

Rape Crisis *news*

The newsletter of RAPE CRISIS Scotland



issue 4 Winter 05/06



Speaking the Truth, Shattering Myths

As part of the 16 Days of Action against Violence Against Women (25 November – 10 December), Aberdeen Rape and Abuse Support displayed a series of six eye-catching posters in the main shopping centre to highlight myths about rape.

Originally produced by the Truth About Rape campaign, the posters use humour and shock to stimulate and challenge perceptions and assumptions about rape. Since launching in November 2002 as postcards, these have found their way around the globe, inspiring many groups to campaign against rape.

Two myths (e.g. Eating crusts makes your hair curl. Women who get raped were asking for it.) are emblazoned on each of the six posters. Underneath these is the statement: 'It's surprising what some people still believe', followed by the truth (Men

are responsible whether they rape or not.)

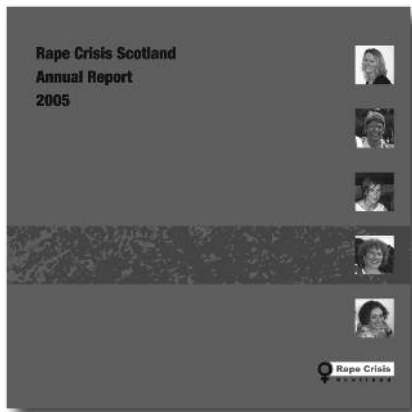
Bridget Stone of Aberdeen Rape and Abuse Support said the poster campaign had been a great success. "We chose the shopping centre as this took our campaign into the public domain and we wanted as much publicity as possible. In the past we have used the 'truth about rape' postcards and have always had positive feedback on their content and eye catching colours. This time, we had the postcards enlarged and arranged on a display board. As they were not immediately obvious as being about rape people were more likely to come closer to read them."

"We were pleased with the response. While some people were attracted initially and then gave a body swerve when they realised

Continued overleaf >

in this issue

- 2 News
- 3 New Research into Use of Sexual History Evidence in Sexual Offence Trials
- 3 Amnesty Poll Finds Scots Ignorant of the True Extent of Rape
- 4 Amnesty Launches Postcard Booklet
- 5 Campaign to Prevent Licensing Exploitative Activities
- 6 Executive Takes Stance on Prostitution
- 7 Consultation on Extreme Pornography



Rape Crisis Scotland Annual Report 2005

“A period of rapid change and development” is how Sandy Brindley, co-ordinator of Rape Crisis Scotland described 2005 in the organisation’s recent annual report published in January. The report reveals that with additional staff now in place across Scotland and new centres emerging in Lanarkshire, Western Isles and Argyll and Bute, new funding has enabled RCS to make considerable progress. As well as describing the work of RCS over the past year, the report includes updates from each local centre in the Scottish Rape Crisis Network, financial statements and plans for 2006. Contact RCS for copies.

Two New Centres Open

Lanarkshire Rape Crisis Centre and Western Isles Rape Crisis Centre are now up and running offering helpline and other support services for women. RCS and local steering groups have supported both centres, which are now going through a formal transfer process with a view to running as autonomous centres by early 2006.

Lanarkshire RCC is based in Hamilton and Western Isles RCC in Stornoway. See back page for contact details.

Two More in the Pipeline

We recently contracted with Argyll & Bute Women's Aid to employ a Co-ordinator to develop the local rape crisis service for women and girls in the Argyll & Bute area. Argyll & Bute are currently recruiting for this post, and hope to have a Co-ordinator in place by the spring. We are currently discussing a similar arrangement with Perth Women's Aid to enable them to employ staff to develop a rape crisis service in the Perth & Kinross area.

National Helpline

Rape Crisis Scotland has appointed a national helpline development worker, Katy Mathieson, to progress plans to open a national telephone helpline for women who have experienced sexual violence. This follows on from a feasibility study which concluded that there was a clear need for a national helpline in Scotland, and provided options and recommendations.

Speaking the Truth, Shattering Myths

< continued from page 1

what the subject matter was, others took time to read the material and pick up leaflets.

“On our stall, we displayed leaflets about violence against women and information about other services for women affected by violence. This was a good way to collaborate with other agencies. We also took part in a multi-agency event about violence against women with discussions, films and workshops. There was a good turn out by workers from other agencies, despite the blizzards that day!”

The posters were such a success that they are still being used. Bridget added, “The posters were on display at Aberdeen Royal Infirmary’s community corner for three weeks over Christmas and we used this as an opportunity to attract more volunteers.”



For more information and to order a set of postcards check out www.truthaboutrape.co.uk

research

New Research into Use of Sexual History Evidence in Sexual Offence Trials

In 2002, new legislation enacted through the Sexual Offences (Procedure and Evidence) (Scotland) Act, attempted to tighten restrictions relating to the use of sexual history and character evidence in sexual offence trials. As part of its commitment to evaluating this legislation, the Scottish Executive commissioned baseline research into the use of sexual history and character evidence in sexual offences prior to the implementation of the 2002 Act.

This research, *The Law of Evidence in Sexual Offence Trials*, examines data from the three years preceding the 2002 Act. It concludes that applications to introduce sexual evidence are less frequent than in the late 1980s; and that such applications are likely to be successful and the evidence or questioning allowed to proceed. It also indicates that sexual evidence is still introduced without application and that questioning can stray beyond the agreed boundaries. A key factor in this seems to be that there is a presumption that such evidence is relevant, and that this presumption is shared by the prosecution, defence and judge particularly if the accused and the complainer have had a relationship.

The research suggests that this may affect trial outcomes and may be an important factor in low conviction rates. It may also deter victims from reporting as being questioned on previous sexual history or sexual character can be particularly traumatic.

While the restrictions of the 2002 Act may reduce the extent to which a victim's sexual history and character evidence is used in sexual offence trials, the research concludes that such reforms may have limited effectiveness. The researchers comment, "If shared presumptions about the relevance of sexual history and character evidence are a significant factor in the ineffectiveness of the 1995 Act, this is also likely to affect the operation of the more recent legislation. Real and marked changes in the prevalence of sexual assault and in the criminal justice response to such crimes may be dependent upon significant changes in social values and understandings of gender and sexuality."

An evaluation of the 2002 Act is now underway.

The research can be downloaded at www.scotland.gov.uk/Publications/2005/09/13144738/47390

Amnesty Poll Finds Scots Ignorant of the True Extent of Rape

An ICM opinion poll commissioned by Amnesty International indicates that people in Scotland are unaware of the true extent of rape.

A random sample of 1,095 adults interviewed by telephone, found that over half (54%) did not know how many women are raped on average, and that none thought rape numbers exceeded 10,000 per year in the UK, while the true figure is believed to be approximately 50,000.

Six out of seven people said they did not know that only 4% of rapes reported to the police currently result in conviction in Scotland or believed the conviction rate to be far higher. The average estimate was of a 32% conviction rate, eight times higher than the actual rate.

The poll also showed that Scots are far more conservative in their attitude to rape than south of the border. Whilst the majority of Scots thought that a woman was not at all responsible if she was raped whilst drunk (54% compared to 60% UK

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average), had many partners (55%, 68% UK average) or wore sexy clothes (55%, 66% UK average), they did think that she was totally or partially to blame if she was flirty (37% compared to 34% UK average) or did not say no clearly enough (32%, 34% UK average).

There were marked differences in attitudes among the young, the over 65s and those between 25 and 54. 72% of those in the 25–54 age group thought that a woman was not at all responsible for being raped if she was drunk, compared to 58% of the 18–24 age group, whilst 43% of over 65s held the woman to be partially responsible in these circumstances.

The poll, Sexual Assault Research, was published on 21 November as part of Amnesty International's 'Stop Violence Against Women' campaign, and the 16 Days of Action to Stop Violence Against Women.

For more information see www.amnesty.org.uk/scotland

campaigns

Imagine A World ...

Amnesty Launches Postcard Booklet

As part of Amnesty International's Stop Violence Against Women Campaign in Scotland and to launch the Sixteen Days of Action (November 25 – December 10), 52,000 copies of a postcard booklet were distributed as inserts in The Big Issue Scotland and the Amnesty Journal.

The postcards featured prose, poetry and art from survivors of violence and Scottish writers including Janet Paisley and Elspeth Murray, and offered positive and hopeful 'imaginings' for the future.

Supporters were encouraged to send the cards to their friends to further raise awareness of Amnesty's campaign. The last postcard contained a blank space to encourage people to create their own 'imagining', and a short questionnaire with four key questions to be sent back to Amnesty.

Amnesty will engage key policy makers by presenting the created 'imaginings', and ask what the Scottish Executive plans to do to make the imagined worlds a reality.



Amnesty International's Stop Violence Against Women campaign, launched in March 2004, has as its ultimate goal, a world in which women and girls are afforded basic human rights. This global campaign focuses on ending violence in the family and in conflict/post conflict situations: two of the most dangerous environments for millions of women across the world.

The experience or threat of violence affects women everywhere, regardless of wealth, age, social

status, race and culture. UN Secretary General Kofi Annan recently described violence against women as 'perhaps the most shameful human rights violation, and perhaps the most pervasive'. Amnesty's campaign is designed to encourage both men and women to acknowledge violence against women as a universal human rights issue which impacts on everyone.

See online at www.amnesty.org.uk/scotland

campaigns

Campaign to Prevent Licensing Exploitative Activities

The Scottish Coalition Against Sexual Exploitation (SCASE) recently ran a postcard campaign to raise awareness of the harm caused through activities such as lap dancing and table dancing. This campaign was initiated in response to a consultation from the Scottish Executive on 'adult entertainment'. Thousands of postcards were distributed throughout Scotland to be completed and sent to Tom McCabe, Minister for Finance and Public Sector Reform, asking him not to support the licensing of exploitative activities.

Prompted by concerns about the lack of controls on such activities, in March 2005, the Scottish Executive set up a Working Group on Adult Entertainment to review the scope and impact of adult entertainment and make recommendations on the way forward.

The group's consultation exercise, which closed on 26 September, asked people for their views on what 'adult entertainment' includes and excludes; what they thought of these activities; and what controls are necessary.

SCASE considers activities such as stripping, lap dancing, pole dancing and table dancing as forms of commercial sexual exploitation rather than 'adult entertainment'.

OUTCOME OF CONSULTATION

The analysis of responses is now available. There were 52 responses, a relatively low number although representing a wide range of interests.

The responses indicate that there was general concern about the term 'adult entertainment' and variance about what the term means and includes. The report states: *37% of the respondents viewed 'adult entertainment' as an exploitative industry, mainly of a sexual nature and predominantly for the benefit of men, resulting in the exploitation of women. It was expressed that the activities involved were – disrespectful, sexually exploitative, degrading, 'objectifying' of women, demeaning, having a negative effect on gender relationships, leaving women subject to harassment and bullying. There were also concerns expressed about the*

use of the word 'entertainment' and that this was a euphemism to mask what was thought to be the true nature of the activities i.e. sexual exploitation. Several respondents were also concerned that the use of the term 'adult entertainment' is misleading.

The most commonly mentioned activities were live sexual entertainment activities – lap dancing (58%), strip bars / strippers / striptease (46%), pole dancing (42%), and table dancing (25%).

Almost two thirds of respondents thought that the impact on the performers, the audiences and the public in general was negative.

While some respondents thought that controls were not required to regulate activities because the current licensing system provided a reasonable degree of control,

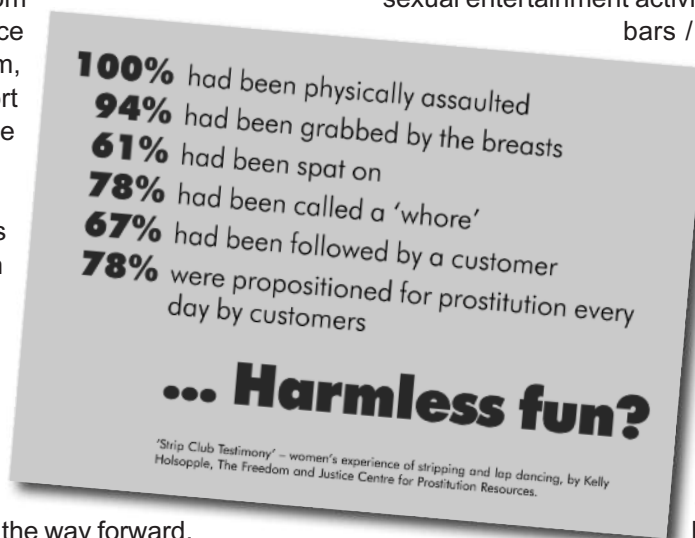
most thought controls were required. Some thought activities and clubs should be banned or shut down. However, others recognised that this may not be realistic and suggested tighter controls to protect the rights, physical and emotional health of the performers, with the onus on employers to enforce these controls with the threat of heavy penalties.

The findings of the consultation will be considered by the Working Group on Adult Entertainment as part of their research into the scope and impact of adult entertainment activities throughout Scotland. In conjunction with other research this will help to inform the group with a view to identifying any controls which may be required to regulate the industry. The group will report to Scottish Ministers with their recommendations in April 2006.

FURTHER INFORMATION

SCASE, c/o Rape Crisis Scotland, 93 Hope Street, Glasgow G2 6LD

For more information about the Working Group and a copy of the consultation analysis see www.scotland.gov.uk/Topics/Government/local-government/Adult/Membership



legal reform

Executive Takes Stance on Prostitution

Men who cause harm or nuisance through their involvement in street prostitution will be subject to a new criminal offence, ending the anomaly whereby only the sellers of sexual services are criminalised. This new offence will feature in the Sentencing Bill to be brought forward in 2006/07 and will mean that both sellers and buyers of sexual services will be subject to prosecution. The offence will be based on an objective assessment of whether offence would be caused to a reasonable person if they witnessed the behaviour, rather than just being dependant on complaints from the public.

But, is this approach consistent or adequate?

Hugh Henry, Deputy Justice Minister, said, "For too long the law in Scotland has been focused on women soliciting and not on men purchasing sex. There is a need to redress this balance and that's what we are doing with this new approach.

"The new offence will focus on the nuisance or harm arising from street prostitution-related activities, whether caused by seller or purchaser. The intention of this legislation is clear – rebuilding respect for individuals and protecting communities from the harm caused by the sex trade operating in their area.

"We will replace the existing soliciting offence which is both unfair and outdated. This not only delivers on, but goes further than, our commitment to criminalise nuisance from kerb-crawling.

"For too long the debate around prostitution has centred on whether there should be so-called tolerance zones in our cities. We do not support tolerance zones. There is little evidence that they are effective either in protecting women involved in street prostitution, or the communities affected by it. It is now time to move on from this debate."

The Executive says that the proposals send a clear signal that it considers streets prostitution to be a form of violence against women. Hugh Henry added, "We will support local authorities in developing local responses which involved public and voluntary agencies in the delivery of services to prevent involvement in street prostitution, to provide support services to those who are involved and to help them exit. This is the approach recommended by the Expert Group on Prostitution."

However, while the Scottish Coalition Against Sexual Exploitation (SCASE) welcomed the announcement and the recognition of prostitution as a form of violence, it is concerned about the proposed new offence of 'causing harm or nuisance through involvement in street prostitution'. It states, "It is confusing to recognise street prostitution as a form of violence against women and then to continue to prosecute the 'victim'. The fact that the new offence will be applied equally to buyer and seller implies that the legislation is to be more concerned with the nuisance caused to others, than the harm caused to the individual woman being prostituted."

"Prostitution is harmful in and of itself – without clarity in the law about who is responsible for that harm, there is a danger of effectively criminalising soliciting without putting essential safeguards in place."

INFORMATION

For more information on the Expert Group on Prostitution's report and responses see www.scotland.gov.uk

For more information on SCASE, contact c/o Rape Crisis Scotland, 93 Hope Street, Glasgow G2 6LD

Scottish Law Commission Discussion Paper on Rape

As we go to print, the Scottish Law Commission is due to publish a discussion paper entitled *Rape and Other Sexual Offences*. This paper follows on from a review of the law on sexual offences announced by Jack McConnell in June 2004. Its remit was to consider:

- The law and definition of rape and its proof
- The common law and statutory provisions relating to sexual offences in general, and proof of such offences, with particular regard to gender and equality issues in statutory provisions and any anomalies or gaps

We plan to feature the review in the next issue of the newsletter. In the meantime see www.scotlawcom.gov.uk

consultation

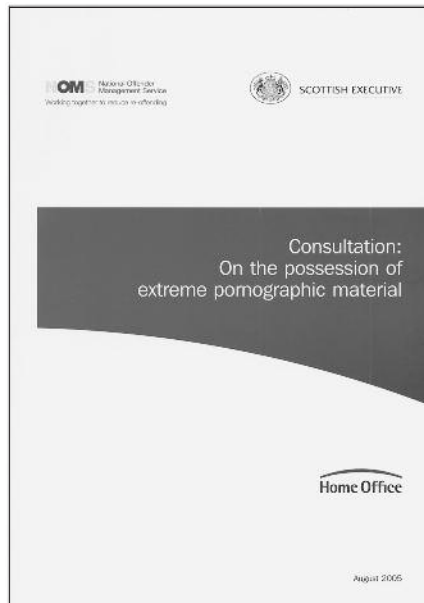
Consultation on Extreme Pornography

The Home Office and the Scottish Executive Justice Department recently issued a consultation paper on the possession of extreme pornographic material. The consultation closed on 2 December and Scottish responses can be viewed at www.scotland.gov.uk/Consultations/Current

The consultation seeks views on a proposal to make illegal the possession of a limited range of extreme pornographic material featuring adults. The government's intention in proposing a possession offence is to try to break the demand/supply cycle and to discourage interest in such material which might encourage or reinforce interest in violent and aberrant sexual activity.

The consultation was prompted by public concern about the availability of extreme pornographic material featuring adults (possession of child pornography is already illegal). This material is violent and abusive, featuring activities which are illegal and in which, in some cases, participants may have been the victims of criminal offences. The issues were highlighted by the case of a young woman who was murdered by a man who had been accessing extreme pornographic websites.

In recent years, advances in technology, particularly the use of the



internet, have meant that legislation needs to be updated. There are already laws banning the sale and distribution of such obscene material, but the availability of pornography on the internet means that current laws are no longer effective. The government is therefore proposing to make it an offence to possess some types of pornographic, obscene material (images of bestiality, necrophilia, serious sexual violence and serious violence, in order to better control their availability. This goes well beyond what is available for sale in licensed sex shops and so the mainstream 'entertainment' industry would not be affected by the proposals.

The consultation document considers the arguments for and

against several options: adding a possession offence to the Obscene Publications Act 1959 and the Civic Government (Scotland) Act 1982; adding a possession offence limited to the category of material above within this legislation; a new free standing offence in respect of the category of material above (preferred option); and doing nothing.

A spokesperson for the Scottish Executive said, "We received 92 responses of which 70 responses came from individuals and organisations based in Scotland. These covered a wide range of views and we are giving them careful consideration. We expect to publish an analysis of the responses in the New Year."

For further information contact the Scottish Executive Justice Division on 0131 244 3348.

Conference to Set up Anti-violence Campaign

A conference aiming to set up a Scottish campaign run by men to end violence against women is being organised by Amnesty International and the Men's Health Forum on March 30 in Dundee.

International speakers are being lined up from Canada's White Ribbon Campaign, the USA's Men Can Stop Rape, Masimanyane of South Africa and Acid Survivors Foundation of Bangladesh.

For information email scotland@amnesty.org.uk or see online at www.amnesty.org.uk/scotland

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published by



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SCOTTISH EXECUTIVE

The Scottish Rape Crisis Network receives core funding for the national office – Rape Crisis Scotland – from the Scottish Executive under Section 10 of the Social Work (Scotland) Act 1968.