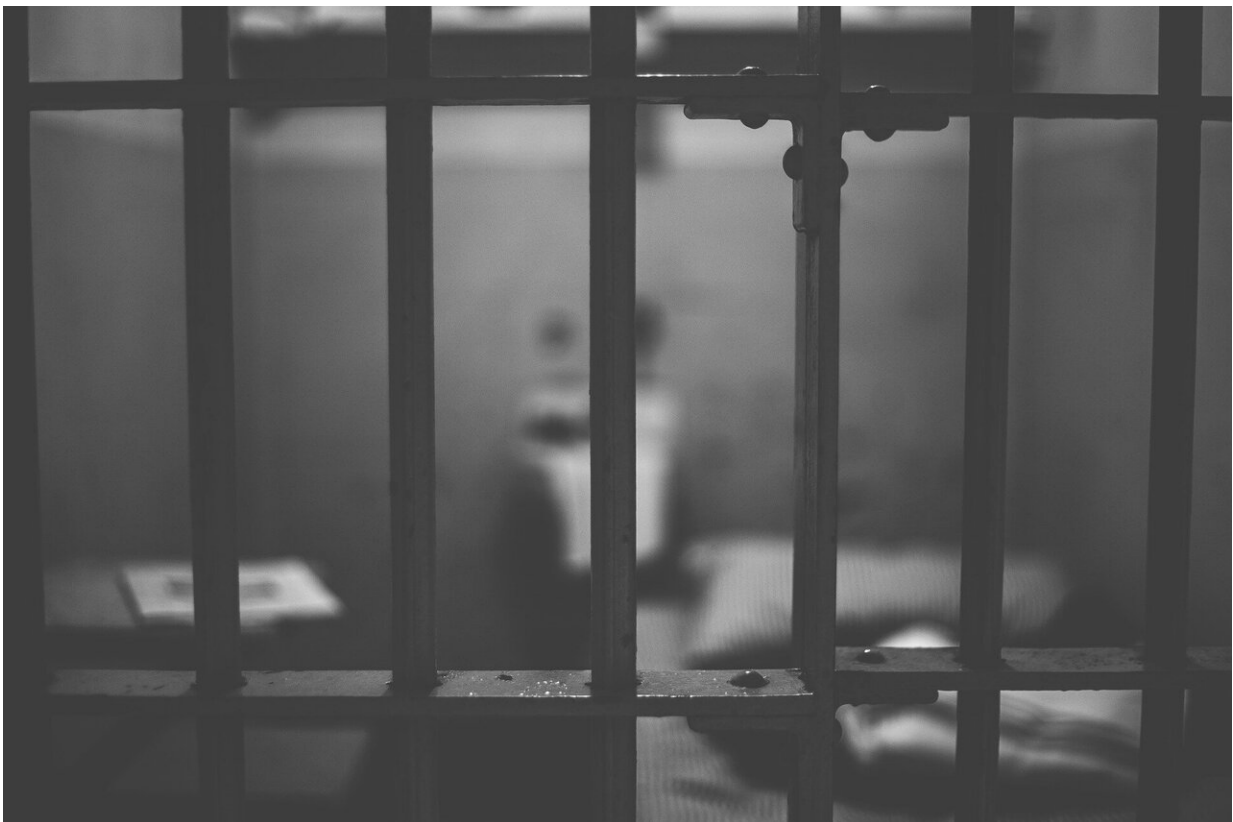


Victim-survivors of rape don't feel justice has been met, even if the accused goes to prison

August 22 2019



Credit: CC0 Public Domain

The Scottish criminal justice process leaves those who have reported a rape or serious sexual assault feeling marginalized and with little control

regardless of their case's outcome, a new study has found.

Researchers from the Scottish Centre for Crime and Justice Research at the University of Glasgow interviewed victim-survivors who have navigated their way through the system to try and understand their "justice journey."

While some positive experiences were identified, such as support provided through advocacy services and sensitivity shown by some specialist criminal justice professionals, victim-survivors also highlighted the lengthy duration of the process, administrative errors and poor communication from the police and courts. Other issues such the physical environments in which statements are given, the removal and non-return of personal possessions for evidential purposes, and in particular, being subjected to distressing questioning at trial, were also raised as significant points of concern.

Most notably none of the 17 victim-survivors, including those whose cases had resulted in a guilty verdict, believed that justice has been achieved.

The cumulative impacts of their experience of sexual violence and going through the criminal justice process led to victim survivors feeling their relationships with family had become strained, their health had deteriorated, including suffering night terrors, suicidal thoughts, depression, anxiety and post-traumatic stress.

Beth said: "...it was three years of re-traumatization." Helen felt it had "totally destroyed everything," while Lottie said she "didn't know how to live for 18 months."

Overall, the findings suggest there is a considerable gap between how victim-survivors anticipate their case will be treated and the reality of

the criminal justice process. Victim-survivors felt that the criminal justice system is weighted in favor of the accused and that it does not adequately represent their interests.

Dr. Oona Brooks-Hay who co-authored the report with Prof Michele Burman and Dr. Lisa Bradley, said she hoped the research findings would push for real change across the criminal justice system to address the significant concerns raised around how victim-survivors are informed, supported and represented.

Dr. Brooks-Hay said: "There is a pressing need to look at how the criminal justice process can be reformed to meet the needs of victim-survivors who have had the courage to engage with the system.

"While our research reveals that some relatively minor practical changes could go a long way to improving experiences, more radical change such as the introduction of independent legal representation in serious sexual offense cases, must be given serious consideration. Sexual offenses have profound and distinctive impacts, and therefore merit distinctive responses."

The recommendations are far-ranging across the whole of the criminal justice process and include specialized sexual assault training for all [police officers](#), early access to support from specialist agencies and better protection at court to avoid meeting the accused and his family. The recommendations also call for a review of the nature and manner of questioning in the court that infringes on the victim-survivors' right to dignity and privacy, and which was found to be a significant source of distress.

In their own words:

On giving evidence

Pippa: "...when I say you've been raped before, it feels the exact same way when you're sitting in that courtroom, you have nothing, like you literally are stripped bare of everything and don't have any control over it. You have not had any say in this, all you have told them is like your story and they just go and do what they want with it."

Receiving court support from an Advocacy Worker

Beth: "I don't know if I could have had the courage to say what I did without, because she [Advocacy Worker] gave me courage. Because I knew someone had my back."

On communication and administration

Debbie: "The administration from the criminal [justice](#) or whoever deals with it, the Crown Office, was shocking. A lot of letters were to the wrong names, to the wrong address, just the mail correspondence thing was shocking."

On the police investigation

Nat: "...[the police officer is] a hero [...] To have someone listen to you, after all of that time, and take the little bits that you're giving them, and not to dismiss them, but to actually then go off and do something about it."

Uncertainty and delays

Lottie: "I didn't know how to live for 18 months. I didn't know, you know, do I just forget about it, but then it has to be all dragged back up again, or do I just live my life on pause?"

More information: Justice Journeys Informing policy and practice through lived experience of victim-survivors of rape and serious sexual assault: [www.sccjr.ac.uk/publications/j ... experience-of-victim-survivors-of-rape-and-serious-sexual-assault/](http://www.sccjr.ac.uk/publications/j...experience-of-victim-survivors-of-rape-and-serious-sexual-assault/)

Provided by University of Glasgow

Citation: Victim-survivors of rape don't feel justice has been met, even if the accused goes to prison (2019, August 22) retrieved 26 April 2024 from <https://phys.org/news/2019-08-victim-survivors-rape-dont-justice-met.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.