

Perceptions of Victims of Historically Reported Sexual Offences: Insights from England and Wales

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ABSTRACT

The current trend for reporting historical offences appears to be a global phenomenon which has attracted high media attention as well as criminal justice resources. This article critically analyses this phenomenon from the perspective of victims who reported such incidents to a police service in the United Kingdom. It explores reasons why individuals did not report historical sexual offences at the time they were committed and considers the reasons why they subsequently reported them. The results indicate a variety of reasons for reporting such incidents including those of non-belief from official agencies and the fact that the individual was too embarrassed. The complexity of decision making for the individual victim in reporting such incidents is thus highlighted. This provides some understanding and evidence for police, their partners and strategic policy makers to ensure provision is made for encouraging and accommodating such victims of this type of crime

Keywords: Victims of crime; Historical reporting; Sexual offences.

INTRODUCTION

The plethora of individuals reporting historical sexual offences is not just a phenomena limited to the UK, (Guardian 2017) but appears to have spread across most developed countries. For example, in Australia TV celebrities face allegations, (Australian Guardian 2017), while in America, politicians and men in apparent positions of power appear to be the subject of such complaints (Atlantic 2017; New York Times 2017). One consequence of this is that there is inevitably an increase in workload for police and other criminal justice agencies (Hill 2015). Why individuals seek to report such matters now rather than at the time of the incident is the question that most observers and those agencies dealing with such victims may wish to understand. Despite anecdotal suggestions that the media has played a great part in encouraging victims to come forward now, especially since revelations concerning television personalities in the UK went worldwide (see for example BBC 2014a: BBC 2014b: BBC 2015),

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this research examines the reasons why victims of sexual assault are reporting historical offences.

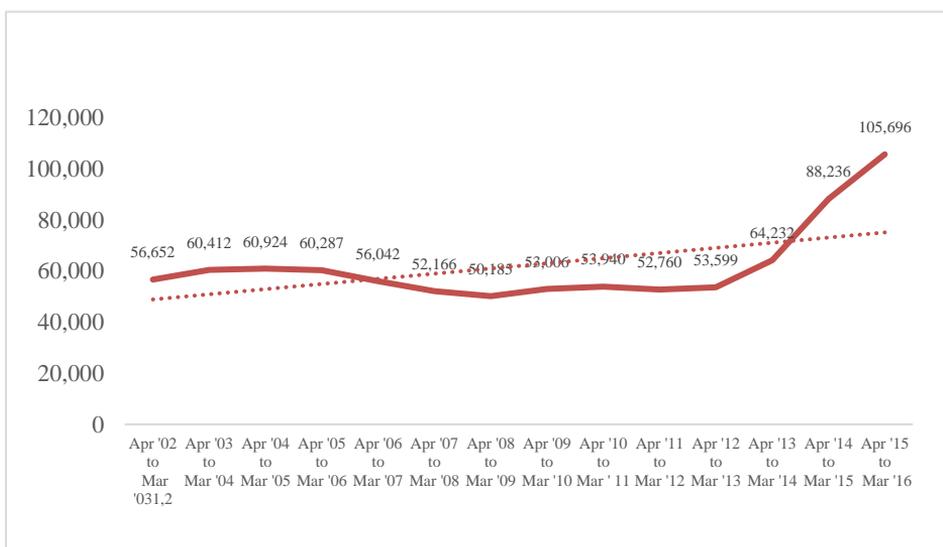
The perceptions of victims may be at odds with this belief that media is a main driver for reporting such incidents, and there is a need for deeper understanding of the reasons why individuals did not report events contemporaneously.

This article is based upon original research undertaken with one police force area in England and Wales in 2016 and 2017 to establish why victims of such crimes within that force did not report the matters, and to obtain their perceptions of the way they were treated within the criminal justice system once they had made an official complaint.

RESEARCH CONTEXT

Like most police forces in England and Wales, the police force in question had experienced a rise in recorded historical sexual offences during the past few years. This echoed the general situation across the country and figure 1 illustrates the rise in recorded sexual offences across England and Wales from April 2002 to March 2016.

Figure 1. Total recorded sexual offences England and Wales April 2002 to March 2016.



Source: UK Home Office, 2017.

Clearly, there has been a dramatic increase in the number of recorded offences of this nature. The question arises of course as to why this increase should occur so dramatically. It may be that high-profile media cases involving celebrities and a more open society willing to discuss previously taboo subjects, has driven many people to now report previously unreported sexual offences (see for example Weathered 2015; New York Times 2017; and Telegraph 2012).

Historical abuse or non-recent abuse is defined on the historical reporting website of the National Society for the Prevention of Cruelty to Children (NSPCC) as; ‘...an allegation of neglect, physical, sexual or emotional abuse made by or on behalf of someone who is now 18 years or over, relating to an incident which took place when the alleged victim was under 18 years old’ (NSPCC, 2016:).

However, the police service commissioning this study wanted to concentrate upon the adult experience, thus proscribing the research group to adults at the time of the original incident, and thus adults when later reporting the matters. In addition, the framework for defining what exactly was meant by historical sexual offences was confined to the reporting of three main types of historical offences, namely Rape, Sexual Assault and Serious Sexual assault. These are defined as follows:

1. **Rape:** A person commits rape if they intentionally penetrate the vagina, anus or mouth of another person with their penis without consent
2. **Sexual assault:** A person commits sexual assault if they intentionally touch another person, the touching is sexual, and the person does not consent
3. **Serious sexual assault:** (sexual assault by penetration) A person commits this offence if they intentionally penetrate the vagina or anus of another person with a part of the body or anything else, without their consent (Home Office 2003).

Given the serious nature of the alleged criminal offences the victims had suffered it was clear that in terms of conducting this research, there were some very serious considerations to be undertaken with regards to the methodology involved. Researching complex areas within any Criminal Justice System is fraught with ethical dilemmas, yet if the service provided to individuals, particularly those who are victims of crime, is to be improved, then serious attempts must be made to ensure ethical and correct approaches are employed. The main aims and objectives of this research

were to undertake qualitative research to assist in understanding an individual's reasons for:

- Reporting a historical sexual offence now
- Establish and understand the reasons for any delay in reporting at the time

Regarding the above, the police and other agencies were keen to establish whether the level of confidence in reporting such matters to the Police had a bearing, to establish the level and quality of service provision within the Force area by all agencies concerned with such matters.

For this to be achieved it involved interacting with individuals who may have experienced traumatic incidents and it was also clear that the research methods employed had to acknowledge this when it came to design. Given the nature of research itself, serious ethical concerns needed to be addressed.

METHODOLOGY

Researching sensitive topics in the criminal justice system, especially the police, can be problematic and has been discussed at length elsewhere (Rogers 2018). Much consultation between New Pathways, a victim support agency set up to support victims of sexual assaults, the Crown Prosecution Service, and the Police as to how best to conduct this research was undertaken with the major issue being to remove or minimise any potential trauma or upset for individuals. New Pathways were instrumental in offering to provide support for any individual who needed it throughout the research and after its completion and this was communicated to participants through the research process. Following consultation with the partner agencies, it was decided that the best approach would be a two-phased mixed methods approach involving the use of an initial questionnaire survey exploring quantitative data and phase two, which would involve the use of focus group activity, allowing for more qualitative and richer data to be obtained. However, the ethical problems and considerations surrounding this research were considerable.

ETHICAL CONSIDERATIONS

The ethical considerations surrounding the interaction with victims of such crimes needed to be carefully considered. Questions arose involving how informed consent could be achieved, how confidentiality would be maintained and of course the use of sensitive and private contact details of witnesses. Serious ethical concerns needed to be considered and the

framework provided by Diener and Crandall (1978) were initially considered. In addition, more recent ethical considerations such as those provided by the Australian Research Council were utilised (ARC 2015).

In general, these revolve around four main principles, namely;

- Whether there is harm to participants
- Whether there is lack of informed consent
- Whether there is an invasion of privacy
- Whether deception is involved.

These four principles can, of course, overlap each other. The question arose about what exactly do we mean by harm? Clearly while the work of Lee (2009), previously discussed, did not expand the concept of threat to any great degree, the British Sociological Association (BSA 2017) when discussing ethical practice enjoins researchers to anticipate and to guard against consequences for research participants which can be predicted to be harmful. To consider carefully the possibility that the research experience may be a disturbing one. This includes the storage of and confidentiality of records. Similarly, researcher should be aware of what should happen if distressing or criminal revelations are revealed by participants during the study? Confidentiality therefore must have a limit. If further criminal acts or negligence were disclosed the participant had to know they would be disclosed to the proper authorities.

The same points made about famous historical research processes such as those carried out by Humphreys (1970) and Milgram (1963) appear to remain the same today, those of informed consent and confidentiality. However, ethical concerns do not only reside in such famous cases as the potential for ethical transgression is much more general than this. Notably such discussion seems more prominent when a disguised or deceptive observation is utilised. Of course, this implies that other such methods such as questionnaires or overt ethnography are immune from ethical problems, which is clearly not the case.

When it comes to informed consent, again problems mainly occur when the focus of research is disguised or covert participation. However, not all research is covert, and the SRA suggest that inquiries involving human subjects should be based as far as practical on the freely given informed consent of subjects. Participants should not be under the impression that they are required to participate, and they should be aware of their entitlement to refuse at any stage for whatever reason and to

withdraw data supplied. So, when we consider Milgram's famous study (Milgram 1963), considering this, then it contains a lack of informed consent, because although participants knew they were involved in research they were not given the full information about the nature of the research and its possible implications for them.

Even the language of the research and therefore any research instrument devised for use, needs careful consideration. For example, within this research into historical sexual offence reporting, the word 'offence' may mean something different to the police as it implies an act of a criminal nature, while the word 'incident' smacks of official language. The language that should be used must also be respectful and understandable to the research participants. Bearing in mind these considerations and the individuals to be involved in this research the ethical considerations were quite challenging and involved much consideration. This involved consultation between agencies, partners the research team and the University's Ethics Committee.

RECRUITMENT AND DATA COLLECTION

To protect anonymity and provide confidentiality for victims, the police would play a central role in the distribution of initial contact letter and the formulation of a database of people who had agreed to take part. The Police had constructed a database of individuals who fitted the criteria for contact within the definition of offences and this numbered some 300 individuals.

An initial contact letter was constructed which outlined the objective of the research and the reason why individuals were contacted. This letter also included a consent form to take part in the research, as well as further information explaining how the research programme would proceed in more detail. Anonymity and confidentiality were emphasised within these documents, and a stamped addressed envelope (SAE) with the Police address was also included for return of forms. From the beginning people were told about informed consent, that they did not have to take part and should only return the agreement to take part forms etc. if they wished to. Again, support from new pathways was emphasised.

Each of these people were then sent a questionnaire by the police with a separate explanation form and a further informed consent document which they were requested to sign to take part in the study. An SAE was again provided but, on this occasion, it was addressed to the academic researchers for statistical analysis to be undertaken.

The questionnaire contained a section asking whether the respondent would be willing to take part in further research involving a focus group approach, and if they wished to do so to provide a contact telephone number. They were informed that if they agreed they would be contacted by a research team member with 4 to 6 weeks of the return of the questionnaire. Seventeen participants completed the questionnaire survey for analysis and all but one stated that they would consent to taking part in further research. Consequently, an analysis of the questionnaire was undertaken and the result analysed.

As a result, phase two was undertaken which involved a semi structured interview schedule being devised to further explore concepts in focus group research. Individuals were contacted via telephone by carefully trained research team members utilising a prepared script and asked if they still wished to take part in focus group research. The script included informing the individuals about the concepts of informed consent, anonymity support and confidentiality as well as what a focus group session entailed, and the length of the activity.

Due to the large geographical area covered by the police service in question, and the distances covered by the victims themselves, a central location was chosen, and the expenses incurred by the individuals were reimbursed by the university, along with provision for lunches etc. The subsequent focus group work was supervised by the senior researcher assisted by two members of staff from the university who recorded the comments of the participants by writing them down. The participants were each given a card with a letter on prior to the activity for the researchers to identify who was making a comment. By writing down the notes, it was considered that the anonymity of participants would be enhanced as no one could be identified by voice. By adopting the approaches outlined and being cognisant of the needs and sensitivities of the research and victims, it is believed that the best possible outcome was achieved in researching this sensitive and difficult topic.

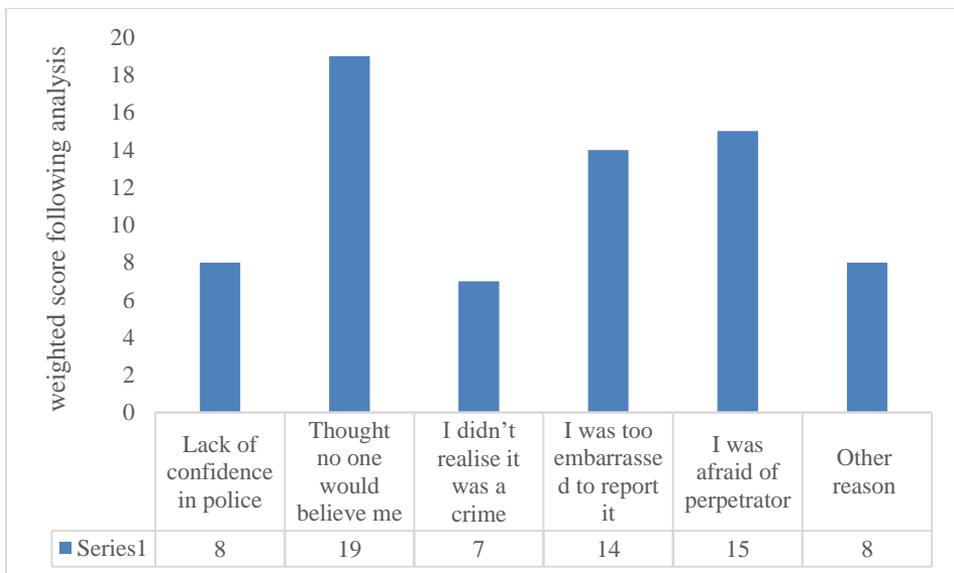
RESULTS AND ANALYSIS

The final number of people who agreed to take part in the research was 30, which reflects the problems and difficulty of obtaining respondents to engage in research with difficult, sensitive and emotive topics. However, the police and other agencies wished to proceed with the research even if the results were to be considered purely indicative. All of these individuals were female, despite there being evidence to suggest that males also report historical sexual abuse (Home Office 2017).

Reasons for not reporting the incident initially.

To establish the main reasons why victims did not report the incident initially they were asked to identify the three reasons why they did not do this. For analysing this question and the following question relating to reasons for later reporting the matter, each response was coded with a value, which would allow for a volume to be ascribed to the reasons. For example, if a respondent chose a reason as being their first reason, they would indicate by placing a 1 alongside it, their second reason with a 2 and so on. When being analysed these numbers would equate to an allocated value. Therefore a 1 would score a 3, a 2 would score a 2, and a 3 would score a 1. These values were then added together to provide a core applicable to the reason for not reporting the incident. The results can be seen in the figure 2.

Figure 2. Chart showing reasons for not reporting the incident initially.



As can be seen, the highest weighted scores relate to three main reasons for not reporting the incident in the first place. These were:

- Thought no one would believe me
- I was too embarrassed to report it
- I was afraid of the perpetrator.

Subsequent open questions regarding this area of investigation were asked of the respondents in the questionnaire survey as well as being micro explored in the follow up focus group exercise.

For some, they thought that they could deal the situation without recourse to official agencies, while others were mindful of the effect the incident may have upon their family life. Others felt they needed close family support first:

Waited for husband to return, just wanted to go to bed (Respondent 4).

I was away from home and alone. I wanted my husband to be the first to know so I waited to get back home to inform him (Respondent 9).

My husband was receiving chemotherapy during the entire year when the more serious sexual assaults occurred (Respondent 16).

There is perhaps a trend identified here that in such circumstances the victim seeks the support and comfort of close family immediately following such an incident, rather than contacting the police or other agencies about the incident. A further complication in the decision to report or not is the closeness of the perpetrator to the victim. Fear of the perpetrator appears to be another major reason why victims did not report the incident initially.

Within my job role I should have made sure I was safe before entering the perpetrators home. I should have left immediately rather than be polite (Respondent 2).

I felt fearful and affronted and assaulted enough that it affected my days when I need to report it to an authority (Respondent 14).

During this part of the research, respondents were asked the specific question regarding whether a lack of confidence in the police was a reason for not reporting the original matter. The idea of lack of confidence in the police as a reason for not reporting it was not a strong indicator according to the respondents who took part in this research. This reason was joint 4th out of the six main reasons for not reporting the matter to the police. However, for those who suggested this may have been a reason for not reporting the matter, there were some clear reasons.

Police would not believe me, and shame at myself (Focus group A).

Yes, because of previous contact with the police, preconceptions etc (Focus Group B).

Had suffered a mental illness previously, and they did not believe me when I reported the second incident (Focus Group A).

It would appear from this that those victims who had had some form of previous contact with the police were reluctant to report the incident for fear of being not believed and from the shame at having to report the matter. During focus group work, individuals who indicated that they were not so confident of reporting to the police were asked why this was the case.

Preconceptions especially of first contact officers, officers were ignoring me, laughing, and joking with others, not taken seriously (Focus Group A).

The first officer was just not skilled in the area and did not know what to do.

It needs a sensitive response rather than just a response (Focus group C).

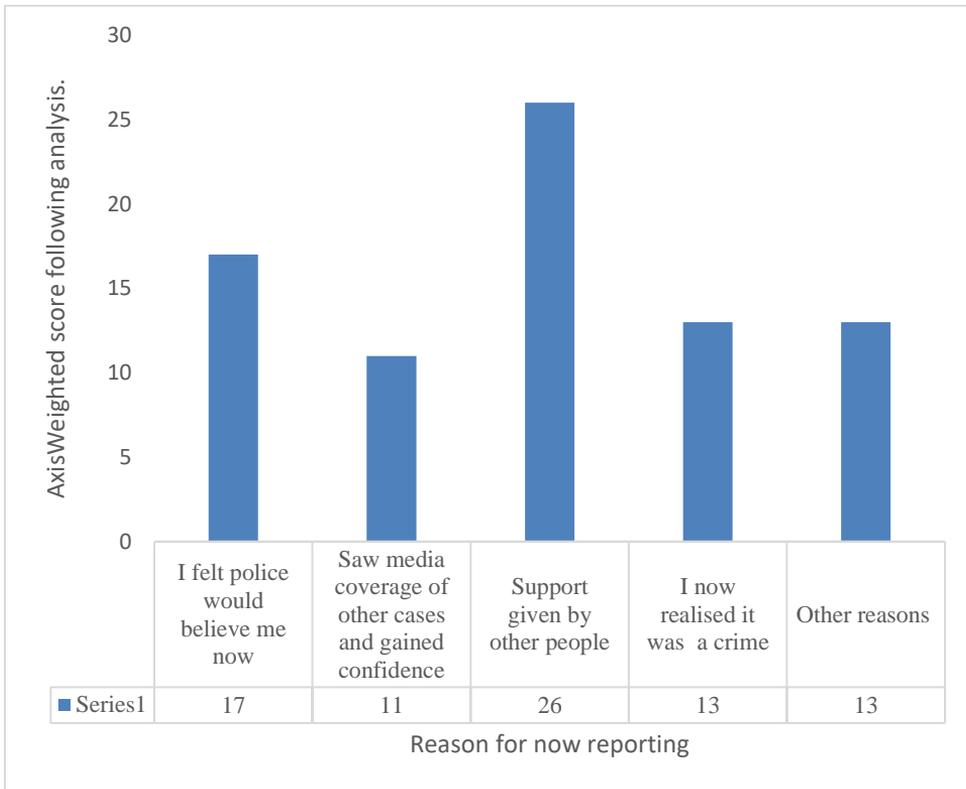
Initial response seemed ill prepared not competent didn't know what to do (Focus Group B).

Clearly the perception that officers brought pre-conceived ideas and were not sufficiently aware of what they should do as first responders to such an incident has for these individuals provided a negative perception of police. The Other Reasons category for non-reporting included diverse reasons which were closely associated with the three main reasons, such as not wanting family to know.

Reasons for later reporting the incident.

Having explored some of the reasons for not reporting the initial incident to the police, it was important to try to understand why victims felt they were now able to report the incidents. A similar question was devised to that, asking why the initial incident was not reported and was analysed using the same coding method. The results can be seen in figure 3.

Figure 3. Chart showing reasons for later deciding to report incident.



The top three reasons for now reporting the incidents indicated by respondents were as follows:

- Support given by other people
- I felt the police would believe me now
- I now realised it was a crime/other reasons.

Support given by other people was perhaps the strongest theme to emerge throughout the whole of the research. Many of the respondents and the focus group participants pointed to the support close relatives and friends gave to them as the drive to report the incidents. They used words such as ‘lack of strength to go through the process’, ‘emotional ties to close relatives’, ‘understanding from friends’ and the fact that their family and close friends would believe them.

My son reported the incident as I didn't want to. I was too embarrassed (Respondent No.3).

The colleagues of the person who attacked me supported me because he had tried it on with his female colleague in work. I was friendly with her and she backed me up. So I reported it (Focus Group B).

The area of close support from family and friends with regards to victims supporting such incidents is clearly important and should not be underestimated. The second main reason why individuals stated they reported the matter later was a confidence in the police and that they felt the police would now believe them. This is quite an important finding, as one of the reasons for victims not reporting these incidents originally was a lack of confidence in police. Trust and confidence in the police is a major factor in people engaging with them. The idea of procedural justice rests upon this belief, along with the fact that individuals believe they will be treated with respect and will be allowed to have their say (Sunshine and Tyler 2003). The fact that this is the second highest reason for victims now willing to report these matters to the police appears positive.

When I found out that it was happening to other women I felt more confident to go to the police (Respondent No.10).

This particular police force were great, one particular DC was really good (Focus Group C).

The police officers and CID were sensitive to my situation and let me take my time. They kept me informed of progress until the end. I know they did everything they could and were very thorough in their investigation (Respondent No.5).

The third highest reason for reporting the incident now was the realisation it was actually a crime. However, what this may be interpreted as is that victims realised they had been a victim of a crime and that they wanted to report it to prevent it happening to other people. This again was quite a strong theme in both questionnaires and focus group work.

I had to report perpetrator to stop him doing to others what he did to me. He has a history of sexual assault against vulnerable women and no-one was brave enough to report him to the police. I was prepared to go to court but CPS said his word against mine and they didn't want to put me through it (Respondent No.5).

I was concerned that the man who attacked me may do it to someone else. I was my word against the man who attacked me, so

I was acutely aware it would be impossible to prove. I was never afraid to report the crime, I just needed to speak to my husband first. He had been having a beer with the man the weekend before the attack (Respondent No.9).

I realised it had happened to someone else and wanted to prevent it happening to others (Respondent No.12).

Media Impact

Notwithstanding the fact that the main reasons for this research was to examine reasons that victims of sexual assault are now reporting historical offences, one needs to consider the role the media may or may not play in assisting that process. Therefore, the role and impact of the media upon the decision to subsequently report the incident to the police was explored in both questionnaire survey and focus group engagement. While there was some indication that the media reporting of events may have provoked some response from victims, it was not as strongly supported by victims as one would have thought. For the purposes of this research, it was being regarded as the least of the reasons for subsequently reporting incidents by victims.

However, the role and impact the media may have had was to encourage support from others to facilitate the reporting of offences rather than provoke reporting directly from victims themselves.

Media may have played a part, but it was friends and family who encouraged and supported me to report (Focus Group C).

Media made me realise that so many victims of this sort of crime (Focus Group D).

One reason individuals did not suggest that media exposure to high profile sexual offence cases did not encourage them to report may be that of how it is presented. Mejjia, Cheyne and Dorfman (2012: 471) state that 80 percent of television news stories on social issues in the United States of America (USA), such as sexual abuse, are framed as ‘episodic’, where emphasis is placed on the individual’s role in the problem, while only 20 percent are framed as ‘thematic’, which emphasise the larger social conditions behind the issue. Framing in this way, affects the audiences’ perception of the problem, as those who see ‘episodic’ news stories are more likely to suggest that the solution to the problem lies with the individual, while those who see ‘thematic’ news stories are more likely to

believe that organisations, the government or institutions are also accountable (Mejia, Cheyne & Dorfman, 2012: 471).

CONCLUSION

Notwithstanding the limitations of this research, with small numbers, based in a particular geographical area, there are some useful insights into the ways in which victims of historical sexual offences view their experiences and their perceptions. The main reason for individuals not reporting sexual offences at the time of their original occurrence appears to be that the victim thought that no-one would believe them. This was closely followed by the fact that they were too embarrassed to report the matter and that they were afraid of the perpetrators. Thus, it is the perception that the victim has of themselves within this sample, not believable and embarrassed, that appears to be the main issue that prevented them from reporting such incidents at the time. These findings are not too dissimilar to other findings in this area (Herbert 2009).

Regarding the role of the media, this research suggests that the influence in prompting people to report previous sexual offences may not be as strong as first thought, while the support of family and friends appears to be the strongest determinant in this process. This was a surprising result as it was thought the role of the media, especially the reporting of alleged historical celebrity offences, would have been more prominent. However, it is unclear whether the influence of the media played a part in the role of family and friend as supporter for subsequent reporting. Women's experiences of the criminal justice system in general have historically highlighted the inadequacies in that process in responding to them as a specific group of victims (Walklate 2007). It appears that in this instance this may also have occurred. This is disappointing for as Mawby (2007) points out, changes occur over time within the criminal justice system about the view of victims and their needs, with the victim becoming more important to the Criminal Justice System with the innovations of victim's charters etc. in the UK (Zedner, 2002).

Given the current climate involving the reporting of historical sex offences, one would have thought the victim experience in this research would have been far more positive. This, too, despite evidence that most victims of all crimes are somewhat emotionally affected in some way by their experience of being victimised (Hoyle 2012). Efforts have been made to improve police response to victims of crime as a whole, but also with specific victims such as those who are victims of sexual abuse. These include special interview suites and specially trained officers (Zedner

2002). However, all research should raise more questions than perhaps answers. Future research into this topic could examine the ways in which victims perceive the whole of the criminal justice system, as well as the possible influence of such recent topics as compensation for victims of crime and legislation to protect victims and witnesses from harassment (Home Office 1997).

In terms of impact of the research project, the results formed part of a strategic reappraisal by the police force in question as to how they dealt with victims of crime in general, and historically reported sexual offences, with an emphasis upon training and educating police officers in early contact procedures. Indeed, the influence of the research also impacted upon the community safety partnership itself and influenced other agencies about how they managed the expectations of such victims of crime to ensure that such victims are treated with respect and dignity when reporting historical sexual offences.

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