

Rape Crisis *news*

The newsletter of RAPE CRISIS Scotland



issue 1 Spring 2004

MINISTER PLEDGES FUNDING BOOST FOR RAPE CRISIS

Communities Minister Margaret Curran has promised to increase funding for rape crisis services. In this interview with **Sandy Brindley**, national development worker with Rape Crisis Scotland, she says: *"I am particularly aware of the inadequate funding of rape crisis centres, and this is something which does concern me. I want to get this on a much firmer footing."*

Sandy: *Can you give us a bit of background to the work of the National Group and the decision taken last year to broaden out its focus to violence against women?*

Margaret: The work of the National Group has been fairly comprehensive. Understandably and properly, they decided to focus on domestic abuse in the first instance.

If you think way back to the four and a half years ago when the Scottish Parliament was first set up, there was a lot of work to be done on domestic abuse: refuge provision was uneven; the legislative

Read the full interview to find out more about the Scottish Executive's plans to tackle sexual violence. Check out the news pages of the RCS website for the latest on funding developments.
www.rapecrisisscotland.org.uk



Communities Minister, Margaret Curran

framework really did require a look at; some of the funding was piecemeal, a lot of work needed done on that. What the National Group did well was put all of that in a proper framework. They looked at a strategy, looked at the principles underlying that strategy and engaged with particularly Women's Aid and a variety of other women's organisations and with the legal establishment and police

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forces. When I became involved with this work I was aware that a number of women's organisations were saying 'you can't just look at domestic abuse in isolation, you have to look at it within the broader spectrum of violence against women, because there are connections between domestic abuse and rape, you can't be too narrow'. We had made significant progress on domestic abuse, in terms of getting the working group

on refuge provision underway and getting the prevention campaign underway. More work is, however, needed on the broader links between different forms of violence against women. This is why last year we made a decision, with the support of the National Group, to broaden out the remit to violence against women. It's not that the focus on domestic abuse is lost, as we can't pretend that work's done. Far from it, there's still a lot of work

to be done on domestic abuse as we unfortunately know. We do also need to broaden our focus out to make those wider links with other forms of violence against women. There are a lot of groups who need funding who just seem to be falling through the gaps. We need that broader analysis of why violence against women happens, and what do we do about it. I think there has been a tendency to think about rape in terms of it being an issue for the Solicitor General, as opposed to being an issue of equality. We have to put rape within the broader framework.

Background Information

The National Group to Address Violence Against Women in Scotland, originally called the National Group to Address Domestic Abuse in Scotland, was established in June 2001 with a remit to:

- **Oversee the implementation of the National Strategy to Address Domestic Abuse in Scotland in accordance with the priorities set out in the Action Plan;**
- **Identify and disseminate good practice;**
- **Identify key issues and develop a common national response**
- **Provide advice in relation to monitoring data and the identification of the research required;**
- **Establish and oversee a structure of specific issue-based groups and local multi-agency groups working with a coherent framework;**
- **Review and monitor progress against the Action Plan;**
- **Consider links between domestic abuse and the wider issues of violence against women.**

The national group is chaired by the Deputy Minister for Communities, Mary Mulligan, and the current membership is DCC Robert Ovens, ACPOS, Jon Harris, COSLA, Professor Sheila Hunt, Dean of Nursing Dundee University, Keir Bloomer, Chief Executive Clackmannanshire Council, Rowan Steele and Claire Houghton, Scottish Women's Aid, Janette de Hann, Women's Support Project and Sheriff Pamela Bowman.

To date the National Group has established 4 specific issue based working groups which have looked at Refuge Provision in Scotland, Prevention, Training and Legislation. The provision group commissioned a piece of research which was published in October 2003. The prevention group produced a national prevention strategy which was published in September 2003. The training group has produced a draft strategy which following consultation is currently being re-drafted and will be published early in 2004. The legislation group produced a number of recommendations which are being considered by the Scottish Executive.

The immediate issues... are a much sharper focus on rape and sexual abuse.

Sandy: *What do you hope to achieve in this work, particularly around the broadening out of the remit of the National Group?*

Margaret: This is the time to look again at it and we've asked the National Group to look at it. They have commissioned a piece of research from the Women's Support Project looking at the links between all the forms of men's violence to women and children. Once we have that, we want to move forward to develop a strategic response because you actually need to have an overall understanding of it, but we do also need to make sure we specifically focus on some aspects of it.

You need to look at the services, you need to look at the policy development, need to look at the legal framework, you need to look at the funding for support agencies, because when it comes down to brass tacks that's what a lot of people need so we need to focus on that. The immediate issues, I think, are a much sharper focus on

rape and sexual abuse. I feel there is a role here for a small expert group, similar to the working groups which have been developing strands of the Domestic Abuse Strategy. There are many people with the expertise, who understand the issues and know what is required to provide the support that women so desperately need. I hope to tap into this expertise, so that we can ensure that we develop our work appropriately.

Sandy: *Rape has been referred to as the 'forgotten issue', due to its relative invisibility in national policy, throughout the UK and Europe. Would you agree with this view?*

Margaret: Well, if it is that's very sad. In some ways it's not, as you see the increase in numbers of rapes being reported to the police. I think people confuse the fact that because we've thought about it that it's somehow resolved, which it isn't. And I suppose, in part because of the focus on domestic abuse, we haven't given the same attention to rape and we need to. We need to deal with that and somehow bring it up the political agenda, prioritise it in terms of policy focus and also in terms of resources, get a bit more help to organisations like rape crisis who are dealing with it. This doesn't mean we take a quick shot at it: 'lets deal with this flavour of the month, this week we'll focus on rape, next week it'll be something else'. We need to take a systematic approach. Again, not to just focus on rape because it's all connected, but I do think there are particular issues around rape that maybe we haven't thought through enough, for example what women who have been through it require at different stages.

Sandy: *How will you ensure that rape is addressed in a meaningful way within the National Group and within other Executive departments e.g. justice?*

Margaret: If we have specific focus within the National Group, that will allow us to work with other parts of the Executive. I think there is much more political commitment to these issues than there ever has been; we need to make something of that. There is real political commitment to begin to tackle this. I think people do understand the seriousness of the crime of rape, and the pervasiveness of child sexual abuse and the impact that has on survivors, there is much broader understanding. Now we need to make something of that and turn it into delivery. We're not there yet.

Sandy: *What definition of violence against women is the National Group now working towards. Does it include child sexual abuse, does it include pornography and prostitution?*

Margaret: It's a broad definition of violence against women and we haven't ruled things in or ruled things out. My immediate priority would be on the rape and sexual abuse of women and children because that's where I think a lot of the immediate gaps are.

I think we need to ask really very challenging questions about the kind of people we are and how men and women relate to each other.

Sandy: *The National Group has carried out a lot of really positive work on domestic abuse. The commitment from the Executive and Ministers and Parliament has been admirable. What practical steps are being taken to start to address issues relating to sexual violence?*

Margaret: The Solicitor General recently announced a review of the prosecution of sexual offences,

and there's other work going on. There is a feeling from my point of view that we need to co-ordinate it a bit more, look at not only how we analyse it but how we communicate our policies on this.

We have communicated our policies very effectively on domestic abuse, and sent out clear messages and clear signals about where we stand on these issues and what services there should be, what help there should be, and how we marshal services to support women in these circumstances. I don't think we've done that as clearly on other aspects of violence against women, I don't think we've politicised them in the same way. I think there's more work to be done on that.

I believe the Scottish public are with us on these issues. It's not controversial for me politically at all. I think people actually do believe there are huge issues around about sexual violence and we want people to start thinking about how we sort them out. I think we need to ask really very challenging questions about the kind of people we are and how men and women relate to each other. You get into some tricky territory, but we have to do it as otherwise we'll never sort out some of these issues.

Sandy: *Your announcement of £1 million funding over 2 years for support services around rape and sexual abuse has been warmly welcomed by organisations like rape crisis. While this fund should start to address some of the significant under funding of organisations like rape crisis, there will still be a long way to go in ensuring that every woman who has been raped is able to access support at the point of need. What do you see as the next steps in meeting this aim?*

Margaret: In the longer term, we need a formula for funding all of the violence against women work in Scotland, including rape crisis centres.

We will be working towards this, as we have made clear that we will review both the Domestic Abuse Service Development Fund and the new Violence Against Women Service Development Fund in 2006, and consider how to take forward the funding on a strategic basis.

I am particularly aware of the inadequate funding of rape crisis centres... I want to get this on a much firmer footing...

However, I am particularly aware of the inadequate funding of rape crisis centres, and this is something which does concern me. I want to get this on a much firmer footing, and I will be making an announcement soon, so watch this space!

Sandy: *You will be aware there is a lot of concern around the very low conviction rate for rape currently 6%. What steps are the Scottish Executive, and the National Group, taking to address this?*

Margaret: The Crown Office and Procurator Fiscal Service (COPFS) will be carrying out a full review and evaluation of the prosecution of rape and sexual offences. This is an important exercise which will help COPFS understand how they are doing in the prosecution of sexual offences. Like crimes involving domestic abuse, sexual offending is a complex area and requires a sophisticated set of skills from the prosecutor. This exercise will allow COPFS to take a close look at how they prosecute these cases at the

moment and, with the support from experts in this area, to consider how they can do it better.

We need to connect this review up with the agenda I would have, which is about engagement with the sector, to ensure we actually understand the experiences of women who have been raped or sexually abused so it can influence what we need to do with the legislative framework. I don't think anybody would say anything other than they're concerned about the conviction rate.

Sandy: *I really liked the recent Sunday Herald Article, where you were talking about the need for feminism to be at the heart of the work of the Scottish Executive. Can you tell us a bit about how important you see this issue as being?*

Margaret: I can't understand how you can do this job if you don't have some kind of belief system that gets you through it. I do think a feminist approach gives you solutions to some of the big challenges we face as a society.

Feminism gives you a broader analysis about how power systems work and a way of trying to understand that

Feminism gives you a broader analysis about how power systems work and a way of trying to understand that. I think some of the background I've had in the violence debates helped me understand how you get through some of the other issues about violence, how it permeates society and how gender issues are absolutely at the heart of all our experiences and all the systems around us; be it funding systems or the real realities of the culture of

violence that we're living with or why men have to express themselves in the way that they do and why women are constrained in the way that they are. I suppose the biggest thing is you could so easily allow yourself to think, because we're making policy announcements and giving a bit of money to things, that suddenly the issues are resolved and our work's done on the issue. We've done a lot of good work on domestic abuse but the scary thing is how challenging it still remains and how serious it is.

Feminism allows you to de-personalise some of the issues, you actually see the political framework rather than 'is it because of personality, one person versus the personality of another'. You don't think about politics in that way. I think a lot of that comes from feminist thinking and it's positive because, while some of the political debates have got quite sterile, women's politics has moved into really interesting territory: thinking about power, thinking about violence, thinking about why things are the way they are, it just makes you think a lot more. I don't know how you get through politics without it actually.

Check out the news pages of the RCS website for the latest on funding developments:

www.rapecrisisscotland.org.uk

Welcome

Welcome to the first issue of Rape Crisis News

We hope you like it and find it informative and challenging and inspiring – do let us know if you have ideas for articles, news items or events we should advertise. Or please write to our letters page, with your comments on what you have read here.

If you are a survivor who would like to write about your experiences, do contact us for our Women's Voices, Women's Lives section to be launched in issue 2. There will also be an international news section. And we'd love to hear from feminist cartoonists?!

All the best for 2004 from Rape Crisis Scotland

Funding

Rape Crisis Scotland is delighted that Communities Minister Margaret Curran is determined to increase funding for rape crisis centres.

Given the severe constraints on current services and a demonstrable unmet need, this is excellent news for women survivors of rape and sexual abuse.

Rape crisis centres have struggled against the odds and on limited finances for far too long. In Aberdeen they perform miracles on around £5,500 annually, only increased in the last two years from just £2,500. That situation cannot be allowed to continue.

The Scottish Executive has made a major commitment to tackling violence against women and children. Much has been achieved and more is planned, but it is always the case that worthy strategies and ideals need to be backed up by hard cash. The £1m fund announced in November for services for survivors was good news, but is just a first step towards achieving the necessary provision.

A report by Cosla in 1998 set out objectives in relation to funding for rape crisis centres, one of which was sufficient funding to enable centres to provide a 24 hour crisis service. This target is far from being met, with limited resources meaning some centres are only able to provide a phoneline service a few hours a week.

The message from the rape crisis movement to politicians at all levels is that we are pleased they say they are taking rape and sexual assault seriously. Let's now all work together to ensure that rape crisis centres have a secure funding base for the future.

Legal Update

There are currently 2 bills going through Parliament which will have an impact on women reporting a sexual offence.

Vulnerable Witnesses Bill

This bill, which has just finished Stage 2 in the Scottish Parliament, extends the legal definition of vulnerable which will extend the categories of witnesses potentially entitled to use special measures to assist in giving evidence. These special measures include:

- Use of screens
- Having a supporter with the witness/complainer in court when she is giving evidence
- Use of a live television link for giving evidence – witness/complainer not having to actually be in court room with accused etc when giving evidence
- Taking of evidence by a commissioner - where the witness/complainer's evidence and her cross examination happen outwith the trial, overseen by a commissioner, this is videoed and played in court, removing the need for the woman to attend the actual trial
- Use of prior statements

The Bill has the potential to lessen the trauma experienced by women giving evidence in sexual offence trials. Unlike England & Wales, however, complainers of sexual offences in Scotland will not be automatically eligible for special measures. This means that a judge will decide whether or not an individual woman giving evidence in a sexual offence trial is eligible for special measures. Women will potentially not find out whether they will be able to access special measures until a week before the trial. Rape Crisis Scotland is gravely concerned that this will add to the uncertainty women already experience during the often lengthy wait for their trial to come to court.

The lack of automatic entitlement will also mean that when a woman is deciding whether or not to report a sexual offence to the police, she will not know what her rights are. The significant under-reporting of rape

is well documented – only around 40% of women contacting rape crisis centres have reported their experience to the police. The reasons women give us for not reporting include fear associated with seeing their alleged attacker again in court, and fear of being 'ripped to shreds' during the cross-examination by the defence. The special measures contained in the Vulnerable Witnesses (Scotland) Bill could address these concerns to some extent, but crucially women will not know whether or not they will be able to access these measures when they are making the decision to report their experience to the police. In the opinion of Rape Crisis Scotland, the bill as it currently stands represents a missed opportunity to address some of the reasons why women don't report sexual offences, and will have a limited impact on the level of under-reporting of this crime.

Rape Crisis Scotland have made representations to the Scottish Executive and to MSPs regarding our concerns about the lack of automatic entitlement for complainers of sexual offences in the bill. The Scottish Executive have given a commitment to re-look at this issue. At the time of this newsletter being printed, there was no news available about the outcome of this.

If you would like more information on this issue, or would like to help campaign for changes to the bill, contact the Rape Crisis Scotland office.

Criminal Procedure (Amendment) (Scotland) Bill

This bill, which has started Stage 1 in the Scottish Parliament, aims to address the problems of delays in cases coming to court and create greater certainty for victims and witnesses that trials will proceed.

The experience of rape crisis centres is that, under the current system, the often significant number of delays in cases coming to court causes considerable additional trauma for women waiting to give evidence in a sexual offence trial. The bill, therefore, has the potential to make a significant difference to women's experience of waiting for a trial to come to court.

The main features of the bill include:

- Moving away from the current sittings systems (where cases are allocated within a two week period within the High Court) to a fixed trial

date. This should hopefully remove the current problem of women in sexual offence cases being given numerous trial dates, which are often postponed at the last minute.

- Introducing a system of preliminary hearings, which would take place prior to the court case. The purpose of this hearing would be to ensure judicial management of the case, that both parties – prosecution and defence – are ready for the trial going ahead. Applications for

special measures would also be dealt with at this hearing.

- Increase the sentencing powers of the Sheriff Court from 3 years to 5 years, to reduce pressure on the High Court.
- Allow for early trial dates for cases involving children and other vulnerable witnesses.

It is intended that the Criminal Procedure (Amendment) Scotland Bill will be implemented in 2005.

New £1 million Fund for Support Services for Rape & Sexual Abuse

Communities Minister Margaret Curran announced a new Violence Against Women fund during a Scottish Parliament debate last November on Violence Against Women. £500,000 per annum is available over a 2 year period, from April 2004-March 2006. The maximum grant per year per project is £50,000.

Applications must be from projects aimed at improving services for women who have been raped, sexually assaulted and/or sexually abused, including women who have been commercially sexually exploited. Priority will be given to projects providing direct services to women.

There is no requirement for matched funding. Applications must be co-ordinated by the local authority.

Guidance notes for the fund, and application forms, have been distributed to all local authorities and local multi-agency partnerships on violence against women. Contact them if you would like copies of the guidance.

The closing date for applications is 20th February 2004.

Review of prosecution of rape and sexual offences in Scotland

Elish Angiolini, the Solicitor General, has announced (November 2003) that the Crown Office and Prosecution Service will be carrying out a full review and evaluation of the prosecution of rape and sexual offences in Scotland.

The review will be confined to matters within the Lord Advocate's responsibilities as the head of systems of prosecution in Scotland. It will include consideration of how these cases are prosecuted at the moment; discussions with other prosecution services about how they deal with such cases; and consultation with third parties in Scotland.

The Solicitor General commented: "This is an important exercise which will help us understand how we are doing in the prosecution of sexual offences. Like crimes involving domestic abuse, sexual offending is a complex area and requires a sophisticated set of skills from the prosecutor. This exercise will allow us to take a close look at how we prosecute these cases at the moment and, with the support from experts in this area, to consider how we can do it better."

New round of Domestic Abuse Service Development Fund

The final round of funding for the Domestic Abuse Service Development Fund (DASDF) has been announced by the Scottish Executive. £1.5 million per annum is available for 2004/5 and 2005/6. The maximum grant per project is £50,000 per year. Projects applying must work with the definition of domestic abuse given in the National Strategy of Domestic Abuse, which defines domestic abuse as gender-based abuse.

Priority will be given to continuing currently funded projects, providing they can demonstrate their effectiveness and a continuing need for provision.

Applications must have match-funding, and be co-ordinated by the local authority.

The deadline for applications is 9th February 2004.

news from centres

ABERDEEN

Aberdeen is the Oil Capital of Europe and one of the most affluent places in Scotland. It is also a fishing port with a busy harbour, a city with a prosperous rural and fishing hinterland. It provides good services for its citizens, but to women who have been raped or survived child sexual abuse it has very little to offer.

The Rape and Sexual Abuse Centre has been run for the last thirteen years on a completely voluntary basis by a small group of committed women, with minimum financial support from the local authorities here. Until two years ago we survived on funding of just £2,500 and that has only gone up to about £5,500.

In fact the combined grant from Aberdeen City and Aberdeenshire Councils is not enough to pay the rent of our small city centre office, and volunteers find themselves using as much energy trying to find the money to keep going as they do on providing the service. Every year,

at the end of a gruelling and back-breaking week running a Charity Shop, we swear we'll never do it again, and yet we need the eight or nine hundred pounds we make, so we will be doing it again this year. Even our nearest and dearest are fund-raising: one member's husband recently ran a marathon and raised £1,000 for us. Fantastic! A few years ago we had to put in our own money to pay some bills. But we keep optimistic. We now have for the first time (but only on a temporary basis, funded separately) a part-time worker, which has made an enormous difference in terms of the support she provides in the office, but also in terms of the morale of the organisation. It also frees us to work at fund-raising in order to try to gain proper staff and support. One of the problems about being completely dependent on volunteers is that there is no-one with time to do the serious fund-raising. It's a Catch 22 situation! The existence of the National Office has also been a tremendous support, both practically and in terms of morale, with the credibility we gain from having recognition from the

Scottish Executive. Recent requests for funding have been successful, but only in a small way - one-off grants for particular things. We really do need to do more than survive, so that we can begin to offer a proper service. We do not publicise ourselves, for without publicity we have as much work as we can cope with, but the demand is steady and serious despite our low profile. We worry constantly about the need for better supervision and training. We lose volunteers because we ask them to do too much: not just to be support workers but to be fund-raisers, cleaners, admin. workers, public speakers, recruitment officers - all the various tasks needed to keep the organisation in place. And the people who lose are the women who need our service.

It has been a struggle to survive, but there is great optimism that things are going to improve, and even at the worst times we all get much satisfaction from the work we do and from working together as women with a common aim.

Frances O'Boyle

EDINBURGH

25 YEARS OF RAPE CRISIS WORK

On the 25th November 2003, Edinburgh Women's Rape And Sexual Abuse Centre celebrated its 25th Anniversary with a civic reception at the City Chambers, hosted by Lord Provost Lesley Hinds.

Attendance was good and it was great to see so many of our friends and to share their experiences of working at EWRASAC, previously Edinburgh Rape Crisis Centre. Speakers on the night included Frances Scott-Brien one of our unpaid workers, Cathy Peattie MSP,

Councillor Sheila Gilmore, a founder member, and Sandy Brindley, of RCS. Cathy's words were followed by song which was powerful and grounding. The latter part of the evening included a women's choir "Wildfire", whose South African songs proved a fitting end to an evening of friendship and positive support for the future of our service. The event allowed us to look at where we have been and what we have achieved. It also allowed us to look positively towards the next 25 years although everyone would agree that an end to the need for our service would be the ideal outcome.

Our collective has returned to a small group of individuals who have

been through a lot in the last year. The next six months will see our restructuring take shape. Throughout our history while we have often struggled with our internal organisation, our support work has remained our focus and sometimes the only thing which has kept us going. We would like to the opportunity to thank everyone who has supported us over the 25 years and who attended our event, including our sisters in the network. We would also like to thank all the women survivors who have allowed us to support them and from whom we have learned so much.

Elsbeth White
On Behalf of EWRASAC

Working with refugees and asylum seekers

Imagine trying to support a woman who has been raped in her war-torn home country, who has fled to Scotland and who cannot face telling her loved ones about the rape. You do not speak her language and you know little about the cultural and political background of the war, which of course matters a great deal to the woman.

These are the kinds of dilemmas Satinder Panesar has faced since starting to provide rape crisis support to asylum seekers and refugees in Glasgow. She is the information and development worker at the Rape Crisis Centre.

Referrals came initially from a lawyer and from a hospital and have steadily increased to a situation where Satinder now provides a monthly drop-in service in Toryglen. Along with Sighthill, it is one of the main areas where asylum-seekers are housed in the city.

While rape in a war setting is “horrendous” many of the issues women are dealing with are similar, whatever the context. “We wouldn’t ever say that rape is worse in some situations than others,” Satinder explains. “Rape is rape. This is what is important to get across.”

However, there are also specific factors which need to be addressed, starting with language. Many women arrive speaking very little English. Providing interpreters is essential, although it is very expensive. There are fears that if increasing numbers of women seek support, there could come a time when the Rape Crisis Centre may not be able to provide it due to the cost of interpreting.

There are also difficulties in finding someone with the skills and knowledge to talk about rape and sexual assault; in finding a female interpreter and in finding someone who speaks the particular language. For example the Rape Crisis Centre is aware of only one Macedonian interpreter in Glasgow. However, she has a lot of experience and has provided excellent support in such cases.

We wouldn’t ever say that rape is worse in some situations than others, rape is rape.

“Interpreting raises other problems though,” Satinder explains. “Politically there are sometimes reasons why you could not use an interpreter of one nationality or background to work with a woman from another country with a history of total cultural opposition to the interpreter’s country. You have to try to be aware of the kinds of things that could cause offence like that.”



Satinder Panesar, information & development worker at the Rape Crisis Centre

She often reads up on the cultural and political history of the home countries of women she is working with. Satinder herself is East African Indian and speaks Punjabi, which can be useful and sometimes she does the interpreting herself.

“One woman spoke almost no English but we worked non-verbally. She used a dictionary and pointed out to me the word she wanted.” But sometimes language fails the speaker. Punjabi, for example, has no word for flashback. Two or three need to be used to give the full meaning.

Cultural traditions and attitudes influence how refugee women feel about seeking support and whether they are able to meet with Satinder. Women often feel unable to tell anyone close to them that they have been raped. Satinder has had to meet some

women in hospitals, where they were 'legitimately' visiting sick relatives, so their family would not ask where they were going. In other cases women's partners have escorted them to what they think is a support session about an assault. They wait outside, unaware of the rape.

Partners often know the woman has been attacked in their home country, but they don't know they have been raped

"Partners often know the woman has been attacked in their home country, but they don't know they have been raped," Satinder recalls. "This can be a big fear for women because of the cultural attitude that she should only be with one man. Women are scared that if their husband finds out, he will walk out on them."

A refugee woman and her family may have left their country with only the clothes they were wearing and, perhaps, a small bag. They probably know no-one here and are struggling on benefits, unable to work while their application is processed, and suffering a mix of health problems related to their ordeal at home – nightmares, anxiety, all sorts of difficulties, including 'cultural bereavement' due to the loss of everything to do with their home and background. Then many can face racist abuse and worse in Scotland. In some cases asylum-seeking women have

been sexually assaulted here, sometimes by a group of men. The woman will frequently decide not to tell anyone.

Satinder adds: "Some families have had important roles back home but now they are treated like nothing. Their accommodation in places like the flats in Sighthill is like nothing they have been in back home. If they have been fleeing torture, imprisonment, rape, they had high expectations coming here, yet some are sent to the detention centre at Dungavel – more imprisonment. I think it is outrageous the way people are being treated."

The limited service Satinder provides feels to her like a drop in the ocean and she expects demand to grow. The Rape Crisis Centre is going to explore ways of funding further work, liaising with other agencies in the city and beyond.

Although many agencies know who we are, if a woman doesn't know the word rape in English, how can she explain what support she needs?

"It needs a dedicated worker ideally," Satinder says. "We also would like to publicise the service more. Although many agencies know who we are, if a woman doesn't know the word rape in English, how can she explain what support she needs? I'm a rape crisis worker, with training,

and I sometimes struggle with some of the Punjabi words we need to support a woman."

Sometimes refugee women's experiences with agencies here have been so bad, they don't expect to be treated well.

Satinder explains: "A woman phoned to say she couldn't come for her support session because there was dampness in her flat and the workers were there to treat it. Then she said: 'if you don't believe me, come and see for yourself'. I was stunned that she would think I didn't believe her, but clearly that had been her experience with others. I said 'of course I believe you' and made another appointment."

Satinder is keen to hear from others who work with refugees and asylum-seekers in similar ways.

Contact her at the Rape Crisis Centre in Glasgow. Tel: 0141 552 3201.

reviews

Lilya 4-ever

a landmark film on
sexual slavery and
trafficking.



Reviewed by **Donna M. Hughes**

*Professor & Carlson Endowed Chair in Women's
Studies at the University of Rhode Island.*

In the progress of every human-rights movement, there is often one story that transforms human consciousness. It is one story that puts a human face on atrocities that are committed on a larger scale. It is one story so powerful and heartbreaking, that touches the hearts and outrages the minds of enough people that society's perception and tolerance of this injustice is changed forever.

In 1852, the publication of Harriet Beecher Stowe's *Uncle Tom's Cabin*, the fictional, but realistic account of chattel slavery in the United States, is credited with raising the nation's consciousness about the horrors of slavery. This novel profoundly influenced public opinion about the cruelty of slavery and helped popularize the abolitionist movement. When Mrs. Stowe met President Lincoln, he reportedly credited her with starting the Civil War.

One hundred fifty years later, in 2002, Swedish filmmaker Lucas Moodysson has written and directed another consciousness-altering landmark work on slavery. *Lilya 4-ever* is a film that tells the story of Lilya, a 16-year-old girl from "somewhere in the former Soviet Union." Betrayed and abandoned by family, friends, and societal institutions, Lilya becomes a victim of sexual slavery, also known as trafficking for prostitution. The contemporary slave traders and owners - the trafficker, the pimp, and the men who rent her by the hour - brutalize her until she is destroyed.

From my 15 years of research and advocacy for victims, I can say that every detail about trafficking and sexual slavery in Lilya 4-ever represents something I know to have happened over and over to thousands of victims.

Lilya 4-ever is the story of one girl trafficked to Sweden, but her story gives a face to every one of estimated 800,000 to 900,000 victims trafficked in the world each year. *Lilya 4-ever* is the *Uncle Tom's Cabin* of the anti-trafficking movement - the fictionalized, but realistic account of cruelty to one girl that is awakening the public conscience to the horrors of global trafficking for prostitution.

The abolitionists of the 1800s encountered apathy and public denial about the harm of slavery. In fact, in 1853, Harriet Beecher Stowe published a collection of

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documents entitled *A Key to Uncle Tom's Cabin: Presenting the Original Facts and Documents Upon which the Story is Founded; Together with Corroborative Statements Verifying the Truth of the Work*, to substantiate the events in each chapter of her book.

Today, anti-trafficking activists encounter the same kind of denial and disbelief about the dimensions of contemporary slavery. Opponents, including brothel owners and managers, governments who profit from legalized prostitution, and - amazingly - some people who work for human-rights organizations and aid agencies attempt to undermine the work of modern day abolitionists by claiming that sexual trafficking is a myth, overly exaggerated, or that the women and girls consent and accept the violence as the price they pay for a job or to migrate.

From my 15 years of research and advocacy for victims, I can say that every detail about trafficking and sexual slavery in *Lilya 4-ever* represents something I know to have happened over and over to thousands of victims.

"Brutal" is the most common word used to describe *Lilya 4-ever*. The reviewer for the *Guardian* writes, *Lilya 4-ever* is an "extravagantly cruel movie: really cruel in a way that I have hardly experienced in any other film." Yet, we see no gratuitous violence, no sensationalism, no pornographic sex acts. In fact, the audience is spared a direct look at scenes of brutality. We just see the vacant stare on Lilya's face after yet another rape.

In her documentary of facts about slavery in *Uncle Tom's Cabin*, Harriet Beecher Stowe writes, "The writer acknowledges that [*Uncle Tom's Cabin*] is a very inadequate representation of slavery; and it is so, necessarily, for this reason, - that slavery, in some of its workings, is too dreadful for the purposes of art. A work which should represent it strictly as it is would be a work which could not be read. And all works must draw a veil somewhere, or they cannot succeed."

Portrayals of contemporary sexual slavery have the same limitations. A number of people who know what happens to victims of trafficking have remarked that although Lilya suffered many horrible attacks, they know of cases that are worse.

The scenes from *Lilya 4-ever* that may have the most conscious altering effect on viewers are the scenes of

the sex acts of prostitution. Moodysson presents a perspective we do not get from Hollywood, where prostitution is romanticized, glamorized, and eroticized. In *Lilya 4-ever*, the "clients" - the men who rent Lilya by the hour from the pimp - are shown mostly from Lilya's perspective. Their anonymous, swollen faces and torsos pant and heave over her. When the camera focuses on Lilya, she is seen, at first, unconvincingly trying to smile, then cringing, and, finally, screaming. Moodysson's portrayal of a "commercial sex act" shows a dehumanized physical act, completely devoid of love, intimacy, passion, or human connection.

This honest treatment of trafficking and prostitution is the result of decades of work by non-governmental organizations to raise awareness about trafficking and to pressure governments to combat violence against women and the trafficking of women and children. It may not be coincidental that such a groundbreaking film comes from Sweden, a country with a feminist government that is among the leaders in working to abolish sexual trafficking. Three years ago, Sweden became the first country to legally redefine prostitution as a form of violence against women. In the U.S., the conservative administration of President Bush recently issued a policy directive stating that prostitution is "inherently harmful and dehumanizing" and "contribute[s] to the phenomenon of trafficking in persons."

The abolitionist position of the Bush administration may be why the State Department made the bold decision to show *Lilya 4-ever* at the secretary's Open Forum. The audience was moved, and a number of people who were new to the topic were inspired to get involved in combating trafficking. One woman said to me, "This film educates you through your heart before it gets to your head."

Increasingly, groups from diverse political positions and philosophies are educating their constituencies and lobbying their representatives to take action against sexual trafficking. The political breadth of the abolitionist movement, from feminist to conservative, gives hope for its success. One of the landmarks in creating a broad based movement is *Lilya 4-ever*.

See page 15 for information about a screening of *Lilya 4-ever* by the Women's Support Project and Routes out of Prostitution.

S.W.A.P. (supporting women abused in prostitution) is based at the Rape Crisis Centre in Glasgow. SWAP provides support and information to women who have been raped and/or sexually assaulted while involved in prostitution.

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Women and Syndrome Evidence in Criminal Trials

The Implicit Relation of Psychology and Law: Women and Syndrome Evidence, Fiona E Raitt & M. Suzanne Zeedyk, Routledge, 2000.

This book examines the increasing use of syndrome evidence in criminal trials, specifically battered women's syndrome, premenstrual syndrome, so-called 'false memory syndrome' and rape trauma syndrome. Raitt, a senior lecturer in law, and psychology lecturer Zeedyk (both based at Dundee University) argue that underlying the use of these syndromes is an implicit relationship between psychology and law which works to the detriment of women as a whole by individualising and pathologising our experiences.

While the book identifies key problems with the use of each of the four syndromes, this review will focus on the authors' arguments regarding the use of rape trauma syndrome (RTS). RTS was developed in 1974, setting out a common range of reactions and behaviours following an experience of rape. Since 1980, RTS has been classified as an anxiety disorder in the Diagnostic and Statistical Manual (DSM), as a sub-category of Post-Traumatic Stress Disorder. The DSM, published by the American Psychiatric Association, is one of the primary diagnostic manuals used by health professionals. While there are many examples of RTS being used in sexual offence trials in the US, to date there have been few reported cases involving RTS in the UK.

The authors set out the context in which rape trauma syndrome is used, citing the very low conviction rates for sexual offences and the significant distress and humiliation experienced by women giving evidence in these trials:

"...the treatment of rape victims in the criminal justice system is notorious, with many women so appalled at police and court procedures that they describe the judicial response as worse than the rape itself." (pg 88)

They re-iterate what women tell rape crisis centres, which is that one of the most common complaints voiced by rape survivors is the extent to which their character is attacked when they are giving evidence in court. This particularly centres on defence tactics of trying to convince a jury that a woman is likely to have consented to sex by demonstrating that "she is sexually experienced, or even promiscuous or engaged in prostitution" (page 89). They provide examples from Scotland and other countries of the lack of effectiveness of 'rape shield laws' – which have been introduced in many jurisdictions to try to prevent unnecessarily intrusive questioning into a woman's sexual history. Using quotes from statements made by those involved in the legal profession, they demonstrate the persistence of myths which hold women being responsible for rape. For example:

- In 1998, Donald Findlay, a Scottish criminal lawyer, stated that 'women have to have a certain degree of responsibility in this... (when) she invites a total stranger back to her home' (pg 90)
- In 1995, Judge Dave Griffiths, was reported as saying in Winchester Crown Court to a man convicted of indecent assault, 'If you had had the courage and good manners to say

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you were sorry and sent a bunch of flowers, all would have been forgiven' (pg 90)

- In 1999, the Supreme Court in Italy quashed a man's conviction of rape on the basis his 18 year old victim had been wearing tight jeans, reasoning common experience demonstrated that it was practically impossible even partially to remove a pair of jeans 'without the effective co-operation of the person wearing them' (pg 90)

In this context, RTS has begun to be introduced in sexual offence trials with the aim of redressing the balance which the authors describe as being currently so tipped in favour of the accused. Women have wide and varied reactions to rape, and these reactions are often counter-intuitive; that is women often react in ways which are the opposite of how people might assume they would react. For example, there is a general assumption that women will be overtly hysterical after being raped whereas many women, due to the effects of shock, will actually appear very calm. A common defence tactic in sexual offence trials is to exploit a lack of information or prejudices within the jury around how a woman will react to a rape, by setting up a picture of how a 'real' rape victim would react and implying that the complainant's behaviour is not consistent with this. Theoretically RTS could combat this tactic, by giving the prosecution a means to educate the jury on the wide and varied reactions women have to being raped or sexually assaulted.

The authors warn of the dangers inherent in anyone wishing to improve the position of rape survivors in criminal justice system using or advocating the use of RTS. This concern is based what they see as the inherent consequence of acceptance of RTS into the DSM, which is to characterise women's responses to rape as pathological.

The introduction to the fourth edition of the DSM states that 'each of the mental disorders' included in the manual 'must currently be considered a manifestation of dysfunction in the individual'. The DSM further states that the behaviours observed must 'not be merely an expected and culturally sanctioned response to a particular event, for example, the death of a loved one'. Raitt & Zeedyk argue that by defining women's reactions to rape as RTS, and as a consequence of RTS being included in the DSM, psychologists are confirming that women are mentally disordered, rather than having normal reactions to an abnormal event.

"Although introduced into the courtroom in the hope that psychological symptoms would enhance women's credibility, RTS actually creates the opposite outcome. Women's credibility is diminished, for a diagnosis of RTS officially classifies her mental state as pathological.' (pg 103)

Raitt and Zeedyk outline what they see as the dangers inherent in the use of RTS in sexual offence trials:

- If its use is accepted in some cases, inference could be drawn from cases where RTS is *not* admitted that the women in these cases did not suffer from it and therefore may not have been raped;
- It gives the defence a new strategy for endorsing the view by law of women as non-credible witnesses in allegations of rape;
- Women's reactions being characterised as disordered increases the risk that any psychological damage resulting from the rape is used against the women e.g. to suggest she had a subsisting mental instability, that she gave off 'the wrong signals', or was especially vulnerable to misinterpretation of the man's intentions;
- It extends existing tactics used by defence to discredit women;
- Acceptance of a syndrome comprised of certain typical reactions could lead to women who do not experience some of these reactions to question their own experience;
- Its use silences women's voices and medicalises our experience;
- RTS is conceptualised as internal pathology, to be diagnosed and treated in the individual person, negating the social context within which rape occurs and within which women cope with its aftermath: 'reliance on RTS in the court room merely reproduces the problems of individualism by narrowing the focus to a single woman's actions, and in the process, decontextualising them' (pg 106)

Raitt and Zeedyk present convincing arguments as to why we should reject the use of RTS in sexual offence trials, reminding us of how reforms introduced to the justice system with the aim of improving the position for women can in practice work severely to the detriment of women's interests.

Raitt and Zeedyk advocate instead the use of what they term 'social framework evidence'. This involves experts being called to testify about general

events

psychological phenomena and findings, to help provide a broader context within which to 'make sense' of the factual information presented in a specific case. In sexual offence trials, this could help educate the jury about common reactions to rape, for example that it is not uncommon for women to delay reporting their experience to the police. The authors stress that the success of a social framework approach is dependent on an account which does not pathologise women.

The authors further outline a number of reforms which could be implemented within the legal system and which they view as having the potential to improve women's lives in direct and immediate ways. As well as advocating the reform of legal educational programmes, Raitt & Zeedyk argue for a number of specific changes to the rules of evidence, including

- Change to the hearsay rule to enable for example, a friend who a woman told about the rape to testify about that conversation in support of the woman's allegation
- Change to the rules which govern the process by which examination and cross-examination of a witness is conducted, to enable women to give an account of their experience in their own words and at their own pace, rather than through the current question and answer format. Raitt and Zeedyk argue this enables defence lawyers to distort women's accounts of what happened, for example, rather than a woman being permitted to explain why she invited a man to her house for coffee the defence lawyer implies 'through the technique of closed questions and selective management of the evidence' (pg 176), that such an invitation constituted consent to sexual intercourse.
- Redefining the role of expert witnesses
- Changing the boundaries within which privileged status is granted to evidence
- Improving the restrictions on admission of character evidence

Raitt and Zeedyk's book makes an important contribution to the debate surrounding how legal responses to rape can be improved, as well as providing a good overview of how legal processes fail to provide any real form of justice to women. It is highly recommended.

Sandy Brindley

Both reviewed items are available in the Rape Crisis Scotland resource library. Contact Fiona Montgomery at the RCS office for details on these and other resources.

Lilya 4-ever

Screening and panel discussion

Organised by the Womens Support Project and Routes Out of Prostitution with the Glasgow Film Theatre.



Set in a dismal suburb somewhere in the former Soviet Union, this is the story of a teenage girl named Lilya whose best friend is a glue-sniffing street urchin, Volodya, and whose mother has recently run away to live in America, abandoning her. Eager to start a new life, Lilya is excited when her new boyfriend, Andrei, asks her to move to Sweden with him, but she doesn't get what she bargained for when she gets there, in this bleak story mired in the gloom of deceit, prostitution, rape and suicide.

A difficult movie to watch but with an important message for anyone working with women and children abused through prostitution and trafficking.

6:00pm

**Wednesday 18th February 2004
Glasgow Film Theatre
Rose Street, Glasgow**

Panel will include representatives from Strathclyde Police, Glasgow City Council and the Women's Support Project.

Please book in advance and soon to avoid disappointment

**TICKETS AVAILABLE FROM THE GLASGOW FILM THEATRE, 12 ROSE STREET, GLASGOW
£3.90/£2.50 • tel. 0141 332 8128**

contact

Scottish Rape Crisis Network Member Centres

Aberdeen

Rape and Sexual Abuse North East
1-3 Little Belmont Street
Aberdeen AB10 1JG

Tel (helpline) 01224 620772

Opening hours Mon & Thurs 7pm-9pm,
answermachine at other times

Website

www.rapeandsexualabuse northeast.co.uk

Email

rapecrisis@littlebelmontstreet.fsnet.co.uk

Dundee

Women's Rape & Sexual Abuse Centre
PO Box 83, Dundee DD1 4YZ
Tel (helpline) 01382 201291

Opening hours Mon 12noon-2pm, Tues
10am-12noon, Wed & Fri 7pm-9pm, Thurs &
Sat 2pm-4pm, answermachine at all other times

Tel (business/fax) 01382 205556

Textphone 01382 226936

Email wrasac@btconnect.com

Edinburgh

Edinburgh Women's Rape & Sexual Abuse Centre
PO Box 120, Brunswick Road
Edinburgh EH7 5WX

Tel (helpline) 0131 556 9437

Opening hours

Check answermachine for opening times

Tel (business/minicom) 0131 557 6737

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Email ewrasac@aol.com

Glasgow

Rape Crisis Centre
PO Box 53, Glasgow G1 1WE
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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.

info & events

The Scottish Coalition Against Sexual Exploitation

is a new organisation which works to raise awareness of the harm caused to women through prostitution and other forms of commercial sexual exploitation, including stripping, lap dancing, pornography, sex tourism, mail order brides, and trafficking for the purposes of prostitution.

It campaigns for legislative change necessary to:

- reduce the harm caused through prostitution and other forms of sexual exploitation;
- remove current gender inequality in the law;
- challenge the behaviour of men who buy sexual services.

A full statement and membership forms are available on the Rape Crisis Scotland website at:

www.rapecrisisscotland.org.uk/OctoberNews.htm

Contact the Coalition Against Sexual Exploitation

c/o Women's Support Project or c/o Rape Crisis Scotland

31 Stockwell Street

Glasgow

G1 4RZ

jan@wsproject.demon.co.uk

1st floor, Central Chambers

93 Hope Street

Glasgow G2 6LD

info@rapecrisisscotland.org.uk

New Research & Reports

all available to download at the Rape Crisis Network Europe website – www.rcne.com

Rape: Still A Forgotten Issue

Regan & Kelly, Child & Women Abuse Studies Unit, London Metropolitan University

Highlights the very high level of attrition (ie cases which never make it to court) in rape cases, and compares the conviction rates for recorded rape across Europe. Their figures demonstrate that Scotland has one of the worst conviction rates in Europe, at 6% of recorded rapes.

Good Practice in Medical Responses to Recently Reported Rape, Especially Forensic Examinations

Regan & Kelly, Child & Women Abuse Studies Unit, London Metropolitan University

Explores current good practice in medical and forensic responses to rape, and considers a number of models for service delivery.

Conference Proceedings 'Sexual Violence: Issues and Responses Across Europe'

Rape Crisis Network Europe

Proceedings from a European conference held in Dublin in October 2003. The proceedings contain the reports of speeches by keynote speakers on attrition in rape cases, trafficking, pornography and prostitution, as well as notes from workshops.