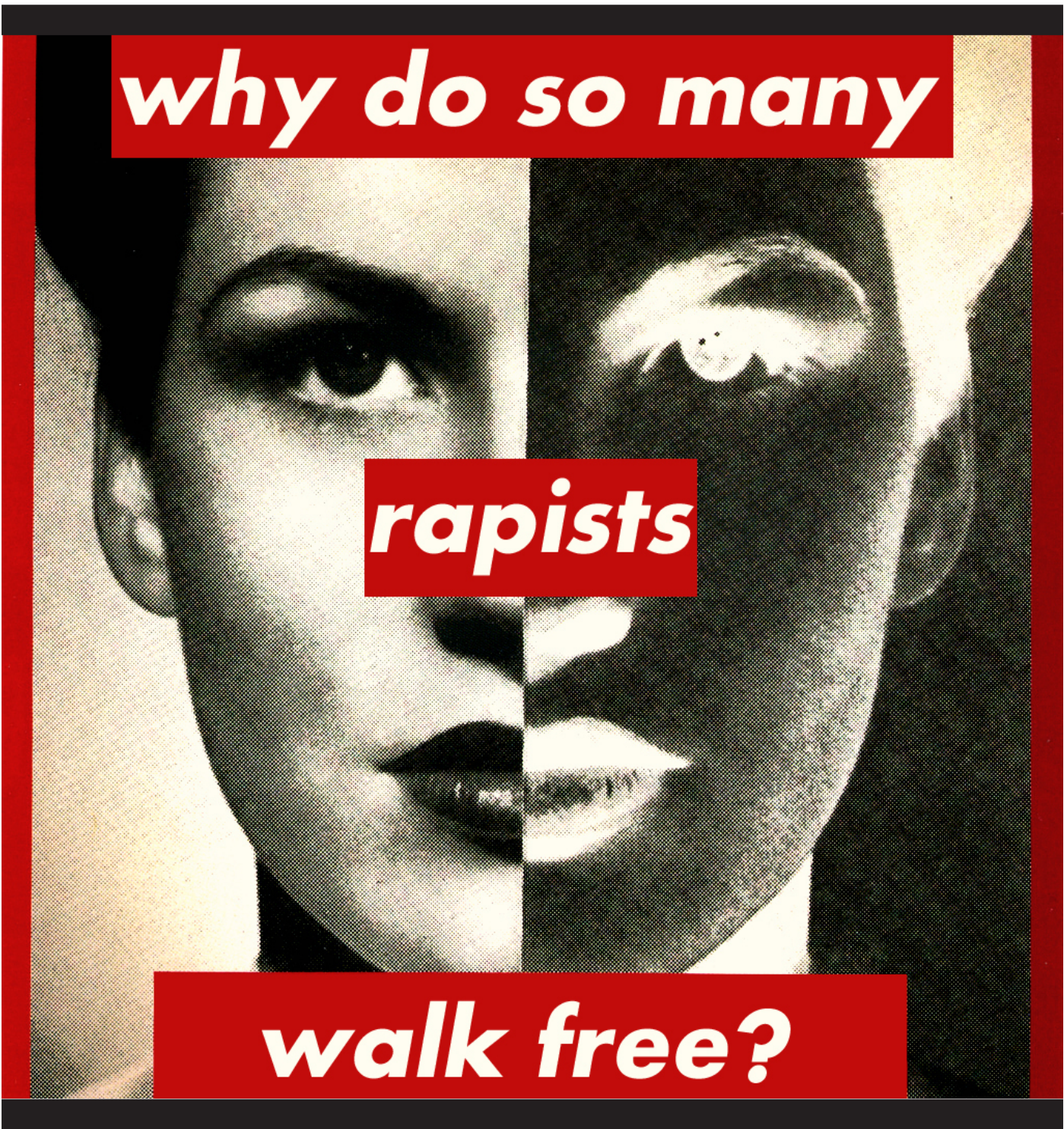




why do so many

rapists

walk free?

Few would disagree that it's the most traumatic crime a woman could endure – and yet it happens to one woman every 10 minutes in the UK.

By the time you have finished reading this article, another woman will have been raped.

So why aren't more perpetrators being put behind bars? Last year there were 15,934 reports of rape and only 1,058 convictions.

Maria Hannah Bass investigates the obstacles and pitfalls in our justice system and asks what more could be done to help victims of rape.

She met him on a dating site. They went for dinner at a trendy Waterloo restaurant and drank so much she could barely stand.

Somewhere between the starter and the main course, she realised she didn't fancy him. But she let him see her back to her south London home where she passed out on the sofa.

She woke up to find him raping her and assaulting her with kitchen utensils. Terrified, she threw him out of the house.

But for Emily, the trauma was only just beginning.

A month later Emily, 39, a marketing manager, decided to report the rape to the police. There began an ordeal that would see her home searched, her possessions taken as evidence, and Emily interviewed and examined for months - only to have the case dropped.

"A police officer came to my house to tell me that the case wasn't going to court," she remembers. "I was shocked. After everything I'd been through - reliving my rape in such detail over and over again for the police - not even getting a prosecution almost killed me.

"I don't believe in justice anymore," she says. "I feel betrayed by the law, and that's been almost as hard to recover from as the rape itself."

Sadly, Emily's story is all too familiar. Less than half of reported rape cases make it as far as court. Of those, only a third end in a conviction.

Just last month the Crown Prosecution Service came under fire for dropping a case which could have seen the infamous Rochdale sex grooming ring exposed three years earlier.

Why, given all the improvements that have been made to the police and justice system, are so many rapists still walking free and so many women left to suffer in silence?

THE POLICE

A decade ago, the police would have been first in the firing line. But, accused of institutional sexism and victim-

blaming, the police have made huge improvements in the way they treat women reporting rape.

Most police forces now have specialist rape investigators and some areas even have dedicated rape and serious sexual offence (RASSO) units. (details)

"NOT EVEN GETTING A PROSECUTION ALMOST KILLED ME"

Emily was referred immediately to a police officer from Operation Sapphire, the pioneering RASSO unit that works within London's Metropolitan Police. "The Sapphire officer, Angela, was lovely," she says. "If I hadn't had her assigned to my case I would have struggled even more to cope with the process."

Emily was asked to go through her story several times, including once on camera. She also made a written statement and gave the police a lock of her hair to be tested for date rape drugs. A medical examiner took photographs of her injuries to be used as evidence.

The next day, a team from the Sapphire unit spent the day at Emily's house, photographing her living room. They left with her laptop, mobile phone, bedsheets and clothes from the night of the rape as evidence.

"The police always took me seriously," she says. "They

never said anything judgemental about my lifestyle, even though I had been drinking when I was raped. And they were always there when I needed to speak to them."

The impact made by specialist rape investigators and RASSO units meets with approval in Baroness Vivien Stern's 2011 independent review into rape and the justice system. The Stern Review also reports "unanimous praise" for the Independent Sexual Violence Advisors (ISVAs) who liaise between rape victims and the police and justice system. The majority of victims report that, while the process is undeniably

traumatic, most police officers do the best they can to make it as comfortable as possible

THE CPS

So for many victims, the greatest hurdle is securing a prosecution from the Crown Prosecution Service (CPS).

The CPS is the body that decides whether to take a case to court and provides the lawyer to argue the case for prosecution at trial. In deciding whether to prosecute, the CPS has to weigh up the likelihood of the trial ending in a conviction, taking into account factors such as the evidence available and the expected response of a jury.

Fewer than one in four rape cases ends up in court - even after the introduction of specialist rape prosecutors across the country.

"IT'S VIOLENT STRANGER RAPES WHICH FIT OUR STEREOTYPES THAT END UP IN COURT"

At first, Emily was told that there wasn't enough evidence to prosecute, that it would be a case of "she said, he said". But two years later she found out from the Criminal Injuries Compensation Authority that the CPS had also thought a conviction would be unlikely because she had waited a month to report the rape and because she had been drunk when it happened.

"I thought it would be a straight forward case," she says. "If you're blacked-out drunk, you just can't consent."

The law states that sex is rape if the perpetrator does not "reasonably believe" that the victim consents. That clause was inserted in 2004 partly to protect people who had been assaulted while drunk or drugged.

However, some parts of society still hold the idea that if a woman's drunk, it's not 'real' rape for a man to have sex with her. An Amnesty Interna-

tional UK survey found that 30 per cent of people believed that a woman was wholly or partly responsible if she was raped while drunk.

THE JURY

It's this society that makes up the jury - and that's what makes the CPS less likely to pursue such cases. Sarah Learnmouth is the policy officer at Coventry Rape and Sexual Abuse Centre. She says that because the CPS are targeted on achieving higher conviction rates, they are wary to put anything but the "perfect victim" in front of a jury.

"Most rapes that end up in court are violent stranger rapes which fit our stereotypes," she says. "But most reported rapes are not stranger rapes."

The CPS acknowledges that one of its biggest problems is still societal stereotypes about rape. "We have to challenge these myths and stereotypes before they even reach courts," a CPS spokesperson told *Stylist*. "Society holds certain beliefs - such as the idea that if a woman's been drinking then it's perfectly acceptable to assume she wants sex, or the old saying that 'she was asking for it'. It's this same society that makes up the jury."

The rate of jury acquittals in rape cases is unusually high, and rising incrementally. The 2010-11 CPS report on violence against women notes with concern that of all the acquittals for rape in that period, 48 per cent were due to a jury finding the defendant 'not guilty'.

THE REST OF US

In January Alison Saunders, chief Crown Prosecutor for London, told the Guardian that the shaming of women leads to acquittals: "If a girl goes out and gets drunk and falls over... they are almost demonised in the media, and if they then become a victim, you can see how juries would bring their preconceptions to bear. What we need is a wider debate that takes it out of courtroom environment so that people think about it before they get to be a juror."

Sarah Learnmouth advocates the use of expert witnesses - not yet a precedent for rape trials. These witnesses can help to interpret rape laws for the jury and go some way to dismissing myths and explaining the victim's behaviour - why, for example, she might be too afraid or ashamed to report the rape until weeks, months or years later.

"95% OF RAPES GO UNREPORTED"

"As a society we confer responsibility onto the victim," she says. "We blame them for their negligence. And usually the victim also takes that on and starts feeling guilty and ashamed. Because the alternative to guilt is feeling that the world is a dangerous place - that rape could happen to anyone at anytime. But blaming the victim allows us to feel that we can control our environment through our own behaviour."

SILENT VICTIMS

There have been enormous improvements to the way our police and justice systems deal with rape and sexual assault, and it remains a high priority for policy makers. The Stern Review praises the changes that have been made and urges the police and CPS to ensure that their implementation is more consistent. At the moment, whether victims receive the help of an Independent Sexual Violence Advisor (ISVA) or have access to a local Sexual Assault Referral Centre is down to a "postcode lottery".

But ultimately change must take place at a more fundamental level. Perhaps the most chilling statistic is that estimates indicate up to 95 per cent of rapes go unreported. Which means that the 15,934 rapes reported last year are only the tip of a terrible iceberg and many thousands more women are suffering in silence.



'I JAILED MY ATTACKER'

Sarah Scott, 21, was on a night out with her sister on December 2010, when she was violently raped by a man she knew. But, having seen her attacker convicted and put behind bars, Sarah is now regaining her life - and helping others to do the same.



I was looking for my sister when I bumped into Adrian, a friend of a friend. He told me that my sister and her mates had gone back to party at his flat. I drunkenly thought it would be ok to go with him.

But when we got there, it wasn't a party. He dragged me into a dark room with a dirty mattress on the floor and raped me for hours. He beat me so badly I thought I was going to die. Then he shut in me in the room and told me that if I tried to leave he would kill me.

I lay there covered in my own blood for what felt like forever. Once it was quiet I crept out and saw him sleeping on the couch. I grabbed a dressing gown and ran out of the house as fast as I could.

The police eventually found me after I passed out in the street. They took me back to the police station where I told them what happened. All I wanted to do was shower, but I had to wait about six hours before I could wash him off me because I needed to have a medical examination. The examination recorded the bruising and tearing I had suffered from head to toe.

My rapist, Adrian Ruddock, was arrested later that day and remanded until trial.

I only had to wait six months until the trial. I met with the Crown Office - the Scottish version of the CPS - and they talked me through what was going to happen. There are all sorts of measures they can use for sexual assault victims, like screens to hide your identity. But I decided that I needed to face my rapist in court.

The morning I got up to go to court, I was so nervous I felt like my heart was coming out of my chest.

It was empowering being able to tell my story and seeing him with no control, sitting in the dock with two police guards next to him.

But the minute he stood up to give evidence, everything changed. He accused me of wanting rough sex. The defence lawyer asked me whether I had been screaming: "Harder, harder." Normally if someone said that to a rape victim, they'd be told to shut up. But here, no one was standing up to him.

The jury went away for two hours to make their decision. Those were the longest two hours of my life.

When we got the guilty verdict that he'd been found guilty, I jumped up and hugged my sister. We were both crying. It felt good that people believed me.

Ruddock was given eight years and three years suspended sentence. I shouldn't feel lucky that he was so violent, but in a sad way it helped that he beat me. I don't know if the jury would have believed me if the police hadn't examined my injuries straight away and found my blood all over his flat.

But we need to educate people that rape is sex with no consent; it's not being attacked in an alley way by a stranger.

If I hadn't been found by the police, I would never have reported it. I thought they would laugh at me but instead they were amazing. There's a lot of negative stuff said about the way the police deal with rape but they treated me with so much respect and kindness. Two young women police officers stayed with me throughout the process, which made it a lot easier to open up.

I now work with police who are training to be sexual assault officers. I come into workshops and help them to think about how to treat victims, how to handle the emotional side of assault. I want to help more women to trust the police and come forward to report assault.