

DO RAPE MYTHS AFFECT JUROR DECISION MAKING?

A systematic review of the
literature



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EXECUTIVE SUMMARY

This systemic literature review is the first ever such review into the literature on the subject of the impact of rape myth attitudes (RMA) on jury deliberations. BPP commissioned this report from Dr Nina Burrowes, an independent clinical psychologist experienced in this field in direct response to the speech by CPS Chief Crown Prosecutor, Alison Saunders in January 2012 in which she called for challenges created by the existence of rape myths to move to the wider community.

This systemic review was commissioned with the intention of demonstrating the nature and extent of existing research in order to create an effective platform from which to make realistic proposals for change.

The review explores the definition and prevalence of rape myths together with the findings revealed by three decades of academic research into the nature and scale of such myths as well as they typical profiles of those who hold them. It describes the methods of data extractions used to conduct the review; it analyses the quality of data available; the strengths and weaknesses of the methods and collates the results and findings of all the existing research.

In conclusion, it is suggested that the hypothesis that RMA impact on jury deliberations is almost fully supported by the available research literature.

Finally, the recommendation section makes proposals for dissemination of this report to support the debate, for external funding for empirical research and suggests that BPP should sponsor a multi-disciplinary conference to bring together experts and practitioners in this important field of work.

INTRODUCTION

The background to this research

In January 2012 Alison Saunders, the Chief Crown Prosecutor for London, gave a speech at City Hall to an invited audience in which she set a challenge to those who work in the criminal justice system (http://www.cps.gov.uk/news/press_releases/103_12). Having presented background information on 'rape myths' (common prejudicial attitudes about rape) and recent reforms within the Crown Prosecution Service in response to these issues Alison Saunders set the following challenge:

'How do we ensure that myths and stereotypes do not play any part in a jury's deliberations whether consciously or subconsciously?'

In response to this challenge BPP's research team carried out a systematic review of the research evidence into the impact of rape myths on juror decision making. For the first time, this review would provide categorical evidence as to whether juror attitudes towards rape have an impact on their decision making. This review is currently being submitted for

publication in an academic journal. The main findings from the review are summarised in this working paper.

What is a rape myth?

A 'rape myth' is an inaccurate assumption about rape. For example, a commonly held rape myth is that most victims of rape will try to fight off their attacker, whereas in reality we know from other research (i.e. Loderick & Mason 2012) that most victims show little physical resistance to the attack. Other rape myths relate to whether the victim should be held responsible for the attack through their allegedly provocative behaviour or clothing. Finally, rape myths can be inaccurate assumptions about how a victim should respond to being raped with anyone who did not report the offence immediately or appear distressed, being viewed negatively.

What is the prevalence of rape myths in society?

Rape myths in part reflect societal attitudes and as such researchers have found variations in the prevalence of rape myths between different countries. In general the prevalence of negative attitudes towards rape victims ranges from 18.3% (United Kingdom) to 29.5% (Canada) amongst western countries and 32.9 (Hong Kong) to 51.5% (Malaysia) in eastern countries (Ward, 1995).

In a recent study using telephone interview techniques McGee et al, (2011) found that 40.2% of the 3,210 participants felt that accusations of rape were often false, indicating that a large minority of potential jury members are pre-disposed to a not-guilty verdict in the case of rape. This figure highlights a large disparity between the 'myth' and 'reality' and reproduces the results of earlier studies (i.e. Anderson 1997, Pollard 1992). Estimating levels of false reporting is both complex and controversial due to problems defining and proving a false allegation. Data from 2,643 rape cases suggests that the level of false reporting is somewhere between 8% (a case recorded as a false allegation by the police) and 0.2% (cases where an individual is arrested for a false allegation) (Kelly, Lovett & Regan, 2005).

As well as being aware of the general prevalence of attitudes that may pre-dispose jury members towards acquittal it is important to be aware of which specific rape myths people are more likely to subscribe to. McGee et al (2011) found high levels of inaccurate assumptions relating to the motivation for rape. Forty percent of participants felt that rape happened as a result of overwhelming sexual desire and 34% disagreed that rape occurred out of a desire for control and domination. This data suggests that a large minority of members of the public are likely to have inaccurate assumptions about the nature of rape – seeing it as more related to desire and attraction rather than violence, control, and humiliation.

Other commonly held false assumptions relate to male rape with 34% of participants believing that a perpetrator of male rape must be gay and 22.5% believing that the victim must have either been gay or acting 'in a gay manner'. This false assumption also reflects a misunderstanding that rape is about sexual desire (and therefore sexual orientation is relevant) rather than being an act of violence.

The final category of more commonly held beliefs identified in the McGee et al (2011) study is that the victim holds some responsibility for the offence. Just over twenty nine percent (29.2%) of the participants agreed that women wearing tight tops or short skirts are inviting rape, indicating that a significant minority of the public are likely to attribute responsibility for rape according to the behaviour and demeanour of the victim.

Who holds rape myths?

Other research has been conducted that explores which groups in society are more likely to hold rape myths. For example, a recent comprehensive review of the literature by Suarez and Gadalla (2010) found that men are more likely to hold rape myths than women. This finding is demonstrated in numerous studies and reviews (e.g. Anderson, Cooper and Okamura, 1997; Anderson, 2004; Earnshaw, Pitpitan, and Chaudoir, 2011).

When looking at differences in rape myths across different age groups in general, McGee et al (2011) found that older participants were more likely to agree with rape myths than younger participants. Again this is a finding that has been replicated in other, older studies (e.g. Anderson et al., 1997).

Other groups of people who have been found to be more accepting of rape myths include people with lower socio-economic status (Anderson et al., 1997) and individuals who held negative attitudes towards women and other groups such as people of different races, sexual orientation, class, and age (Anderson et al., 1997; Suarez & Gadalla, 2010).

A number of studies (i.e. Peterson & Muehlenhard, 2011) have found that many women who have experienced rape subscribe to rape myths and are likely to interpret their own behaviour in line with these myths. As a consequence, many victims feel guilt about their own behaviour leading up to the offence, may blame themselves for not resisting during the offence, or may not label their experience as rape (Peterson & Muehlenhard, 2011).

Why might we suspect that rape myths have an impact on juror decision making?

In rape cases jurors are required to come to a verdict of guilt or innocence on the part of the defendant. The conviction rate for rape cases that went to court in 2011-2012 was 62.5%. This figure is an improvement on earlier years (58% for 2007-2008) but is still low in comparison to the overall conviction rate of 83.5%. The highest conviction rate is 91.6% for drug offences; the lowest is 60.4% for all sex offences (Ministry of Justice, 2012).

In part the low conviction rate may be attributed to the particular characteristics of a rape case. In general, rape cases lack physical or any objective evidence and boil down to one persons' word against another's. A lack of objective evidence means that these cases often require jurors to assess whose story they believe – the complainant's or the defendant's. Research has demonstrated (i.e. Taylor and Joudo, 2005) that this judgement of credibility is more likely to be based on personal biases and attitudes than what a witness says. In a study involving 210 members of the public who participated in 18 mock trials, Taylor and Joudo (2005) found that despite watching the same testimony juror opinions about credibility varied greatly and was mostly influenced by demographics, beliefs, expectations and attitudes about how a 'real' victim of rape would behave.

With little in the way of hard evidence to guide jury decision making rape cases are exactly the kind of cases that are open to influences of stereotypes and attitudes. In part this is evidenced by the common trends in verdicts amongst different demographic groups. If judgements about rape cases were made purely on the grounds of evidence then there should not be any difference between different juror-participants. Instead research across the decades consistently shows that men are more likely to acquit defendants than women (Pollard, 1992; Schutte & Hosch, 1997 and McGee 2011).

Therefore, as we have seen, previous reviews of the literature on juror decision making in rape cases have found that victim blame is influenced by victim clothing and victim character. In a meta-analysis reviewing data from 28 studies Whatley (1996) found that victims who wore revealing clothing or were judged to be less respectable were significantly more likely to be held responsible for instances of rape. In an earlier review Pollard (1992) found that men and individuals with traditional sex-role attitudes were more likely to hold negative attitudes towards victims of rape. Pollard's non-systematic review of the literature also explored the relationship between the victim and their attacker, the degree of resistance demonstrated by the victim, victim clothing, and pre-offence victim behaviour. The most consistent findings related to expectations regarding female behaviour with any behaviour that is deemed 'incautious' resulting in female victims being held responsible for events.

The research therefore suggests that in the case of rape trials there is likely to be a pre-trial prejudice that can have a significant influence on verdicts.

Why is a systematic review necessary?

Whilst there has been a significant amount of research into the nature of decision making in rape cases, to date there has not been a systematic review of the influence of rape myths on jury decision making. Reviews have either been non-systematic (e.g. Pollard, 1992) or have focused on other factors such as gender differences in rape myth attitudes (Suarez & Gadalla, 2010) or factors such as victim clothing (Whatley, 1996). A systematic review of the literature is important as the methodology used to conduct the review is designed to eliminate bias. In a systematic review *all* the research evidence is assessed, a transparent process of searching for literature and appraising research studies is used, and the size and quality of the research evidence is objectively assessed before coming to a conclusion. In effect a systematic review does what one would hope a jury would do – it pays careful attention to all of the evidence and then comes to a systematic and replicable judgement based on that evidence.

How do researchers test the impact of rape myths on decision making?

As with all social research, researchers exploring the impact of rape myths on jury decision making are required to make a trade-off between accurately testing a specific aspect of the decision making process and producing results that can be generalised to real-world settings. In order to accurately test a specific aspect of the decision making process researchers need to isolate and manipulate one variable with a sufficient sample size to detect an effect. As this review has a specific research question (Is juror decision making influenced by rape myths?) it focuses on these types of research studies.

What are the general strengths and limitations of research in this field?

As well as assessing the specific strengths and weaknesses of individual research studies it is also important to be aware of the general strengths and weaknesses of research

conducted in this field. This enables us to come to an informed judgement regarding the potential impact of rape myths. The main weakness of any research design that attempts to control and manipulate individual variables is that they can lack real world validity – in other words you may produce findings in the laboratory that cannot be replicated in the real world. In this case of research into rape myths the main weaknesses are the participants that are used in the studies, the way in which the material is presented, and the way in which participants are asked to come to a judgement.

As the table on page 9 illustrates, the studies tend to use predominantly university students as research participants. Whilst this enables the researchers to generate larger sample sizes than might be possible if they were to recruit participants from the general public it inevitably opens the research design up to criticism. Previous research (i.e. Field and Barnett, 1978) that compares data from students with data from the general public has found that there can be differences between the two groups. Field and Barnett (1978) found that students were significantly more lenient than members of the public. Consequently a finding that rape myths impact on verdict or sentencing amongst a student population may be less likely amongst members of the public as students may be more inclined to deliver a ‘not-guilty’ verdict. In a more recent study Keller and Weiner (2011) found that student populations were less likely to provide verdicts that were influenced by a general juror bias, but in the case of rape myths male student participants were more likely to demonstrate a relationship between rape myths and verdict than male members of the public. In contrast, Carlos and Russon (2001) found that the verdicts of prospective jurors were more influenced by their general pro-complainant or pro-defendant attitudes than students with the magnitude of these distortions being twice as large amongst prospective jurors rather than students. Researchers are continuing to debate the validity of using students as participants in mock jury research. For the purposes of this review studies that only use students as participants will be identified so that we can explore whether a different conclusion is reached when looking at ‘student-only’ studies in comparison to studies that use participants drawn from the general public.

Studies also differ in the way they present case material to participants. Some studies use a live mock trial with actors playing the roles of barristers, witnesses, and defendants. Other studies use videos of actors who are recreating aspects of a trial. However, the majority of studies use written vignettes which participants read individually before answering a series of questions. In a study testing the relative difference of providing case material in written format or on video Sled et al, (2002) found that for one of the three conditions (where the level of alcohol consumed was manipulated) the use of written vignettes was associated with more evidence of rape-myth supporting responses. Participants were more likely to blame the victim and less likely to define the situation as rape if they were presented with this scenario via a written vignette rather than a video recording. This finding needs to be interpreted with the caveat that for the other two conditions (where the defendant had paid for dinner or where the complainant had been provocative) there was no difference between written and video presentation. Whilst researchers are also still debating the validity of these ‘written vignette’ studies, for the purposes of this review the way in which the case material was presented to participants will be recorded and when individual articles are marked for quality those studies using more realistic measures (such as actors presenting real case material) will gain a higher quality mark.

A further aspect of research design is the way in which judgements are made. In order to increase sample size, reduce costs, and isolate the different aspects of the experimental design most research requires a participant to come to their own judgement about the rape case as part of an anonymous pen and paper exercise. This procedure eliminates the process of jury deliberation. Some researchers suggest that jury deliberation may act as a counterbalance to negative assessments towards specific aspects of the trial such as assessment of witness credibility (Dahl et al, 2007) however, in the case of rape myths qualitative research that explored juror deliberation found the presence and influence of rape myths throughout the process (Ellison and Munro, 2009).

Finally, it is important to assess how rape myths are measured. A number of scales that have been developed and tested over time and are generally accepted as reliable and valid measures of rape myths including *Rape Myth Acceptance Scale* (RMAS, Burt 1980), *Rape Empathy Scale* (RES, Deitz, Blackwell, Daley, & Bentley, 1982), and *Illinois Rape Myth Acceptance Scale* (IRMAS, Payne, Lonsway & Fitzgerald, 1999).

Rape Myth Acceptance Scale (RMAS, Burt 1980) is one of the more widely used scales measuring rape myths, attitudes towards adversarial sex, and acceptance of interpersonal violence. Internal reliability is demonstrated using previous studies that found an alpha coefficients ranging from 0.81 (Mason, 2004) to 0.849 (Krahe, 1988). Burt (1980) demonstrates validity by illustrating that scores for self-reporting likelihood of committing rape correlate with RMAS scores ($r=0.59$, Burt 1980). The scale has been criticised for being too long and using several concepts in one item which makes the scale difficult to understand (Bohner et al., 2009). Many researchers opt to use a shortened down version of the scale (e.g. Clarke, 2009).

Rape Empathy Scale (RES, Deitz, Blackwell, Daley, & Bentley, 1982) measures empathy towards rape victims and perpetrators in a heterosexual rape scenario. Internal reliability is demonstrated using previous studies that found alpha coefficients ranging from 0.80 to 0.89 (Deitz et al., 1982). A moderate convergent validity has been demonstrated between the RES and the Attitudes Towards Women Scale (Spence, Helmreich, & Stapp, 1973, cited in Deitz 1984). Predictive validity is indicated by the scale's ability to differentiate between women who do/do not have experience of rape and between participants who impose harsh/lenient sentences on defendants in a hypothetical rape scenario.

Illinois Rape Myth Acceptance Scale (IRMAS, Payne, Lonsway & Fitzgerald, 1999). This rape myth scale comes in full (45 item) and short (20 item) versions. Previous alpha coefficients range from 0.94 (Cohn, 2009) to 0.96 (Clarke, 2011). Concurrent validity is demonstrated using correlations with IRMAS scores and scores on Sex-Role Stereotyping Scale ($r=.55$); Sexism Scale ($r=.63$); Adversarial Sexual Beliefs Scale ($r=.74$); Adversarial Heterosexual Beliefs Scale ($r=.63$); Hostility Towards Women Scale ($r=.57$); Acceptance of Interpersonal Violence Scale ($r=.71$); and Attitudes Toward Violence Scale ($r=.50$) (Payne et al., 1999).

Some of the challenges of using these scales can be continuously updating the language used in the questionnaires so that the social references used in the scales remain relevant to contemporary participants (McMahon & Farmer, 2011); and counteracting floor effects whereby the scales fail to differentiate between low scoring participants (Gerger, Kley, Bohner, & Siebler, 2007).

Having highlighted some limitations with some of the literature and research in this field it is important to also recognise the strengths of the methodology that is used. In general, researchers manage to conduct studies using large sample sizes and demonstrate good control over the research design. Both of these factors help one to have confidence in the results of the study – in other words if the results suggest that rape myths did influence judgements one can be confident that this really was the case and that the result was not down to chance. In addition this ‘laboratory’ based research is complemented by more naturalistic qualitative studies (such as Ellison and Munro, 2009) that use realistic court settings, present real case material and carefully explore the process of deliberation and the influence of rape myths on decision making.

METHOD

Searching the literature

Databases used for searching were Psychinfo, Medline, and Soc Index (from 1st January 1980 to 1st June 2012). The National Criminal Justice Reference Service and International Bibliography of the Social Sciences (from 1st January 1994 to 1st June 2012) were also used.

The search terms used in the searching were (‘rape’ or ‘sexual assault’) and (‘jur*’ or ‘verdict’ or ‘guilt*’ or ‘blam*’ or ‘responsibil*’ or ‘credibil*’) not (jurisdiction* or jurisprudenc*) in the title, abstract, or key word of any document. For the initial screening the exclusion criteria were non English language, articles published before 1980 and any non-peer reviewed articles (e.g. dissertations and conference presentations). The initial search identified 2,780 articles.

Secondary screening based on reading the title and abstract for each article excluded any article that was non-empirical in nature (e.g. essays and opinion pieces); any article that did not include a measure of rape myths (i.e. the use of a scale such as the RMAS); and any article that did not require participants to come to a decision about a rape scenario (e.g. come to a verdict of guilt, responsibility, or blame). Due to the culture-specific nature of rape myths data from non-Western countries Asia, Africa, South America, and the Middle East were also excluded. At this stage, where it was unclear whether or not the article met the exclusion criteria the article remained included in the study. This secondary screening reduced the pool of articles to 36.

Full copies of all 36 articles were obtained and underwent a final screening. This screening process verified the use of a measure of rape myths, the presentation of a rape scenario to participants, and the requirement for participants to come to a judgement about the rape case. The screening process also ensured that the relationship between rape myths and judgements was tested through data analysis. This final screening reduced the pool of articles to 21.

In order to ensure that a full search of the literature had been undertaken a hand search of the reference section for all 21 articles was conducted in order to identify any other studies that may be relevant. Authors of articles were also contacted to see if they had any unpublished studies that could be included in the review. In total, 17 authors were contacted and as a consequence 5 articles were sent for inclusion for this review but all of these were either duplicates of articles already included or they did not meet the inclusion criteria.

Data extraction and quality assessment

For each of the 21 articles, a process of data extraction was undertaken using a pro forma that collected information on: the aims of the study; sampling methods; population of participants; details on research design; tools used to measure rape myths and judgements; methods and results of data analysis and conclusions. Each article was given a quality score using a bespoke quality assessment tool. A bespoke tool was used as all of the studies included in this review were of a very similar standard. All of the studies used valid measures to assess rape myths, presented material relevant to a rape case, and asked participants to come to judgements about the complainant and the defendant. The quality assessment tool focused on the ways in which the studies differed. These differences were based on sample size, the representativeness of the sample (students or members of the public), the nature of the case material (from a real case or bespoke material), the presentation of case material (a re-enactment of the case or a written vignette), the reliability and validity of measures used, and efforts made by the researchers to control confounding variables. This score could then be used to assess whether there was a relationship between the findings in a study and the quality of the study.

RESULTS

Testing for publication bias

A funnel plot graph was created in order to visually test for publication bias amongst the studies. When sample sizes are plotted against effect sizes you would expect to find a pattern of normal distribution (Petticrew and Roberts, 2006). When such a pattern does not occur it may indicate a publication bias. The funnel plot graph for this review was normally distributed indicating that there the review is not affected by publication bias.

The findings

After searching over 20 years of research literature 21 studies were found that tested the impact of rape myths on jury decision making. The data from 14 studies fully supported the hypothesis that juror judgements are affected by rape myths. Data from 6 studies partially supported the hypothesis, this means that some, but not all, of the data analysis supported the hypothesis. Only one study did not find any relationship between rape myths and judgments (see table at page 9 below).

TABLE OF FINDINGS

First author and year	Sampling			Support of hypothesis that rape myths affects judgements?			Effect size	Quality score
	Country	Sample size	Student sample?	Fully	Partially*	No support		
Deitz, 1984	USA	190	√		√			17
Jenkins, 1987	USA	655	√		√		Medium	17
Krahe, 1988	UK	72		√				19
Weiner, 1989	USA	58				√	(No effect found)	18
Weir, 1990	USA	330	√	√			Small to medium	16
Kopper, 1996	USA	534	√	√				17
Schuller, 1998	Canada	136		√			Medium	21
Vrij, 2001	UK	80	√	√				16
Mason, 2004	USA	157	√		√		Medium to large	16
Gray, 2006	UK	168	√	√			Large	16
Wenger, 2006	USA	106	√		√			14
Krahe, 2007	Germany	158-286	√	√			Small to medium	16
Clarke, 2009	Canada	173	√		√		Medium to large	14
Cohn, 2009	USA	250-274	√		√		Medium	15
Grubb, 2009	UK	156	√	√			Medium	15
Sleath, 2010	UK	116	√	√			Medium to large	15
Stewart, 2010	USA	229	√	√			Medium to large	17
Clarke, 2011	Canada	413		√			Medium to large	21
Eysell, 2011	Germany	170-160	√	√			Small to large	17
Hammond, 2011	USA	172	√	√			Medium to large	18
Sussenback, 2010	Germany	60	√	√				14
TOTALS			17	14	6	1		

Was this finding affected by the quality of the studies?

As expected, the studies showed minimal variation in quality. The highest score achieved by a study was 21, the lowest was 14, and the average was 16.6. The two studies that achieved a score of 21 both fully supported the hypothesis. The average quality score for studies that fully supported the hypothesis was 17 (n=14), partially supported the hypothesis was 15.5 (n=6), and did not support the hypothesis was 18 (n=1).

What do studies that use members of the public (rather than students) tell us?

As the table above shows us, only four studies recruited members of the public as participants. The sample sizes for these studies ranged from 58 to 413. The quality scores for these studies ranged from 18 to 21 with an average of 19.75. 3 of these studies fully supported the hypothesis and 1 did not provide any support for the hypothesis. The number of studies using members of the public as participants is small and hence it is difficult to form any firm conclusions. However, based on the data in this review it appears that studies that use members of the public as participants do support the hypothesis that the more an individual accepts rape myths the more lenient they are towards defendants. Only one study did not support this hypothesis, this study had the smallest sample size out of all 21 studies in this review (n=58) and the lowest quality score out of the four studies that used members of the public as participants.

What do studies in the United Kingdom tell us?

Five studies were conducted in the United Kingdom. Four of these studies used students as participants; one study used members of the public. The sample sizes for these studies ranged from 72 to 168 and quality scores from 15 to 19. All 5 studies fully supported the

hypothesis that rape myths had an impact on decision making with effect sizes ranging from medium to large.

CONCLUSION

This review systematically explored all of the published research on the impact of rape myths on judgements. The overwhelming conclusion from this review is that rape myths do appear to have an impact on judgements. Individuals who hold stereotypical attitudes towards rape are more likely to judge complainants in rape cases harshly and defendants leniently. This finding is consistent regardless of the quality of the individual research studies or whether studies used members of the public or students as participants. This finding is corroborated by qualitative research that has identified the impact of rape myths on juror deliberations (e.g. Ellison and Munro, 2009).

Such a finding does make for easy reading for practitioners involved in the difficult task of the prosecution of rape and serious sexual offences before juries at a crown court. The implications which flow from type and extent of the rape myths held by the members of the public from whom our juries are drawn demonstrate that this is a far wider societal issue which needs to be tackled; a conclusion at which other academics and commentators have also arrived. In a wider context, victims of rape are also likely to hold RMA which influence their responses to the assault itself, their decision to report and may impact too on their demeanour at the various stages of the investigation and the prosecution of the offence. In the recommendation section, hence this report also makes suggestions of how further research may play it's part in addressing the impact of RMA.

RECOMMENDATIONS

1. Copies of this research to be made widely (and freely) available to criminal justice practitioners and other professionals whose work brings them into contact with the criminal justice system's approach to the prosecution of rape and other serious sexual offences.
2. For external funding to be obtained to undertake a definitive empirical study into jury deliberations in rape cases, using mock juries and simulated trials in scientifically controlled conditions. The project should be specifically constructed to enable the research to test the effectiveness of the current model (discretionary judicial direction given during the summing up (i.e. at the conclusion of the trial)) and to explore other measures (directions given at the outset of a trial, live expert evidence?).
3. To sponsor a conference to bring together professionals and experts from the various disciplines to explore new and innovative ways of tackling the impact of rape myth attitudes on decision making as confirmed in this literature review and to explore effective ways in which to tackle the prejudice of these myths within the trial process.

REFERENCES

- Anderson, I. (2004). Explaining negative rape victim perception: Homophobia and the male rape victim. *Current Research In Social Psychology*, 10(4), pp. 43-57
- Anderson, K. B., Cooper, H., & Okamura, L. (1997). Individual differences and attitudes toward rape: A meta-analytic review. *Personality and Social Psychology Bulletin*, 23(3), pp. 295-315
- Bohner, G., Eyssel, F., Pina, A., Siebler, F., & Viki, G. (2009). Rape myth acceptance: cognitive, affective and behavioural effects of beliefs that blame the victim and exonerate the perpetrator. In M. Horvath and J. Brown (Eds.) *Rape. Challenging contemporary thinking* (pp.17-45). Devon: Willan
- Burt, M. (1980). Cultural myths and support for rape. *Journal of Personality and Social Psychology*, 38, pp. 217-230
- Clarke, A. K., & Lawson, K. L. (2009). Women's Judgments of a Sexual Assault Scenario: The Role of Prejudicial Attitudes and Victim Weight. *Violence & Victims*, 24(2), pp. 248-264
- Clarke, A. K., & Stermac, L. (2011). The influence of stereotypical beliefs, participant gender, and survivor weight on sexual assault response. *Journal of Interpersonal Violence*, 26(11), pp. 2285-2302
- Cohn, E. S., Dupuis, E. C., & Brown, T. M. (2009). In the eye of the beholder: Do behavior and character affect victim and perpetrator responsibility for acquaintance rape? *Journal Of Applied Social Psychology*, 39(7), pp. 1513-1535
- Dahl, J., Enemo, I., Drevland, G. B., Wessel, E., Eilertsen, D., & Magnussen, S. (2007). Displayed emotions and witness credibility: A comparison of judgements by individuals and mock juries. *Applied Cognitive Psychology*, 21(9), pp. 1145-1155
- Deitz, S. R., Blackwell, K., Daley, P. C., & Bentley, B. J. (1982). Measurement of Empathy Toward Rape Victims and Rapists. *Journal Of Personality & Social Psychology*, 43(2), pp. 372-384
- Deitz, S. R., Littman, M., & Bentley, B. J. (1984). Attribution of Responsibility for Rape: The Influence of Observer Empathy, Victim Resistance, and Victim Attractiveness. *Sex Roles*, 10(3/4), pp. 261-280
- Earnshaw, V., Pitpitan, E., & Chaudoir, S. (2011). Intended Responses to Rape as Functions of Attitudes, Attributions of Fault, and Emotions. *Sex Roles*, 64, pp. 382-393
- Ellison, L., & Munro, V. E. (2009). Reacting to rape: Exploring mock jurors assessments of complainant credibility. *British Journal of Criminology*, 49(2), pp. 202-219

- Eyssel, F., & Bohner, G. (2011). Schema effects of rape myth acceptance on judgments of guilt and blame in rape cases: The role of perceived entitlement to judge. *Journal of Interpersonal Violence*, 26(8), pp. 1579-1605
- Feild, H. S. & Barnett, N. J. (1978). Simulated jury trials: Students vs. "real" people as jurors. *Journal of Social Psychology*, 104, pp. 287-293
- Gerger, H., Kley, H., Bohner, G., & Siebler, F. (2007). The acceptance of modern myths about sexual aggression (AMMSA) scale: development and validation in German and English. *Aggressive Behavior*, 33, pp. 422-440
- Gray, J. M. (2006). Rape myth beliefs and prejudiced instructions: Effects on decisions of guilt in a case of date rape. *Legal and Criminological Psychology*, 11(1), pp. 75-80
- Grubb, A. R., & Harrower, J. (2009). Understanding attribution of blame in cases of rape: An analysis of participant gender, type of rape and perceived similarity to the victim. *Journal of Sexual Aggression*, 15(1), pp. 63-81
- Hammond, E. M., Berry, M. A., & Rodriguez, D. N. (2011). Influence of rape myth acceptance, sexual attitudes, and belief in a just world on attributions of responsibility in a date rape scenario. *Legal and Criminological Psychology*, 16(2), pp. 242-252
- Jenkins, M. J., & Dambrot, F. H. (1987). The Attribution of Date Rape: Observer's Attitudes and Sexual Experiences and The Dating Situation. *Journal Of Applied Social Psychology*, 17(10), pp. 875-895
- Keller, S., & Wiener, R. (2011). What are we studying? Student jurors, community jurors, and construct validity. *Behavioral Sciences & The Law*, 29(3), pp. 376-394
- Kelly, L., Lovett, J., & Regan, L. (2005). *Gap or a chasm? Attrition in reported rape cases*. Home Office Research Study 293. London: Home Office
- Kopper, B. A. (1996). Gender, Gender Identity, Rape Myth Acceptance, and Time of Initial Resistance on the Perception of Acquaintance Rape Blame and Avoidability. *Sex Roles*, 34(1/2), pp. 81-93
- Krahé, B. (1988). Victim and Observer Characteristics as Determinants of Responsibility Attributions to Victims of Rape. *Journal Of Applied Social Psychology*, 18(1), pp. 50-58
- Krahé, B., Temkin, J., & Bieneck, S. (2007). Schema-driven information processing in judgements about rape. *Applied Cognitive Psychology*, 21(5), pp. 601-619
- Mason, G. E., Riger, S., & Foley, L. A. (2004). The Impact of Past Sexual Experiences on Attributions of Responsibility for Rape. *Journal of Interpersonal Violence*, 19(10), pp. 1157-1171
- McGee, H., OHiggins, M., Garavan, R., & Conroy, R. (2011). Rape and child sexual abuse: What beliefs persist about motives, perpetrators, and survivors. *Journal of Interpersonal Violence*, 26(17), pp. 3580-3593

McMahon, S., & Farmer, G. L. (2011). An updated measure for assessing subtle rape myths. *Social Work Research*, 35(2), pp. 71-81

Ministry of Justice (2012). Criminal Justice Statistics March 2012. Available online <http://www.justice.gov.uk/statistics/criminal-justice/criminal-justice-statistics> (Accessed 22/10/12)

Office for National Statistics (2012) *Crime Statistics, period ending June 2012*. Available online <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-june-2012/stb-crime-in-england-and-wales--year-ending-june-2012.html> (Accessed 22/10/12)

Payne, D. L., Lonsway, K. A., & Fitzgerald, L. (1999). Rape myth acceptance: Exploration of its structure and its measurement using the Illinois Rape Myth Acceptance Scale. *Journal of Research in Personality*, 33, pp. 27–68

Peterson, Z., & Muehlenhard, C. (2004). Was it rape? The function of women's rape myth acceptance and definitions of sex in labelling their own experiences, *Sex Roles*, 51, pp. 129-144

Petticrew, M. & Roberts, H. (2006). *Systematic Reviews in the Social Sciences*. Oxford: Blackwell

Pollard, P. (1992). Judgements about victims and attackers in depicted rapes: a review. *The British Journal Of Social Psychology*, 31(4), pp. 307-326

Saunders, A. (2012). Speech on the prosecution of rape and serious sexual offences. Made on 30/01/2012 (Available online) http://www.cps.gov.uk/news/articles/speech_on_the_prosecution_of_rape_and_serious_sexual_offences_by_alison_saunders_chief_crown_prosecutor_for_london/ (Accessed 02/05/12)

Schuller, R. A., & Wall, A. (1998). The effects of defendant and complainant intoxication on mock jurors' judgments of sexual assault. *Psychology Of Women Quarterly*, 22(4), pp. 555

Schutte, J. W., & Hosch, H. M. (1997). Gender differences in sexual assault verdicts: A meta-analysis. *Journal of Social Behavior & Personality*, 12(3), pp. 759-772

Sleath, E., & Bull, R. (2010). Male rape victim and perpetrator blaming. *Journal of Interpersonal Violence*, 25(6), pp. 969-988

Sleed, M., Durrheim, K., Kriel, A., Solomon, V., & Baxter, V. (2002). The effectiveness of the vignette methodology: A comparison of written and video vignettes in eliciting responses about date rape. *South African Journal of Psychology*, 32(3), pp. 21–28

Stewart, D. N., & Jacquin, K. M. (2010). Juror perceptions in a rape trial: Examining the complainants ingestion of chemical substances prior to sexual assault. *Journal of Aggression, Maltreatment & Trauma*, 19(8), pp. 853-874

Suarez, E., & Gadalla, T. M. (2010). Stop blaming the victim: A meta-analysis on rape myths. *Journal of Interpersonal Violence*, 25(11), 2010-2035

Sussenbach, P., Bohner, G., & Eyssel, F. (2012). Schematic influences of rape myth acceptance on visual information processing: An eye-tracking approach. *Journal of Experimental Social Psychology*, 48(3), pp. 660-668

Taylor, N., & Joudo, J. (2005). The impact of pre-recorded video and closed circuit television testimony by adult sexual assault complainants on jury decision-making: An experimental study. *Research and public policy series no. 68*. Canberra: Australian Institute of Criminology

Temkin, J. (2010). "And always keep a hold of nurse, for fear of finding something worse" Challenging rape myths in the courtroom. *New Criminal Law Review*, 13(4), pp. 710–734

Vrij, A., & Firmin, H. R. (2001). Beautiful thus innocent? The impact of defendants' and victims' physical attractiveness and participants' rape beliefs on impression formation in alleged rape cases. *International Review Of Victimology*, 8(3), pp. 245-255

Ward, C. (1995). *Attitudes towards rape*. London: Sage

Wenger, A. A., & Bornstein, B. H. (2006). The Effects of Victim's Substance Use and Relationship Closeness on Mock Jurors' Judgments in an Acquaintance Rape Case. *Sex Roles*, 54(7/8), pp. 547-555

Weir, J. A., & Wrightsman, L. S. (1990). The Determinants of Mock Jurors' Verdicts in a Rape Case. *Journal Of Applied Social Psychology*, 20(11), pp. 901-919

Wiener, R. L., Wiener, A., & Grisso, T. (1989). Empathy and biased assimilation of testimonies in cases of alleged rape. *Law And Human Behavior*, 13(4), pp. 343-355

Whatley, M. A. (1996). Victim characteristics influencing attributions of responsibility to rape victims: A meta-analysis. *Aggression and Violent Behavior*, 1(2), pp. 81-95

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