

Examining how police
respond to rape
allegations
criminology essay



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This briefing paper contains detailed information relating to police response to rape, it assesses whether things have improved in order to prevent rape or to help rape victims. Rape victims have different beliefs about the police response to rape cases based on what they believe to be discrimination. The main reason behind concealing rape incidents and not reporting to police service is the uncontrollable distrust of police as believed by the people based on the consumption that police officers are not able to provide support and protection. Another vital reason is the unsympathetic and harsh investigations which are currently carried out by police officers, which carry out a heavy trauma to rape victims, as they get questioned in a way that gives them the feeling of being the rapist not the victim. However these are not the only reasons why rape victims tend to conceal rape incidents to police.

What is rape

Rape in English law, was defined as; a penis entering a vagina, an anus or a mouth. Derived from Sexual Offences Act 2003 (c. 42, S1) (see appendix5).

Rape includes various types, under different circumstances such as; Date rape, Marital rape, Gang rape, Acquaintance rape, Spousal rape, Ancestral rape, Statutory rape, Institution rape, Communal rape, Male rape, Stranger rape and Revenge rape.

Background

There are numerous beliefs and wrong attitudes related to rape, which have been accompanied with us for centuries. By looking at myths, such as “

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women ask for it," is an example from a past perception which had various negative effects on the victims. Present myths and attitudes developed from the English Common Law system which had its roots from the Bible.

In early recorded history, rape was a way which a wife could be obtained. "Bride Capture," as it was termed, occurred when a man raped a woman and then was able to take her to be his wife. Rape was always defined in relation to marriage, and marriage was considered as an exchange of property, however, this is not the case nowadays, where a wife is not considered to be an object to obtain anymore. In 1975, Susan Brownmiller's *Against Our Will*, illustrated extensive awareness to the matter of rape by examining the historical and cultural perspective in which women rape existed. The ten years following publication of this book witnessed large increases in public awareness of sexual violence as well as in the parliament, as new laws were introduced in order to prevent rapes, and the introduction of the marital rape.

In 1980 the child sexual abuse was recognised, therefore, improvements to police response was vital, in order to prevent child sexual abuse, using the media's help in creating awareness.

Analysis (both positive and negative aspects)

There are various approaches to methods used by police in reaction and response to rape. Negative approach to rape is very common within the contemporary society, as media plays an extremely vital role in order to convey up the idea of negative aspects on the Police Service. "A negative police response can compound the trauma suffered by a rape victim, making

it less likely that she will decide to proceed with legal action and a strong possibility that her experience will deter others from even making the initial police contact in similar circumstances. If for no other reason, it is in the overall interests of law enforcement for the police to act in ways that are consistent with promoting the victim's emotional well-being." (Jordan, 2001b, p75).

According to Home Office 2008-2009 (see the graph in Appendix1) only 25% of recorded crimes of sexual violence have been brought to Justice, this illustrates that 75% of recorded rape cases are disregarded by Police Service, which confirms the negative aspects illustrated by the media. However in 2007-2008 only 22% of recorded crimes of sexual violence have been brought to justice, this exemplifies that there has been some improvements (3% Change) in the service within a year.

Attrition; is the development process by which rape cases are withdrawn from legal process, therefore, they do not result in a criminal conviction. Some would argue that the first point of attrition is the failure to report the crime to the police service; this can be due to the lack of trust in the police service or fear of the offender. The graph (see Appendix2) revealed by BBC in 2010, based on Stern's review on rape convictions and attritions shows that 74% of the suspects were not brought to justice because of different reasons, such as not enough evidence, no further action is required, withdraw of victim complaint due to fear of the offender, lack of trust in the service or cultural backgrounds.

Judges had also criticized police response in the rape case of a teenager who had been kidnapped, raped and forced to practice prostitution, as they had failed to provide assistance to the teenager when required, due to the lack of efficiency of the police when related to rape crime. (McCormack, H., 2005.).

John Worboys case is another case where police was criticized by both members of the public and the media for unenthusiastic response to rape which had many impacts on the victim. In 2009, John Worboys was sentenced to go to prison for an indefinite period, for raping and attacking females in his black cab. In IPCC Report 2008 commissioners stated that lives were ruined in view of the fact that police officers failed to take the incident seriously and grimly, however all the police officers who were involved with this case were disciplined. Therefore to some extent, improvements were made in the form of disciplinary actions, to officers who don't take similar incidents if happened in the future seriously. (BBC., Casciani, D., 2010)

“ In 1980's one in every three complaints of rape ended in a conviction. Today, it is one in twenty” this illustrates that instead of improving the response to rape through convicting rapists, rapists are getting away with the offence they have committed (BBC., Geoghegan, T., 2007). Therefore the victims of rape are requesting protection and justice for the trauma they suffered.

In result to these negative aspects of the police response to rape, parliament introduced Sexual Offences Investigation Trained Officers (SOIT, also known as Specially Trained Officers) who are fully trained and qualified officers who interview the rape victims in order to reduce the trauma and stress as well as collecting the required evidence without creating big impacts on the

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victims, as these officers have been trained in psychological effects of the crime. (McVeigh, K., 2010.) However the Metropolitan Police Service (MPS) should expand a code of conduct for SOIT officers as there is no current code of conduct to control the actions of the SOIT's. The police officers are trying to meet the requirements of male rape victims, however, by not having a database of the SOIT; officers reduce the effectiveness of response to the victims. In the case of a male rape victim, it may require the assistance of a male SOIT, to get the facts of the victim. Currently, it is very difficult to access this data, to be able to request a specific officer in order to provide assistance, which is leading to miscommunication issues. Another development which has occurred in the MPS, is that Sexual Offence Examiners (SOE) were introduced in order to improve the quality of service provided and progress the response to victims of rape, as SOEs are exclusively educated in sexual offence examination. However there is no database of SOE relating to their availability, ethnicity, gender and level of skill which can also cause miscommunication with the victims, by dealing with them without consideration of certain requirements. Thus even though improvements are taken place within the service they are not fully developed to provide good response to the victims of rape. (Metropolitan Police Authority, 2002)

Another positive step is made by the Association of Chief Police Officer (ACPO) as it provides guidance for the first response officers on the procedure followed when dealing with a rape report case; which contains clear and beneficial information to the first response officer on the actions to be taken following an initial deployment and scene attendance. Furthermore,

in 2009 National Police Improvement Agency, provided briefing notes for the first responder to a rape case, however on the other hand, first response officers are unaware of how to approach victims and take an initial account from them, so this is considered to be a constraining effect. (NPIA., 2009)

The interview of the rape victims is key to the investigation in order to provide efficient response to rape victims. A successful investigation is required by police officer and failure to deal with evidential weaknesses can only serve to challenge the victims account and thereby decrease the probability of successful prosecution. The rape reports should be investigated by chief officers in order to obtain reasonable evidence as chief officers are experienced in dealing and responding to any sort of crime including rape. Additionally Police officers are not victim trained in other words officers are unaware of how to response to all types of crimes which causes by response to any sort of crime reporters (victims). However MPS is bringing up measures to tackle rape to take place for instance introducing campaigns such as Police Rape Awareness Campaign which states that drinking is not illegal however rape is illegal (see Appendix4) therefore this is a vital improvement which is currently taking place.

Gang rape is a rising problem in United Kingdom, trepidation of the gangs ground the victims to not to conceal rape incidents to the Police service thus this illustrates that Police service is unable to provide protection and justice to rape victims as gang is an criminal thus this shows that Police service do not have good reputation for protection and justice as the issue of gangs are still not solved however minor information was considered by the MPS

relating to this problem and to some extend measures are taken place to <https://assignbuster.com/examining-how-police-respond-to-rape-allegations-criminology-essay/>

tackle this crime to provide better response to gang rape victims. (Longstaff, L., 2009)

Within the contemporary society police officers are particularly at risk of being misinformed by stereotypes thus this makes them to be suspicious about any complaints they receive from the rape victims especially on victims who are unemotional or look calm. Thus the suspicion reduces the quality of the response provided to the rape victims as the investigation will be conducted in a way to test the explanation of the victim in an insensible and abusive way however this has extremely bad impact as it obstructs the best evidence to be taken from the victim for successful prosecution. The police officers also have the judgement and discretion to record primary information report under the category they think suitable. (Davies, M., 1997, p190-200)

In United Kingdom police officers receive very little amount of training in law and practice to do with rape or sexual abuse. For instance Special Constables (voluntary police officers) get basic training of 18 days which doesn't include any knowledge or information relating to sexual offences even though they have the same power as a regular police officer, so this shows that if a special constable needs to deal with an sexual offence they do not have any knowledge of how to respond to rape however within the police service beginner police officers have someone experienced to assist them throughout their probation period for two years therefore police can always request assistance to respond efficiently to rape cases.

Conclusions

The response of police to rape incidents are improving however these improvements are not at high-quality level to assist rape victims to overcome the trauma and stress they have suffered thus more development and improvements are required to create better environment for all members of the public and especially for rape victims thus the police service must improve their reputation to gain trust of the members of the public by providing better response to all sort of crime and offer protection. Another positive enhancement which can have constructive impact on the rape victims is through introducing a data base program to police officers with the details of SOIT officers and SOE's to supply the needs of these victims. The MPS already have briefing notes and guidance of how to take action while investigating rape incidents on the other hand it is not detailed sufficiently to support officers while dealing with rape incidents effectively therefore improvement on these guidance and briefing notes will increase the quality of the response by police officers. Nowadays Police officers get basic training on rape response however this basic training does not include victim training which means police officers do not know how to treat or respond to rape victims but if this training is added into the basic training then it will be easier on the police officers and the rape victims will receive effective response. Finally the most significant improvement which can occur within the Police Service to tackle unenthusiastic response to rape victims will be through taking the rape cases more seriously and prevent suspicious and unsympathetic investigations by the police officers.