Rape patterns reported to the Police

Dr Vincent Egan, Associate Professor University of Nottingham

"New Directions in Sex Offender Practice" Conference

April 2017

Some background

- Academically-based forensic psychologists examine antisocial behaviours scientifically.
  - Science: observable, quantifiable, falsifiable.
- "Ought" ≠ "Is" nor vice-versa: the facts of life aren't PC.
- If understand natural history of a behaviour, can engineer-out problems (sometimes).
  - E.g., Decline/ shift in armed robbery offences.
- Analytic approach does not detract from emotional and psychological impact of an offence on individuals, so much as provide an overview of broader patterns that can guide prevention, investigation, and detection.

What do we know about sexual offences in the UK?
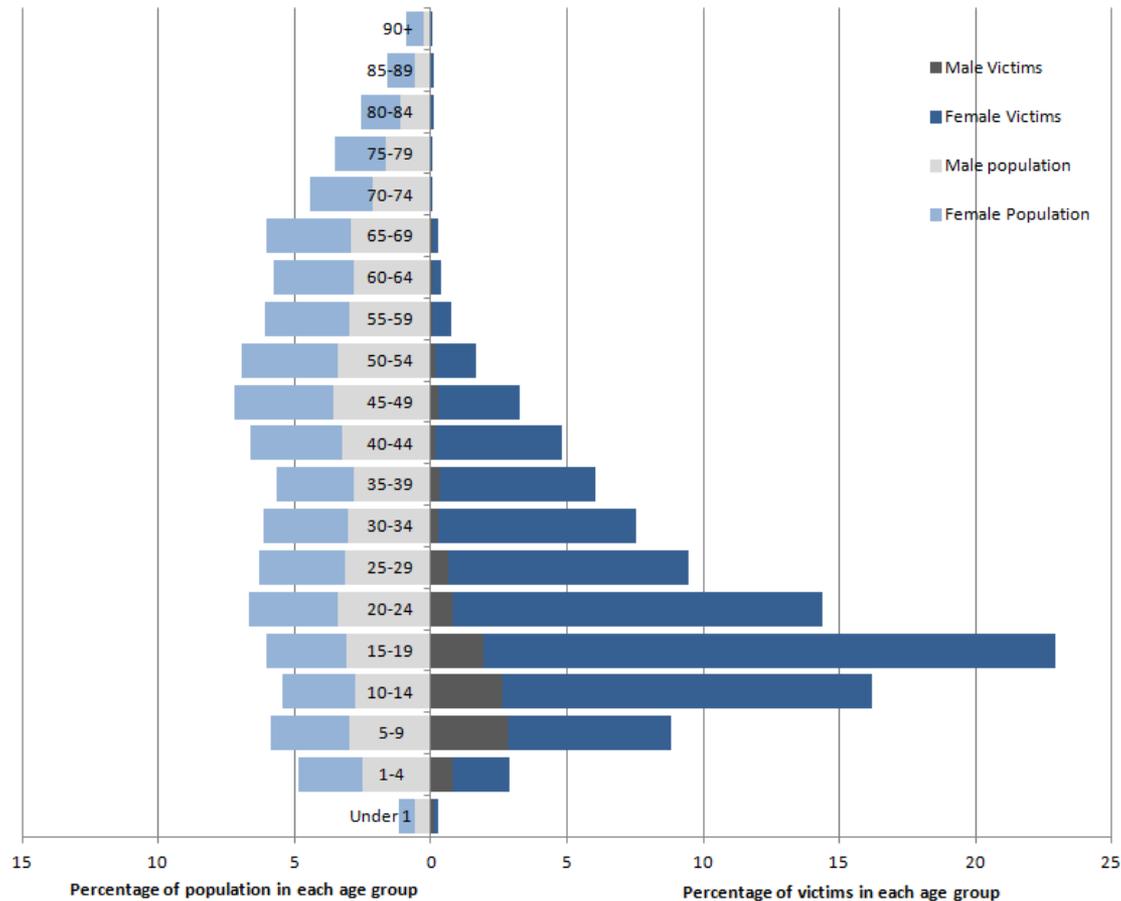
Proportion of rape offences, by age and sex of the victim, Home Office Data Hub (13 forces), year ending March 2015

Statistics from the CSEW 2016

- No increase in % adult victims of sexual assaults (including attempted offences) from March 2015 (1.7%) to March 2016 (2.0%, 645,000 victims).

- But overall, increase of 12% in sexual offences recorded by the police in the latest year (up to 112,021 offences) compared with previous year.

- Police recorded crime data does not currently provide a reliable indication of trends in sexual offences.

- Increases are due to improvement in the recording of sexual offences by the police, and an increased willingness of victims to come forward and report these crimes.

- Police-recorded rape increased by 13% (to 37,813 offences) compared with the previous year, while other sexual offences increased by 12% (to 74,208).

Serious sexual offences

- Sexual offences remain controversial due to inconsistencies in perception of the offence, and a range of views about the culpability of victims, offenders, and the manner in which it is investigated and prosecuted.
- Context evolving – both more and less permissive.
- Semantics and language - distraction or fundamental issue?
- Political issues – seen to care/ purblind to problems?
- Depends where you are in the dynamic?
  - blunt shorthand as 'too busy' for circumlocution ("waffle").
  - Mental survival by gallows humour may be 'unappreciated'.
- Police caught in the middle and enforce legislation
  - can't win whatever they do
  - May be secondarily traumatised by offence or investigation.

What do we mean by rape?

- Section 1[1] of the Sexual Offences Act 2003:

- (1) A person (A) commits an offence if—
  - (a) they intentionally penetrate [body orifice] of another person (B) with an object or penis
    - (b) B does not consent to the penetration, and
    - (c) A does not reasonably believe that B consents.
- (2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.
- (3) Sections 75 (prosecution needs evidence) and 76 (deception as a conclusive presumption) apply to an offence under this section.
- (4) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.
- Issues of intent, consent, and capacity.
- But: this is not what the lay person understands by "rape".

Rape myths

- Popular notion of 'real rape' (a.k.a. 'traditional' rape, Estrich, 1986)
- Involves:
  - a stranger
  - attacking a victim
  - at night
  - in an isolated
  - outdoor area.
  - Offender uses extreme violence
    - (often including the use of a weapon)
  - the victim strongly resists the attack physically
    - and sustains injuries
- Narrow definition influences juries, public, offenders, victims.
- These assumptions influence trial outcomes.
- How often are these behaviours seen in the observed offences?
- Not a lot of real, recent, UK-based published data on the behaviour.

The study

- Examined how often actual offences reported to a central UK police force matched the 'real rape' model.
- 400 cases of rape reported over a two year period in typical English region
- The county from which the current data was drawn differed on average by 0.33 to the national average (Office for National Statistics, 2012).
- (London = 5.50, so sample more comparable to the national average).
- Data from initial database, not individual case files.
- Intra-familial offences excluded.
- Examined:
  - victim-offender relationship (e.g., stranger vs. known)
  - time of day of the offences (e.g., night-time vs. other times of the day)
  - location (e.g., isolated outdoor spaces vs. other locations)
  - how offender manipulated their victim (e.g., using force and weapons vs. alternative manipulations, such as threats)
  - level of injuries sustained by the victim (e.g., serious injuries sustained vs. less serious or none).

Geographical distribution of offences

Data cleansing

- 20 cases > 1 victim or offender expanded
- 63 'cancelled' by Police - significant evidence the reported rape had not occurred.
- 400 cases in the final analysis (319 cases, 79.8% unprosecuted as CPS advised not to charge suspect due to a lack of evidence, or withdrawal of allegation).
- Stranger rape cases not guilty more than either domestic or acquaintance rape cases ($\chi^2(2) = 3.55$, $p = .169$

Victim characteristics

- 381 (95.3%) female, 345 86.3%) white.
  - Victims' race not reported in 16 cases.
- % white victims equal to the proportion of white people in the general population from 2011 census, $z = -1.16$, $p = .14$.
- No difference in the proportions of mixed race, Asian, black, and "other" ethnic background victims relative to that expected from the general population.
- Most victims were adolescents aged between 13 and 19.
  - The victim's age not reported in two cases.
- The age pattern was similar in the stranger rape cases, with 70.7% of victims < 25 years old. But victims between 15 and 20 years old were particularly at risk of stranger rape (64 victims, 55.7%).

Offender characteristics

- All male; most offenders white (278; 75.3%); almost 50% $\leq$ 25.

    - age race not recorded in 31 cases.

- Lower proportion of white offenders than would be expected from the 2011 census (one-tailed binomial test, z = -11.13, p < .001).

- Significantly higher proportions of black (z = 15.70, p < .001) and Asian (z = 3.12, p = .002) offenders in the sample than expected from the census.

- Where both offender and victim's race was known, offender was at least 5.3 times (with a peak odds ratio of 38.7 for Asian offenders) more likely to attack a victim of a similar ethnic background.

- Offenders most likely to attack a white person.

Age distribution(%)

Age (yrs)	Victim	Offender
0 -12	7	1
13 - 19	40.8	22.3
20-25	28.6	19.5
26-64	25.7	48.00
65 and older	0	1
Unknown	0	8.25

Time of offence

- Exact time of the offence was not recorded for 120 cases.

- Of the remaining 280 offences, 118 cases were reported as occur-ring between 11 pm and 5 am, 42.1%).

- Particularly true for stranger rape cases, 55.0% (60 cases) of which occurred between 11 pm and 5 am.

Victim-offender relationship

- Domestic (current or ex partner):   38.9%
- Acquaintance: 31.2%
- Stranger: Known   17.4%
- Stranger: Recognised   3.0%
- Stranger: Complete   8.8%
- Vulnerable victim (carer/ guardian)   1.8%

- 70.7% offenders known to victim

- Stranger rapes – 60% victims socialising with offender beforehand : met in pub, club, party, street.

Manipulation technique

- Typically, offender manipulated their victim by using force (any physical restraint, from pushing to violence).
- Majority of cases reported involved less extreme use of force; 316 victims (79%) sustained no physical injuries.
  - Only two victims received serious injuries, both domestic.
- Weapons rarely used to manipulate victims (8, 2.0%).
- Significant association between the type of rape (e.g., domestic, acquaintance, stranger) and the victim sustaining slight injuries or not, $\chi^2(2) = 7.95$, $p = .019$, OR = 2 for stranger rapes being more injured.

Alcohol

- Not known in 186 (46.5%) cases if victim or offender had been drinking.

- For cases where data on alcohol available, both the victim and offender were reported as having drunk alcohol (104 cases, 48.6%).

- In 31.3% (67) of cases only the victim was reported as having drunk alcohol, whereas in 14% (30) of cases the offender was reported to have been the only one doing so prior to the offence.

Alcohol as a risk and vulnerability factor

- OR 3.33 that victim reported being the only one to have drunk alcohol when the offender was a stranger to them, compared to when the offender was not a stranger , $\chi^2(2) = 14.62$, p = .001.
- OR 5.75 that offender reported as drinking when they knew the victim, $\chi^2(2) = 17.15$, p < .001.
- OR 4.24 that offenders had been drinking alcohol alone in domestic rape cases.
  - Stranger rapes associated with the victim solely drinking, and rarely involve the offender solely drinking compared to rapes reported with other victim-offender relationships.
  - Domestic rapes most likely to involve only the offender having drunk alcohol.

Location

- 74.7% rapes occurred in a residence.
- Equally likely to occur in offender or victim's home (∞ 24%)
- 11.7% occurred in the open air.
- Stranger rapes 6.86 times more likely to occur outside than other types of rape; $\chi^2(2) = 42.79$, p < .001.
- Stranger rapes as likely to occur in woodland or park areas as urban areas, but often in residences.

Rapes Reported Fitting 'Real Rape' Myth Criteria

'Rape myth' criteria	Number of offences (and percentage of all cases)
Total stranger to the victim	35 (8.8)
Committed at night (11pm – 5am)	118 (29.5)
Committed in an outdoor area	46 (11.5)
Used a weapon	8 (2.0)
Victim sustained serious injuries	2 (0.5)

"Real rape"

- All cases given a score out of five for how well they fit the 'real rape' myth: counted how many 'real rape' criteria occurred.

- $\bar{X}$ n categories for each case = 0.73 (range = 0 to 4).

- NO case had ALL aspects of 'real rape'; most had 1.

- Stranger rapes had significantly more 'real rape' criteria (other than the victim-offender relationship; Mdn = 1) than other cases (Mdn = 0), U = 23,575.00, z = 8.30, p < .001, r = .42.

- Stranger rapes more likely to include one 'real rape' myth criterion (other than victim-offender relationship: e.g., occurred outside, at night, involved a weapon, victim sustained serious injuries) than acquaintance, domestic, or vulnerable victim rapes.

Interpretation

- The few stranger rapes that occurred had a strong link to night-time economy activities, such as the victim and offender both having visited pubs, bars, and clubs that evening then going to one or other's homes.
- Majority of reported rape offences (280 cases, 70.7%) were
  - committed by people known to the victim (e.g., domestic and acquaintance rapes)
  - occurred inside a residence
  - most victims sustaining no physical injuries from the attack.
- Naturalistic findings from the field give a pragmatic basis for educating people about the inaccuracy of rape myths, and suggest better risk-reduction strategies for all parties involved.

Data issues

- Majority of offences in Northampton, Corby, Kettering

- Postcode data for index offence locale included post codes for Zambia, Paraguay and the USA.

- String data from database converted to numbers for analysis, then coded. 4 constructs can define the large free field index offence field.

- Atheoretical, empirical approach; data does not lend itself to higher-order analyses (yet?).

Lots of missing data!

- Data not gathered systematically…
- Caveat: "Absence of evidence is not evidence of absence".
- Nearly 80% of injury data not reported – ASSUME no injury?
- In 96% cases can't tell if victim had LD or MI.
- Likewise drugs and alcohol – no information for index offence for 60% data (drugs involved in 5% offences, alcohol 12%).

Conclusions

- Offences cluster around Northampton, Corby, Kettering.

- Much contextual data for offences missing.

- Most offences committed by persons victim knows, in a dwelling.

- Peak age for victimisation 10 to 20 (young, attractive, more vulnerable).

- Marked skew in age-crime distribution; many offenders committing current sexual offence after age of 30 against criminological demographics.

Questions?

- Vincent Egan: Vincent.egan@Nottingham.ac.uk

(Family and forensic psychology, University of Nottingham)

- Genevieve Waterhouse: Genevieve.Waterhouse@winchester.ac.uk

(Department of Psychology, University of Coventry).

- Study published as: Waterhouse, G.F., Reynolds, A., & Egan, V. (2016). Myths and legends: The reality of rape offences reported to a UK police force. *European Journal of Psychology Applied to Legal Contexts* 8 (1), 1–10. doi:10.1016/j.ejpal.2015.04.001