Judging Maggie's Rape: A Study Exploring the Impact of Victim-Perpetrator Relationship, Victim Reputation and Initial Point of Resistance on Police Officers' Judgements of Victim Blame, Perpetrator Blame, and the Legitimacy of the Claim

DR. BEN HINE & DR. ANTHONY MURPHY

UNIVERSITY OF WEST LONDON

Background

- A number of studies have explored the impact of rape myths on judgements of hypothetical rape scenarios
  - E.g. Higher levels of victim blame in scenarios describing voluntary alcohol consumption (Sims, Noel, & Maisto, 2007)
- Can even influence judgements of the legitimacy, severity and trauma of the crime itself (van der Bruggen & Grubb, 2014)

Background

- Some studies have explored this within the criminal justice system
  - Mock Jurors (Dinos et al., 2015)
  - Lawyers & Barristers (Temkin & Krahé, 2008)
  - Judges (Temkin & Krahé, 2008)
- However only limited research on police officers
  - U.S. Officers (Page, 2010)
  - U.K. Officers (Sleath & Bull, 2012; 2015)
- More research is needed exploring how specific case factors may influence judgements

Victim-Perpetrator Relationship

- Studies broadly suggest: lower perpetrator blame (in marital and acquaintance scenarios), higher victim blame (in acquaintance scenarios), and some judgements of rape as 'less serious' (in martial and acquaintance scenarios)
  - Frese, et al., 2004; Grubb & Harrower, 2008; van der Bruggen & Grubb, 2014
- Miscommunication and different interpretations of dialogue concerning consent?
- Acquaintance and martial rape vastly under reported to police – identify as less of a victim? And how to Police react?

Victim Reputation

- Still significant beliefs regarding victim behaviour, including flirtatiousness and dress
  - Whatley, 1996; Amnesty International, 2015
- Despite change in sexual landscape
- Lower perpetrator blame, higher victim blame, lower seriousness, lower damage and a lower perpetrator sentence when extensive or even limited sexual history given
  - L'Armand & Pepitone, 1982

Initial Point of Resistance

- Many consensual sexual scripts still contain an element of **token resistance** (Sims, Noel & Maisto, 2007)
- Women are expected to resist early, even if they are interested in engaging in sexual activity
- Timing of resistance in non-consensual encounters then becomes crucial
- Victims are judged as more responsible when they resist late and encounters are less likely to be viewed as a rape (Grubb & Harrower, 2009; Kopper, 1996; Shotland & Goodstein, 1983; Yescavage, 1999)

Importance

Variations in attitudes have the capacity to:

- Affect decision making during the process of investigation (O'Keeffe, Brown & Lyons, 2009)
- Discourage victims from reporting sexual violence (Jordan, 2001, 2004; Page, 2010)
- Affect officers interactions with victims

- Lead to a possible 'Judge and Jury' attitude amongst officers

Methods

- **Large scale project with MPS**
- **Vignette Study**
- Independent variables:
  - Victim-Perpetrator Relationship (Partner, Acquaintance, Stranger, Ex-Partner)
  - Victim Reputation (Good vs. Bad)
  - Initial Point of Resistance (Early vs. Late)
- Dependent variables:
  - Female Responsibility, Male Responsibility, Rape Authenticity Rating
- Participants
  - 808 Police Officers, variety of ethnic backgrounds (85% White), a wide range of service (3 months to 35 years) and a variety of ranks

The Vignette

- Maggie was at a Christmas celebration in her place of work, among those attending were colleagues, friends and people from other departments she had never met. After some brief introductions Maggie decided she had to go back to her own office, at the other side of the building, to take care of some final emails before returning to the party. A man from the party had been 'checking her out' during the course of the evening, her colleagues told him that Maggie rarely went out to parties, volunteered with a local charity, and had never 'hooked up' with anyone in the office before. He followed her to her office where Maggie was working on her emails, she said, "can I help you" he replied "yes you can, it's Christmas, and I have some mistletoe here". Maggie laughed politely; she stopped her work and kissed the man under the mistletoe. Maggie continued to kiss the man and things became increasingly physical with him placing his hands on her breasts. After several minutes of kissing and physical petting he unbuttoned her blouse and pulled her in close. Maggie then said "I am at work, I am meant to be at a party… I have to stop sorry!" At this point the man became more forceful, pushing her hand onto his crotch. He then pushed her to her desk, forcibly held her and went on to have sex with Maggie.

4 x 2 x 2 ANOVA

	Early Point of Resistance		Late Point of Resistance	
	Good Rep	Bad Rep	Good Rep	Bad Rep
Stranger				
Acquaintance				
Partner				
Ex-Partner				

Male Blame

- Relationship**
  - Ex-Partner (95), Stranger (94), Acquaintance (93), Partner (87)
- IPOR*
  - Early (94) vs. Late (90)

*<0.001
**<0.005

Female Blame

- Reputation*
  - Good (17) vs. Bad (25)
- IPOR*
  - Early (11) vs. Late (30)
- Reputation*IPOR*

	Early	Late
Good	9.56	23.92
Bad	12.97	37.79

*<0.001

Rape Rating

- Relationship*
  - Ex-Partner (97), Stranger (95), Acquaintance (93), Partner (78)
- IPOR**
  - Early (93) vs. Late (89)
- Relationship*IPOR*

	Early	Late
Stranger	93.29	97.19
Acquaintance	95.96	91.03
Partner	**85.84**	**71.76**
Ex-Partner	96.73	97.07

*<0.001
**<0.05

Rape Rating

- Relationship*Reputation*IPOR**

	Reputation	Early	Late
Stranger	Good	94.04	95.66
	Bad	92.54	98.72
Acquaintance	Good	95.83	88.93
	Bad	96.10	93.14
Partner	Good	87.51	81.47
	Bad	84.17	**62.05**
Ex-Partner	Good	96.42	99.53
	Bad	97.04	94.62

**<0.05

Discussion

- These results show that officers attribute varying levels of victim and perpetrator blame, and rate scenarios differently in terms of whether they are rape or not, based on variations in key details of the case
- **Particularly important for 'Rape Ratings' as all scenarios legally constitute rape**

Implications

- Officers may judge cases differently from the outset based on key factors
- This may affect their behaviour during case-building and gathering, although further research is needed
- This may contribute to attrition and victim dissatisfaction
- Important to consider the role that attitudes have in obstructing 'Objective Policing'

Limitations

- Only MPS
- Only 3 Factors
- Not actual cases and not actual decisions
- Not behavioural

Conclusions

- Regardless of their subsequent behaviour, results suggest that officers are influenced by rape myths in their initial judgements of rape cases
- Training on rape myths and their impact may help officers to deliver 'objective policing free of judgement' as recommended by the Angiolini Review (2015)

Acknowledgments

- Tony Northeast
- Metropolitan Police Service
- Janet Archibald, Paul Clarke, Annette Clarke, Steven Chandler, Lana Kettel & other officers at MPS

Thank you!
Questions?

Ben.Hine@uwl.ac.uk, Anthony.Murphy@uwl.ac.uk