape or sexual assault. Case Study 10 exemplifies this pattern. There is a long and convoluted description of how the victim came to be alone on a remote country road at dusk, as if her presence there needs explaining or excusing. Similarly, one article reporting the case detailed in Case Study 3 points out that the victim was in, 'the usually safe environment of the store'⁵³, the implication being that she would not expect to be raped there, suggesting that in other, 'less safe' settings, rape is to be expected and it is the victim's responsibility not to put herself at risk.

49 'She said, 'What are you doing here?' Then I heard a car. I shouted but there was silence. Mother tells of panic as she realised girl, six, had been abducted' in, *The Daily Telegraph*, 5 October 2006. This is the same case that is detailed in Case Study 9.

50 'Hunt for men seen trying to lure girls into car' in, *The Independent*, 6 January 2006.

51 See Case Study 6

52 It is worth noting that in some cases there is also an emphasis on the perpetrator's behaviour, for instance, in order to demonstrate the premeditated character of an attack.

53 'Shop child rapist jailed' in, *The Sun*, 21 July 2006

Case Study 10: 'Victim of Rosslyn Chapel rapist 'looked like she had been hit by car''

This story appeared in *The Scotsman* on 11 January 2006 and describes the trial of Robert Greens for the extremely violent rape of a woman near Rosslyn Chapel in Midlothian, Scotland.

The article describes how the defendant 'seized' the victim while she was 'walking alone along a country road on a sunny Sunday evening.' The woman's behaviour leading up to the attack is detailed – that she enjoyed hill-walking, was planning to visit the chapel, decided not to take the bus because the weather was fine but got lost – as though to explain and excuse her presence alone in a remote, outdoor place in the evening.

It describes her efforts to resist and decision to stop fighting because she 'feared for her life', giving graphic details of the struggle and Green's use of a weapon and extreme physical violence. Her response to the attack is detailed, including her 'shock', her 'fragile mental state' a year on from the attack, and her display of emotion upon catching sight of her injuries. The extent and severity of her physical injuries is also emphasised.

A police Detective Inspector is cited commenting that this is 'a very brutal case which might have been murder. It is one of the worst rapes I have ever had to deal with.'

Secondly, the victim's helplessness during the attack, and/or efforts to resist, are also evoked to construct the 'ideal victim'. In another article reporting on the case featured in Case Study 3 the victim's 'slight build' is constructed as excusing her for failing to fight off her attacker⁵⁴. Case Study 10 details the victim's fight to resist her armed attacker and emphasises the physical strength and brutality he exerts to overpower her, presenting this as evidence of her status as a 'genuine' victim. Where the perpetrator has used intoxicants to facilitate the rape, this is evoked to construct the victim's passivity vis-à-vis her attacker and therefore account for her inability to resist, as illustrated by Case Study 11: he 'turned his victims into zombies'.

Case Study 11: 'Rapist used drugs to turn his victims into zombies'

This report appeared in *The Times* on 30 September 2006. It describes the case of Ernest Newberry, who was convicted of intoxicant facilitated rape against three women, all of whom were his current or former partners.

The article describes the 'cocktail' of drugs that Newberry surreptitiously administered to his victims in their tea, emphasising that they became like 'zombies' under the influence of the drugs, and were 'powerless to stop him'.

The defendant is described as 'evil' with 'bizarre' sexual urges, as well as 'bullying' and 'controlling'. One of his victims is praised repeatedly for her 'courage' in bringing him to justice.

Thirdly, the 'ideal victim' is constructed through her 'appropriate' victim responses. The assumption underlying this construction is that the trauma of sexual violence can be read off the victim's behaviour and/or body. The appropriate victim response thus includes externalised displays of emotion and evidence of psychological trauma: 'broke down,' 'was still in a fragile mental state' (Case Study 10) 'wept,' 'was still trembling in terror'⁵⁵. In the sample articles children who have been abused are typically described as 'terrified' and 'in shock' in contrast to their 'chatty', 'bubbly' childhood innocence preceding the attack. These responses are implicitly offered as evidence of 'genuine' victim-hood. This is problematic, because, although it is critically important to acknowledge the trauma that rape and sexual assault can cause, the way in which trauma is evoked in press reports reinforces stereotypes about 'appropriate' victim responses to trauma, rather than fostering understanding that trauma can be expressed and marked on the body and the psyche in multiple and contradictory ways. There is a danger that reading certain behaviours or responses as lack of evidence of trauma raises suspicion of victims who do not seem to react in expected ways.

Just as 'ideal victim-hood' is constructed in the press partly through 'appropriate' symptoms of psychological trauma, it may also be constructed through the display of traumatic injury to the body, as illustrated by Case Study 10, in which the headline cites a witness claiming the victim looked as if she had

⁵⁴ 'Supermarket rapist sentenced' in, *The Independent*, 22 July 2006

⁵⁵ See 'Girl aged 11 raped in supermarket' in, *The Times*, 7 March 2006, which is another report on the case featured in Case Study 3.

been hit by a car. In this case the passive construction serves to put the victim's injured body on display and make a spectacle of her: 'A Dutch student was so badly beaten as she was raped... that she looked as though she had been hit by a car.' The reader doesn't visualise a man beating a woman: instead we are invited to visualise a woman with a bruised and battered face and body. The article displays the assaulted woman's battered and broken body as evidence both of the assault taking place, and of its severity and effects. Again, the implication is that evidence of an assault, or of the severity of an assault, can be read off the body in a straightforward way, which we know is not the case, since most rapes do not result in physical injury. In addition, the tendency to display the victim's psychological trauma and physical injuries as evidence of the attack (and of the attacker's monstrosity) risks making a spectacle of her 'victim-hood', aestheticising her pain and suffering for the consumption of the reading public.

Frequently, the 'ideal victim' is also constructed through references to her 'bravery' and 'courage'. As in Case Studies 3, 9 and 11, the victim's 'bravery' is typically linked to her decision to report the rape and assist the police in bringing the attacker to justice, rather than to her surviving the assault and the process of recovery. The 'ideal victim's' cooperation with the authorities is constructed as an aspect of the 'appropriate' victim response. Again the effects of this language are complex. On the one hand the courage of women and girls who have experienced sexual violence and come forward to testify in the face of an extremely difficult criminal justice process must be recognised. The problem is that the way in which the victim's 'bravery' is typically evoked in the press implies that the most deserving of victims are those who report to police and cooperate, as if their 'victim' status burdens them with a duty to help protect other women and girls from the man who assaulted them. The woman or girl is attributed an almost self-sacrificing status in the service of the common good.

The construction of the 'cry rape girl' is dependent on the construction of the 'wronged man' and vice versa. As pointed out in Section 3, there has been a series of prosecutions of female rape complainants for attempting to pervert the course of justice (by making a false allegation) in recent years. This phenomenon has given rise to the figure of the 'cry rape girl' in the press. Four articles in the tabloid sample⁵⁶ describe the trial of a rape complainant for attempting to pervert the course of justice, and a further story about a false allegation made by a female pupil against a teacher appears in the broadsheet sample. The victim in Case Study 4 is implicitly treated as a 'cry rape girl' – the accused is certainly constructed as the 'wronged man' in this case (but she is also constructed as incorporating aspects of the 'fallen woman' stereotype). It should be noted that in only one of the four tabloid 'cry rape' stories did the woman withdraw her complaint. More details of how 'false allegation' narratives are constructed, and the important insights about sexual violence that they miss, are elaborated in the subsection below.

The figure of the 'cry rape girl' is equally dependent on the construction of the 'ideal victim': she is the 'ideal victim's' binary opposite. These two tropes keep alive the myth of the 'deserving' and 'undeserving' victim, the 'virgin' versus the 'vamp' (Benedict 1992). The 'cry rape girl' is assumed to have deliberately and maliciously made a false rape allegation, possibly as an act of revenge or to 'cover up' her own sexual 'promiscuity'. She combines the qualities of a witch and temptress – she is described as 'evil' and 'wicked', and is branded a 'liar', but she is also sexualised. The 'false allegation' narratives typically construct her as inviting the innocent, unknowing, 'wronged man' to engage in sexual activity with her, as if she were laying a trap for him. Case Study 7 illustrates this point: the accused man says the woman 'asked [him] for sex' and then, 'sat on top of [him], facing [him]'. His version of events is presented as fact. In another case, the article claims that the woman's 'false allegation' came to light when the accused men produced a video of her 'lap-dancing' and, 'urging them to have sex with her'⁵⁷.

The 'fallen woman' is also constructed as an 'undeserving' victim, in contrast to the 'ideal victim' construction, but in a much more subtle and implicit way than the 'cry rape girl'. The woman victim in Case Study 2 is a good example of this construction. She is not openly and explicitly blamed, like the 'cry rape girl', but the description of her behaviour, particularly the emphasis on her drinking alcohol and 'flirting' with men and the prior sexual contact with the attacker are all evoked to insinuate her complicity, or at best, that she unwisely exposed herself to danger. The description of this victim's behaviour and response to the alleged assault contrasts sharply with that of the victims in Case Studies 3 and 10, who are constructed as 'ideal victims'. Her behaviour preceding the alleged assault is used to suggest her partial culpability, while her response afterwards is not constructed as an 'appropriate' victim response, but as casting doubt on the reality of the rape. The fact that confusion, disorientation, and self-blame

⁵⁶ See 'Jailed for a crime he didn't commit; In 1999, Darryl Gee was arrested on suspicion of raping a pupil. Last month, his conviction was overturned - four years after he died in prison. And he's not the only victim' in, *The Independent*, 8 June 2006
⁵⁷ 'Rape lies teen girl is caged' in, *The Daily Record*, 19 September 2006

can also be a sign of trauma is ignored in the article. The powerful presence of the 'ideal victim' construction, which dominates press reports of rape, serves as a comparator, a measure of what a 'real victim' does, in the reader's mind, which helps to produce this woman's 'victim' status as doubtful at best, despite the fact that the circumstances of this particular attack are much more common than a violent stranger attack in a public place.

'False allegation' narratives

While there are only seven articles in the sample which focus on supposedly false allegations, these cases are still over-represented and afforded undue significance in press constructions of sexual violence. In cases where a rape complainant is tried for perverting the course of justice, or sometimes even where a man is acquitted, the status of the allegation as 'false' is unquestioningly accepted by the press. The reports never explore the reasons why an allegation may be mistakenly presumed false, which previous research has identified (Kelly 2001; Kelly et al. 2005). These reasons include police suspicion about whether a rape has really taken place when the events do not fit with a particular stereotype of rape (in particular, the 'real rape' identified by Kelly 2001 and explained in Section 3), or their conviction that a victim is lying due to inconsistencies in her story, both of which can lead them to record the rape as a false allegation on evidential grounds. However, inconsistencies in the account of the rape is usually a sign of trauma, not dishonesty. In some cases they arise because women are anxious about being disbelieved and adjust their stories to make them seem more 'believable'. In some cases the police present an alternative version of events to the victim, and the complaint is recorded as 'false' after she is taken to indicate agreement and/or withdraws the complaint (ibid.). The articles in the sample (and indeed the logic of the prosecutions which they describe) draw on myths and stereotypes about rape which fly in the face of research evidence in order to convincingly construct the allegations as false.

In three of the cases the women did not withdraw their complaints. In the remaining case, the woman only withdrew her complaint after being shown a video that the alleged assailants made of her 'lap-dancing' on their mobile phones before the alleged attack⁵⁸. Her supposedly 'provocative' behaviour preceding the attack is evoked as evidence that she consented. The article does not consider the possibility that she was disbelieved by the police following the viewing of this video and therefore withdrew her complaint to avoid further humiliation.

Similarly, in another case, a woman was accused of making false rape claims against her husband, on the basis that she had made unproven allegations against a former partner⁵⁹. We know from the research evidence that women who are raped may well be victimised more than once, and we also know that most rapes do not come to trial, meaning that 'unproved' allegations are not necessarily false. However the article, like the prosecution, uncritically treats the previous allegation as evidence of the complainant's lack of credibility. She is dubbed 'rape lies wife' in the headline.

In a third case, the fact that a teenager fabricated the location of an alleged rape, claiming to have been raped in an alley way when forensic evidence indicated that she entered the perpetrator's flat, is taken as evidence that she is lying⁶⁰. Again, the article uncritically labels her a liar without considering the possibility that she changed some details about the assault in her statement due to fear of being disbelieved.

All of the stories which describe the trial of a rape complainant after a supposedly 'false allegation' printed the complainant's full name. Once she is on trial, of course, the press has qualified privileges to record court proceedings and in any case she is no longer considered a 'victim' in need of protection from anonymity laws. But given that most of these women did not withdraw their complaints, this vindictive, public naming and shaming is extremely worrying. It undermines the laws protecting the anonymity of rape complainants and may well deter women from reporting sexual violence for fear of such adverse publicity.

These cases were connected in the public imagination with the controversy over the naming of a woman (whose alleged attacker's conviction was quashed) in the House of Lords, and the ensuing debate over

anonymity laws in rape cases (see Sections 3 and 4), which was founded partly on the premise that women 'cry rape'. In contrast, the research evidence indicates that only 2-3% of rape allegations are 'false' (Kelly et al. 2005). In their study of attrition, Kelly et al (2005) found that only eight per cent of reports of rape are recorded as 'false' by police, and it is evident that these cannot all be taken at face value. Even where reports are demonstrably false, this may be due to error (someone else reporting on behalf of the victim or suspicion that an assault took place while unconscious) rather than malice.

However, the press reports of these stories only serve to reinforce the myth that women 'cry rape'. The articles are structured so as to generalise from the particular cases they describe, as Case Study 7 illustrates, giving the false impression that there is a 'trend' of women lying about rape.

Conclusion

This analysis shows that the language used to construct the phenomenon of sexual violence, victims and perpetrators produces an altogether unrealistic picture of rape. Rape is understood through hyperbolic, dichotomised stereotypes of evil 'sex-beasts' preying on helpless innocent victims, versus vindictive, lying temptresses who maliciously 'cry rape', pointing the finger at decent, unsuspecting men. The discursive devices used to construct such stereotypes work in tandem with the selectivity with which the press reports rape, demonstrated in Section 5, whereby tried and convicted cases, particularly stranger rapes taking place outside, involving excessive physical violence and often perpetrated against underage girls, are disproportionately represented. Together, these features of news reporting work to (re)create and reinforce the myths about what constitutes 'real rape' (discussed in Section 3) in the public imagination.

As a result, many women and girls who experience sexual violence may feel uncertain about whether to identify their experience as rape, since it does not conform to the stereotypes through which they have come to understand what rape is. If they do report they may find themselves faced with unrealistic expectations to display the stereotypical 'appropriate' responses. If the case reaches trial, the jury may decide, on the basis of her lack of 'appropriate' response, that she cannot be the victim of a 'real rape', and may find it difficult to convict a man who doesn't appear to be a monstrous 'sex beast'. The press may then print a story endorsing the attacker's acquittal as it amounted to a restoration of justice (as in Case Study 4), reinforcing the impression that the most common forms of rape are 'not really rape', and so the cycle goes on.

Through these stereotypes, through reporting rape predominantly on a case by case basis, and through the failure to explore the wider structural and social context in which these crimes are embedded, the press succeeds in individualising sexual violence and obscuring the continuum of violence against women. In doing so it misses a whole bank of data which could inform news stories by making little perceived connections, such as, for instance, the link between the opening of lap-dancing clubs and increases in sexual violence and harassment in particular areas. By individualising these crimes the press effectively lets policy-makers off the hook, and misses the opportunity to hold them to account by demanding further reform of the handling of rape cases by the criminal justice system and an integrated strategy for addressing violence against women.

⁵⁸ 'Rape lies teen girl is caged' in, *The Daily Record*, 19 September 2006

⁵⁹ 'Rape lies wife jailed for a year' in, *The Mirror*, 4 November 2006

⁶⁰ 'Man spent six weeks in jail after teenager 'lied over rape'; Girl denies making up claims of attack in alleyway by a masked stranger' in, *The Daily Mail*, 5 October 2006

7. CONCLUSION

While there are no doubt some examples of well-informed and sensitive reporting of sexual violence in the press, the overall picture suggests cause for concern. The press is not adequately fulfilling the role which the Beijing Platform for Action calls upon it to fulfill: disseminating information aimed at raising awareness about, and preventing, sexual violence against women and girls. On the contrary, it continues to propagate harmful myths which feed back into the criminal justice system, perpetuating a vicious cycle of under-reporting, attrition and low conviction rates.

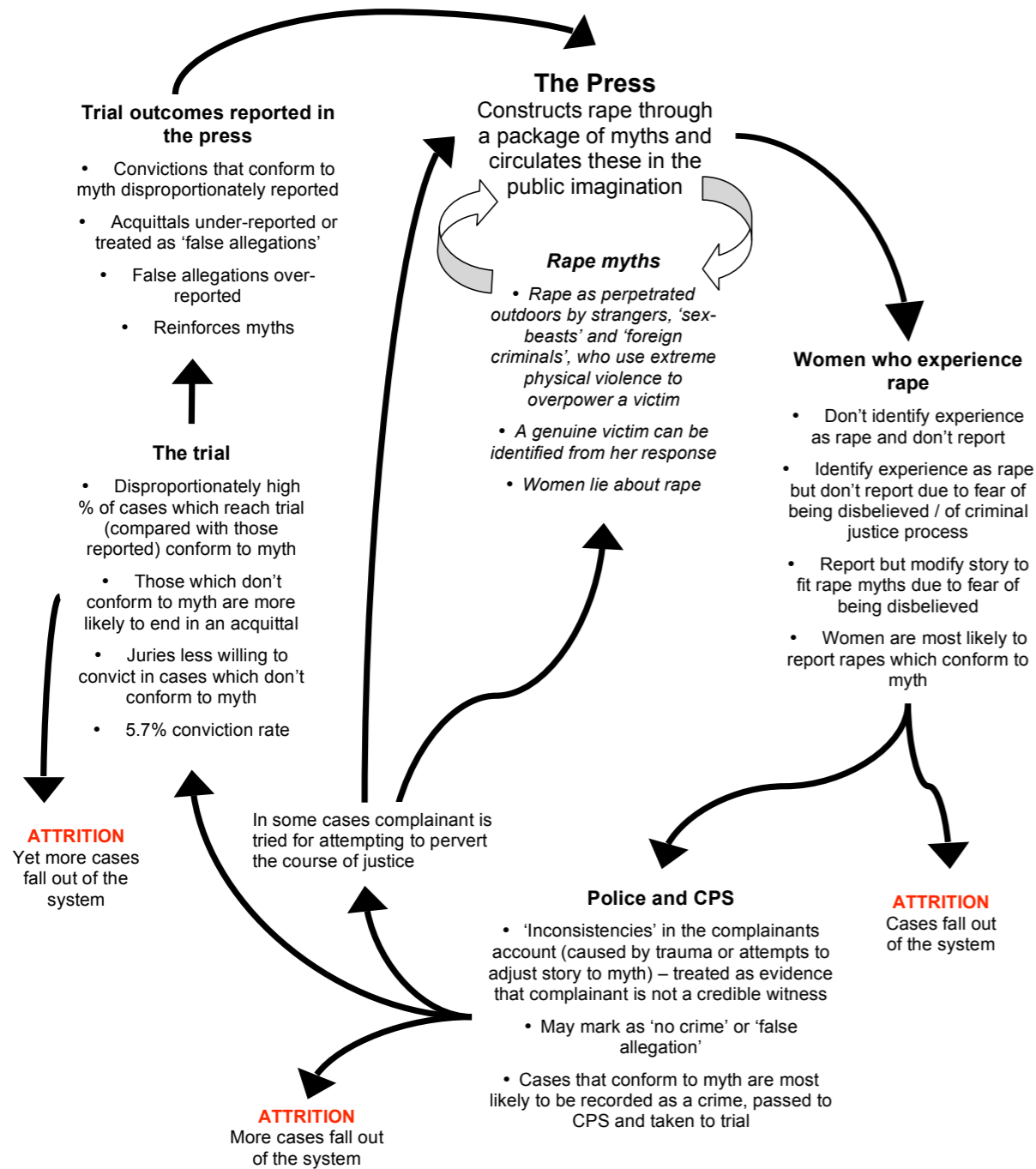
- Press reporting of sexual violence is highly selective, with the more exceptional cases treated as more newsworthy. Tried and convicted rapes perpetrated by strangers, in public places, involving aggravating factors such as excessive additional violence, multiple assailants, intoxicants or the use of a weapon are disproportionately represented in the press. Attacks on underage girls are disproportionately represented compared with recorded crime figures. The most common forms of rape, perpetrated by known men, particularly current or former partners, in a woman's own home, perhaps more than once, and causing little or no physical injury but lasting psychological harm, rarely make an appearance in the press. This selective reporting obscures how difficult it is to prosecute rape, and reinforces stereotypes about 'real rape' which trivialise the experiences of the vast majority of women who experience sexual victimisation (Kelly 2001).
- Press reporting of rape and sexual assault individualises sexual violence, portraying it as isolated incidents of individual pathology. There is a failure to make connections between incidents in the way that connections are identified in other fields of crime, such as gun and knife crime, and therefore a failure to recognise sexual violence as part of a continuum of violence against women which both reinforces, and is produced by, structural and systemic gender inequality and discrimination. Sexual violence is not presented as a gender-based crime. Where rape is connected to wider social and structural problems, it is typically instrumentalised in the service of conservative law and order agendas and attacks on the immigration and asylum system which mobilise racist prejudices.
- Victims and perpetrators of rape are portrayed through the lens of a package of stereotypes. Perpetrators are demonised and pathologised, which further individualises sexual violence, and belies the fact that many rapes are committed by ordinary, 'respectable' men. Victims are reduced to stereotypes of 'ideal victim-hood': the spotlight is turned on the victim and her unimpeachable behaviour, valiant efforts to resist and psychological trauma and/or injured body are displayed as evidence of her genuine and credible victim status. Such stereotypes of perpetrators and victims are instrumental in reproducing 'real rape' narratives, and unrealistic expectations of 'appropriate' victim responses and of the obvious and identifiable monstrousness of a 'real rapist'. Woman-blaming is no longer as prevalent as previous studies have indicated, but emerges nevertheless through the figure of the 'cry rape girl' who maliciously falsely accuses the 'wronged man', and more subtly through the occasional trope of the 'fallen woman' who is constructed as complicit in the rape due to her excessive drinking and/or 'provocative' behaviour.
- The press continues to mobilise racist stereotypes, prejudices and fears in constructing rape narratives. These are no longer founded in simplistic notions of racial difference, but are linked to the policing of the boundaries of the British nation and reflect contemporary fears and prejudices about immigration and asylum stirred up by right-wing political agendas.
- 'Women crying rape' narratives have become central to press constructions of sexual violence. Any rape that does not conform to the package of stereotypes risks being constructed in this light. There is a failure on the part of the press to understand that many rape complainants are at risk of being disbelieved, and are rigorously questioned at the investigation stage to ensure that the evidence corroborates their stories. In some cases complaints are unjustifiably treated as false because they fail to conform to a particular template, because of 'inconsistencies' in the narrative which are a normal side-effect of trauma, or because the victims themselves are anxious to make their accounts conform to stereotype. Instead the women are unequivocally depicted as pernicious and deceptive by the press, and the stories reinforce the myth that women lie about rape.

The question of if and how press constructions of sexual violence might affect both women's decisions to report rape, and juries' decisions to convict, cannot be answered conclusively, since this research has not collected data suitable for establishing direct causal links. However, existing research on women's decisions to report rape and on jury decision making and the criminal justice process enables us to draw some speculative conclusions.

Women are most likely to report those rapes that conform most closely to 'real rape' stereotypes. They are more likely to report, for instance, if raped by a stranger and if they incurred physical injury. Part of the reason for this is a fear of being disbelieved. This fear is fairly well-founded, given the wealth of evidence that rape complainants are often regarded with a certain amount of suspicion at every stage of the criminal justice process. Having internalised particular understandings of what a 'real rape' must involve, some complainants, research has found, modify their story in order to render it more 'believable', which can in fact have the harmful effect of helping to reinforce perceptions that women fabricate accounts of rape and are not credible witnesses. Further research has shown that juries often base their decision-making less on the specific facts of the case at hand than on preconceived notions about men, women, and how they should behave, and about what constitutes a 'real rape'. A vicious cycle is created, whereby cases which don't conform to the mythology around rape are not progressed because the chances of conviction are so slim, thus helping to perpetuate low conviction rates and the perception that many rape claims are not really accounts of rape at all.

The press surely has a role in this vicious cycle, given its propensity to reinforce a package of myths surrounding rape, as documented in this report. It has a role in circulating and reinforcing the myths and stereotypes in the public imagination, which individuals, from the complainants, to the police, prosecutors and jurors, internalise and bring with them to the criminal justice process.

Diagram
The press contribution to the vicious cycle of attrition and low conviction rates



RECOMMENDATIONS

1 Joint working

- 1.1 Funding should be made available for women's sector representatives and experts in sexual violence campaigning and support services, in partnership with appropriately qualified journalists, to develop a set of guidelines on gender and reporting, including a detailed subset of guidelines on reporting sexual violence. These could be similar to Julie Bindel's "Press for Change": A Guide for Journalists Reporting on the Prostitution and Trafficking of Women. The guidelines should be adopted by the Press Complaints Commission and by individual newspapers (as per recommendations 3.1 and 4.2, below). They should be open and transparent and available online for the public to consult. They should include examples of the kinds of harmful stereotyping that should be avoided, and advise journalists of the difference between gender-sensitive and gender-neutral language and the potentially deceptive and harmful effects of the latter. They should incorporate specific advice on how to sensitively and respectfully approach and interview women who have experienced sexual violence.

2 Central government

- 2.1 The laws protecting the anonymity of rape and sexual assault complainants in the press must be safeguarded and stringently upheld.
- 2.2 Funding should be made available for the development of a set of guidelines on gender and reporting, including detailed guidance on reporting sexual violence, as specified in recommendation 1.1, above.
- 2.3 The government should fund and deliver a national public awareness campaign to dispel myths and stereotypes and raise awareness of the reality of rape and sexual violence, designed in consultation with the women's sector and with frontline service providers and advocates working with and for women who have experienced sexual violence.
- 2.4 The government should provide statutory funding for rape crisis services to enable them to carry out more specialist prevention and awareness-raising work to dispel myths about rape.

3 Editors, newspapers and the press industry:

- 3.1 Individual newspapers should adopt, as part of their ethical codes of conduct, a set of guidelines on gender and reporting, including a subset of guidelines on reporting sexual violence (as specified in recommendation 1.1, above). Journalists working for the newspaper, whether in an employed or freelance capacity, should be mandated to abide by these guidelines.
- 3.2 The guidelines, and the newspaper's commitment to upholding them, should be publicised in an open and transparent way. Newspaper editors should take complaints directly from members of the public in relation to breaches of the guidelines.
- 3.3 A mandatory internal monitoring system for the press should be introduced, equivalent to CPD points in the legal profession, whereby journalists are obliged to undertake a minimum amount of training and prove that they are up to date with relevant developments, particularly around equality and ethical reporting, on an annual basis.
- 3.4 Editors, newspapers and media organisations should ensure that appropriate training and advice is available for journalists who report sexual violence. Training should cover awareness of the issues surrounding sexual violence, and violence against women, gender-based inequalities and the structural discrimination that women rape complainants face if they try to get justice. It should focus on the facts established by research evidence and dispel myths, make writers aware of the implications of the vocabulary they use (gender-neutral is not the same as gender-sensitive), and instil a sense of ethical responsibility about reporting sexual violence.
- 3.5 Newspapers and press organisations should engage constructively with the women's sector, including the rape crisis movement and feminist media watch groups, in efforts to raise awareness and improve practice among journalists reporting sexual violence, and to design appropriate training and guidelines.
- 3.6 The press should support and actively engage in public awareness campaigns to prevent rape and sexual violence. The press is a form of media which reaches millions of people and could really have an impact. Newspapers should work in partnership with the women's sector to devise innovative strategies for dispelling rape myths and gender stereotypes. They should

commit to running campaigns which put pressure on government to fulfil its responsibilities to women and girls who have experienced sexual violence by improving the response of the criminal justice system, increasing conviction rates, and funding specialist service providers working with women who have experienced sexual violence.

4 The Press Complaints Commission

- 4.1 The Press Complaints Commission (PCC) should supervise the strengthening and gender-sensitising of the editor's Code of Practice:
 - 4.1.1 A gender perspective and gender equality issues should be mainstreamed into the code;
 - 4.1.2 The code should explicitly recognise (for instance, under the discrimination clause) that harmful stereotyping encourages and reinforces discrimination and therefore has real effects on people's lives, and is unethical;
 - 4.1.3 Members of the public should have the option to complain, under the code, about harmful stereotyping in the press, particularly around the six equality strands identified by the Single Equality Bill (including gender, but without neglecting issues of immigration and asylum). The PCC must be prepared to uphold such complaints where appropriate;
 - 4.1.4 The sexual assault clause should be strengthened by explicitly stating that rape and sexual offences are sensitive issues and forms of gender-based violence. It should deter journalists from using harmful and discriminatory stereotypes to report these issues and refer them to a further set of guidelines for more information (see below). It should acknowledge the specificity of sexual violence and oblige journalists to approach victims with particular care, sensitivity and awareness.
- 4.2 The PCC should adopt a new set of special guidelines on gender and reporting to accompany the code (as per recommendation 1.1, above).
- 4.3 The updated code and new guidelines must be supported by a strengthened, more rigorous system of enforcement.
- 4.4 The PCC should establish a relationship with an appropriate organisation (e.g. the Women's National Commission (WNC)) to monitor the reporting of sexual violence as an independent expert reviewer.
- 4.5 The PCC should engage constructively with the women's sector to improve reporting of sexual violence, for instance by co-organising educational events for journalists.

5 The women's sector

- 5.1 Women's organisations should work together (perhaps with support from appropriately qualified journalists) to set up a media watch group, similar to the Media Response Project established by New York-based NGO Take Back the News, dedicated to monitoring the representation of sexual violence and gender issues in the press and other media. They could then use the information gathered to hold the press to account by writing complaints, lobbying the relevant institutions and demanding the strengthened and gender-sensitive self-regulatory mechanisms.

6 Journalists

The following recommendations are aimed at individual journalists reporting rape and other forms of sexual violence against women and girls. However, these are by no means a substitute for developing a full set of guidelines mainstreaming a gender perspective on these issues, as advocated above in recommendations 1.2, 2.1 and 3.2.

- 6.1 Instead of sensationalising exceptional and bizarre individual rape cases, write well researched, in-depth pieces which identify patterns, examine social causes and explore the issues around rape and sexual violence in a sensitive way that educates the public.
- 6.2 Cover the broad, structural issues, such as the struggle that women face trying to get justice, attrition, rape conviction rates, and the lack of funding for sexual violence support services. Research and publicise the issues and help civil society hold the government and the criminal justice system to account.
- 6.3 Contextualise articles on specific cases with statistics and expert opinion about rape and sexual assault, drawn from the expertise of frontline service providers and advocates who work with and for women and girls who have experienced sexual violence.
- 6.4 Be vigilant about your use of vocabulary:
 - 6.4.1 Take particular care over the use of sensationalising language.

- 6.4.2 Where possible, avoid passive constructions which draw attention away from the perpetrator and towards the victim.
- 6.4.3 Gender-neutral language is not necessarily more equitable. Be gender sensitive. Don't hide the fact that most rapes are committed by men against women and girls. Rape is a gender-equality issue.
- 6.5 Be aware of harmful myths and stereotypes surrounding rape and avoid using them or falling back on clichés. For instance, do not insinuate that there are appropriate or inappropriate victim responses, or that 'respectable' men don't rape. Do not deliberately and explicitly associate terms such as 'asylum-seeker', 'immigrant' or 'refugee' with the word 'rapist'.
- 6.6 Take care to report cases sensitively even in the event of an acquittal. Avoid over-privileging the accused's voice, even after an acquittal; maintain a balanced perspective. Only 5.7% of rape cases end in conviction, so while it is wrong to assume that any particular man is guilty, it is equally harmful to assume that every acquittal indicates that a false accusation has been made.

REFERENCES

- Alat, Zeynep (2006)** 'News Coverage of Violence Against Women: The Turkish case' in, *Feminist Media Studies* 6(3): 295-314
- Amnesty International UK (AIUK) (2005)** *Sexual Assault Research Summary Report* (London: ICM)
- Benedict, Helen (1992)** *Virgin or vamp: how the press covers sex crimes* (New York: Oxford University Press)
- Carter, Cynthia (1998)** 'When the 'extraordinary' becomes 'ordinary': Everyday news of sexual violence' in, Carter et al. (eds.) *News, gender and power* (New York: Routledge)
- Clark, Kate (1992)** 'The linguistics of blame: representations of women in The Sun's reporting of crimes of sexual violence' in, M. Toolan (ed.) *Language, Text and Context: Essays in Stylistics* (London; New York: Routledge)
- Coy, Maddy, Liz Kelly and Jo Foord, with Val Balding and Rebecca Davenport (2007)** *Map of Gaps: The Postcode Lottery of Violence Against Women Support Services* (London: End Violence Against Women Coalition (EVAW) in partnership with the Commission for Equality and Human Rights (CEHR))
- Drew, Jennifer (2007)** 'Does gender neutral language serve to cover up male violence?' in *The F Word: Contemporary UK Feminism* (December), available at: http://www.thefword.org.uk/features/2007/12/does_gender_neu (last accessed 10 February 2008)
- DuMont, Janice, Karen-Lee Miller and Terri L. Myhr (2003)** 'The Role of "Real Rape" and "Real Victim" Stereotypes in the Police Reporting Practices of Sexually Assaulted Women' in, *Violence Against Women* 9(4): 466-486 (April)
- Dustin, Holly (2006)** *Understanding your duty: Report on the gender equality duty and the criminal justice system* (London: The Fawcett Society)
- End Violence Against Women Coalition (EVAW) (2006)** *UK Poll of 16-20 Year Olds* (London: ICM)
- Estrich, Susan (1987)** *Real Rape: How the Legal System Victimizes Women Who Say No* (Boston: Harvard University Press)
- Finch, Emily and Vanessa E. Munro (2005)** 'Juror Stereotypes and Blame Attribution in Rape Cases Involving Intoxicants: The Findings of a Pilot Study' in, *The British Journal of Criminology* 45(1): 25-38
- (2006) 'Breaking boundaries? Sexual consent in the jury room' in, *Legal Studies* 26(3): 303-320 (September)
- Finney, Andrea (2004)** *Alcohol and sexual violence: Key findings from the research* (London: Home Office)
- Gill, Ros (2007)** *Gender and the Media* (Cambridge: Polity Press)
- Global Media Monitoring Project (GMMP) (2005)** *Who makes the news?* (London: World Association for Christian Communication (WACC))
- HM Crown Prosecution Service Inspectorate (2002)** *Joint Inspection into the Investigation and Prosecution of Rape Offences in England and Wales* (London: Her Majesty's Inspectorate of Constabulary (HMIC))
- (2007) *Without consent: a report on the joint review of the investigation and prosecution of rape offences*
- Horvath, Miranda and Liz Kelly (2007)** *From the Outset: Why violence should be a priority for the Commission for Equality and Human Rights* (London: Child and Woman Abuse Studies Unit (CWASU))
- Kelly, Liz (2001)** *Routes to (in)justice: a research review on the reporting, investigation and prosecution of rape cases* (London: Child and Woman Abuse Unit (CWASU))
- Kelly, Liz & Jill Radford (1998)** 'Sexual Violence Against Women and Girls: An Approach to an International Overview' in, Dobash and Dobash (eds.) *Rethinking Violence Against Women* (London, New Delhi: Sage)
- Kelly, Liz, Jo Lovett and Linda Regan (2005)** *A gap or a chasm? Attrition in reported rape cases* (London: Home Office)
- Kelly, Liz, Jennifer Temkin and Sue Griffiths (2006)** *Section 41: an evaluation of new legislation limiting sexual history evidence in rape trials* (London: Home Office)
- Korn, Alina and Sivan Efrat (2004)** 'The Coverage of Rape in the Israeli Popular Press' in, *Violence Against Women* 10(9): 1056-1074 (September)
- LaFree, G. (1989)** *Rape and Criminal Justice: the Social Construction of Sexual Assault* (Belmont, California: Wadsworth)
- Lees, Sue (1995)** 'Media Reporting of Rape: The 1993 British 'Date Rape' Controversy' in, Kidd-Hewitt and Osborne (eds.) *Crime and the Media: The Post-modern Spectacle*
- Lees, Sue and J. Gregory (1993)** *Rape and Sexual Assault: A Study of Attrition* (London: Islington Council Police and Crime Prevention Unit)
- McGregor, Margaret J, Ellen Wiebe, Stephen A. Marion and Cathy Livingstone (2000)** 'Why don't more women report sexual assault to the police?' in, *Canadian Medical Association Journal* 162(5)
- Meyers, Marian (1997)** *News Coverage of Violence Against Women: Engendering Blame* (Thousand Oaks, California: Sage Publications)
- Myhill, Andy and Jonathan Allen (2002)** Rape and sexual assault of women: the extent and nature of the problem: *Findings from the British Crime Survey* (London: Home Office)
- Painter, K (1991)** *Wife rape, marriage and law: survey report, key findings and recommendations* (Manchester University Department of Social Policy and Social Work)
- Scottish Executive (2000)** *Redressing the Balance: Cross-Examination in Rape and Sexual Offence Trials - A Pre-legislative Consultation Document* (available at <http://www.scotland.gov.uk/consultations/justice>)
- Soothill, Keith and Sylvia Walby (1991)** *Sex Crime in the News* (London: Routledge)
- Walby, Sylvia and Jonathan Allen (2004)** *Domestic violence, sexual assault and stalking: Findings from the British Crime Survey* (London: Home Office)

APPENDICES

A. Methodology

A combination of quantitative and qualitative methods was used to carry out the research, drawing on both primary and secondary sources. Firstly, the author conducted a broad review of academic, policy and other relevant literature addressing representations of sexual violence in the press, the relevance of media to gender (in)equality and the current context surrounding both sexual violence and media reporting of it in the UK. The literature review helped to situate the research and identify issues to be addressed through the analysis of data.

Secondly, a sample of 136 news articles published during the calendar year 2006 was collected. The sample articles all report rapes, sexual assaults or other sexual offences perpetrated in the UK by men or boys against women or girls. The sample was constructed as follows. Five mainstream daily national tabloid newspapers and five mainstream daily national broadsheets were selected for sampling based on circulation figures and popularity (for a list of newspapers selected and monthly circulation figures see Appendix C). The BBC online site was also sampled as an additional comparator. Again the BBC was selected for its 'mainstream' and national status and extensive readership (although it differs from the national papers in that it reports both local and national news) and in particular its reputation for public service broadcasting.

The search terms "rape AND wom*n OR girl*" were used to identify potential articles using the Nexis online news database (or the BBC website). An online randomiser was used to select one article, at random, per newspaper per calendar month, for the entire calendar year 2006. In eight cases a story meeting the sample criteria could not be found for the specified broadsheet newspaper for the specified calendar month, so the broadsheet sample subset totals 52 articles instead of 60. Two articles per month were selected from the BBC website.

Criteria for inclusion in the sample were specified as follows. The article had to be a news piece (not a comment or a letter, for instance). It had to describe the reported rape or sexual assault of a woman or girl, or a trial for such an offence. Articles referring to other sexual offences (e.g. exposing offences) were also included in the sample where they included the search terms, but were not expressly searched for. The offence had to have taken place in the UK and the article had to be published in 2006, although many of the offences reported in the sample articles took place prior to 2006. To be included, the assault had to be either the central theme of the article, or very closely related to it (for instance, such as where a civil claim for damages made by a rape victim is the main subject but the assault is described in detail as part of the article, or where a particular assault is described and used as a springboard for a discussion of another issue, such as the criminal justice system's approach to dealing with offenders who are not UK citizens).

The data was then coded as follows using an excel spreadsheet in order to facilitate a basic statistical analysis: the newspaper, journalist, classification (tabloid/broadsheet), page number, number of words, and date of publication were recorded, as were details of the offence(s), perpetrator(s) and victim(s), and judicial proceedings, and the specific language used to describe the offence(s), perpetrator(s) and victim(s). All articles were kept on file for further analysis.

The data sheets were then used as the basis for a basic statistical analysis of the sample, the findings of which are presented in Section 5. The statistical picture of rape and sexual assault against women and girls in the sample was compared to what we know about the actual incidence of these offences in the UK from the British Crime Survey (BCS) and other sources of data. Specific themes were identified and the effects of the overall picture and possible reasons for particular press biases were considered. A detailed, qualitative content and discourse analysis was then carried out on the sample articles, identifying specific themes, the findings of which are presented in Section 6.

This methodology had particular limitations, namely that using a database to identify news reports did not afford the researcher the opportunity to study the visual effects of the way the articles were presented in the newspapers, and the use of pictures. In addition, the narrow focus on rape determined by the search terms meant that other, intersecting forms of violence against women were excluded from the study. On balance this was necessary to narrow the scope of the current research.

B. News reports sampled

Broadsheets

Newspaper	Position	Headline	Date
The Guardian	p. 5	Boy, 14, admits raping four girls in park: Victims, aged seven to 10, approached at swings: Attacks happened in area plagued by violent crime	31/01/2006
The Independent	p.29	Hunt for men seen trying to lure girls into car	06/01/2006
The Scotsman	p. 9	Victim of the Rosslyn Chapel rapist 'looked like she had been hit by car'	11/01/2006
The Telegraph	p. 10	We were tortured and raped then told, 'You're going to die' Brave teenager confronts the six men accused of shooting her and murdering her friend	20/01/2006
The Times	p. 29	Babysitter raped 12-week-old as girlfriend took photographs	11/01/2006
The Guardian	p. 16	Law: Victim takes claim against 'lottery rapist' to appeal court: Time limit stops victims suing millionaire attacker: Retired teacher, 77, seeks right to compensation	13/02/2006
The Scotsman	P. 19	Soldier admits knife abduction of nurse	01/02/2006
The Telegraph	p. 14	Two-year jail term 'too lenient' for man who raped girl, 12	22/02/2006
The Times	p. 2	Rapist jailed	21/02/2006
The Guardian	p. 15	Rapist 'planned fatal trap' for A-level student	14/03/2006
The Independent	p.6	Five guilty of murdering girl, 16, in sickening attack	18/03/2006
The Scotsman	p. 15	Teenager gets life for attacking female jail officer	08/03/2006
The Telegraph	p. 1	Double rapist from Latvia was able to kill and rape in UK	30/03/2006
The Times	p. 9	Girl aged 11 raped in supermarket	07/03/2006
The Guardian_O	p. 10	CRIME: Attorney General looks at paedophile sentence	23/04/2006
The Independent	p. 20	NEWS IN BRIEF: Boy admits rape of girl, 11	29/04/2006
The Scotsman	p. 4	Rosslyn Chapel rapist given ten years in jail for attack on student	12/04/2006
The Telegraph	p. 4	Freed to rape and kill: two men who should have been deported	26/04/2006
The Times	p. 1	Clarke must go, says rape victim	30/04/2006
The Independent	p. 26	Boy, 15, charged with rape after 11-year-old becomes pregnant	13/05/2006

The Scotsman	p. 7	Sex offender's son, 9, charged with rape	12/05/2006
The Telegraph	p. 9	I could have saved baby, says girl abused by rapist	04/05/2006
The Times	p. 4	Rape victim dies	05/05/2006
The Guardian	p. 14	Judges increase sentence for rapist of 12-week-old baby: Appeal court adds two years to minimum term: Case showed exceptional depravity, says Goldsmith	09/06/2006
The Independent	p. 4	Jailed for a crime he didn't commit; In 1999, Darryl Gee was arrested on suspicion of raping a pupil. Last month, his conviction was overturned - four years after he died in prison. And he's not the only victim.	08/06/2006
The Scotsman	p. 4	Rape victim's suicide exposes the faults in 'crazy' prosecution system, says mother	15/06/2006
The Telegraph	p. 10	Man accused of raping 14 year-old	05/06/2006
The Times	p. 2	Hamilton rape	20/06/2006
The Guardian	p. 7	Freed sex attacker sought over rape	25/07/2006
The Independent	p. 6	Supermarket rapist sentenced	22/07/2006
The Telegraph	p. 7	Supermarket rape victim, 11, spotted attacker on street	22/07/2006
The Times	p.11	Teenage chess prodigy's father charged with rape	29/07/2006
The Guardian	p. 13	Rapist who tracked down victim he met online is jailed for life	03/08/2006
The Telegraph	p. 8	Sex attacker freed but he must say sorry in a letter	11/08/2006
The Times	p. 30	I hope you die in jail, judge tells rapist of 21 children	04/08/2006
The Guardian	p.16	Sex attacker who kept diary of his assaults is jailed for life	09/09/2006
The Independent	p. 6	Rapist who stole victims' shoes is jailed for 15 years	05/09/2006
The Scotsman	p. 8	Freed murderer guilty of 'flashing' at young girls	21/09/2006
The Telegraph	p.9	Rapist who drugged victims' tea gets life	30/09/2006
The Times	p. 9	Rapist used drugs to turn his victims into 'zombies'	30/09/2006
The Guardian	p. 10	Crime: Police check CCTV image of serial rape suspect	06/10/2006
The Independent	p. 8	Girl killed herself after 'rape'	28/10/2006
The Scotsman	p.22	Attack trial told woman feared she would die	11/10/2007

The Telegraph	p. 8	She said, 'What are you doing here?' Then I heard a car. I shouted but there was silence Mother tells of panic as she realised girl, six, had been abducted	05/10/2006
The Times	p. 38	Accused 'knew how assault happened'	07/10/2006
The Guardian	p. 1	No witnesses and the attacker dead - but rape victim wins £259,000 in civil case	15/11/2006
The Independent	p. 22	TV circus trainer on rape charge	16/11/2006
The Telegraph	P. 7	Maybe I should have shown more responsibility, but I am only human. In no way does that make it rape Student cleared of sex assault on drunken girl says police should not have taken the case to court	04/11/2006
The Times	p. 40	Sex trafficker tricked women with job offer	25/11/2006
The Guardian	p. 10	National: Spider rapist attacked girl while living at bail hostel	08/12/2006
The Telegraph	p. 17	Father cleared of raping chess girl who fell to her death from hotel	15/12/2006
The Times	p. 26	Lorry driver jailed 13 years after rape	16/12/2006

Tabloids

Newspaper	Position	Headline	Date
The Mirror	p. 18	Wren: I was raped by drunken sailor	05/01/2006
The Daily Mail	p. 31	Sex ordeal of teenager as she lay in casualty	10/01/2006
The Express	p. 24	Two twisted babysitters raped child of twelve weeks	11/01/2006
The Daily Record	p. 1	Hooded beast rapes girl, 11; attacker strikes on wasteland as child walks from centre	30/01/2006
The Sun	p.22	Tot raped on terror trip	05/01/2006
The Mirror	p. 27	Lesbian rapist is given life	21/02/2006
Daily Mail	p. 51	Why a nanny's asylum seeker rapist has to stay in the UK	04/02/2006
The Express	p. 25	Beast raped his stepdaughter; Nine years for attack on Kerry, 14, as she lay dying after drunken falls	24/02/2006
Daily Record	p. 22	Rape driver hunt	21/02/2006
The Sun	p. 6	Mary-Ann killer confesses	09/02/2006
The Mirror	p.17	7 years for rape predator	31/03/2006
The Daily Mail	p. 31	Rapist 'had struck before'; Chilling profile emerges of man who attacked girl in Sainsbury's	08/03/2006
The Express	p. 9	Fake refugee gets life for sex attack	10/03/2006
The Daily Record	p. 9	Heroin rape beast is caged; 14 years for knifeman who attacked victim in front of her son, 8	01/03/2006
The Sun	p.10	Bible rapist is son of vicar	04/03/2006
The Mirror	p. 19	Rape' bid at 101	01/04/2006
The Daily Mail	p. 7	A depraved loner who was obsessed with older women	13/04/2006
The Express	p. 21	CCTV saves girl, 18, from rape attack	19/04/2006
The Daily Record	p. 21	This monster tortured and murdered our sister, 16 years is a mockery; Fury of tragic mum's family	01/04/2006
The Sun	p.4	Man on bath rap	06/04/2006
The Mirror	p.1	Freed to rape girl of six; Exclusive new foreign prisoners scandal	16/05/2006
The Daily Mail	p.1	Rapist we can't deport	27/05/2006
The Express	p. 2	Baby-rape monster "must die in jail"	04/05/2006
The Daily Record	p. 12	Cops hunt rape fiend	16/05/2006

The Sun	p. 4	Huntley guard rape fiend	20/05/2006
The Mirror	p. 27	Cry rape' girl jailed; student, 19, gets year for 'wicked' lies	02/06/2006
The Daily Mail	p. 45	Street actor tells court of his 'heartbreak and shame' at rape charge	09/06/2006
The Express	p. 4	Vampire psycho is jailed for life	24/06/2006
The Daily Record	p. 15	I don't need to resort to rape; ex-Corrie star's boast to cops over his "25 years of partying"	08/06/2007
The Sun	p. 25	Day release rape	21/06/2006
The Mirror	p. 22	Girl, 15, 'in gig rape'	19/07/2006
The Daily Mail	p. 25	20 years after his evil reign, shoe rapist is unmasked by his sister's DNA	18/07/2006
The Express	p. 16	Freed killer locked up in 'f lasher' case	15/07/2006
The Daily Record	p. 9	Rape rap for dad of death fall chess girl	29/07/2006
The Sun		Shop child rapist jailed	21/07/2006
The Mirror	p. 30	Cop on girl rape charge	18/08/2006
The Daily Mail	p. 10	Irish girl who was victim of terrifying sex attack by feral dropouts	10/08/2006
The Express	p. 26	Sex beast is locked up for rape of young mum	01/08/2006
The Daily Record	p. 12	11 years for couple who filmed kid rape; Sick pair jailed after grooming girl, 9, for sex ordeal	15/08/2006
The Sun		UK's worst paedophile	04/08/2006
The Mirror	p. 8	Ian Huntley terrorized and sexually attacked me when I was just 11; Now I'll bring him to justice;	08/09/2006
The Daily Mail	p. 11	Manhunt launched after girl, 14, raped as she walked home	26/09/2006
The Express	p. 8	Rapist obsessed with shoes is jailed for life	05/09/2006
The Daily Record	p. 5	Rape lies teen girl is caged	19/09/2006
The Sun		Paedo 'tramp' gets 13 years	18/09/2006
The Mirror	p. 14	Bath rape accused	13/10/2006
The Daily Mail	p. 41	Man spent six weeks in jail after teenager 'lied over rape'; Girl denies making up claims of attack in alleyway by a masked stranger	05/10/2006
The Express	p. 15	Somali is jailed for rape	04/10/2006
The Daily Record	p. 13	Bath-time predator; cops praise courage of victim, 6, rapist facing years in jail	21/10/2006

The Sun		999 workers hear mum's rape	02/10/2006
The Mirror	p.33	Rape lies wife jailed for a year	04/11/2006
The Daily Mail	p. 30	Policeman 'raped single mother after first date'	28/11/2006
The Express	p. 5	From beyond the grave, suicide chess girl tells court: My father raped me from the age of 8	08/11/2006
The Daily Record	p. 19	£250,000 for hairdresser kidnapped, drugged and raped by Tycoon; estate to pay damages	15/11/2006
The Sun		I listened to sister's rape in call	11/11/2006
The Mirror	p.4	Women warned to be vigilant	07/12/2006
The Daily Mail	p. 21	Two teachers 'raped by a surgeon after club drink binge'	12/12/2006
The Express	p. 39	Killer back in jail for flashing	08/12/2006
The Daily Record	p. 6	Predator gets life for bath girl rape; beast may never be freed	02/12/2006
The Sun		Female rapist is caged 'for life'	18/12/2006

BBC Online

Headline	Date
Teenager raped in alleyway attack	24/01/2006
Man convicted of university rapes	26/01/2006
Child rape term is to be reviewed	22/02/2006
Ex-policeman, 86, guilty of rape	16/02/2006
Five guilty of Mary-Ann's murder	17/03/2006
Woman raped in second sex attack	18/03/2006
Grandfather jailed for child rape	27/04/2006
Paedophile jailed for raping girl	20/04/2006
Man jailed for 1991 rape attack	25/05/2006
Man remanded over widow's death	29/05/2006
Appeal to cabbie after sex attack	22/06/2006
Teen faces attempted rape charge	13/06/2006
Five arrested over rape in park	04/07/2006
Three men charged with park rape	05/07/2006
Police hunt man who raped woman	08/08/2006
Woman dragged into bush and raped	01/08/2006
Man bailed in park rape inquiry	04/09/2006
Youths in court over raping girl	07/09/2006
E-fit issued in street rape case	03/10/2006
Man charged with teenager's rape	17/10/2006
Woman admits rape did not happen	06/11/2006
DNA could solve 1991 child rape	27/11/2006
Sex attacker facing deportation	07/12/2006
Teenager raped as she walks home	18/12/2006

C. Circulation figures for sampled newspapers

Print Copies	Average Net Circulation Per Issue (Total)	Average Net Circulation Per Issue (UK)
The Sun (News International Ltd)	2,985,672	2,849,408
The Daily Mail (Associated Newspapers Ltd)	2,310,806	2,162,075
Daily Mirror (Trinity Mirror plc)	1,494,114	1,377,780
The Daily Telegraph (Telegraph Group Ltd)	873,523	832,131
Daily Express (Express Newspapers)	744,539	709,660
The Times (News International Ltd)	615,313	588,746
Daily Record (Scottish Daily Record & Sunday Mail Ltd)	385,928	383,189
The Guardian (Guardian Newspapers Ltd)	353,436	309,016
The Independent (Independent Newspapers Ltd)	228,400	180,073
The Scotsman (Scotsman Publications Ltd)	52,993	52,986

Figures for the period 26/11/07 – 30/12/07
Source: abc.org.uk

Eaves
Lincoln House
1-3 Brixton Road
London SW9 6DE
Tel 020 7735 2062
Fax 020 7820 8907
www.eaves4women.co.uk

Charity number 275048
Company number 1322750

eaVes
putting women first



This report was printed thanks
to Matrix Chambers

