

## **Rape briefing**

### **When no means no**

After Richard raped Ava she said 'I can't stop going over it, wondering what would have happened if I hadn't acted the way I did – flirted with him, asked him up to my room. I told him to stop and he didn't'. The fact that Ava invited Richard to her room and kissed him does not give him the right to rape her.

### **What is rape?**

According to the law, only a man can commit rape (as the penetration has to be with a penis). However, both women and men can be raped. A rape can occur within a relationship or within a marriage.

The law says:

'A' is guilty of rape if:

he intentionally penetrates the vagina, anus or mouth of 'B' with his penis;

'B' does not consent to the penetration, and

'A' does not reasonably believe that 'B' consents.

### **Sexual assault**

Is when any male or female intentionally touches another person sexually without his or her consent.

### **What does 'consent' mean?**

Consent is about permission or agreement. This must be clearly established between two people before any kind of sexual act and you can change your mind at any time.

### **'Position of trust'**

Ava said 'That's what you get for trusting someone'. Richard was in a 'position of trust' over Ava. Position of trust is a legal term to describe someone who has power or authority over another person. Children and young people have a right to be protected from abuse by adults who are in positions of trust. Crimes committed by a person in a position of trust may be dealt with more severely.

### **'Date rape'**

In recent years there has been a lot of talk of 'date rape'. It is believed that being raped by someone you know is not as traumatic as being raped by a stranger.

But if her trust is abused a woman can doubt all her future relationships.

- 89% of women who were seriously assaulted knew their attacker
- 54% of women were assaulted by a partner or ex-partner.

(British Crime Survey)

### **How common is rape?**

Almost 1 in 5 women will experience rape or sexual assault in their lifetime.

(British Crime Survey 2009/10)

## **Myths about rape**

- Rape only happens to young, attractive women
- women are to blame for rape
- some women are 'asking for it'
- if she didn't fight back it couldn't have been rape
- when women say no they really mean yes
- women enjoy rape
- women who report rape are lying

## **Reporting rape**

At the police station Ava was interviewed by a specially trained woman police officer. England and Wales has Sexual Assault Referral Centres (SARCs) where people who have been sexually assaulted can get medical care and counselling while making a report to the police. Once a rape has been reported, the police collect forensic evidence. This is needed to prove that sexual intercourse took place and it is used as evidence in prosecution. That's why, after a rape it is important not to:

- wash or shower
- change clothes
- tidy up where the rape took place.

## **Male rape**

Most people who commit rape are male and most victims are female. But more than 1,000 men report being raped to the police every year and the police and government say this is likely to be less than 10% of the real number.

Men and boys who have been raped can contact Survivors UK for help and advice.

## **What happens to men convicted of rape?**

Only 15% of serious sexual offences against people aged 16 and over are reported to the police and of those, fewer than 6% result in a conviction. The maximum sentence for rape is life imprisonment. However the average sentence is around four years and it is often much less.

## **Help and information**

### **Rape crisis centres**

provide crisis and long-term counselling, support and advocacy for women and girls of all ages who have been sexually assaulted or raped.

### **Rape Crisis England and Wales**

Free helpline: 0808 802 9999

### **Rape Crisis Scotland**

Free helpline: 0808 801 0302 Phone (between 6pm and midnight)

**Sexual Assault Referral Centres (SARCs)**

To find your nearest SARC, contact

Your local GP or Accident and Emergency hospital

Or call NHS Direct on 0845 4647 or see [www.nhsdirect.nhs.uk](http://www.nhsdirect.nhs.uk)

**Survivors UK**

has a confidential helpline for adult men (18 and over) who have experienced childhood sexual abuse or rape or sexual assault as an adult.

Call: 0845 122 1201