



‘Real Rapes’ or ‘Good Cases’?: Police Officers’ Perceptions of Reported Rape Cases

MIDDLESEX SEXUAL VIOLENCE CONFERENCE
THURSDAY 8TH SEPTEMBER 2011

Dr Lesley McMillan
Glasgow Caledonian University

Introduction and Background



- Research project on rape attrition – loss of cases from the criminal justice process
- Attrition rate problematic in all UK jurisdictions
- Most attrition happens at the earliest stages of justice process i.e. policing (Harris & Grace, 1999; Lea et al, 2003)
 - victim withdrawal
 - decision by police that case is false or problematic
- Project is exploring in depth what contributes to attrition in all stages of the criminal justice process
 - Data presented here specifically refers to the policing element of the research being conducted

Background



- ‘Real rape’ (Estrich, 1987)
 - stranger assault – no prior relationship
 - public place
 - victim resistance
 - violence/evidence of force
- Evidence suggests stereotypes & myths inform how police officers & criminal justice personnel deal with rape – a ‘culture of scepticism’ (Kelly et al, 2005) when cases do not conform to the ‘real rape’ stereotype
- Negative experience for victim influences withdrawal (Jordan, 2001; Kelly, Lovett & Regan, 2005; Temkin, 1997;1999)
- Rape victims aware of having to ‘convince’ the police of the truthfulness and legitimacy of their experience (McMillan & Thomas, 2009)



Design and Methods



- Large-scale Economic & Social Research Council (ESRC) funded study (Res-061-23-0138)
- Mixed methods – qualitative & quantitative
- This paper focuses on police interviews
 - 40 qualitative interviews with police officers
 - 13 SOLO officers – 7 female, 6 male
 - 27 detectives – 7 female, 20 male
 - Age ranged from 22 to 52
 - Between 2 and 28 years service
 - Transcribed verbatim
 - Analysed systematically using Nvivo



Real Rapes or Good Cases?



- Officers did talk about ‘real rapes’ but acknowledged they were infrequent: *... you’ve got your stranger rapes where you’ve got a genuine person dragged off the street and raped, which doesn’t happen very often.* (Senior Female Detective)

I would say, a proper stranger rape is more or less unheard of. (Female SOLO Officer)

- More pertinent to the everyday policing of rape was the notion of a ‘good’ or a ‘bad’ case – officers used language such as ‘good jobs’ or ‘runners’
- Further exploration of these concepts revealed a ‘good case’ has 2 elements:
 - features of the victim
 - features of the incident & assault

A 'Good Case' - Victim



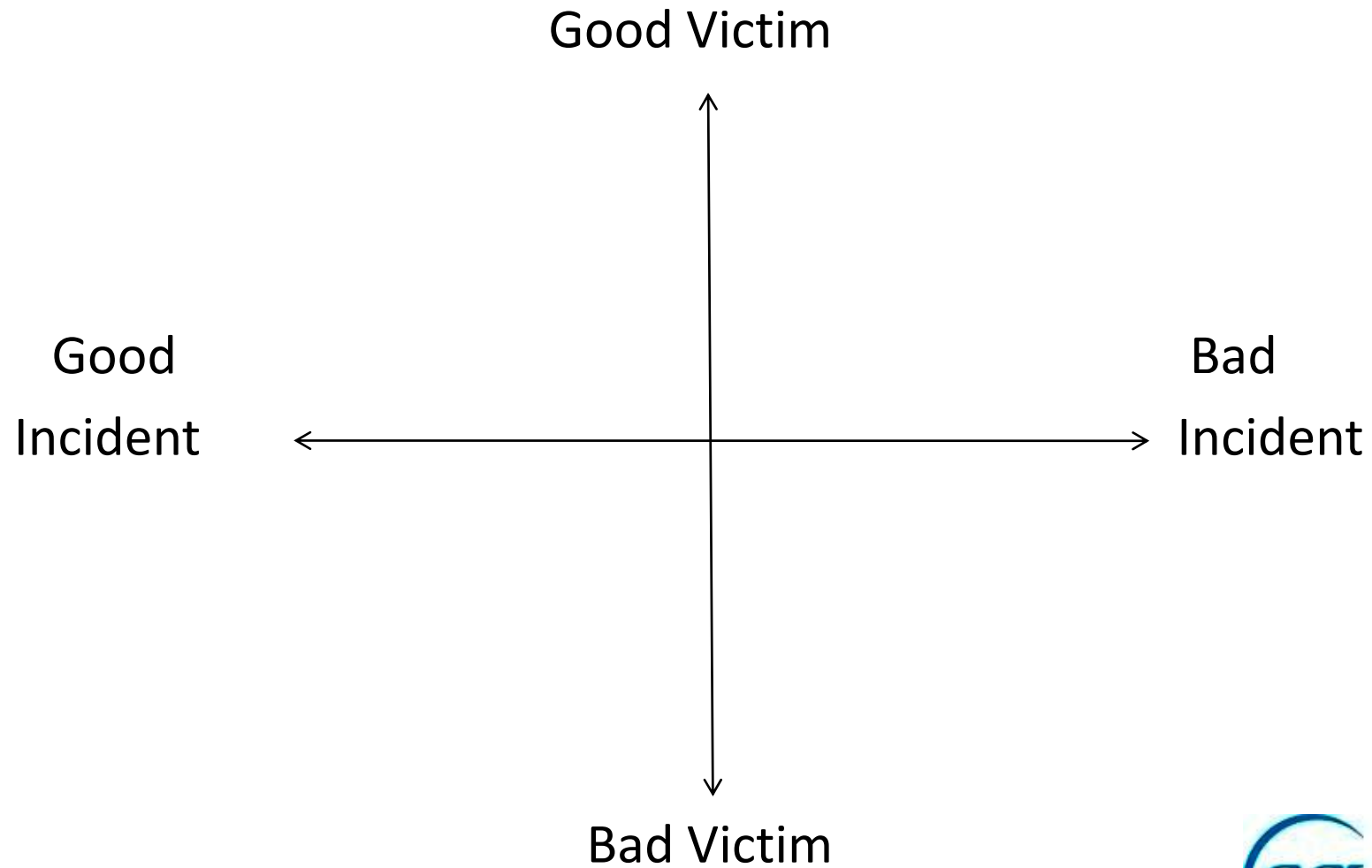
- Features of the 'good victim':
 - sober – no alcohol or drugs & if present, not self-administered
 - 'sane' i.e. no mental health issues
 - no previous reports/victimisation esp. sexual
 - not 'known to the police'
 - articulate & able to provide a consistent and detailed account (class-based)
 - consents to a medical examination
 - reports in a timely manner
 - compliant (turns up, responds to correspondence etc.)
 - stereotypical emotional presentation i.e. "feminine"

A 'Good Case' - Incident



- Features of the 'good case' – incident:
 - corroborating evidence (CCTV, witness statements, forensic evidence etc.)
 - absence of alcohol & especially not in an alcohol-consuming situation
 - no socio-sexual contact, or suggestion of, prior to assault (not necessarily a stranger)
 - physical injuries consistent with account (though not necessarily a high level of violence)
 - age differences between perpetrator/victim

'Good Case' Model



Discussion



- Some of the features of a 'good case' are the same as a 'real rape' but not exclusively
 - Doesn't have to be a stranger; it can be an acquaintance
 - Can be a good case but not have high levels of violence or injury
- Officers more likely to think of a 'good case' & not a 'real rape'
 - A 'good case' is more complex and not all features have to be present – absence of one or some features doesn't stop it being a 'good case' (i.e. victim delayed reporting, but told others etc.)
 - A significant difference to real rape which is a more restricted definition

Conclusion



- Police are outcome focussed – for them a ‘good case’ is one that results in a ‘good outcome’ – this means charge and conviction
- It is possible to have a ‘real rape’ but not a ‘good case’ - i.e. a stranger case with no suspect, or a victim with mental health problems, or so traumatised she cannot provide a good account
- Police second guess later stages of CJ Process i.e. Crown Prosecutors/Court/Jury therefore some cases not deemed to be ‘good’ may be closed prematurely contributing to the problem of attrition