

NORTHERN IRELAND

**rc&sac**

**Rape Crisis & Sexual Abuse Centre**

Crisis Line - 028 90 329002  
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29 Lower Donegall Street  
Belfast BT1 2FG

# ANNUAL REPORT 2005

*“Where Survivors Come First”*

"Violence against women is perhaps the most shameful human rights violation, and it is perhaps the most pervasive. It knows no boundaries of geography, culture or wealth.

“As long as it continues, we cannot claim to be making real progress towards equality, development and peace.”

*UN General Secretary, Kofi Annan*

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**Julie Anne Boyle delivers the Making The Grade Report to 10 Downing Street on behalf of Amnesty International, the WNC (Women's National Commission) and the EVAW (End Violence Against Women) Coalition**

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# *Introduction*

This Report is being released at a crucial time for our Centre both in terms of the vital work we have recently been involved with and also in terms of the increasing pressure being put upon us to try to find the financial support we need to continue this work.

Our Centre was opened on International Women's Day in 1982 to provide services for survivors of rape and sexual abuse and to campaign for changes in the systems in our society that deny women justice and equality.

We are the only Rape Crisis Centre in Northern Ireland and the only specialised service here providing a telephone helpline, one to one counselling, advocacy, support for families & partners and court accompaniment, totally free of charge and in confidence. We operate on a crisis basis where we see clients immediately in an emergency or within 48 hours when needed.

The Centre offers all our services to both female and male clients. There has been a steady increase in the number of people we have assisted in recent years.

In 1994 the Centre had 1398 new reports of sexual violence, In 2004 we had 1946. Of these calls 851 were about rapes, 803 regarding child sexual abuse, 101 calls about other sexual assaults and in 191 cases the caller was not specific about the type of sexual abuse they had been subjected to.

Many of these survivors had been raped and abused more than once sometimes over a period of years – throughout a marriage or throughout a childhood, by the same person, however in our statistics they show up simply as one new contact call. Therefore these statistics are an underestimate of the amount of rape and abuse that our Centre deals with.

The Association Of Chief Constables said just over a week ago that they believe only 10% of all cases of sexual violence are reported to the police. While Rape Crisis Centres have been contacted by more victims than police have – it is clear that even our Centre sees only the tip of the iceberg.

The RC&SAC has been over-stretched and under-resourced for many years and is increasingly becoming the victim of unnecessary bureaucracy and red tape. This is happening to such a degree that it is beginning to prevent us from carrying out the work we do best. Our staff went unpaid for several months on more than one occasion even though they were working full time and additional voluntary hours. This type of dedication is rarely seen even in the heavily under-resourced voluntary sector.

Despite the fact that the last Assembly voted overwhelmingly for our Centre to be properly funded by the DHSS & NIO we are still having to fight for the paltry £63,000 we were promised for this financial year by the DHSS and have received not a penny from the Northern Ireland Office.

We have written to the Minister for Health Shaun Woodward to ask for a meeting to discuss this unacceptable situation and have the support of politicians in doing so.

A copy of this report will be left at Stormont for the Secretary Of State Peter Hain. We hope that he will ensure that the NIO will act upon the wishes expressed by our MLA's just over three years ago, when Northern Ireland's only democratically elected parliament in thirty years made their voices heard on the state of our funding.

Our centre is one of the longest established in these islands, opening more hours than many better funded British Centres and seeing many more clients than some smaller more recently established Irish Centres. Yet we are THE WORST FUNDED CENTRE in Ireland.

We trust that this report will show the prevalence of sexual violence in our society. For many survivors we are their last and only hope.

Unless the government is prepared to address our funding needs our centre will close and many hundreds of survivors will have no voice and no hope as the statutory agencies are ill-equipped and often disinclined to deal with their problems.

We have been involved for twenty-five turbulent years in this vital work with survivors and are involved in innovative work with other organisations both local and international fighting against violence against women detailed later in this report. We will continue to do this work in the future. We have friends and allies both at home and abroad and more importantly the strength of the survivors who work with us.

It would appear that we may have offended people in powerful places over the years simply because we defend the rights of survivors and tell the truth, we will not be silenced or intimidated by anyone.

Notwithstanding the obstacles placed in our way in terms of inadequate funding and in the face of those who choose to defend or cover up sexual crime, our Centre, will, like our clients, progress from surviving to thriving and like them we look forward to the future with strength and hope.

**Pearl Gray, Chair  
Board Of Directors RC&SAC**

## ***Mission Statement***

"We provide empowering confidential counselling and other services free of charge for survivors of sexual assault and those who support them.

"We campaign with survivors for justice, working to increase awareness of the need to change the conditions in society which make sexual violence and abuse possible."

# Values

The Rape Crisis & Sexual Abuse Centre Limited (NI) is committed to the following values:

- **PERSON-CENTRED**

Committed to responding to the whole needs, both immediate and long term, of survivors of sexual abuse and violence, and those who support them.

- **RESPECT**

Ensuring that survivors are believed and treated with dignity and respect.

- **EMPOWERMENT**

Working alongside survivors to enable them to regain control over their own lives.

- **ACCESSIBILITY**

Providing a free and accessible service to survivors and those who support them.

- **CONFIDENTIALITY**

Ensuring that all of the Centre's work is subject to a detailed confidentiality policy, which represents best practice and is strictly adhered to.

- **PROFESSIONALISM**

Ensuring that the Centre's ethical code of practice, in conjunction with the BACP & RCNI codes of practice, are strictly adhered to and all counsellors receive regular skilled supervision.

- **VALUING STAFF AND VOLUNTEERS**

Ensuring that all counsellors are valued and provided with appropriate support, supervision and training.

- **ADVOCACY**

Being prepared to challenge unjust laws, policies and practices and take up issues, which affect survivors of sexual violence and abuse.

- **ETHOS**

Understanding that sexual violence and abuse result from the unequal power relationships between men and women and adults and children in society.

- **QUALITY**

Maintaining a high quality of service that continuously develops to meet the changing needs of survivors and those who support them.

- **EQUAL OPPORTUNITIES**

Ensuring that a comprehensive anti-discrimination policy underpins all of the Centre's work.

# *Progress Report*

Since our last report the Rape Crisis & Sexual Abuse Centre has increased its workload in every capacity. The amount of calls we have taken has increased as has the number of counsellor hours availed of by the Centre's clients. There have been many highly publicised recent rape cases particularly in West Belfast and it is to our Centre the survivors and their families have come to for help and support. We were involved in recent months in the first case of Voyeurism brought to the attention of the police under the new Act, details of this case can be found in other parts of this report.

Our centre continues to play an active role in the Rape Crisis Network Ireland and attended this year's AGM in Wexford and the 2004 AGM in Limerick. Eileen Kelly represents the north on the RCNI Board of Directors. We have recently held an open day for new volunteers who will start their first training day on December 6, 2005 they will be trained under the programme agreed by the Network and will be accredited if they complete it successfully. A lack of resources has unfortunately prevented us from attending all the Network meetings in Dublin over the last year but we are in constant contact with the Network and are proud to be a part of what is one of the strongest RCC affiliation groups in the world. Our Network has carried out an enormous amount of work in both research and campaigning to put sexual violence on the agenda in Ireland at a high level with government and also in the public eye. The Network has standardised the training of RCC's and striven to constantly improve professional practice of RCC's in this island and beyond.

We continue our work with Open Door Housing Association on the issue of homelessness of survivors and hope to work on a joint project with them in the future. We also will meet with the Northern Ireland Housing Executive and other housing associations on this issue in 2006.

We are about to embark on a new project working with young people, including young men on attitudes and values on sexuality and rape to be carried out in community centres funded by Belfast City Council. Amnesty International's recent poll on attitudes to sexual violence shows just how vital such work is. We need to change not just the attitudes of future potential victims but those of boys and young men who may become rapists, not because of any inherent evil in them, but because they are brought up in a society where even Judges appear to think its acceptable to have sex with an unconscious woman.

We have been working with Amnesty International this year both locally and in the UK in support of their worldwide Stop Violence Against Women Campaign. Amnesty recognises rape and sexual abuse as a human rights violation. Julie-Anne Boyle, a survivor who has been with our Centre for many years and who is now a member of our centre's Committee was funded by Amnesty to present the Making The Grade Report to 10 Downing Street in November 2005. She went with a delegation that included relatives of women murdered in domestic and sexually violent situations. After the report was delivered we attended a meeting with all the groups involved in the EAWW Coalition and our Centre had extremely moving and supportive private meetings afterwards with the relatives of the murdered women. We are planning to invite these bereaved but campaigning relatives, who have already become our friends, to Northern Ireland next year to a conference that will deal with all aspects of violence against women and the need for government to develop an integrated UK wide strategy to deal with the problem.

The centre is a member of the Women's National Commission set up by the Cabinet Office and Eileen Calder represents Northern Ireland on the Violence Against Women Sub-Group chaired by Professor Liz Kelly. The WNC, Amnesty International and the TUC are the leading partners in the new End Violence Against Women Coalition who produced the report. Eileen has attended several meetings in London this year and travelled to London with Julie-Anne. Our work with the WNC and the EVAW Coalition has encouraged us to do further research and training on issues such as forced marriage, trafficking and prostitution, "honour crimes" and female genital mutilation. With an increase of women from ethnic minorities coming in to Northern Ireland these are issues that we will have to deal with in greater numbers in the future. We must be prepared to do this work in a courageous way which honestly tackles the issues but which is sensitive to diverse cultures and which is carried out in a non-racist way. Our Centre must also strive to become more inclusive of women from ethnic minorities.



**Julie Anne Boyle delivers the Making The Grade Report to 10 Downing Street on behalf of Amnesty International, the WNC (Women's National Commission) and the EVAW (End Violence Against Women) Coalition**



The centre has continued its campaigning work and efforts to publicise issues around rape and sexual abuse. We have carried out television interviews with BBC Spotlight, UTV Insight, BBC News 24, Sky News, ITN, BBC Newline, UTV Live, UTV Life and GMTV. We are regular guests on Five Live, the Stephen Nolan Show on BBC Radio Ulster, Radio Foyle, Downtown, RTE (Pat Kenny), City Beat and Cool FM. We have had articles in practically every newspaper in Ireland and the UK over the last two years. We have been involved in so much media work that it is not possible to produce a comprehensive list in this report, it is however available on request.

The Centre's Board Of Directors has continued to work on the administrative effectiveness and accountability of the Centre. Last year a new Corporate Governance Policy was developed and is being implemented. The Fundraising Sub-Group has several events in the pipeline.

The Centre is presently engaged in meeting representatives from local, national and foreign governments on issues relating to policing as they affect survivors of rape and sexual abuse in Northern Ireland. We will also continue to meet with women's and community groups on policing and other issues to insure that survivors feelings are heard and listened to at every level.

Tracey Morris represents the mothers of survivors on our Committee she is also Secretary to the Committee and is a survivor herself. The Centre is supporting Tracey in facilitating a group for mothers who have had problems in dealing with Social Services, particularly for mothers whose children have been taken into care – in one case a child was dragged out of its mother's arms in a maternity ward. These women need an enormous amount of support, expert legal advice and to share their experiences in a safe and non-threatening environment. Tracey has met with a representative from the Children's Commissioners Office who has expressed an interest in working with the group that will meet regularly in our Centre in the new year again.

Following the Ferns Report when one of the survivors attending our Centre went public regarding her abuse by a priest we have been asked to set up a group specifically for clerical abuse survivors. We intend to do this at Christmas with the help of Father Paddy McCafferty a brave survivor, a great priest and a wonderful friend to our Centre. The Centre has met with Donal McKeown, Auxilliary Bishop of Down & Connor and hope to meet with Bishop Patrick Walsh to deal with both individual cases and the wider issues affecting the church and survivors of abuse.

Julie Anne intends to step up the campaigning work of the Survivors For Justice Group which she established in the Centre several years ago. The Centre was honoured and proud that Julie represented survivors not just from here but from all over the UK at 10 Downing Street.

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## WHAT WE DO

*“Where Survivors Come First”*

# ***What We Do***

## **NETWORKING**

Valuing our membership of the Network Of Rape Crisis Centres Ireland & The Rape Crisis Network Europe, The End Violence Against Women Coalition (UK) and The Women's National Commission and working with them to eradicate all forms of violence against women both at home and abroad. Working with Amnesty International, Women's Aid and others to ensure that VAW is recognised as a human rights violation. Working with other professionals and organisations to end sexualised violence and abuse.

## **CLIENT SERVICES**

This part of the report outlines the range of services provided by the Rape Crisis & Sexual Abuse Centre NI. While we consider our counselling role to be an important one, we would also wish to stress the fact that to many of our clients the other services we provide are just as or even more important. The fact that a client may not wish to engage in therapy does not mean that she/he cannot avail of our other services. There are many ways in which the Centre helps clients. The following pages will briefly describe these. Our Services are open to female and male survivors of all forms of sexual violence and abuse and to non-abusing families, partners and friends trying to support them, or in need of counselling themselves. We see people immediately, do not operate a waiting list as we are a Crisis Service. We do not charge on a sliding scale, ask for, or accept donations, from our clients, or their supporters while they in counselling.

## **CRISIS COUNSELLING HELPLINE**

Our telephone counselling service is the only specialised help line in Northern Ireland for survivors of sexual abuse and rape. During the period from 10am - 6pm phones are answered from our Centre, between 6pm - 12 midnight calls are directed to counsellors own homes. Although these are the official opening hours in cases of an emergency it is worthwhile to try to get through. Some of our counsellors continue to take calls into the early morning hours.

We would of course hope that with adequate funding in the future that this service would be further developed into a fully covered 24-hour service. Many people who would never come in for face-to-face counselling prefer the anonymity of the telephone. Our Crisis line is never answered by anyone who is not a fully trained counsellor. This however means that quite often an answering machine must be left on when all the counsellors are engaged, but we will ring back immediately, those who are prepared to leave numbers.

The increasing number of mobile phones being used means that more clients are willing to do this rather than give a landline home or work number. Many continue to communicate with counsellors this way outside Centre hours.

Due to financial problems and lack of funding we were forced to suspend our Freephone Helpline service, however we intend to resume this service by the end of April 2006 if funding

permits. We have always offered to ring clients back who may not be able to afford telephone bills and continue to do so.

## **COUNSELLING**

Is available in the centre from Monday to Friday between 10am and 6pm. If there are reasons why clients cannot come in during these hours weekend and evening appointments can be arranged.

Our counsellors have considerable experience and are highly trained in the specific problems facing the survivors of sexual violence and abuse. They are Northern Ireland's only counsellors, trained, accredited and registered with the Rape Crisis Network Ireland. They abide by the British Association of Counselling & Psychotherapy's Ethical Code and our own strict Confidentiality Policy.

The counselling we offer is eclectic, non judgmental and woman centred. It is generally based on Rogerian principles, but our work with women will also usually include elements of feminist behavioural therapy in the form of assertiveness training and confidence building. We respect our clients as equals and consider ourselves privileged to be allowed to work with them, sharing in their healing process and supporting them in their transformation from victim to survivor – from surviving to thriving.

Our counselling is in the main non-directive, except in cases where the women or her children are in danger from further abuse. In these cases we must work with the client and present options based on our past experiences with other women. We will encourage women to make positive decisions for themselves and their children. While there are many classic and recognisable effects of rape and sexual abuse, every woman's experience of abuse and their coping strategies are to some degree unique. Our client's own the counselling process and are regarded as the experts on their own abuse.

## **PRACTICAL CONSIDERATIONS REGARDING OUR COUNSELLING**

Our counselling services and all our other services to individual clients are absolutely free of charge. We do not ask our clients for donations and we do not charge on a sliding scale.

### **Waiting Times**

As our title implies we are a crisis service and we see clients who have just been assaulted immediately. The same applies to parents who have just discovered their child has been sexually abused. For those whose abuse happened some time ago we can see them generally within a week. Weekly or fortnightly appointments are guaranteed beginning at the first appointment.

### **Confidentiality**

We offer survivors complete confidentiality regarding their own abuse. In cases where we have full details of a particular child still being abused we will work with the client to help them to report. We will only consider breaking confidentiality in the above circumstances where a child is known to be in danger and this situation rarely occurs. If it does and the adult cannot or refuses to protect the child we will tell the client of our proposed action. It is however a rare event that a conflict of interests arises. When it does our priority must lie with the most powerless and vulnerable. Most cases we are involved with are actually a reverse situation of

the above scenario and involve clients who have been disbelieved by the system. In such cases we work with the woman to find ways in which she can protect herself and any children involved from further abuse.

Many women have come to us in recent years threatened with imprisonment because they would not hand small children to ex-partners who were sexually abusive. We have a new support group set up this year to support parents, primarily mothers who have been unfairly treated by social services, which will be discussed later in this report.

We owe abusers no confidentiality.

If an abuser rings the Centre we will get as much information as we can from him and pass it on to the relevant statutory agencies and the PSNI.

Our diaries are absolutely confidential. They will never be handed over to any individual or agency without the woman's express permission.

If a woman wishes it we can make these available to the police and courts if she decides at a later date to report her rape or abuse. This has often helped women who years later have decided to report to the police, our diaries can show that they told someone years before.

We have refused to break our clients confidentiality even on the threat of imprisonment .

We no longer keep case notes that our client's contact with the Centre can not be used against them in court.

### **Home Visits**

We offer strictly limited home visits to women who for a variety of reasons cannot come to the Centre.

Unfortunately lack of financial resources and personnel means we have to restrict these to Survivors who have specific problems outlined below. (We have a new intake of volunteer counsellors and hope to increase the amount of home visits possible in 2006.)

- a) Survivors in immediate crisis – who have just been raped or abused within the last month and may be still shocked. Parents who have just found out their children have been sexually abused.
- b) Survivors who are disabled who are unable to travel, climb stairs; because of illness, disability or injury.
- c) Survivors who are very elderly & infirm.
- d) Survivors who are agoraphobic.
- e) Women with insurmountable child care difficulties. We do have a room adjoining our main counselling room equipped with toys for women who wish to bring children with them and if adequate notice is given it may be possible to make arrangements for someone to remain with the child so the woman has privacy during counselling. We

are prepared to talk to people and offer support, who are accompanied by children but not in a counselling situation.

Home visits generally have to be restricted to once a month. In emergency a visit will be carried out the same or next day. Non-emergencies may have to wait a few weeks. This service is available to women all over Northern Ireland. If for reasons of confidentiality the woman wishes to meet us in another safe place outside her house but cannot get to Belfast we will try to arrange this.

Survivors are offered tea and coffee in the Centre, they can bring someone with them especially the first time they come, to come in to the counselling room or to wait for them, they are free to smoke cigarettes if they wish, this will obviously need to be reconsidered due to impending legislation and changing attitudes in society. Counselling sessions generally last an hour, but our counsellors are not 'clock watchers'. See Information Pack for help if you are reading this and you wish to avail of the services.

# ***Advice & Information***

The Centre deals with many enquiries for advice and information from individual clients and their families on a wide range of issues relating to legal, medical and psychological consequences of sexual assault and abuse.

We also get calls from professionals regarding patients/clients who need information and are not ready yet to ring us themselves.

Some of the issues we deal with are:

## **REPORTING TO THE POLICE**

We are a non-directive organisation, which does not attempt to force women to report to the police. Where the survivor is still in physical danger or we fear for her life we will actively encourage her to report her assault. Obviously we want to see as many rapists and paedophiles brought to justice and will give every encouragement to help her report.

We will however respect her decision and her confidentiality. Unfortunately most women do not ring us immediately after the rape and most regardless of the stage they ring us at have already made a decision regarding reporting.

If however a woman is undecided or wants more information we explain how the CARE Units work and can alleviate some of the fears that women may have which are no longer consistent with current police policy.

We will advise her not to wash, change her clothes or dispose of any other evidence. We will also tell her not to take alcohol which may be used against her in a court case.

We can accompany her to the CARE suite at Garnerville or elsewhere if she wishes. We can also make hypothetical enquiries with the CARE Unit on her behalf to reassure her.

In cases where abuse of children is involved we will actively encourage reporting. If someone on the telephone believes a child is being abused and will not report themselves we will ask if they are willing to pass details on to us in order that we can pass them on to the PSNI or Social Services.

If a survivor has reported to the police we believe it is the responsibility of her community to support her in this decision and to come forward to the PSNI with any information they may have to bring the perpetrators to justice.

Our position is that rape and the sexual abuse of children are serious offences which need to be dealt with by professional impartial policing methods which are beyond the remit of community volunteers or vigilantes.

## **CRIMINAL INJURY COMPENSATION**

**\*\*You Need Professional Legal Advice\*\***

Every year of thousands of pounds are paid out in Criminal Injury Compensation which would not have been paid out to survivors were it not for their contact with the Centre. As women are not entitled to Legal representation of their own in rape cases few bother to see a solicitor. The police occasionally in our experience omit to tell survivors about their rights to compensation.

In Northern Ireland we are the only agency specialising in the field of sexual violence who survivors can ring immediately to talk to an experienced counsellor with full knowledge in this area. We will arrange an appointment with a sympathetic solicitor as soon as possible.

It is vital that women are able to talk to someone right away as there is a limit to application times. Victims have had the right to Legal Aid to employ a solicitor in Compensation cases taken away, however we still advise women to go to a trusted solicitor they know who is prepared to work on a 'no win, no fee' or percentage basis.

These cases may be complicated, just because the initial form tells says you can do it yourself, doesn't mean you should. After all you can write your own will, sell your own house or defend yourself in court but how many responsible people do dream of doing this without skilled, professional, legal advice?

## **POST-COITAL CONTRACEPTION**

If a woman rings our Centre just after being raped, pregnancy is often the furthest thing from her mind. However upsetting it is for the client it is the responsibility of the counsellor to remind her of this possibility in order that she can deal with her options.

Because of the level of ignorance especially among younger girls regarding both oral and inter-uterine forms of post-coital contraception many women and girls are not aware of these options until we give them the necessary information. Many others have been refused the 'Morning After Pill' or an IUD by their GP's on 'moral' grounds. In such cases we inform women about the 24-hour service at the Royal Maternity Hospital where women are treated with dignity and respect, and we will of course accompany them there if they wish.

In some cases we refer to the FPA or the Brook Clinic if the woman is concerned for health reasons that these two methods are unsuitable.

## **PREGNANCY**

In cases where a woman is unsure of what to do or needs a pregnancy test carried out confidentially we will refer her to the FPA. Where the woman definitely wants a termination we will help her find out how to arrange it. However we prefer women to see counsellors from other agencies who are specially trained in non-directive pregnancy counselling

Where a woman or girl knows she is pregnant or suspects it and is sure she wishes to go ahead with the pregnancy we may refer her to LIFE or CURA if she is in agreement with their

philosophy. We will of course continue to support her in counselling etc if she has been raped or abused.

Not all the women ringing us about pregnancy have been raped, several are from the South. We always refer non-rape cases to other organisations although we are happy to provide them with basic initial information.

## **SEXUALLY TRANSMITTED DISEASES**

When women first contact us after a rape they may not have considered the possibility that they have contracted a sexually transmitted disease. We always advise women to have a check-up at the Genito-Urinary Clinic at the RVH. We actively encourage her to see a Health Advisor there and we will arrange appointments and accompany her if she wishes.

## **SUPPORT**

We provide emotional and practical support where possible to survivors and their families. As an agency we believe strongly in the value of counselling in overcoming both the short term and long term effects of sexually abusive experiences.

However we fully realise that many women are not ready to embark on counselling. Some women do not need counselling as such, just a knowledge that someone is on their side and believes them. They may only wish to come in every few months or keep in telephone contact.

Often women who have successfully come through the counselling process will ring us when a crisis happens in their lives that may or may not bring back the abuse to them.

If appropriate we will refer them to Cruise, Relate or to a professional to help them deal with their crisis. Sometimes however a one-off session with a counsellor they trust at the Centre is all they need depending on the problem.

## **ACCOMPANIMENT**

This aspect of our work adds a practical side to the psychological support women receive in counselling. It is especially important to women in immediate crisis and vital in court cases. We accompany survivors to clinics, courts, police stations, solicitors appointments, consultations with barristers and to any other place necessary with regard to the case.

## **LIAISON**

We have a commitment to multi-agency cooperation and will often liaise with other agencies with or on behalf of a client at her request. This can involve a wide variety of individual professionals GP's, Clergy, Teachers, Social Workers and Youth and Community Workers and agencies such as Women's Aid, the various womens centres, the PSNI, DPP, Compensation Agency, Housing Executive, Social Services, Schools and Trade Unions. We are sometimes asked by women and their social workers to attend case conferences.

## **ADVOCACY**

While the PSNI have considerably improved the way they work with survivors and their families, many women are still frightened to make enquiries regarding their cases and we will do this on their behalf. Similarly though there is an increasing degree of understanding on the effects of rape within the medical profession and social services, the high degree of professionalism that we now expect from them in their dealings with raped women is frequently not in evidence.

When someone is in shock or confused because they have just been attacked or just discovered their child has been abused they need someone who knows the system who can if necessary demand fair and courteous treatment on their behalf. While we prefer to, and usually do, work in partnership with other agencies women often depend on us to defend their rights.

## **COURT SUPPORT**

The many problems which survivors face regarding the legal process are mentioned elsewhere in this report and in our information pack. We recognise the trauma that women facing a rape trial are about to undergo.

The same applies to non-abusing parents of sexually abused children. We provide comprehensive help during this period. If as in some cases the PSNI or DPP have not already arranged a consultation with the Crown Barrister we will try to ensure that one takes place. Over the years we have met with representatives from the DPP and conditions in the Crown Courts have improved considerably. This is primarily due to the work of Victim Support.

In some cases we still have to attempt to respectfully point out to the Crown Barrister or the officer in charge of the case that it is not good enough just to meet the woman on the day before or the morning of the trial.

We will try to help the woman make necessary arrangements such as child care if she needs us to and help her apply for witness expenses for herself and her family if appropriate. If the woman has not got her own transport and wishes us to we will get taxis to bring her to and from the court.

We will try and arrange discreet places away from the court where she and her family can have lunch without being harassed by the defendants supporters and ensure that any such harassment is reported to the police or court officer. We are having less to do thankfully in this way than we did when we first started out, Victim Support do much of this now and there appears to be an increasing understanding of the victim's needs and rights although we still believe there is a long way to go.

If the Complainant requires it we will be with her from the beginning to the end of the trial, if she does not want to be in the courtroom but wants another counsellor to keep her up to date on what is happening after she has testified we will arrange for that to happen, we often find ourselves also supporting family and friends through this period. We are always exceptionally careful not to discuss her evidence while she is under oath. Women do not necessarily have to be coming to the Centre for counselling to avail of our court support service, several agencies refer women to us for court support, sometimes just before the trial.

## **SELF HELP AND THERAPY GROUPS**

We run self help groups on different issues related to abuse at different times such as mothers support, rape survivor groups and more recently a group for young women who had experienced multiple abuse. We believe that women learn a lot from other survivors and gain confidence in realising they can share and help someone else. Group work breaks the sense of isolation that survivors may feel even when involved in one to one counselling. We prefer that anyone who wishes to take part in a group has had at least three one to one sessions with a counsellor.

Our groups that meet regularly have been brought together to deal with issues such as drug and alcohol misuse, self-harm and eating problems by young survivors and education as well as therapy will be combined where appropriate.

Some groups generally meet once a month others once a week. We are running another group for young mothers who have experienced sexual abuse and are having trouble in parenting their own children. Such problems range from the more common over protectiveness concerning their own children to holding unrealistic beliefs that a father who was convicted of abusing them as a child is not a danger to their own children. Some young women find it difficult to relate emotionally to anyone where their abuse has been extreme. We are setting up a group of survivors of Clerical abuse in response to requests from our clients following the Ferns Report on abuse within the Catholic Church. We facilitate Survivors For Justice a campaigning group and were extremely proud and honoured that Julie Anne Boyle who leads this group and who the Survivor Representative on our Board of Management was asked by Amnesty International and the Women's National Commission to present the 'Making The Grade Report' to 10 Downing Street and to help launch the End Violence Against Women Coalition on behalf of survivors of sexual abuse not just from Northern Ireland but all over the UK. We encourage survivors to support each other.

**Eileen Kelly  
March 2004**

**\*\* To avail of any of the Rape Crisis & Sexual Centre Abuse Centre's Services confidentially and free of charge, or for information or advice for yourself or a friend ring 02890329001 or 02890329002 \*\***

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Rape Crisis & Sexual Abuse Centre

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# STATISTICAL REPORT

*“Where Survivors Come First”*

# ***Introduction***

This Statistical Report for the year 2004 was released on November 29, 2005 and contains two sections.

**Part One** deals with the work carried out by our Centre showing the level of the Centre's activities this year in telephone counselling, one to one counselling, court support and advocacy. It is a measure of the work we carry out.

**Part Two** looks at a previous study we carried out on 100 randomly selected cases, 50 of rape and 50 of child sexual abuse. It concentrates on the experiences of clients, nature of the abuse, problems they experienced as a result of surviving sexual violence.

**Eileen Calder**  
**November 29, 2005**

# **Statistics - Part One**

## **Total First Contact calls - Sexual Violence & Abuse 2004**

<b>First Contact</b>	<b>Office Hours</b>	<b>Night &amp; Weekend</b>	<b>Total</b>
<b>Rape</b>	749	102	851
<b>Child Sexual Abuse</b>	712	91	803
<b>Other Sexual Assault</b>	79	22	101
<b>Client was non-specific</b>	117	74	191
<b>Total</b>	<b>1657</b>	<b>289</b>	<b>1946</b>

## **Total First Contact – Cases new to our Centre in 2004**

<b>First Contact Cases</b>	<b>Follow-up Counselling</b>	<b>Total Calls From Clients About Sexual Violence &amp; Abuse</b>
1946	4201	6147

As our staff and volunteers use mobile phones, take calls at home and sometimes communicate with clients by email it is impossible to quantify the full number of calls and contact, none of these are included above.

## Calls Received or made regarding our work with clients 2004

Solicitors	207
Police Officers	141
Housing & Welfare	97
Doctors	81
Youth Workers/Teachers	22
Social Workers	72
Nurses/Midwives	17
Clergy & religious	28
Voluntary Agencies	89
Politicians & Community Reps	91
<b>Total Calls To Other Professionals/ Agencies. Regarding work with Clients</b>	<b>845</b>

## Other Calls to & from Centre 2004

Journalists	312
Information	112
Business	429
<b>Total Other Calls</b>	<b>853</b>

## Total Calls to & from the Centre 2004

Calls To & From Clients	6147
To & From Professionals On Clients Behalf	845
Media/Business & Information	853
<b>Total Annual Calls Rape Crisis &amp; Sexual Abuse Centre</b>	<b>7854</b>

## The Centre's increasing workload

The following table shows how the Centre's work-load has steadily increased over the past ten years. When we first opened in 1982 we were only receiving 300 first contact calls a year. This does not necessarily indicate a marked increase in sexual assaults being committed but reflects the fact that people are now more willing to seek help and are more aware services available

### 1994 –2004

<b>YEAR</b>	<b>RAPE</b>	<b>CHILD SEXUAL ABUSE</b>	<b>OTHER SEXUAL ASSAULT</b>	<b>NON-SPECIFIED SEXUAL ASSAULT</b>	<b>TOTAL</b>
<b>1994</b>	566	635	178	19	<b>1398</b>
<b>1996</b>	514	565	115	0	<b>1194</b>
<b>1998</b>	752	676	204	49	<b>1681</b>
<b>2001</b>	829	814	171	102	<b>1916</b>
<b>2003</b>	816	797	207	93	<b>1913</b>
<b>2004</b>	851	803	101	191	<b>1946</b>

Unfortunately our funding has not risen commensurate with our experience and increased workload. Were it not for the dedication of staff, volunteers and management committee, who work long hours for which they are not paid the Centre could not survive.

It is not only our counselling work both on the telephone and in one to one counselling that has increased. Advocacy work, administrative work, amount of meetings to be attended and group work have also significantly increased in line with our counselling. Staff and volunteers find themselves taking many calls on mobiles and on landlines at home. Or sitting up in the early hours of the morning writing reports, monitoring information, victim impact statements and business letters because there are not enough hours during the day.

Approximately 25% of those who ring us for telephone counselling and support decide they wish to avail of one to one counselling, others wish to just talk on the telephone. Some just want support or quality information on therapeutic or legal matters, advocacy and others want to work in groups.

- 571 people came to the Centre in person in 2004
- Clients spent 3628 hours, with counsellors
- 25 Hours of Group Work was provided for male clients which meant an additional 150 Counsellor Hours were available to clients
- 110 Hours of Group Work was provided for female clients which meant an additional 660 Counsellor Hours were available to clients
- Around 25% of first contacts are one-off calls which can last as little as five minutes or over an hour
- Male clients are less likely to avail of one to one counselling than females - only 24 men actually came in to the Centre. Yet many more regularly ring their counsellors
- Information on rape, sexual abuse, the emotional and psychological problems that survivors encounter can be found in our newly revised Information Pack accompanying this report. Information on what we provide to survivors is found under client services.

Below we deal with other aspects of our work with clients such as advocacy and court support. In terms of how the Centre's staff and volunteer time is used with clients.

Some clients wish to come in just once to tell their story in a safe environment others attend regularly every week and some we may see every four weeks or just when they are in grave crisis. Others just want support at a court case or someone to act as an advocate for them in situations directly or indirectly related to the rape or sexual abuse. Apart from counselling and providing an accompaniment service, below are some of the kind of situations in which we assist and enable survivors.

It may take a staff member less than an hour on the phone to help resolve what to them seemed to the client an insurmountable problem. With others it may take regular calls and the occasional meeting for more than a year. Not everyone who comes to us wants or needs counselling, that however does not mean they do not need someone on their side to defend and support them.

# Advocacy

## Some Examples

- Work problems – having been discriminated at work or even sacked because they have been raped or are suffering long-term problems of abuse, possibly because the perpetrator was a colleague. We will contact the company or trade union on their behalf or give them the information they need to get the best-qualified advice. They will often be embarrassed or frightened, so we will accompany them to a meeting if they wish it. Some employers are initially sympathetic to women who have been raped but believe she should be well over it six weeks later.
- Education problems – their survival has interfered with academic performance and their position on the course is threatened. Or they want us to explain to a school or college what has happened to them. Very often the perpetrator is at the University himself and the survivor is ready to throw the towel in when someone suggests she should ring us.
- Homelessness – they have had to or want to leave home because of inter-familial sexual violence or abuse, or they were assaulted by a neighbour and are frightened.
- Dissatisfaction with other professionals attitudes – being unfairly treated by statutory agencies - being forced to return to work before they are fit to after an attack. Schools and workplaces not understanding why a victim cannot function in the same building as her perpetrator, not being properly classified as homeless when having to leave home because of rape or sexual abuse. Being denied benefits such as DLA or Housing benefit because staff do not recognise how sexual violence affects people.
- Threats/harassment -Being threatened or harassed by individuals who are members of armed groups and who are perpetrators or linked to perpetrators - we have extensive contacts in the community, with community workers, politicians, groups and others who have influence in many areas. Women often come to us because they believe their abuser or his supporters have connections, which he will use against her, once these people know we are involved they behave in a more circumspect way, we have managed to deal with such situations for many years and will continue to do so to protect the rights of survivors.
- Problems with the police or legal system – we often act as a go-between and sometimes problems are simply a misunderstanding. However we will ring or write to the relevant people, put the survivor in touch with someone senior and if problems are still there refer the survivor to a solicitor or the appropriate agency to deal with the appropriate authorities.

In all of the above situations and many others we will make phone calls on the clients behalf, write letters for them accompany them to meetings or just be there on the phone to share their experience with them.

**Eileen Calder & Eileen Kelly**

**Accompaniment, Visits & Meetings Attended with Clients**  
(does not include court support)

Welfare, Social Services, DLA etc	12
Housing Executive or Association	11
PSNI Care Units	5
Solicitors & DPP	42
Schools & Colleges	2
Clinics & Hospitals	34
Home Visits	25
Total	131

## The Centre's Work In The Courts

### Crown Court Cases Attended 2004

Belfast	Antrim	Downpatrick
4	1	1

### Magistrates Court Cases Attended 2004

Belfast	Omagh	Lisburn	Derry	Newtownabbey
5	1	1	2	1

The vast majority of survivors do not report to the police (see statistical analysis of 100 Random cases). When Survivors do report the attrition rate is high and most cases do not get to Court. However most years we attend up to five Crown Court Cases.

These Cases generally last six to seven court days, which amounts to many hours a year, when we can we send two counsellors, usually one staff member and a volunteer. We are also encouraging survivors who have been through the process themselves to attend court to support others. This is proving to be empowering for both parties and helps the Centre as we only have to send one staff member or volunteer counsellor. Cases at Magistrates Courts are usually for Non-Molestation Orders or the Family Court but can still take two or three appearances and a lot of counsellor time, especially when travel is included.

**The Information Pack on Rape**, which is included with this report has further information on the Legal System. It looks at the problems which survivors face when they make the courageous decision to report their abuser, usually to protect others. This is just as traumatic a process for male survivors as it is for women. See Crown Vs Bateson. Some survivors are fortunate to have supportive families, however most still want their counsellor there. But in 2004 we attended at least two cases where the survivor had no-one but our centre.

We are spending on average **500 hours counsellor hours in courts** a year. While we acknowledge the valuable work carried out by Victim Support whose facilities we regularly use, our clients want their rape crisis counsellor to accompany them. Families of survivors also need support during the legal process and women often feel threatened if the alleged perpetrator has a large and loud family. Other agencies and professionals are generally not there, coming in and leaving the court or at lunchtime when our clients are most vulnerable. Other agencies are also less likely to robustly defend the rights of the survivors when they are being treated unfairly or with disrespect. Many do not understand how the system works or have an adequate grasp of the often complex legal issues

It is time that the **Northern Ireland Office** recognised the work we do in helping people to report their abuse and began to support us financially as the Motion passed at the last Northern Ireland Assembly agreed they should do.

# Statistics - Part Two

## ANALYSIS OF 100 RANDOMLY SELECTED CASES OF ADULT RAPE

Sample - 100 Adult female rape cases reported to the Centre. This study was carried out, by the Centre's researcher, in 2001. It confirms previous research we have carried out over the years. These statistics demonstrate the validity of what our Centre has been saying to Government and the Press about rape in Northern Ireland since 1982 and what our clients, the survivors, have been telling us for twenty -two years about the nature of rape.

### Identity Of Assailant

These statistics, clearly show that the vast majority of our clients are raped by men they have known, trusted and even loved, as Table 1 shows.

Table 1

<b>Friend</b>	16%
<b>Acquaintance</b>	26%
<b>Partner/Husband</b>	27%
<b>Work Colleague</b>	8%
<b>Relative</b>	3%
<b>Stranger</b>	12%
<b>Other</b>	8%

It proves that women are vulnerable to sexual attacks in by all sorts of men that they come in contact with.

## Location Of Attack

Table 2 shows that the most dangerous place for a woman to be is in her own home, followed by the home of the offender. Worryingly, women are not even safe from rape in the workplace or in college.

Table 2

<b>Victim's Home</b>	38%
<b>Perpetrator's Home</b>	29%
<b>Workplace/College</b>	9%
<b>Other Indoors (cars/taxis)</b>	17%
<b>Field/Park</b>	6%
<b>Street/Alley</b>	2%

## Perpetrators Involved In Attack

Table 3 demonstrates that in 17% of rapes more than one perpetrator was involved in the in attacks perpetrated on the survivors in our sample group. The RC&SAC do not claim that this is necessarily typical for the general population of rape survivors and recognise the possibility that figures may be skewed because survivors may be more likely to seek counselling and report rapes involving more than one perpetrator, as they are less likely to unfairly blame themselves in such cases. Gang rapes are not uncommon in Northern Ireland or in the UK and in some macho circles such as Premiership football, Gang Rape has been normalised, trivialised and renamed 'Roasting.'

Table 3

<b>One Perpetrator</b>	82 %
<b>Two Perpetrators</b>	11%
<b>More Than Two Perpetrators</b>	6%
<b>Unrecorded or unknown</b>	1%

## Age Of Victim When Attacked

Table 4

<b>AGE</b>	<b>%</b>
16 –20	23%
21-35	37%
45-50	21%
Over 50	14%
Unrecorded	5%

## Additional Assaults As Well As Rape

Table 5

<b>Other Sexual Assault</b>	85%
<b>Forced Oral Sex</b>	22%
<b>Anal Rape</b>	11%
<b>Physical Violence</b>	42%
<b>Threatened With Weapon (Guns)</b>	3%
<b>Threats To Kill</b>	27%
<b>False Imprisonment (more than 1 hr before or after assault)</b>	12%
<b>Drugs Administered Without Consent</b>	16%

## Reported To The Police

Table

<b>Reported</b>	23%
<b>Did not report</b>	64%
<b>Still considering reporting</b>	4%
<b>Unrecorded</b>	9%

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## Court Proceedings

Table 7

<b>Perpetrator charged with rape</b>	8 cases
<b>Perpetrator charged with lesser charges</b>	2 cases
<b>No charges proceeded with</b>	9 cases
<b>Case ongoing or no decision yet</b>	3 cases

## Convictions

Table 8

<b>Convicted Of Rape</b>	6 cases
<b>Convicted Of Lesser Charges</b>	2 cases

## Perceptions Of Police Treatment

Table 9  
(23 cases reported)

<b>Favourable</b>	16%
<b>Unfavourable</b>	3%
<b>Not recorded</b>	4%

## Length Of Time Passed Before Contacting The Centre

(100 cases)

Table 10

<b>24 hours (or less)</b>	17%
<b>1 week</b>	22%
<b>1 month</b>	14%
<b>3-6 months</b>	16%
<b>1 year</b>	11%
<b>2-5 years</b>	12%
<b>5 years or more</b>	6%
<b>Unrecorded</b>	2%

## Referrals To The Centre

<b>General Practitioner</b>	17%
<b>Other Doctor or medic</b>	14%
<b>Social Worker</b>	4%
<b>Youth Worker</b>	5%
<b>Clergy</b>	2%
<b>Teacher / Lecturer</b>	17%
<b>Solicitor</b>	3%
<b>Police Officer</b>	6%
<b>Other or self referred</b>	32%

## **Centres Services Used**

Counselling (face to face)	78%
Telephone counselling	33%
Court Support	6%
Support / counselling for family	13%
Advocacy	28%
Liaison & referral	23%
Accompaniment	12%

## **Indicators Of Trauma Resulting From Rape Reported To Counsellors**

Nightmares	39%
Flashbacks	42%
Eating Problems	12%
Eating Disorder	9%
Fear of males	49%
Distrust of males	62%
Relationship difficulties	67%
Suicidal Feelings	32%
Attempts at suicide	9%
Self harm / mutilation	6%
Fear of going out	23%

## **Additional Problems Following Rape Reported In Counselling**

Work problems	22%
Academic problems	14%
Alcohol misuse	17%
Drug misuse	13%
Financial problems	23%
Accommodation problems / homelessness	16%
Relationship break-up	13%

# ANALYSIS OF 100 RANDOMLY SELECTED CASES OF CHILD SEXUAL ABUSE

Sample - 100 sample cases of Child Sexual Abuse reported when survivors reached adulthood to the Centre 2000/01

## Gender Of Survivor

Female	78%
Male	22%

## Gender Of Perpetrator

Male	89%
Male & Female co-abusers	8%
Female	3%

## Relationship To Child Victim

Father / Step-father	53%
Brother	22%
Sister	2%
Mother	3%
Uncle	17%
Grandfather	14%
Neighbour	15%
Family friend	16%
Stranger	7%

## Assailants Involved In Abuse

One perpetrator	72%
Two perpetrators	21%
More than two	6%
Unrecorded / unknown	1%

## Places Where Abuse Took Place

(often one victim was abused in many places)

Child's home	53%
Abusers home	44%
School	6%
Field / park	12%
Other indoors	7%
Church	3%

## Age At Onset Of Abuse

Age 3 or under	13%
3-5 years	21%
5-8 years	17%
9-12 years	24%
13-17 years	16%
Unknown	4%
Unrecorded	5%

## Length Of Time Abuse Lasted

One-off incident	7%
10 times or less	4%
Approx 6 months	12%
At least one year	27%
Three or more years	43%
Can't remember	3%
Unrecorded	4%

## Acts Of Abuse Committed Against Child

Vaginal rape	63%
Anal rape	38%
Forced oral sex	37%
Digital penetration	74%
Physical violence	27%
Threatened with a weapon	5%
Weapon used	2%
Threats to kill	31%
Threats against family / siblings	29%

## Reported To Police

Reported	19%
Did not report	59%
Still considering reporting	17%
Unsure if it was reported	3%
Unrecorded	2%

## Court Proceedings (19 Cases Reported)

Perpetrator charged when survivor was a child	5 cases
Perpetrator charged when survivor became an adult	2 cases
Case ongoing or no decision yet	4 cases
Cases dropped or not taken by DPP	8 cases

## Convictions

Convicted	5 cases
Acquitted	2 cases

## Perceptions Of Police Treatment (19 cases reported)

Favourable	13%
Unfavourable	4%
Can't remember	2%

## Length Of Time Passed Before Contacting The Centre

1 year	13%
2-5 years	54%
5 years or more	31%
Unrecorded	2%

## Referrals To The Centre

General Practitioner	15%
Other Doctor or medic	7%
Social Worker	14%
Youth Worker	5%
Clergy	0%
Teacher / lecturer	13%
Solicitor	4%
Police Officer	7%
Other / self-referred	35%

## Centres Services Used

Counselling (face to face)	79%
Telephone counselling	53%
Court support	2%
Support / counselling for family	21%
Advocacy	37%
Liaison & referral	36%
Accompaniment	18%

## **Indicators Of Trauma Resulting From Abuse Reported To Counsellors**

Nightmares	56%
Flashbacks	48%
Eating problems	23%
Eating disorder	17%
Fear of males	52%
Distrust of males	74%
Relationship difficulties	71%
Suicidal feelings	63%
Attempts at suicide	38%
Self harm / mutilation	34%

## **Additional Problems Following Abuse Reported In Counselling**

Work problems	34%
Academic problems	37%
Alcohol misuse	32%
Drug misuse	29%
Financial problems	46%
Accommodation problems / homelessness	27%
Relationship break-up	24%

# *Legal Report*

**The Rape Crisis & Sexual Abuse Centre would like to thank and pay tribute to Pdraigin Drinan LLB for the tireless work she has done over 23 years we have been in existence, helping us work with Survivors facing an unjust Legal System**

The information pack on rape at the back of this report, which contains information regarding many issues the centre has had regarding the legal system in Northern Ireland. This report deals with specific recent issues.

2004 saw major changes as a result of the **Review Of Sexual Offences Order Northern Ireland**. In 1984 we published in conjunction with the Women's Law & Research Group a **Model Order** for legal changes. Over the years our demands have been met piecemeal by the legislators. Finally in 2004 the majority of legal changes we outlined as being necessary in 1984 are going to happen or will soon happen following the Review that we contributed to.

It is unfortunate all of the Model Order's authors will not see their recommendations finally implemented, **Professor Eileen Evason** and the late **Madge Davison (Barrister at Law)** drafted the Model Order in conjunction with our Centre. The WLRG & RCC were so far ahead of the legal establishment here, that Madge has been dead for many years and our legal system is only in the process of change now. We will always remember the contribution she made to Women's political, legal and human rights.

***“She sowed the seeds of justice in her daughters & her sons”***

Although we are confident that considerable progress has been made over this last year, the new Sexual Offences Order deals purely with Statute. It does not deal with how Complainants are dealt with in human terms. Some of our best Barristers who act for the Crown have no training in how to deal with another human being with dignity or respect, let alone deal with very traumatised people who are justifiably terrified at the prospect of giving evidence in court. We hope to engage in further discussion with the Public Prosecution Service regarding this and to highlight the problems we have been experiencing to government with our partners in the End Violence Against Women Coalition.

Some Barristers are naturally friendly, treat survivors as equals, invite the Complainant to address them on first name terms – talk to them like an equal. This can make an enormous difference to how a survivor copes long-term with the aftermath of the court case. (And QC's should note – performs in the witness box)

We would even go so far as saying that the Injured Party's experience with the lawyer can be almost as important to her /him as the Verdict or the sentence. A survivor is devastated when she/he sees their abuser during adjournments chatting to his Barrister like they are standing at the bar of the golf or rugby club and she is having to deal with some archaic dinosaur who refers to her by her first name but calls himself Mister.

Many cases we have dealt with over the last few have been cases where the Complainant had no intention whatsoever in reporting their abusers to the police, only the courage and strength

they gained from our Centre's support and counselling enabled them to report. We have perhaps known the survivor for over three years; we are there at their request to support them in court, yet with indefensible disrespect and a lack of basic good manners, let alone concern for our client, they try to exclude us from any communication they have with the victim. The fact is that many of these barristers employed by the Crown would not have the cases to prosecute if the Complainant had not attended our Centre.

We are extremely encouraged by the professionalism and humanity shown by the young crown barrister in a recent Voyeurism case in Downpatrick (2005) in which we were involved and hope he represents the attitudes we will see in the future of male barristers dealing with traumatised female complainants.

There is a real and urgent need for the PPS to implement new policies with specialised training for those Barristers who prosecute sex offences, just as there is particular training for solicitors dealing with children's rights and as a result of participation they go on a special approved list. It is imperative that our organisation as the leading agency supporting survivors in Court is consulted and involved in this process. The decision has already been taken in England & Wales to introduce specialised training for Barristers dealing with sex offences. Not only will this make the whole legal process less traumatic for victims of serious sexual crime, but it will inform Barristers ability to give more robust closing arguments.

All too often we have seen the Senior QC for the Prosecution disappear after all the witnesses have been dealt with, leaving clueless Juniors to present weak arguments for the Crown when compared to the Defence vociferously defending their clients (as is quite proper) to the end. The Defence will strongly make the case that their client's life has been totally devastated by these 'false allegations'.

Unfortunately the Crown Case is often insipid when compared, sometimes the Prosecution do not even bother putting it to the Jury that problems the survivor has had with mental or emotional health are a direct result of experiencing a horrific crime rather than the mental health issues being high-jacked by the Defence and put to the Jury as the reason why the so-called 'false allegations' were made.

We are still at a total loss and have never been offered in valid legal argument as to why eminent psychiatrists who are experts in the field of rape and sexual abuse are not called as witnesses for the Crown.

Our Centre is a member of the Rape Crisis Network Ireland whose stated policy for the Republic is for separate legal representation for the complainant. It appears that the Southern Irish Government is seriously considering introducing this. We have always resisted advocating such a development in the North. It is our view that the survivor committed no crime and therefore should not need to be separately defended. However if the PPS do not start robustly defending the human rights of the Chief Witness For The Prosecution. We will be left with no choice but to campaign for this in the North.

Furthermore the Republic Of Ireland is considering tinkering with the issue of where the burden of proof should lie. As feminists, we are civil libertarians and such a prospect would offend our sense of justice. But again when we see our clients being badgered and bullied, insulted and humiliated, reduced to tears, taking panic attacks and contemplating suicide we are tempted to go down what we fully recognise to be a slippery slope.

We are aware that the British Government has on previous occasion used the argument that certain pieces of legislation would be used for the benefit of rape victims. We were not fooled when they introduced measures to allow people to give evidence behind a screen; we knew when the Attorney General suggested that this would happen with Complainants that it was simply a guise for draconian legislation. We said so publicly at the time. However if the Crown do not start to fight cases rather than just presenting them the only method we can envisage to ensure some justice for survivors is making it an equal contest in terms of the burden of proof.

We understand that the Defendants right should always be paramount in a democratic, free and just society. But we believe that the victim has human rights too and should have some special position, not just be treated as a witness. Even the mediaeval term Prosecutrix is more empowering than simply having no more position or rights as someone who for example has witnessed a road traffic accident. Our clients describe their experience as legal abuse.

The incredible delay between the crime being reported and the case reaching court is grossly unfair to both the Complainant and Defendant in equal measure. Recent cases we have dealt with have taken more than two years in getting to court. In recent years, two male clients we were in court with happened to be Tradesmen who employed up to ten other men. Both these Complainants had their cases adjourned up to four times. (Antrim & Ballymena Crown Courts) They refused contracts and lost money, however that is nothing compared to the emotional trauma caused to them, their wives and children. A recent case of alleged gang rape has taken over two years to be brought to court and has had several delays further traumatizing the victim. She is terrified of what she perceives to be the political and paramilitary connections of the accused and the delay has caused her whole family incredible strain and trauma.

This is intolerable and it is time that the whole legal system addressed this breach of human rights for both Defendants and Complainants. The PPS continue to tell the Complainant the case will last two or three days. In twenty years I have never experienced one of these trials to lasting less than a full court week. Even worse the Defence then wastes public money and valuable court time by instigating frivolous litigation by applying for Abuse Of Process Orders because of the time delay between reporting and trial. Yet in many cases it is their side, which has actually caused the delay.

Some courts still do not provide adequate facilities for the victim and their supporters to wait in. We appreciate the great work done by our colleagues in Victim Support who provide comfortable surroundings and sympathetic support to so many of our clients and ourselves. Although Victim Support is a very different type of organisation from our own there is a real need for the combination of both our roles, we take this opportunity to pay tribute to their volunteers. It is time that Victim Support was enabled to have rooms in every court in NI (including Magistrates)

**Eileen Calder**

# Client Stories

## COREY

Corey, 34, a mother of four suffered mental, physical and emotional abuse at the hands of her husband for six years. He was so abusive that she was forced to flee Northern Ireland to protect her and her two children following a number of threats from him, which included a death threat on her youngest child.

Corey explains: "Throughout those six years I didn't realise that not only was he abusing me but he was abusing my eldest daughter too who was just three at the time".

After her husband raped her, Corey planned an escape to safety for her and her children only to be caught by him as she was in the process of leaving the matrimonial home.

"When he caught me he grabbed me by the throat, took my youngest child from my arms and threw me across the room onto the floor. He said that if he couldn't have me then noone would and even threatened to kill my children" she said.

After 12 months of moving around to escape her husband Corey saved every single penny she could, sold everything she had and bought one way tickets to a refuge in the West Midlands, England to begin building her life again.

"I spent three weeks in the refuge before they were able to get me housed and I couldn't have asked for more support, they were amazing. I was able to begin rebuilding my life, I changed mine and my children's names by deed poll to protect us from him and stayed there for two years"

After helping the local police catch, arrest and jail a paedophile who had been preying on children for over 40 years Corey was forced to flee England because of her involvement in the high profile case.

As she set about returning home to Northern Ireland with her children Corey found out her ex-husband had also sexually abused her eldest child, the abuse was so horrific that Corey's daughter was hospitalised when her bowel collapsed. Her daughter, only ten at this time, was so badly affected that she had to learn to walk again. Doctors concluded that her injuries were a result of previous sexual abuse but because she so terrified she continued to keep the secret she had held for seven years – Corey's ex-husband had told the child she would be taken away from everyone she knew and that her mother and sister would be killed.

Corey was so traumatised by everything that had happened that she suffered from mental health problems which resulted in the children she loved so dearly and did so much to protect going into care.

With the help of Pdraigin Drinan (her solicitor), her new partner and the Rape Crisis Sexual Abuse Centre Corey has now got her life back together and her children returned to her care, however, she is involved with an ongoing battle with social services to force them to face up to the fact that they failed her and her children many times.

Our centre will support Corey throughout this and Corey at present is also helping to support women in similar situations.

Corey about Pdraigin Drinin, Solicitor

"When I had nobody to turn to, when noone wanted to know (I was told that there was no hope for me and that I was beyond help) I had lost my whole family through losing my children Pdraigin was there for me. She protected me, she was there on the phone everyday if I needed her and she fought my case like hell.

“If it wasn’t for Pdraigin I wouldn’t have my children at home with me now – she gave me hope when noone else wanted to know and she’s not only my solicitor but a very dear friend.”

Corey about the Rape Crisis & Sexual Abuse Centre

“I became involved with the Rape Crisis Centre after Pdraigin introduced me to the Centre’s counsellors. I had got to a time in my life where I felt I was strong enough to talk about my experiences.

“The Rape Crisis Centre helped me to understand how to cope with my rape and the abuse of my daughter and taught me how to rebuild my relationships with my children.

“The Rape Crisis Centre has completely turned my life around and being involved in campaigning and fundraising makes me feel positive and confident, it makes you feel better as a person and helped me to give something back.

“The Rape Crisis Centre is vital to all survivors out there and they, like Pdraigin, have become very dear friends.”

## ROISIN

Roisin was born into a very devout and loving Catholic family. Her father who had left his training with a Holy Order to marry her mother died when she was still at primary school, leaving her mother to bring up several children alone. Her Mum, a daily communicant, ensured her children said prayers and attended Mass every day. Like most Catholic mothers in the 60’s and 70’s Roisin’s Mum trusted the clergy implicitly and was pleased when the local Parish Priest, Father Stewart took an interest in her daughter. Father Stewart was well-liked by the children, he drove a motorbike, bought them sweets and took them on outings to the swimming baths and then to a café afterwards, not just Roisin, other girls from other families too, treats the average parent could only rarely afford to pay for in working class areas of Belfast in the sixties.

But Father Stewart abused the trust Roisin’s mum placed in him and over a period of years he seriously sexually abused her. She could not tell, he was a Priest who would believe her? and if they did would they not blame her. Roisin married young and left the family home. She needed to escape not because her family did not love her but because she felt that in some way she had let them down, she also needed to get away from the strict religious atmosphere because even though then she had deep spiritual beliefs which she still holds today, she had begun to lose faith in the institution of the church.

As Roisin recently told television reporters in the north and Pat Kenny on his RTE Radio show after the Ferns Report was released, at that time Catholic girls from good homes did not leave to get a flat alone or to share with friends, just to get married. So she married the first man who asked her to. Roisin carried the misplaced guilt and shame of her abuse for many years and although they had two children her marriage did not work out. Her husband was an alcoholic and she was a broken human being who could not help herself let alone him.

In her forties Roisin came to our Centre referred by her solicitor Pdraigin Drinnan. Roisin had not wanted to apply for compensation all she wanted was for someone senior in the church to acknowledge the pain and hurt which had almost destroyed her life and with the support of her new husband Paul and counselling she had felt confident enough to approach them.

Bishop Patrick Walsh refused to meet her and the Monsigneur to whom he had abdicated the responsibility of dealing with these matters told her to get a solicitor and that their solicitor was Ted Jones. The Monsigneur lied to her solicitor about the year the abuser had died Roisin researched archives of the Irish News death notices to prove he was wrong. Years after Roisin first informed the church about what happened to her they still have not offered her an apology let alone compensation. The only advice Bishop Walsh ever gave to her was that she should not take Communion because she was living in sin even though she is legally married to Paul and in the process of seeking an annulment to which she should be entitled as she was not mentally fit to enter into the state of marriage going by the Church's own rules.

Roisin's abuse has had enormous affects on her confidence as a person. With help and support though she is now a survivor, fighting not just for her own rights but for those of others. The Centre will continue to help Roisin fight for the Compensation and the Annulment to which she is entitled. Roisin has two well adjusted teenaged children and a little girl in her very happy and supportive second marriage to man who loves her very much and deeply admires her courage. Yet she still gets days when she feels she is not strong or can't cope or feels like giving up. But like most survivors she gets on with life the best she can, often putting others needs before her own. It is because of women like Roisin our Centre exists.

## VAL

Val told her story after keeping it a secret for 24 years, as a result of counselling at the Rape Crisis & Sexual Abuse Centre she found the strength to bring her abuser to justice.

For over ten years she was abused by her brother who, at the time, was teaching Sunday school, heavily involved in the church and considered in the community as an all round good Christian guy.

Val said: "My abuser, who was my brother, was found unanimously guilty on 40 counts of abusing me. He appealed but three appeal court judges upheld his conviction. I originally thought my journey for justice would never end because it has taken three years and nine months to put him in jail.

"The justice system also forced me to keep the secret by holding the trial 'In Camera' which is supposedly to protect me the victim. 'In Camera' means in secret. No public, no press but more importantly no support. I sat in that courtroom alone, my counsellor from the Rape Crisis and Sexual Abuse Centre was not allowed in. For what reason I don't know. It's a total disgrace that my abuser was allowed to sit in court with his family whilst I sat alone as his victim.

"The justice system needs to take on board just how horrendous an ordeal it is for a victim of child sexual abuse to come forward and even seek counselling never mind give a police statement, go through the courts, sit in the witness box, be called a liar and be told that when you were eight years old you should have fought off your abuser because you were a tomboy. "He was afforded legal representation to defend himself and his rights were always protected. This is not so in the case of a victim. The DPP is not there to represent the victims, they present a statement as a case to court, this leaves the victim afloat like an island in the world of legalese. Victims have rights too. It's time that this imbalance was corrected. The CARE unit were exemplary in their care and understanding.

"I survived what he did to me and began living. I regret that through the process I lost my family and indeed contact with the child I sought to protect. I never blamed my family for what he did.

“As for those who judged me for splitting up my family without knowing the truth, I hope they now understand what happened and why I did what I did. For my friends, I have nothing but praise; they kept me going when I didn’t think I could stand another day. I could not have got through this without you.

“Without my counsellor and the Rape Crisis & Sexual Abuse Centre I would not be alive today.”

# ***What The Politicians Said***

## **Dr Esmond Birnie, Ulster Unionist Party**

“The Rape Crisis & Sexual Abuse Centre is the only agency in Northern Ireland providing a full range of free support services to victims of rape and serious sexual abuse.”

“It can be argued that, in the long run, funding spent in this way represents good value for money: the centre and similar bodies deal with problems and counsel people in trauma at an early stage. Such help prevents their medical, psychiatric and mental health problems from worsening and stops the individuals appearing at another part of the Health Service with an even greater demand on resources to pay for treatment.”

“I am sure that the Minister is well aware of that. In the Republic of Ireland, rape crisis centres operating in cities much smaller than Belfast, such as Galway and Limerick, receive much higher public support — sometimes two to three times higher.”

## **Annie Courtney, SDLP**

“The Rape Crisis and Sexual Abuse Centre (NI) is associated with the Network of Rape Crisis Centres Ireland. As was mentioned earlier, a helpline is provided free of charge for victims of sexual violence.”

“Sexual violence against women, children and men is not decreasing. All the evidence suggests that it is a growing problem. Since the centre’s establishment, it has played a vital role in dealing with the problem. Over the years, it has built up an unequalled body of expertise and skills in helping victims of sexual violence through their ordeal, both during police investigations and during subsequent criminal trials. The centre also plays a critical role in counselling victims in the aftermath of criminal proceedings.”

## **Sue Ramsey, Sinn Fein**

“The Belfast Rape Crisis and Sexual Abuse Centre does crucial work with survivors of abuse. Such groups ensure that survivors’ voices are heard in places such as the Assembly.”

“I wish to commend the work, which is occasionally voluntary, that is done sometimes 24 hours a day, seven days a week.”

## **Kieran McCarthy, Alliance Party**

“I speak on behalf of my Colleague Mrs Eileen Bell, who is elsewhere on Assembly business and cannot attend the debate.

“Mrs Bell has actively supported the work of the Belfast Rape Crisis and Sexual Abuse Centre for some time. The suffering of rape victims remains unacknowledged by most people. Their trauma and stress is virtually ignored by the public and is certainly not best served by current legislation.”

“The low rate of reporting incidents of rape and sexual assault to the police means that, although the PSNI has greatly improved its approach to dealing with such crimes, victims still fear interviews and court appearances. Moreover, the sentences that are usually handed down do not reflect the damage that has been done to the victim. The way in which victims are treated and the lack of sensitive ways in which they can give evidence mean that the legal system for such crimes is utterly horrendous and must be attended to immediately. The Alliance Party supports the recommendations that “if the Bar Council is not prepared to implement a code of practice, one must be imposed upon it by statute, and that judges must also use their powers to curb the worst excesses of the legal vultures”.”

## **Jane Morrice, Northern Ireland Women’s Coalition**

“Members have mentioned the centre’s workload. It receives 3,000 calls a year. Some calls are from people who experienced sexual abuse 30 years ago and who are only ready to come forward now. There are calls from women, children and, increasingly, men, who come forward because they were abused the previous day.”

“I want to turn to one alarming — I am unsure what best to call it — obscenity. It is an Internet obscenity. I have received e-mails during the past couple of weeks that I would not even dare to repeat on the Floor of the House. They all involve the possibility of seeing free pictures of rape. I have contacted the police. People say that one can get eight or nine of these e-mails a day. They are obscene, disgusting and horrific, and children could have access to them. The centre is already working in this area to try to get “cyber police” to stop this type of obscenity coming to innocent and ordinary people, particularly young children. It is a disgusting occurrence in our society, and we must stop it.”

## **Mark Robinson, DUP**

“Belfast Rape Crisis and Sexual Abuse Centre is one of the earliest established centres in the UK, and it has been providing Northern Ireland with its only free and confidential service for survivors of rape for over 20 years.”

“The latest crime statistics in my constituency of South Belfast have revealed a 42% increase in sex attacks in that area this year alone. I cannot praise the centre enough and the service that it provides; free, supportive and sympathetic advice and counselling to the victims of the heinous crime of rape.”

“The centre provides support at all levels: for example, it offers therapy support and Northern Ireland’s only free phone line for victims of sexual abuse. The centre is unique in that it also provides court support. Many women do not report rape for fear of the treatment they will receive from the legal system. Women who do go through the courts are often left feeling that they have been raped all over again, as they have to relive the terrifying events and are left feeling traumatised after giving evidence. This is, once again, where the centre becomes involved. Its counsellors offer court support and advise and counsel women on how to cope with their experiences in court. As a result of this support, many women have found the courage to go through the legal system, and many perpetrators of this crime have been put behind bars.”

## **Jim Shannon, DUP**

“Members have highlighted the needs of the Belfast Rape Crisis and Sexual Abuse Centre. Most of the issues have been mentioned; I do not wish to repeat them. The centre looks after several cases in my constituency of Strangford and in the Ards Borough Council area.”

“I have become aware of the number of people that have been abused and the need for the centre over the past 12 to 15 months. It is not just a question of those who have been abused in the last few months and years; several people have come forward for help who were abused 10, 15, 20 and even 25 years ago. Those people are still traumatised by what happened to them.”

“If, God forbid, the Belfast Rape Crisis and Sexual Abuse Centre stopped its work tomorrow, the Government could not jump in, take over and continue its work.”

## **Resolved:**

**That this Assembly notes the dire financial situation of the Rape Crisis and Sexual Abuse Centre and calls upon the Minister of Health, Social Services and Public Safety and the Northern Ireland Office to provide adequate funding to ensure the long-term future of the centre.**

NORTHERN IRELAND

**rc&sac**  
Rape Crisis & Sexual Abuse Centre

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# INFORMATION PACK ON RAPE

Maggie Pierce, Eileen Calder,  
Una Gillespie & Eileen Kelly

*“Where Survivors Come First”*

**\*\* First version printed in 1994 \*\***

The Madge Davison Memorial Award was presented to Maggie Peirce for the early work on this Information Pack on Rape on Professor Monica McWilliams first women's studies course at the University of Ulster

Madge has been dead for many years and our legal system is only in the process of change now.

The Rape Crisis & Sexual Abuse Centre in conjunction with Professor Eileen Evason as part of the Women's Law & Research Group and Madge Davison, Barrister at Law researched problems in prosecuting rape and wrote *Victims On Trial* followed by a Model Order for changes to the Legal System –this has been the basis of our campaigning since **1984**.

Many of the suggestions for change we made twenty years ago have at last be implemented with the Sexual Offences Order (NI).

We will always remember the contribution Madge made to Women's political, legal and human rights.

*“She sowed the Seeds Of Justice In Her Daughters And Her Sons”*

Rape Crisis & Sexual Abuse Centre (Northern Ireland)  
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# Legal Issues

## LEGAL DEFINITION OF RAPE

See also Annual Report 2005

Historically in Northern Ireland the legal definition of rape was briefly:

“Penetration of the labia by the penis (no matter how slight) committed by a man on a woman who is not his wife, if she has not given consent or is unable to give informed consent. A man may also be found guilty if he was reckless as to whether or not the woman consented. This definition needs to be extended to include anal rape as in English law and oral rape.”

It has been the experience of the Rape Crisis & Sexual Abuse Centre Northern Ireland that women are raped in a variety of ways, many of them particularly horrific including penetration with objects and weapons. In law this is regarded as Indecent Assault with a maximum penalty of ten years imprisonment. We would propose a new type of rape charge that would incorporate all forms of sexual penetration being included under **Rape** as follows:

- Rape by vaginal (labial) penetration with the penis, - ‘Classic’ **RAPE**
- Rape by Anal Penetration, with the penis **ANAL RAPE** previously Buggery
- Rape by Oral Penetration, with the penis **ORAL RAPE** previously Indecent Assault
- Rape by Penetration of the Vagina or Anus by any other body part or implement. As with forced cunnilingus, or by use of a weapon (any foreign object) Previously Indecent Assault

We would wish to change the name of Indecent Assault to **Sexual Assault**.

This should include all types of unwanted sexual touching.

We would also like to see provision being made for charges of **Aggravated Sexual Assault**, where violence or kidnapping is involved.

The charge of Unlawful Carnal Knowledge commonly referred to as **statutory rape**, recognises that girls between the ages of 14 and 17 may agree to have sex, while the law does not regard them as being able to give informed consent until they are seventeen. Such a law prevents responsible men from taking advantage of the emotional immaturity of young girls.

In cases where a girl has clearly agreed to have sex (purported to consent) and the age difference is less than five years; this is indeed the charge, which should be used. However most cases in the present day do not relate to girls agreeing to have sex with slightly older boyfriends, but of men well into adulthood raping young girls with no consent. Similarly when teenage boys rape girls they are generally charged with UCK. Since UCK is a less serious offence with less severe penalties – we demand that in such cases **charges of rape** are brought. We are opposed to the lowering of the **Age Of Consent**, which we believe should be **17** for both males and females.

Legislation in both England and Wales and also in the Republic Of Ireland has been changed in many positive ways over the last few years. The law in Northern Ireland is in the process of

being updated, it falls short of what our centre would like to see and it is a disgrace that as always victims in Northern Ireland are the last to benefit from legal changes and at present (November 2005) are subject to laws which lag behind other jurisdictions in these islands.

Our Centre attended a Seminar on the Review Of The Sex Offences Order we put the points raised in this document across. These are changes we have been demanding for twenty years. (See **Victims On Trial** 1984 **Belfast Rape Crisis Centre & Women's Law & Research Group**, Model Order 1986 & Belfast Rape Crisis Centre & - following our name change **Rape Crisis & Sexual Abuse Centre NI** Annual reports 1982 –2005)

**We are extremely proud to say that we were the only organisation demanding these specific legal changes consistently for more than twenty years. This is well documented and a matter of public record.**

## **PAST SEXUAL HISTORY**

A woman's past sexual history can still be raised in court by the Defence and used against her. Although it is stated in law, that this should only be done at the judge's discretion, in particular circumstances. It is our experience that some learned judges do not use their discretion very well. Defence lawyers are expert at finding back doors and loopholes to try to discredit the woman's character in relation to her previous relationships. If judges are not prepared to use their discretion wisely then stringent guide-lines must be imposed by the Lord Chief Justice to protect rape survivors in court.

We demand that past sexual history is kept out of Rape cases except when it can be proven that to omit it would deny the defendant a right to a fair trial.

## **CONSENT**

The issue of consent is at present in NI governed by the Defendant's subjective interpretation of what he believed at the time; there is no stipulation that it must be a reasonable belief. If he can show he was too stupid, too drunk to realise that the victim was not consenting he may be acquitted. We demand that men be required in law to show they have taken reasonable measures to ensure that the woman is giving informed consent to sex.

This has already changed in England and men now have to show that they had good reason to believe the woman consented but although the law has changed we have Judges still saying (Nov 2005) that "Drunken consent is still consent" despite the fact that the victim in question was clearly unable to make an informed decision and was unconscious during the act. (How can an unconscious person possibly consent to anything ?)

Our Centre remembers a survivor called Kitty Phair who went public twenty years ago, her back was broken during what she alleged was a rape. The Jury convicted her abuser on a charge of Grievous Bodily Harm but acquitted him on the Rape charge. It is incredible that any Jury could think that having your spine broken is a normal thing to happen during consenting sex, she was left in a wheelchair for the rest of her life.

Most rape cases are defended on the issue of consent as modern forensics can easily prove that intercourse took place, few rapists are foolish enough in the age of DNA testing to claim that no sex took place. The Defence case usually rests on attempting to prove the complainant

consented. Men of normal intelligence fully realise whether or not a woman wants to have sex with him. Mistaken belief should, not normally be allowed to be entered as a defence. Contrary to what some judges have stated and what several Northern Ireland barristers believe ‘No’ means ‘No’, not ‘Maybe’ or ‘Yes’ and that should be accepted men in society and by the courts.

We demand that the issue should be whether the woman actually did consent or not and not what the Defendant thought or imagined or fantasised her view to be.

## **THE CROWN’S HANDLING OF A CASE**

The complainant in a rape case does not have a right to her own legal representation. She is in the position of merely being regarded as the chief witness of the prosecution. Yet every aspect of her life, her being, her sexuality, her mental health is on trial. This places her at an immediate disadvantage compared to the Defendant. He chooses his own solicitor and legal team generally at the cost to the taxpayer, these men receive full Legal Aid. His lawyers will hold his interests and welfare as paramount she is without power or advocacy. She may not meet the Crown Barrister prosecuting her case until the morning of the trial. Because she is not involved in her own case except as a witness she has no power to refuse consent to the plea- bargaining which despite what the DPP (now PPS) publicly says, frequently, takes place. Rape is already recognised in other aspects as a special case. The unique position of the rape survivor should be recognised in law even if it means a return to the use of the archaic term ‘prosecutrix’ at least in that she is given some standing and not that similar to someone who has witnessed an accident.

Our Centre would not advocate for the North what southern rape crisis centres are campaigning for – ie, that women should be legally aided to instruct their own legal team. Our view is that she has committed no crime and therefore should not need to be defended herself.

Nor would we wish to see the burden of proof removed in any way from the Crown, we believe in the presumption of innocence. What we would recommend however is that Special Prosecutors be appointed, chosen in terms of their experience, skills and sensitivity and prosecute such cases. We think the American system is a fine example of good practice where the lawyer from the District Attorney’s office meets the complainant as soon as she reports the crime. It is statistically provable that this system leads to a higher conviction rate.

## **ANONYMITY**

Rape cases are often reported giving full details, which can easily identify the victim even when her name is not printed, especially in a small and parochial community like Northern Ireland. The right to anonymity should be granted to both the alleged perpetrator and the complainant as soon as a sexual crime is reported to the police. Often information is given out which not only identifies the women but which, if the truth be told, prejudices the defendant’s right to a fair trial in a court of law.

Anonymity should not be left to the trial judge but should be a statutory right for both defendant and complainant as soon as the rape is reported.

Women complainants in Voyeurism cases in Magistrates Courts and Sexual Harassment in Employment Tribunals should also at least be granted the right to apply for anonymity in court as their past sexual history is often bandied about in a way which would not be allowed had the abuser gone on to rape them. Subsequently they are humiliated and degraded not just in the witness box but also in the press.

In cases where a defendant is convicted the woman if she so wishes to she should be able to forgo that right and speak publicly. We have seen Judges placing gagging orders on the press and it has been the firm view of many survivors and their families, our organisation and many journalists that such orders appear to be made against the spirit of the statute and protect rapists and child abusers while silencing survivors and curtailing press freedom and the public's right to information..

In cases where the offender is a family member he cannot be named in law even when convicted. However sometimes the trial judge should consider the public interest and the safety of other children. For example In a case which involved up to eight victims who were unrelated to the offender the press were unable to name him once he was convicted as the ninth person was a niece, the niece did not share his family name nor did she live with him yet the public were not allowed to know his identity.

Legislation on anonymity both before the trial in the interests of justice and after the trial in the interests of child safety needs to be immediately reviewed.

## **A CODE OF CONDUCT FOR DEFENCE BARRISTERS DURING CROSS EXAMINATION**

Research carried out in the RC&SAC proved conclusively what we as a Centre have been claiming since 1982, that the trial is often just as bad as the rape itself and even if the rapist is convicted and imprisoned many women feel that the defence barristers have in effect committed worse crimes which are legally sanctioned against them.

Elizabeth Udall quotes our Centre's qualitative research in her book Rape –Your Guide To Survival A Cabinet Office Report has now added governmental verification to our conclusions. Evidence, which proves that tactics used by defence barristers are inexcusable and beyond belief until, observed first hand. Hollywood has not yet managed to portray the humiliation and degradation heaped on survivors in court. A handful of these lawyers now make a lucrative living on the misery and suffering of women and children by specialising in defending rapists and child abusers.

**“If the Bar Council is not prepared to implement a code of practice then one must be imposed on them by statute. Judges too must use what powers they have to curb at least the worse excesses of these legal vultures.”**

Quoted in agreement from an earlier version of this Info Pack by the Alliance Party at the Assembly debate on the Centre's funding

## **IRRELEVANT ISSUES USED AGAINST COMPLAINANTS IN COURT**

Since no other politician speaking at the debate took issue with it we are assuming that all the Political Parties in NI support our demand.

The RC&SAC would contend that the following issues should not be permitted to be used against a complainant in court. We have observed all of these being used over the last seven years:

#### **a) Counselling**

In almost all recent cases we have been involved in the defence barrister has used the fact that the Injured Party is in counselling against them by claiming out counsellors rehearsed their evidence with them – something that we definitely do not do In Crown vs Bateson in Antrim Crown Court a male victim was told by the Defence Barrister that he had “false memory syndrome” because he came to our Centre for counselling. Fortunately the Jury saw past the pathetic attempts to discredit our client and Bateson was convicted of several sexual offences against a child. Our client went public to talk about the case. Here is our Centre’s Press Statement.

On March 5<sup>th</sup> 2004 Joseph Bateson will be sentenced at Laganside Court - Bateson was recently convicted in a packed Antrim Crown Court by a Jury of five men and seven women on 18 out of 19 sexual offences against a child, including, Buggery, Indecent Assault and Gross Indecency. The victim, Mr. Gerard McElroy has formally given up his right to anonymity to encourage others to come forward and to protect children in his community.

Bateson began committing these horrific offences when Gerard was six years old. Bateson was also accused of committing vile sexual acts on a cow and a hen in the presence of the child although Bateson was not formally charged with Bestiality, a difficult offence to prove in court - as the officer in charge of the case pointed out to Defence Barrister Mr. Fee QC - ‘You can’t take a statement from a hen or a cow’.

Given the sensational nature of this case and the depravity of this particularly cruel and perverted abuser, it is understandable that the press tended to concentrate on certain aspects of the case and many important issues were left uncovered, the day he was convicted. Our Centre is particularly concerned about the following issues some specific to this case but most affecting all victims who report this kind of offence.

We hope the press will take up some of these themes after sentencing in news reports or more lengthy features or opinion pieces. Mr. McElroy is keen to talk to the press, as his sole reason for making his courageous decision to expose this abuser was to protect children in his community and encourage others to report. Some have already approached the PSNI with reports of Bateson’s abuse, many have since disclosed to Gerard personally.

1. We were appalled at the treatment of the victim in the witness box; while we understand that in our system of justice the Defendant’s rights remain paramount we do not believe that the victim’s basic human rights should be trampled over in such a cold-hearted manner. The QC shouted and called Gerard a ‘Liar’ on more than one occasion, referring to his client as Mr. Bateson and Gerard simply as McElroy. It was easy to forget who actually was on trial and Gerard was literally re-abused by the legal process.

***We demand that Judges intervene to protect the human rights and dignity of the victim as vigorously as they do for the Defendant.***

2. His medical history - most of which was totally irrelevant to the case was probed publicly in a disgusting and inhumane manner. His privacy was totally violated for no legal reason. This happens in most cases in NI but was particularly cruel and humiliating in this case,

Mr. McElroy is in his thirties he has a very happy and loving relationship with his wife who is a community nurse. He has three young children and runs his own highly successful business employing several people. He is well known and highly respected in his community.

Yet because he did experience the inevitable emotional problems resulting from the traumatic effects of his abuse he was portrayed by the Defence in court as a violent lunatic.

***The Rape Crisis Centre believe that a code of good practice should be imposed on Defence Barristers to prevent what Judge Markey L J in 2003 described as 'Fishing Expeditions' unfortunately most Judges permit this kind of outrageous behaviour by the Defence. Courts must be forced to recognise the effects of sexual abuse - the emotional and psychological damage the offender causes to the victim is exploited by Defence barristers, most survivors seek psychological or psychiatric help this is presented by the Defence as evidence that they are not a credible witness and prevents many people from reporting sexual crimes.***

3. For legal reasons (which we believe the prosecution did not robustly challenge) Gerard was told he was not allowed to include in his evidence that another person was present while the abuse was taking place. This resulted in the Defence calling an eminent academic vet from a Dublin University to testify that it was not possible for the acts of Bestiality to take place without the help of another person. (It was apparent that even the Vet had not been informed by the Defence that another person was present) This was therefore used to try to convince the Jury to believe that Gerard was a sick fantasist.

4. This happens in many cases where for a variety of reasons the other victim's case is being heard separately or they are not prepared to give evidence. The victim has to tell his/her story in a way, which inevitably will not sound believable to the Jury. In fact they are prevented from giving a full account under threat of a mistrial being called if an offence against another person for which the Defendant is not being charged with in their case, is even mentioned. Thankfully the Jury in this case was able to figure out there was something suspicious going on because a certain vital witness was not called.

***The Rape Crisis Centre demand that victims are allowed to abide by their oath so the Jury gets to hear the WHOLE truth. We believe that where there is more than one victim that the Defendant should be charged with all victims in one trial, where this is not possible it is imperative that the Judge at least explain to the Jury that certain information has been withheld from them for legal reasons.***

5. Since Bateson was reported to the police almost two years ago he has been permitted by Social Services to remain in the home with young children. People in this country who have experienced interference in family privacy by Social Workers for minor or trivial reasons may rightly asked where the priority of the Statutory Agencies lie and if children were adequately protected in this case.

Social Workers knew that more than one victim was making the allegations against Bateson. *The Rape Crisis Centre is appalled by the decision of Social Services to leave children in the*

*care of alleged abusers in cases where the evidence is overwhelming or there are several victims coming forward.*

6. The fact that Gerard received counselling with our Centre and with another respected private counsellor was used against him in the court, Defence accused “so-called counsellors” of creating false memories and tried to deny the existence of Post Traumatic Stress Disorder. No expert witnesses were called on Gerard’s behalf to explain the effects of abuse even though no expense was spared to import the Dublin expert for the Defence. Neither were the counsellors called to defend the ridiculous and defamatory allegations made against them.

*We demand that expert witnesses in the field of sexual abuse be called by the prosecution to defend the victim and challenge the myths put forward by Defence Barristers.*

7. The Court Case was adjourned several times at the last minute, which caused the victim and his family undue distress. It also caused complications in his business life as he had to keep several weeks free losing out on possible contracts and causing upheaval in his family and business life. *We demand that more consideration is given to victims regarding dealing with these traumatic cases speedily and giving proper notice in fairness to all parties.*

We believe that Bestiality needs to be dealt with under three separate ways:-

- Laws protecting victims, especially children from being forced to participate or witnessing such acts with animals. *This should be addressed in the Sexual Offences NI Review. (In this case the victim was made to watch - it would cause him considerable distress if an impression were given in the press that the abuser actually physically involved him with an animal.)*
- Laws based on anti-cruelty for the protection of animals from suffering. When Bestiality was raised the Judge explained to the court that the only laws against the sexual abuse of animals existed to ‘protect public morality and decency and not for animal protection’. *We believe that in this day of age laws should be developed to prevent this perversion in terms of anti-cruelty laws and our Centre hopes to work with animal rights organisations to ensure this happens.*
- Laws to protect public morality and decency as in the existing legislation, *with more severe penalties being imposed when other people especially children are forced to be involved in any way.*

## **b) Criminal Injury Compensation**

In almost every case we have been involved in women are asked whether or not they have applied for CIC and it is implied that they are wrongly accusing men of rape for financial gain.

## **c) Sexual abuse as a child or previous sexual assault**

While the prosecution is not permitted to raise any past sexual crimes the defendant may have been accused of or convicted for, it is common for defence barristers to raise past abuse which the woman has suffered often during childhood. With this, it is implied that she is unstable or hates men. We observed this both in Downpatrick and Belfast Crown Courts in recent years. It is the ultimate cruelty and must be stopped.

#### **d) Abortion**

Where a woman has had an abortion in the past either as a result of the rape or in the past defence should be prevented from trying to use this against the woman in court.

#### **e) Medical history**

Defence barristers should only be permitted to raise issues such as previous mental illness, drug or alcohol use or genito-urinary infections after consultation with the judge. Often these issues are raised when they bear no relation to the case at all and such tactics are simply used to humiliate the woman and discredit her in the eyes of the jury. This was a major issue in the case outlined at the end of this chapter. When the Defence is permitted to do so the Crown should as a matter of course bring in their own expert witnesses on the relevant issues. Generally they do not and this needs to be addressed see our Report 2005.

***We demand that a survivor's medical or psychiatric history should not be raised unless it has a particular bearing on the alleged offence.***

### **SENTENCING POLICY**

We would argue that penalties for crimes of sexual violence and abuse are appallingly lenient and demand on behalf of the survivors who we represent and the public who have shown their support for our campaign for more just sentencing that both government and the judiciary start taking sexual assault seriously. We appeal to our local politicians to use whatever influence they have to ensure that there is some justice for those who have the remarkable courage to report these crimes.

## RAPE & THE LAW / SENTENCING POLICY

SEXUAL OFFENCES AGAINST WOMEN AND CHILDREN HAVE A HIGH ACQUITTAL RATE; IN CASES WHERE A DEFENDANT IS FOUND GUILTY THE SENTENCE DOES NOT REFLECT THE GRAVITY OF THE CRIME.

### Some Examples

- Magistrate Desmond Perry allowed Accountant John Hunter to walk out of court. Hunter had over a hundred pornographic pictures of young children being abused. Mr. Perry said after conviction that Hunter had been under a lot of 'stress', which contributed, to his committing the crime.
- In February 1990 Judge Malachi Higgins sentenced 20-year-old Peter Little for rape. Little was given a four-year sentence to be served in a young offenders centre. Imposing sentence Judge Higgins said, 'Little did not use violence against his victims and now publicly admitted his guilt.'
- Leniency of judges in the face of a guilty plea is an often-repeated pattern and is usually the result of plea-bargaining. It must also be recognised that rape is always a crime of violence where the sexual act itself is used as a weapon.
- In 1986 Judge Porter sentenced 18-year-old Sam Scales to six years imprisonment for raping a 15-year-old girl and then accompanying her to a police station.
- In 1983 Judge Brian Gibbens told a man charged with the rape of a 7-year-old girl that he had 'considerable sympathy' with the case which struck him as one of the kind of accidents which happen in life to almost anyone.
- In 1989 the Lord Chief Justice Sir Brian Hutton in the appeal court reduced a rapists life sentence to fourteen years on the grounds that it was 'manifestly excessive' and in a ruling in which no doubt he saw no bitter irony said 'this court considers, as does the general public, that those who sexually assault or abuse children must receive severe and deterrent sentences' He was not so lenient with the BBC when he wrote his infamous report.
- At Craigavon Magistrates Court in June 1989, 30-year-old Philip McCready was given a two month sentence for sexually assaulting a 12-year-old boy.
- In the same month in Ards Crown Court Robert Henderson was given a four-year sentence for 11 charges, four involving 15-year-old boys. He pleaded guilty to five charges of buggery, three of indecent behaviour, two of gross indecency and one of importuning for immoral purposes.
- In September 1986 a 50-year-old man admitted in Belfast Crown Court to raping and indecently assaulting a 10-year-old girl. Judge Gibson accepted that the man had been under severe emotional difficulties and had shown 'great remorse' for what he had done. He was sentenced to five years imprisonment.

- In 1987 Judge John McKee gave 35-year-old Philip McCann a one year sentence for attempted rape of a 5-year-old girl.
- In June 1986 Judge Harte gave John Clark three years probation for a total of seven offences against two girls. Judge Harte said that “Anyone who committed sex crimes involving young children should get at most one chance.” He was prepared to take the chance in Clark’s case that he would not be a danger and would benefit from medical treatment.
- Also in 1987 a 41-year-old man was sentenced to six years for raping his 16-year-old daughter. He had three previous convictions for assaulting the same daughter when she was 10-years-old.
- In 1989 John Southworth was released after just eleven years by the Life Sentence Review Board, despite the fact that at his trial the judge had recommended that he serve at least eighteen years. Southworth had raped, mutilated and murdered a young woman with whom he worked. On his release he was working at a major voluntary organisation involved with a pre-release with young women. We exposed this in the press at the time.

It must be remembered that rape carries a maximum life sentence. It seems that the only time that this is given out is when the rapist murders his victim. He then gets a life sentence for the murder, however sometimes he is not charged with the rape. This means that on release he is not officially a sex offender as he was never charged with a sexual offence.

It has been our experiences that judges often give lighter sentences when the rapist pleads guilty using the reason that he wanted to spare his victim the trauma of giving evidence. Had he wanted to spare his victim trauma he would not have raped her in the first place.

There is no medical treatment available to ‘cure’ rapists and abusers. The little therapy there is available seeks simply to control their behaviour. There is no reason why this therapy should not be carried out within the prison system as it should not be used as an excuse for non-custodial sentences. **Rapists and child abusers only show ‘remorse’ when they are caught and facing a prison sentence.** At the Centre we know from what our clients tell us that the only thing they regret is getting caught. Emotional difficulties or a history of abuse is often offered as an excuse. This is not acceptable in adult offenders. Most people who have been sexually abused do not go on to abuse. **It is a choice which offenders consciously make.** Recent cases in England such as the West case have raised the issue of the cycle of abuse. However no one asked why fifteen brothers and sisters of Fred and Rosemary West came from the same background and chose not to abuse.

Until Judges and other men in the legal system change their attitudes to women and children we are never going to get away from judges who say *‘it is well known that women and especially small boys are prone to lie’* and *‘when a woman says ‘no’ she doesn’t always mean it’, ‘men can’t turn their emotions on and off like a tap like some women can.* - Judge Raymond Dean, Old Bailey 1990.

It is not surprising that with this type of attitude only a quarter of the women who come to the Centre after a rape have not reported it to the police. Judge Wilde, Cambridge Crown Court 1982 ‘Women who say no do not always mean ‘no, if she doesn’t want it she only has to keep

her legs shut and she wouldn't get it without force.' There is a great need for more women to be involved at higher levels in the legal system in Northern Ireland where we few woman QC's hardly any female judges.

While some of these examples regarding the Judiciary are quite historical Amnesty International's recent poll on attitudes to rape in late 2005 shows public attitudes have not changed, one third of people still blame women for being raped if they are wearing "revealing clothes" engage in flirting or are drunk and the poll also shows that people underestimate the prevalence of rape and overestimate the conviction rates which are currently lower in Britain than they were in the 1960's. Justice Roderick Evans proved in Swansea crown court in November 2005 that judicial attitudes are no better informed than the man in the streets, when he directed the jury to return a Not Guilty verdict on a Donegal man who had sex with a young female student while she was unconscious. She had been left in his care by friends who trusted him because he was a security guard. Despite new legislation which should have increased the defendants chances of being convicted the Judge said "Drunken consent is still consent" even under the old legislation the perpetrator could have been found Guilty because the woman was not in a fit state to give informed consent. The Rape Crisis centre will continue our work here in NI and with our partners in both these islands and Europe to eradicate such horrendously archaic woman blaming attitudes and to fight for justice for women in the courts.

It is time that all those in the legal profession from law students up to Judges received adequate training to deal with these types of cases. See also 2005 RC&SAC Report Below are two women's experiences of the courts

# Experiences Of Court

For Lorraine and Mary it was apparent during the interviews with the Centre's researcher that talking about the court was akin to talking about the rape, confirming by their demeanour and words that the feminist contention that court experience is almost like another rape is non the less true because it is a well worn cliché. (Helena Kennedy- Eve Was Framed, 1993 - Ch 5 P 128). The following incidents related to in the responses regarding the court experiences of both Lorraine and Mary were witnessed by two counsellors from the Rape Crisis and Sexual Abuse Centre.

## DEFENCE BARRISTERS

Mary – "He asked me if I had a thing about men in uniforms.." (Mary's rapist told her (falsely) that he was a police officer which was why she trusted him having worked in contract catering in a police station, she told this to the court).

Mary – "I was in the witness box for two whole court days, it was the worst two days of my life, his barrister passed my underwear round the jury, they were all fellas about the same age as the rapist."

**The sole purpose of this act was to humiliate and degrade the complainant in order that she would not be fit to give evidence**

Mary – "He called me a liar and expected me to remember exactly where my right hand was and his left hand was every second of the rape, it was like going through it all again in slow motion with him telling you, you were making it all up."

Mary – "He accused me of learning my statement off by heart with my counsellor, but the judge spoke up and asked me if it had helped me emotionally (counselling). That fairly sickened him; It has now become common for defence barristers to attempt to use a woman's contact with the Centre against them.

Mary – "When the police surgeon showed him the picture of the bruises, four that they were love bites, no matter what the doctor said he just kept saying it, in the end the jury must have believed him, they let him off, didn't they?"

Mary – "He leaned on the Jury Box like he was in the Pub and said *"You know what its like boys, you take these women out buy them a drink and a hamburger, drive them home for a kiss and cuddle, they change their minds and then cry rape."* Is it any wonder they let him off?"

The same barrister has taken silk and has since acted several times for the crown prosecuting rape cases. Ironically he is one of the most sympathetic and decent barristers now acting for the DPP treating Complainants as equals and with dignity and respect! There is hope for everyone.

Lorraine – "My barrister (crown counsel) said at the meeting that there was no way they would try to imply that the rape didn't happen or that I had sex with him willingly, my counsellor wasn't so sure and told him that. She was right in the end because his barrister accused me of

making up the whole thing even though he started out by saying that he believed it was rape but that it wasn't his client."

**It is difficult to understand how a barrister can have so little respect for twelve citizens credulity when the unusual knife which Lorraine described was found in the rapist's bedroom along with a packed bag and everything he was wearing that night washed including his trainers.**

Lorraine – "He asked me if my vagina was wet or dry, I knew what he was getting at, I'm not stupid, but why was he asking me those things when he was saying I invented the whole story and that no rape had ever happened."

Lorraine – "Then when I tried to explain the way he (the rapist) had me lying and I said the 'sixty nine position', he let on he didn't know what I was talking about and made some comment or other to the jury about me being well versed in the language of adventurous sex. I don't think it worked for him though, the Jury and even the Judge looked at him like he was a bit simple for not knowing what I meant."

**Lorraine – "He's just as bad as the man who raped me and I hate him just as much."**

**Mary – "I hate him. He made me feel exactly like the rapist did, but what he did was legal, legal abuse"**

# *The Judiciary*

Neither Lorraine or Mary had strong feelings about the Judges in their cases and were lucky to have Judges who intervened, albeit much less than they could have done to prevent the worst excesses of the Defence's onslaught

The Judge in Lorraine's (Judge Russell Downpatrick Crown Court case did however point out to the Defence Barrister that it is now well established that "**There are many different reactions to rape**" when the Barrister tried to use the fact that she was not hysterical against her.) More progressive than many Judges we have come across over the years.

Although the man who raped Mary was acquitted.

Lorraine's rapist received a sentence of over ten years. Unfortunately in Northern Ireland he gets 50% remission. The remission system here was introduced to deal with "political prisoners]" however because the government at the time refused to recognise political status. "Ordinary Decent Criminals" and Sex Offenders benefited from the system.

**Given the fact that our "Troubles" are allegedly over it is time the Remission system was overhauled.**

{We would be happy to provide serious researchers with further information on the above and other cases if they wished to do further investigations. Elizabeth Udall in her recent best-selling book Rape - Your Survival Guide (Virago Press 2003) used the interviews printed above with the Centre's permission and acknowledged our Centre. The Centre's researcher carried out these interviews for an MSc Thesis (Queens University Belfast) On "Rape & Its Aftermath" 1995. }

# ***Rape Within Marriage***

Until March 1991 it was common practice in law never to charge a husband with the rape of his wife regardless of the circumstances in the UK. This assumption made by British courts of law was that if a woman married a man she gave her irrevocable consent to have sex with him at any time and in any circumstances during her married life.

Three different surveys leading up to the nineties showed that as many as one in seven women were being raped by their husbands.

To be raped by a husband or partner is for an adult woman the ultimate betrayal of her trust. However rape within marriage is possibly the most common form of rape yet it is the type of rape for which women will rarely even seek counselling much less report.

A considerable number of our clients have been raped within marriage. The vast majority of these women had not presented initially with this problem but for other sexual assaults and it was only through the process of counselling that the rape within a past or present relationship or marriage was disclosed.

Husband's immunity to rape charges stemmed from a 17th Century Judge, Sir Matthew Hale. He expressed his view in a book that men should not be charged with raping their wives. No legal ruling was ever made in a court of law; there was no basis either in legislation or in common law for legalising marital rape.

**Yet one judge blindly followed another based on Hale's original writings, with the result that married men for three centuries could rape their wives with impunity.**

As a result of persistent campaigning by feminist organisation this bizarre legal nonsense was finally addressed. On the 14th March 1991 the Appeal Court ruled that rape within marriage was a crime, and what is more it always had been! Lord Lane ruled that **'A rapist remains a rapist irrespective of his relationship with the victim.'**

This was welcomed by our Centre, the women's movement generally and by women everywhere. However we could count the prosecutions for marital rape in Northern Ireland on one hand from 1991 to 2004. Of the few we know of they involved couples who were not living together where the husband had broken in and committed extremely violent and vicious rapes.

Professor Glanville Williams wrote two articles for The New Law Journal (15/2/91 & 22/2/91) on 'the problem of domestic rape. In these articles he states that 'a charge of rape is too powerful (and even self-destructive) a weapon to put in a wife's hands'. This misogynist view is by no means uncommon amongst the male - dominated legal profession. He adds that "in my estimation it cannot be nearly so traumatic for the wife as stranger rape". However the reality is that it can be much more traumatic to be raped by someone you have known and loved.

Unfortunately Professor Williams estimation falls far short of reality. Certainly it is not the experience of women who seek counselling at the Rape Crisis & Sexual Abuse Centre or refuge from abusive partners in Women's Aid shelters.

His learned 'estimation' also ignores the fact that women and children are more likely to encounter both sexual and physical abuse in their own homes than they are from strangers.

Williams suggests 'a rape exemption for all husbands, present or discarded, while retaining their ability for assault' this shows ignorance of the role of threat or coercion in rape.

In our 'estimation' based on work with thousands of survivors over the twenty-two years Professor Williams and his like would be well advised to retire. His outpourings are 'much to dangerous a weapon' to put in the hands of highly impressionable young (especially male) members of the legal profession.

In 2000 we had the first conviction for marital in Northern Ireland, when Lord Justice Campbell sentenced a man to seven years in Downpatrick Crown Court. Lord Justice Campbell proved that not all Northern Ireland's judges are living in the eighteenth century when he stated that the fact that the defendant was the complainants husband had no bearing in law.

We congratulate Lord Justice Campbell on the seven-year sentence he imposed, although it is not as high as we would have wished it is much longer than many rapists receive. We hope that this case will encourage women who have been or are being raped within marriage to come forward to either ourselves or Women's Aid and we believe that women may feel more confident in reporting marital rape to the police.

*See - Useful Numbers back of this publication*

# RAPE

The legal definition of Rape already discussed in this Information Pack is one which is narrow and far from just. Any act which does not involve penetration of the vagina by the penis is classified legally as Indecent Assault - a term which can refer to many kinds of abusive acts from an unwanted touch of the breast to violent penetration of the vagina or anus with weapons such as bottles, sticks or knives.

Women who are survivors of rape perceive it as an act of forcible violation of their bodily integrity, an act which is designed to degrade, dominate, humiliate or punish the victim. Rape, frequently has very little and often nothing to do with sexual attraction, it is carried out usually with premeditation by men who believe that women do not have a right to say NO or that women say NO and do not mean it.

All acts of rape and sexual assault are acts of violence by virtue of the fact that they are imposed on the victim's body against their will. Most rapists use the only the sufficient violence or force to enable them to make the victim to comply with their demands. They may also use alcohol or drugs unknown to their victim to paralyse the woman either psychologically or physically. About 10% of rapes involve a vast amount of sheer physical violence over and above what is 'necessary' for them to complete the act of rape. These rapists are sadistic and motivated by a deep anger and hatred of women and subject their victims to sexual torture, humiliation or partial strangulation. Not all women survive these attacks. Women are often threatened with guns or knives and a significant proportion of rapes involve more than one attacker.

Because of the mythology surrounding rape and the prevalent misogyny in our society, survivors of rape often blame themselves.

Many women mistakenly believe they are immune to rape because of their age, marital status, previous 'virtue' or other reasons.

Still others believe that because they follow personal safety measures that it cannot happen to them.

Unfortunately the reality is that the vast majority of women are raped by men they know and have previously trusted, the most common place for a woman to be raped is in her own home.

Women who wisely recognise the fact that we are all vulnerable to rape are often mistaken in believing that they will know how to react if it happens to them.

This is not the case, many survivors who had previously believed that they would physically resist a rape have frozen with shock or fear. Even when the rapist is known to his victim many survivors perceived the attack as life threatening.

There is no right or wrong way to respond to the act of rape, each victim should to be respected for how she (or he) came through it as a survivor. Many law enforcement agencies will advise women not to physically resist a rapist.

We cannot predict which men are capable of rape and which are not, similarly we cannot predict which rapist is also capable of extreme physical violence or even murder. Struggling during a rape may do nothing more than increase the perverted pleasure of the perpetrator and at worst may end in the Victim's death.

The aftermath of rape can include a wide range of detrimental psychological consequences which are more fully described in the Centers leaflet. **Rape Trauma Syndrome**. Briefly some of the after effects of rape may include the following:

SHOCK  
FEAR  
DEPRESSION  
FEELINGS OF POWERLESSNESS  
ANGER  
SELF-DISGUST  
GUILT  
SHAME

Survivors often experience nightmares, flashbacks and a mistrust of all men or even all people. Rape can affect the woman's sexual relationships, present and future, cause family problems, affect her concentration at Work but most importantly it generally erodes her sense of self-esteem. She May feel she is no longer the same person and her confidence in dealing with all aspects of her life may be affected..

While most rape survivors are female it is important to recognise that male rape survivors will experience the same after effects as women and may find it even more difficult than female survivors to seek counselling or justice through the courts.

No amount of therapy can take away the fact that the survivor has been raped.

But our work has shown that counselling can help survivors to come to terms With what has happened to them, help them to rid themselves of negative Self-blaming attitudes which they have internalised and restore their Self-worth.

*See also rape of men and boys*

# *Mythology Of Rape 1*

- Rape only happens in dark alleys at night
- Rape is a result of uncontrollable sexual urges
- Only young, attractive women are raped
- Revealing clothes provoke men to rape
- Women secretly desire to be raped
- Women enjoy rape
- Women make a habit of lying about rape
- It's impossible to have sex with a woman if she doesn't really want it
- Men and boys cannot be raped
- Rape is rare
- Small children cannot be raped
- Well-educated professional men don't rape
- Men who are not in other ways violent cannot possibly be rapists
- Rapists are all mentally ill
- Rapists need therapy not prison

# Mythology Of Rape 2

Rape is a serious crime and a persistent social problem, which is possibly as old as humanity and is almost universal. In our society it is surrounded by a well-established mythology developed through generations of Patriarchal domination. These myths serve to facilitate the crime and to serve as a subsequent justification for the perpetrators.

The rape myths excuse the offender and blame his victim, they create Stereotypes of both rapists and survivors. The rape mythology permeates all institutions in our society including our legal system.

For many years Rape Crisis Centres and women's groups throughout the world have worked and campaigned to dispel these damaging myths which silence and Isolate survivors.

Diana Russell's survey, Sexual Exploitation concluded that **46% of women in the USA were likely to be survivors of rape or attempted rape at some time in their lives.** Half of these women will be attacked by a different man at some later point in their lives.

The most recent British Crime Survey says 45% of British women have experienced some form of sexual assault, domestic violence or stalking (Walby & Allen 2004)

'Not only is the prevalence of violence and abuse serious – affecting at least half of all women over their lifetime – but it shows no sign of decreasing' (Kelly & Lovett – What A Waste Report LMU & WNC)

The myth that rape is rare is far from true.

Rape is highly under-reported as a crime, our statistics at the Rape Crisis & Sexual Abuse Centre over the years supports those of other Centres Throughout the rest of Ireland and the UK – **less than 20% of women Coming to us report to the Police.** (see 2005 RC&SAC Report for latest statistics)

Our statistics have consistently shown the vast majority of survivors **knew or were acquainted with their attacker.** With most women were raped in their own homes, this refutes the myths about strangers dragging women up dark entries being the most common scenario for rape.

The vast majority of rapists appear to be average men. Many are outwardly pillars of their communities, clergymen of all persuasions, teachers, Doctors and other such worthy citizens. **Few rapists are mentally ill or sent for psychiatric treatment.** Most do not have identifiable clinical problems, disrespecting women, having no regard for people's human rights or even hating someone because of their sex are not illnesses.

These are the reasons why men carry out sexual attack on women.

Quite rightly those who attack others because of their race or religion would not necessarily be regarded as mentally ill. Neither should men who rape be regarded as Psychos nor as people who are simply ill and in need disseminated to the public by those who should know better such as lawyers, Probation Officers, judges, clergy and a range of voluntary groups and assorted

Do-gooders These poor men need to be helped, not jailed this mythical Oft-quoted garbage infuriates both survivors and their supporters.

**Rapists are simply criminals who have no regard for the rights of women to say 'No' to them, they hold misogynistic views about male – female relationships and some have a murderous hatred for all women.**

There is no evidence at all to support the ridiculous notion that women want or enjoy rape, unfortunately however this myth is still prevalent and can still be found as part of the plot of best sellers and Hollywood films.

The vast majority of studies on rape have shown that **80% of rapes are partially or totally premeditated**. It is a myth that rape happens as a Result of uncontrollable passion the notion that men cannot control their `Sexual urges' is as insulting to all men as it is damaging to the rape survivor.

Other rape myths from the **Hell Hath No Fury Like A Woman Scorned School Of Thought** have no basis in reality. Considering how difficult it is to go through a forensic medical examination, to give a detailed explicit Statement to the police and go through a traumatic and usually abusive Court case sometimes publicly it is insane to believe that false allegations of rape are commonplace. **Several studies show that rates of false reporting are no different from any other types of crime.**

What a woman was or was not wearing is commonly used, even in the courts as an excuse for rape. Over the years our Centre has dealt with **sexual Assaults involving a six-month-old baby boy and an eighty-year-old woman**. The reality of rape does not match up to notions about length of skirts and other such nonsense. Nor does it in any way fit in with common assumptions about sexual attractiveness.

Women (and even men) of all ages, classes and creeds can be subjected to Rape. The educational level of the perpetrator is not an issue as **men from all sorts of backgrounds have perpetrated rape**. Because a man is not known to be physically violent with other men or even with women does not mean that he is not a rapist. Rape can happen to anyone, it is an act of violation most often perpetrated by men against women we would argue that there as many rapes committed as robberies. **However the shame heaped on its victims makes it the most under-reported crime**. It is time that those in power, in Northern Ireland begin to recognise the rights and ensure that the needs are met, of all survivors of sexual Violence.

It is vital that we challenge the attitudes in Northern Irish society which allow men to rape with impunity. Our Centre is always willing to go out and talk with any kind of group. Until we change attitudes especially those of young men who are the potential rapists of the future women and girls will continue to be abused in their thousands.

We also run workshops and seminars and can design specific training programmes to meet the needs of any group of people, professional or otherwise. Our Centre is Northern Ireland's only representative on the **Rape Crisis Network Ireland** and the **Rape Crisis Network Europe**, we are working at an international level to eradicate the myths of rape, to re-educate Europe on sexual violence and to look at why attrition rates in EC and EC aspirant countries for rape are so high. (attrition is the rate at which cases are dropped out of the system from initial reporting to court – we know the vast majority of reported rapes to not reach a court) Our Centre is

working with the Women's National Commission, Amnesty International and women from all over the UK in the End Violence Against Women Coalition to eradicate rape and other violent crime against women.

\*\* NB The Director Of Public Prosecutions in Northern Ireland was one of the very few official legal agencies from all of the European Union and EU Aspirant regions who did not supply the researchers with information when approached. We are deeply disappointed at this and find it quite shocking that less developed countries with quite chaotic legal systems managed to return attrition figures.

# ***What To Do If A Friend Or Partner Has Been Raped***

If a woman in your life has been raped it is important that you support and Believe her. Accept what she says, do not cross-question her you may feel angry or violent toward the rapist - especially if it is someone you know. Yes – **you have a right to**. We all get upset when someone we love has been hurt or damaged by the deliberate actions of a criminal.

It is important at this time that you respect her views and wishes you may have many different ideas about what should be done from ringing 999 to going out and killing him. Do neither. **Listen to her**. Her needs are paramount.

However too many men, even those who love their partners regard them as a possession and the rapist as someone who has 'taken' what belonged to them.

Men with this outlook are re-abusing the rape survivor and need counselling to help them overcome their belief system and attitudes before they can be of any help to the victim. This is devastating for the woman she thinks he regards her like a stolen car, returned damaged and is angry only for himself but not for her. Many women over the years have reported to us that they believe their partners or even fathers were motivated by such beliefs.

**She has just had all The control in her life taken away from her, it is important that you don't Add to this trauma by imposing your solution on her.** She must decide what She wants to do, although it may be difficult, if you care for her you must support her in her choice.

**It will not help her if you find yourself charged with assaulting the rapist, or worse.**

The Centre can provide support, information and counselling to both you and your partner.

Believe your partner, don't cast doubts on what she has said. Do not Insinuate it was her fault because of where she was or what she wore or Because of the amount of alcohol or substances she may have taken, the company she was keeping or where she was and at what time.

There are many different reactions to rape both in the immediate aftermath and long-term. Don't assume that she should have been hysterical nor if it happened recently that she should be bruised or bleeding. If she didn't tell you right away please try and understand her reasons. Allow her to talk or stay silent. You can gently encourage her to talk and let her know that you are there for her when she needs you. Most rape survivors, because they have internalised age-old myths about rape and why it happens blame themselves in a variety of ways and find it incredibly difficult to talk about. It will help her to be able to talk but in the early stages, especially, you may not be the best person to talk with her particularly about the details of the rape.

**You, must allow, her to set the pace of any such disclosures. Do not imagine because she can't talk to you that she does not love you or even worse that she has something to hide.**

Even though rape is a crime for which the victim is not to blame most women feel degraded, humiliated and guilty. They may also imagine that their partner blames them even when he doesn't or that he will not want her sexually or any other way, ever again. **She may feel she has let you down because she could not stop the rape from happening.**

For thousands of years society has been telling raped women they are 'damaged goods' remember this, and be sensitive in what you say. Traumatized people are more likely to extract the most derogatory message in anything that is said to them. Be patient with her.

Details of the rape may be too difficult for her to talk about, she may be Unsure as to whether to report the rape or not. Most women blame themselves for not doing enough to stop the rape. It is important that you believe her and that you tell her as **often and in as many ways as you can that it was not her fault.** Help her to put the blame where it belongs - on the rapist.

Never tell her to forget to and get on with her life, if she could put the rape behind her she would. It may be in the past but in reality she is living with the consequences, which are clearly in the present

You may feel that it was your duty to protect her or do not blame yourself because your partner has been raped. She is an adult woman and you cannot be together all the time. Do not try to control her in order to 'protect' her from anything else happening to her. If you do, you are behaving no differently from the man who raped her.

**Don't try to tell her what to do.**

**Do not feel rejected if she does not want intimate or sexual contact with you.** This is not a reflection on your relationship nor does it mean she is classing you with the rapist. Aversion to sex is a common and normal reaction to Rape which can be overcome with counselling or if necessary with Psychosexual therapy.

**Do not pressurise her sexually,** if you do she will begin to see you in an entirely different light and this could permanently damage both of you and your relationship.

**There is only one person to blame - the rapist.**

Even if your partner is unable or does not want to talk to a counsellor in Person or over the phone you can still ring our Centre for advice on how best to help her. Ring the Rape Crisis & Sexual Abuse Centre we will be able to offer advice, be aware of practical considerations such as not washing or changing clothes if she is considering reporting, (see Reporting Rape in this information pack) Keep in mind the possibility of pregnancy and need for checks for sexually transmitted diseases. Be aware of practical considerations such as not washing or changing clothes if she is considering reporting, (see Reporting Rape in this information)

You can deal with your feelings and any emotional or sexual problems the rape of your friend or partner is causing you without burdening her. Many men find it difficult to resume normal sexual relationships because they feel that somehow they are doing the same thing to her as the rapist. Counselling at the Centre can help with it. However for deeper or more long-standing problems which require more intensive therapy there are other options. Relate carry out Psycho-Sexual Therapy and some hospitals have clinics or experts to deal with these matters we can point you in the right direction.

**Remember above all else that if a woman tells you she has been raped she has placed an enormous amount of trust in you.**

Please – Do Not Breach Her Trust

# ***Reporting Rape To The Police***

Many survivors are **reluctant to report sexual assault** to the police because they are unsure about whether they will be believed or respected or they fear there is not enough evidence or no witnesses.

**Many are justifiably reluctant to face a court case given the way survivors are often unjustly treated in the legal system.**

However rape is a serious Crime and sex offenders notorious for repeating their offences.

**If a victim does not report she may be in danger from further attacks or threats from the perpetrator. Many women who don't report regret their decision in later years.**

Most women who do report, regardless of how difficult the court Case was and even where the rapist was not convicted, believe they made the Right choice. **Police Service Northern Ireland** have specialised **Child Abuse & Rape Enquiry Units (CARE)** all officers working for a CARE Unit have had to sit a special Board, which assess their suitability for the high degree of professional Training which they will then receive. These officers will deal with the Case from beginning to end, they work in plain clothes and will interview Victims in special CARE Suites, which are designed with comfortable interviewing facilities, a medical examination room, bathroom and kitchen.

When our Centre first opened in 1982 before the existence of the CARE Units There were many difficulties in reporting and many women were quite rightly very dissatisfied with how they had been treated by the police. Most of our Clients who report presently are satisfied with the way the CARE Units have Dealt with them and we are now much more confident in positively encouraging Survivors to report there rape or abuse. **However we would never try to force or emotionally blackmail an adult survivor to report is she did not wish to.**

The following page briefly outlines what you can expect if you report soon a rape. But remember that there is no Statute Of Limitation for Rape for Criminally prosecuting sexual offences in Northern Ireland and the police are generally willing to take statements from people who have survived abuse many years ago. Many sex offenders have been convicted years after they committed their crimes. Do not let time delay discourage you from reporting.

## IF YOU ARE CONSIDERING REPORTING A RAPE OR ASSAULT WHICH HAS JUST HAPPENED

- Do not wash - even though this may be your first instinct after a rape.
- Do not clean your teeth and if possible avoid eating or drinking. (Especially alcohol)
- Don't comb your hair
- Try to avoid going to the toilet. If you have to urinate or vomit do it in a basin. Don't flush away the evidence
- If the rapist used a condom do not dispose of it
- Do not change your clothes or at least put everything you were wearing into a plastic bag and keep it somewhere safe.
- Ring the police as soon as possible; if you are in any danger do not hesitate to ring **999** ring the exchange number below
- Ring a friend or the Centre for Support if you haven't already done so.

Just because you have not followed these procedures does not mean you cannot report, however the more evidence you preserve the better chance you will have of seeing the rapist where he belongs - behind bars.

You may ring the Centre and we will make the initial call to the police if you are not confident in doing so yourself.

If you have not decided on whether report you can talk it over with a counsellor either in person or on the phone. We will put you under no pressure and will offer you counselling and support regardless of the choice you make.

If the rape has happened recently we can arrange an emergency home visit.

You can also ring the Police exchange on **02890 650222** and ask for your local Care Unit Generally they will allow you to talk to them anonymously and Hypothetically over the phone they may be able to allay some of your fears. They will not force you to report against your will as they know that this is unlikely to lead to a successful prosecution.

Each Care Unit now has a separate number to which you can get through directly during office hours they also have answering machines. At other times the exchange or your local Station will contact the Care Unit officers in your area. CID may also become involved in cases where a stranger has perpetrated the rape.

If you decide to go ahead with your complaint you will be taken to the Care Suite. This will have more comfortable and homely surroundings than a police station. If it is an historical case they may speak to you at home or perhaps our Centre.

**You can expect to be treated with respect and dignity, as the majority of Survivors now are by the PSNI CARE Units.**

**If you are not, ask to see an officer of a higher rank.**

You will make a statement, which can be difficult, you can ask for a friend Or one of our counsellors to be present but they will not be permitted to Interfere with the legal process; **they will be there simply for emotional Support.**

You will be asked to consent to a **forensic medical examination** which of Course you can refuse to do however this will obviously diminish the chances Of a successful prosecution, or even the DPP's decision to take the case.

The doctor will take swabs from the relevant Parts of your body and will try to make you feel as comfortable as possible given the terrible circumstances.

This is not medical 'treatment' they will be gathering evidence from your body which can be used in court but you will be given advice on contacting your GP the next day.

You can then have a bath and change into clean clothes. Ideally this should happen before you give your statement.

**If you have taken alcohol or any kind of drugs or medication a statement cannot legally be taken from you until they are out of your system.**

However in practice now in the majority of cases only notes are taken and when the person is less traumatised, calmer and under no other influence a full statement is taken within the next few days.

There are both male and female officers attached to the CARE Unit, in the experience of our clients it does not necessarily follow that female officers are more sympathetic than men, remember they have daughters, sisters and mothers. However if you feel it is impossible for you to talk to a male officer then ask for a female, this might not always be possible. But if it is they should try to accommodate you.

**Tell your story truthfully, if you leave things out it can cause major problems if the case gets to court.** You do not need to make excuses or lie about having a drink or anything else. Your blood will be tested for alcohol so don't say you only had 2 glasses of wine if you had 8 Vodkas. Remember that whatever you were drinking, no matter what time it was or where you were, even if the rapist is known to you. It was not your fault. No-one has the right to rape you.

If you do not understand a question, make that clear to the officer. If you think he/she is misunderstanding you or the situation make that clear to them as well. They have to ask some difficult questions, if they don't your case may not get to court **this does not mean they do not believe you.**

If you need a break for, a cup of tea, a cigarette, to go to the toilet or make a phone call and you have not been offered it ask. Generally we find that the vast majority of Officers will make things as easy for you as they can.

Sometimes going out for some fresh air clears your mind. Giving a Statement can be a long and harrowing process. Legally it is better if a complete statement is taken on the same day. However if it becomes too much for you let the Officer know and you can come back at another time.

Do not be afraid to bring up things that you think are relevant even if the police have not asked.

This is **YOUR** statement and if there is something you really need to say in it, make sure it is written down.

Read the statement carefully, and be sure that nothing has been picked up wrongly, we have seen simple and apparently inconsequential misunderstandings about minor details being made into an enormous issue in a court of law.

You are entitled to a copy of your statement in Law, in reality we have found that it is not a good idea for women to take copies home and go over and over them. 1. It is traumatising. 2. If the case gets to Court it will sound like you have rehearsed it. But it is your legal right and if you want a copy – ask for it.

# *Aftermath Of Rape*

You will need to see your own GP as soon as possible especially if there is a chance that you may be pregnant. Or you can go to the **Royal Maternity Hospital**, which provides round the clock emergency contraception.

The Morning After Pill is actually effective up to 72 hours after intercourse and the 'coil' or IUD up to five days. If you have waited longer than this discuss it with your rape crisis counsellor or ring the **Family Planning Association** or your local **Family Planning Nurse or Clinic** (see useful Numbers). Although the Morning After Pill is available to purchase at pharmacies and chemists we would advise women to go to one of the above places.

You may also need to consider the possibility of Sexually Transmitted Diseases. You can have a check-up at a special clinic such as the Genito Urinary Clinic at the Royal Victoria Hospital to which your counsellor or friend may accompany you. These tests however cannot be carried until approximately 3 weeks after the rape. You can talk at the clinic to a specially trained Health Advisor who will give you the necessary Information on issues such as testing for Aids. The Health Advisors are sympathetic and understanding.

**Do not feel obliged to answer what you perceive to be intrusive regarding past consensual sexual experience, with a Doctor or anyone else.**

**You should see a solicitor within the next month.** If you do not have one in whom you are confident the Centre can refer you to someone who has experience in these cases and who is sympathetic to survivors.

You do not need a solicitor for the criminal case against the rapist, you are the Complainant and the DPP prosecute the case. However, it is advisable to see a solicitor regarding compensation.

If you have had any kind of crime committed against your person and have police enquiries you are entitled to apply for Criminal Injury Compensation.

You may be awarded C.I.C. even where the rapist is not caught or convicted. Compensation decisions are governed by Civil rather than Criminal Law and it does not require as stringent a level of proof. ('Balance OF Probability' as opposed to 'Beyond A Reasonable Doubt') Recently the right to legal aid to pay your solicitor for acting for you in claiming compensation was taken away.

Even though the Law Society, our Centre and others opposed this.

People may tell you that you can fill the form in yourself, or with the help of a voluntary organisation, and legally you can. Don't do it. There are many sympathetic, experienced solicitors who will take your case on a "No Win – No Fee" basis. It is the view of the RC&SAC that people claiming compensation for sexual assault need **professional, experienced lawyers**.

It will take the police one to two months to prepare all the evidence to send to the **Director Of Public Prosecutions**. It is the DPP who decide Whether or not there is enough evidence for a

prosecution. Some DPP lawyers Ask to meet the complainant before reaching their decision, others don't. There is nothing to stop you requesting such a meeting in writing either Independently or through the police. If you need help with this the Centre will provide it.

Most DPP lawyers will request a consultation before the court case, if they don't, ask the police about arranging it. If you are having problems in meeting with the DPP before the case, ring our centre. Similarly if the Police haven't arranged a visit to the court this can be arranged through Victim Support or the Centre. However in most cases the Care Unit will make the arrangements. If you wish your counsellor to accompany you and the Officer in charge of your case to the consultation tell the counsellor who will liaise with the police and DPP.

Some DPP staff or the Barristers they hire try to exclude other people during communications with the victim in court. Make it clear at the beginning to him (because it usually is a HIM) that you wish your counsellor, mother, partner or friend to be present when he is talking to you.

Some Crown Barristers are decent, sympathetic and down to earth. Some are arrogant and aloof. Don't let it get to you. Just because he hasn't mastered basic social skills doesn't mean he is not good at his job. If he introduces himself as 'John Doe' then calls you 'Jane' you call him 'John'. If he says I am 'Mr. Brown', you say 'I am Miss/Ms/Smith', you are as good as he is – Don't let him forget it. The taxpayer is paying his wages and you are probably one of them.

**Do not even think about going to Court unaccompanied. You need someone who knows the system. Ring the Centre.**

We have dealt here with the practical and legal issues regarding reporting here read all of this information pack which covers other issues including most importantly, how you feel and what you can do overcome the traumatic psychological consequences of the rape.

# ***Rape Of Men & Boys***

An increasing number of younger and adult males are approaching our Centre for help. Although we are a feminist organisation we provide counselling, support, advocacy for both male and female clients. We accompany men to court and offer support to their wives, family or friends. We have had two successful court cases involving male clients over the last couple of years. We do not force anyone to go to the police but for those who decide the wish to take legal action we will be there for them throughout the process. Counselling is free and confidential. Many men just wish to talk on the phone or even communicate by email.

We have found that men who have survived abuse (generally as boys but sometimes as Adults usually at the hands of other adult men) do not wish to talk to another male about what has happened to them. We will continue to provide our services to both male and female clients.

Men who have experienced sexual violence or abuse during their childhood or as an adult experience many of the feelings common to female survivors. The effects of abuse are covered elsewhere in this information pack and they are the primary feelings that all survivors male and female feel to some degree. However men experience these feelings and often act them out in different ways to women.

Here we concentrate on effects that are more specific to men and less likely to be seen in female survivors. It is not always helpful to generalise, but women have a stronger tendency to turn anger inwards which then manifests itself as depression.

Men are more likely to use physical means to turn anger outwards. This can be achieved in positive ways through physical contact sports but all too often may end up in Bar fights especially where alcohol is concerned and of course the worst case scenario is when it is directed against a partner, wife or even children.

The vast majority of our male clients have not directed their anger in this way or have sought help to prevent it from happening. If you are a Man who was abused, please seek counselling with our Centre or another agency. If you start abusing those you love you will enter a never-ending spiral of self-hatred which is almost impossible to escape from.

Men who have been abused generally have had fears and doubts about their sexuality at some time or other. If they are Gay they must deal with the prejudice common in Northern Irish society, which often quite wrongly convinces them that, either, they have turned out Gay because of their abuse, or that they were assaulted because they were Gay and the abuser somehow sensed this.

Heterosexual men who are survivors of abuse often suffer from extreme Homophobia because they believe that their abuser was Gay and that is why he abused.

Gay men are no more likely to sexually assault an adult or child than the average heterosexual man is. Many child abusers are not particular about the sex of their victim and cannot be classified either as Straight or Gay they are, quite simply ABUSERS and that is the defining factor of their sexuality.

Straight men who have been abused often fear that they may be secretly homosexual because of physical arousal that felt during the abuse.

This does not mean they enjoyed being abused or wanted it to happen, even if the abuser manipulated the young Person into being the Instigator on occasions - this is where a lot of Shame and guilt stems from.

However because arousal in young men is so visibly obvious male survivors often feel higher Levels of guilt and shame because the abuser used their physical response against them. This can lead to eating disorders, hatred of one's own body, disgust at sex, impotency and self-harm. They often have to fight a battle against fantasies placed in their head by the actions of the abuser which they feel deeply ashamed of, but which keep coming back to them because of the power of the memory of their first orgasm.

Another very common fear in male survivors is that they will become an abuser. It is important to stress that the vast majority of male survivors of sexual abuse do not become sexual abusers of children.

Nor is it an Excuse for an abuser or rapist to justify his actions on these grounds.

Unfortunately the myth that all male survivors are likely to become abusers has been popularised by professional people, predominantly Probation Officers and defence barristers who seek to find justification for the perpetrators of abuse.

### **IT IS QUITE SIMPLY NOT TRUE, MOST MALE SURVIVORS WE KNOW ARE GENTLE DECENT MEN WHO WOULD NOT DREAM OF HURTING ANYONE**

Many men have difficulty with the concept of **masculinity** after being abused or raped. This can be problematic for our counsellors who would not see it as their role to restore a sense of masculinity which in some of its Manifestations are in itself damaging to women as a whole.

However we can explore such issues with male clients and if we find that such male survivors are looking for support for something that we cannot give them we will endeavour to find them **appropriate help outside the centre.**

The publicity surrounding the Father Brendan Smyth case encouraged many men especially those who had been abused by clerics and teachers to seek help.

We would strongly urge all Men who have been abused to seek counselling. Most Survivors of abuse have felt suicidal at some time in their lives, probably a quarter of female survivors have got very close to it at least once. Women tend to overdose and are often found or have enough time to change their mind and seek medical help.

**Men tend to go for more dramatic and violent means, hanging, crashing the car, jumping of a bridge, cutting their wrists (properly) they are often successful at first attempt while their female counterparts are over - dosing for years.**

That is why it is imperative that men come forward to seek help.

Political violence, unemployment and social deprivation may take its toll, but it is not the complete answer. One man, under thirty, from West Belfast, who came to our Centre for help, was abused by a teacher. He told us that this teacher now convicted, abused on average 4 to 6 boys a year.

**This young man knows of FIVE boys who were in the class he was abused in, who have committed suicide.**

Our Centre is convinced that while there may be a combination of causes for why we see as an epidemic of suicide involving young men from North and West Belfast that sexual abuse plays a part.

(See also section on specific Northern Ireland problems - sexual assault in prisons)

# ***Child Sexual Abuse And Its Effects On Survivors***

Child sexual abuse is much more common than the public like to imagine. The most conservative estimates based on prevalence studies from all over the world suggest one in four girls and one in eight boys will have experienced some form of sexualised abuse before they reach the age of sixteen.

The most common sexual abusers of children are their natural fathers, followed by other male family members such as brothers, uncles and grandfathers. Women and older children can also sexually abuse younger children, but adult men commit the most abuse by far.

Family friends also abuse girls outside the home, men they baby-sit for, teachers, neighbours and boys in their peer-group during their teens. (Peer abuse is not usually counted in prevalence studies – a five year age gap is usually required for researchers to categorise it as child sexual abuse)

A lot of abuse against boys is perpetrated by people in positions of trust such as clergy, teachers, youth leaders Boys Brigade, Scouts, Forces Cadets, and in GAA, soccer and other sports scenarios.

Experiences of child sexual abuse can vary widely. Some abusers may appear perfect parents or citizens in other ways. In other family's extreme physical cruelty, neglect and/or emotional abuse can accompany sexual abuse.

Paedophiles will use all sorts of means to groom and bribe children unrelated to them, computers, exotic pets anything a child might love and want to be near. There is often no added physical violence except that which is involved in sexually assaulting the child.

The child's trust and love and innocence are simply exploited. *"If you loved me you would want to do it"*, or *"all Daddy's have to teach their daughters these things"*, some will simply be truthful if, *"you tell anyone I will go to jail and you will be put in a Home"*, others threaten the lives of the child, mother or siblings, many say *"if you don't do it with me I'll get your wee sister to do it"*. Many start by making it a game, cards or dice – *"if you get this then you have to do that."*

All children have a developing sexuality, the fact is that almost all survivors have felt that at some time during the abuse, a pleasurable physical response. Abusers use this against children to make them feel they are an equal partner. This is where Survivor guilt and shame begins to grow like a cancer.

It is what abusers feed on, most survivors think they were alone in having a physical response, **it does not mean they "enjoyed it" or wanted to be abused.**

Survivors we see are relieved to hear it is normal even if it doesn't remove their guilt and shame immediately because abusers are manipulative and devious and perfectly able to control themselves they may well not physically penetrate the child for quite a long time from the onset of abuse. They may give the child something it wants or needs, sweets, money, presents, love attention, and help with homework. They will tell the child it is, *"our secret"* and

that *“this is a special kind of love”* child sexual abuse involves any kind of contact with a child for the purpose of an older person’s sexual gratification, indecent exposure to a child or forcing a child to look at pornography, taking indecent pictures of a child.

Child sexual abuse is a term often used when professionals are talking about **the actual oral, vaginal or anal rape of children.**

**IT IS SEXUAL VIOLENCE** even if penetration does not take place where the child’s own sexuality itself is used against it as a weapon. Sometimes the generic term *“Child Sexual Abuse”* for a wide range of sexual cruelty towards children has sanitising effect, disguising the nature of the extreme physical and emotional cruelty which inevitably plays a part in the sexual abuse of many children.

If you were sexually abused as a child you may have experienced some of the following. Sexual touching, being asked to masturbate or touch adults or other children by an adult, being subjected to pornography or forced to watch adults engage in sexual activity, or had to watch or hear your mother or siblings being raped, you may have experienced vaginal or anal penetration with objects, fingers or penis, being licked or kissed in sexual ways, or being made to perform oral sex on adult or on other children. You may have even been forced to see sexual behaviour with animals.

Child sexual abuse can have devastating and lifelong consequences. There are a wide range of behaviours which children can exhibit which may be indicators of sexual abuse, too many to mention here but if you are worried about a child you can ring the Police, Social Services, NSPCC or our Centre can send you further information or put you in touch with the relevant agencies. If you have any suspicion any child may be being abused you have a moral obligation to act. Too many of our clients saw the signs they were giving out or even their cries for help ignored.

The psychological effects of sexual abuse are similar to those listed under the section on rape. However, because these effects were building up over a long period and do not appear to be as a result of one incident, then often the survivor does not connect them directly with her/his abuse.

You may have problems in forming relationships as an adult. Most survivors of sexual abuse feel that not only have they been robbed of their childhood but also of their future as an adult, many have missed out on education and performed less well at school than they would have if they hadn’t been abused. You may have no family support having been afraid to tell, or worse still having been disbelieved and rejected. Many survivors are able to overcome most or some of their problems as a result of counselling and group work.

**Remember that you have survived until now and that a counsellor may be able to help you find strengths and resources which you didn’t realise you had.**

Survivors may suffer from a range of effects and negative feelings, Depression, Anxiety, Fear Of Adults The Same Sex As The Abuser, Self-Hatred, Disgust At Own Body, Lack Of Confidence, Guilt, Shame, Inability To Trust, Anger, Suicidal feelings.

These feelings can manifest as Self-Harm –

### **Physical Violence Against Your Own Body**

Cutting with razors, knives etc anywhere on the body, Burning with cigarettes or boiling water, Insertion of objects into your body not for pleasure but for punishment, banging head against walls or punching walls, pinching, hitting biting, or punching yourself.

### **Eating Disorders**

Anorexia (starving yourself of food), Bulimia (alternatively bingeing and purging/vomiting or taking laxatives), deliberately fattening yourself up in the hope that no one will want to come near you – Comfort Eating, which actually isn't a comfort at all.

### **Inappropriate Self-Medication**

Taking prescription Drugs not prescribed for you to block out pain or cause pain or sickness, Using Illegal Drugs for the same reason, Cannabis, Speed, E-Tabs, Crack or even heroin. Not taking medicine you actually do need. Over-use of "socially acceptable" and legal substances such as alcohol and nicotine.

**This Can Lead To Addiction** - You need counselling and possibly medical intervention if you are experiencing anything listed on this page

### **There are other ways in which survivors engage in behaviour harmful to themselves**

This can include some of the following, but there are many more:

- Deliberately "putting yourself in harm's way" by, mixing with people you know may be a physical or sexual danger to you – often mistakenly described as promiscuity.
- Starting physical fights or arguments that you know will end in you being physically or emotionally hurt.
- Engaging in dangerous sports or games.
- Consciously or unconsciously seeking out abusive partners and friends, staying with an abusive man because you believe you don't deserve any better.
- Always "giving" unable to say "No" to friends, colleagues or family, for fear of rejection or because you feel your not as good as anyone else.
- Engaging in sex especially unsafe sex when you don't really want it, because you believe that you, can't/don't have the right to or are afraid to SAY "NO"
- Being promiscuous to prove you are "normal" and you can "do it" or because toward the end of the abuse you began to see that being wanted, regardless of how awful it was, gave you a little bit of power.
- Trying too hard to please people in order to be accepted or the opposite, deliberately not performing well in school or at work, because you don't deserve to be a success.

Unlike adult women who have experienced rape and who may have had positive sexual experiences before their attack, survivors of childhood sexual abuse may feel that this will never be possible for them.

If you think that this is the case for you, don't despair, you must have hope.

Two young women long out of counselling called in separately to see us at the Centre. Both were members of the same young Survivors group when they were sixteen at our Centre they are now in their early twenties. We heard them swear many times they'd never date, have sex, get married or have children. :-

“Laura” was sexually abused by her father as a teenager and also experienced rape by a boy her own age. Both girls were engaging in behaviour harmful to their physical and psychological welfare when they first came to us. (self-harm, misuse of alcohol and soft drugs, putting themselves in danger of further abuse) Both girls had been failed by the system.

The Centre had to contact the Housing Executive as both were homeless and unemployed at some stage. “Laura” reported her father’s abuse as a result of her contact with the Centre. Judge Harte sentenced him to seven years imprisonment in Belfast Crown Court after he pleaded Guilty to sexually abusing her.

Both girls engaged in one to one therapy and were active members of a long running survivors group. Both received considerable amounts in Criminal Injury Compensation as a result of the Centre’s advice and the work of Padraigin Drinan LLB even though there was no conviction in “Jane’s” case.

Things have turned around for both young women, as survivors all they needed was counselling, support and some practical help. Neither had a mother, that she could depend on, at least, at that time of her life.

“Laura” now has an excellent job, is buying her own home and is living with her new-born baby and fiance very happily.

”Jane” was horrifically abused by a Grandfather on a daily basis from she was three years old until she was in her teens. She is now married and has a toddler. She has a husband who adores them both, they are financially successful, and he, the abuser, is Dust. (or burning in Hell depending on your belief)

No matter how you are feeling now, or what behaviour you are engaging in, it is possible for you to take back control in your life again and turn things round.

Our counsellors will work with you on an equal basis to help you do that.

## **Remember You Survived The Abuse**

### **BELIEVE IN YOURSELF**

NORTHERN IRELAND

**rc&saac**  
Rape Crisis & Sexual Abuse Centre

Crisis Line - 028 90 329002  
Admin Line - 028 90 329001

29 Lower Donegall Street  
Belfast BT1 2FG

Ring the Rape Crisis Centre & Sexual Abuse Centre

02890 329002 for counselling and support  
02890 329001 (admin line)  
29 Donegall Street,  
Belfast, BT1 2FG  
eileencalder@hotmail.com

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***“Rape of women by men is a gender based hate crime the notion that sexual violence should be seen in gender neutral terms is as erroneous as saying skin colour is not relevant in crimes of racial hatred”***