

# “Chuck her on a lie detector”

Investigating Australians’ mistrust  
in women’s reports of sexual assault

Kate Minter, Dr Erin Carlisle, Dr Christine Coumarelos



ANROWS

AUSTRALIA'S NATIONAL RESEARCH  
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ANROWS acknowledges the Traditional Owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present and future, and we value Aboriginal and Torres Strait Islander histories, cultures and knowledge. We are committed to standing and working with Aboriginal and Torres Strait Islander peoples, honouring the truths set out in the [Warawarni-gu Guma Statement](#).

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This report addresses work covered in ANROWS’s National Community Attitudes towards Violence against Women Survey (NCAS) Research Program. Please consult the ANROWS website for more information on this project.

ANROWS research contributes to the six National Outcomes of the *National Plan to Reduce Violence against Women and their Children 2010–2022*. This research addresses National Plan Outcome 1 – Communities are safe and free from violence, National Outcome 4 – Services meet the needs of women and their children experiencing violence, and National Outcome 5 – Justice responses are effective.

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ANROWS acknowledges the lives and experiences of women and children affected by domestic, family and sexual violence across Australia. We recognise the individual stories of courage, hope and resilience that form the basis of ANROWS research.

Caution: Some people may find parts of this content confronting or distressing. Recommended support services include 1800 RESPECT – 1800 737 732 and Lifeline – 13 11 14

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# Key terms

<b>Deviant perpetrators</b>	A term informed by <b>rape myths</b> about the “typical” rapist. Perpetrators of rape are assumed to be deviant, violent and monstrous predators (Burt, 1980; Estrich, 1986; O’Hara, 2012; Sutherland et al., 2015). This understanding of “deviant perpetrators” presents perpetrators as not relatable or “normal” by emphasising their “otherness” and “bad” character (Lisak, 2004; O’Hara, 2012). Such understandings overlook the reality that most sexual assaults are perpetrated by someone the victim knows and often trusts (Australian Bureau of Statistics, 2017).
<b>Gendered stereotypes</b>	Common and oversimplified beliefs or understandings about the characteristics of each gender and expectations about their behaviour. An expectation of hypermasculinity is a dominant gender stereotype of men. This stereotype positions “real” men as physically strong, aggressive, natural leaders, unemotional and unable to control their need for sex (Carline et al., 2018; Gallagher & Parrott, 2011; Hlavka, 2014). Prominent gender stereotypes of women are dichotomous and are sometimes referred to in terms of the Madonna/whore complex (Bareket et al., 2018). Women are positioned as either a Madonna, being pure, virginal and “good”, or as a whore, being promiscuous, a “slut” and “bad” (Bareket et al., 2018; Frith, 2009; O’Hara, 2012). Related gender stereotypes also portray women as overly emotional, deceitful and vindictive and assume women use their sexuality as a way to hurt men (Estrich, 1986; O’Hara, 2012; Rees & White, 2012).
<b>Genuine victims</b>	A term informed by <b>gendered stereotypes</b> and <b>rape myths</b> that prescribes an expectation of what rape victims and survivors should look like and how they should act during and following an assault. “Genuine victims” are assumed to be well-behaved women who are not sexually promiscuous (Bareket et al., 2018; Burt, 1998; O’Hara, 2012). Further, “genuine victims” are expected to have physically fought back against the rapist (Gavey, 2018), display emotional distress and trauma following a sexual assault (McKimmie et al., 2014a; Temkin et al., 2018), and promptly report the assault to the police (Jordan, 2004a).
<b>Mistrust</b>	The key attitudes under investigation in the present study, based on a theme of attitudes revealed in the 2017 <i>National Community Attitudes towards Violence against Women Survey</i> (NCAS). Described as “mistrusting women’s reports of violence”, mistrust attitudes are linked to myths that women lie about or make false allegations of violence – particularly sexual violence – in order to gain advantage over or seek revenge on men (Webster et al., 2018a, p. 11). These attitudes also reflect negative gendered stereotypes that women are malicious, vindictive or lacking in credibility (Webster et al., 2018a, p. 86).
<b><i>National Community Attitudes towards Violence against Women Survey (NCAS)</i></b>	The NCAS is the world’s longest running representative population-level survey of community attitudes of its kind. The NCAS explores community attitudes and knowledge regarding family and domestic violence, sexual violence, sexual harassment and stalking. It has been conducted roughly every four years since 1995, and had more than 17,500 respondents in the 2017 iteration of the research (Webster et al., 2018a).

**Rape myths  
(or “real rape” myth)**

Stereotypical and prejudiced false beliefs about rape, people who experience rape, and people who perpetrate it (Burt, 1980). In her pioneering work on rape myths, Martha Burt describes the classic “real rape” myth as “rape by a stranger who uses a weapon”, where the attack occurs “at night, outside (in a dark alley), with a lot of violence, resistance by the victim, and hence severe wounds and signs of struggle” (Burt, 1998, p. 130). Additional aspects of the myth include imagined ideas about “**genuine victims**” and “**deviant perpetrators**”. This multifaceted “real rape” myth acts as the sociocultural framework or “schema” (McKimmie et al., 2020; Venema, 2014) through which people “make sense” of and judge incidents of sexual assault. Notably, this myth excludes acquaintance, date or marital rape, as well as non-violent rape. These myths provide a framework for people to justify denying that an incident was “real” rape (Burt, 1998, p. 130).

**Rate of false allegations  
of sexual assault**

The empirical evidence indicates that most sexual assault allegations are genuine and false allegations are rare. However, the *precise* rate of false allegations is difficult to establish due to inconsistent recording and classification, study limitations, and because most sexual assaults go unwitnessed (c.f. Kelly, 2010). Although estimates have varied, a meta-analysis of the higher-quality studies estimated that only 5 per cent of sexual assaults reported to police are false (Ferguson & Malouff, 2016). This figure may underestimate false reports to police as it was based on reports “confirmed” to be either false or genuine. However, estimates of false allegations also typically exclude the vast majority of genuine sexual assaults (about 9 in 10) that go unreported to police (Australian Bureau of Statistics, 2017).

**Sexual assault**

The terms “sexual assault” and “rape” are used interchangeably in the present report, reflecting their usage in the Australian community. Most generally, sexual assault refers to sexual actions without consent. Legal definitions of these terms differ across Australian states and territories.

**Sexual consent**

When one person voluntarily and clearly agrees or gives permission to another person to engage in sexual activity.

**Traditional heterosexual  
sex scripts**

Socially constructed frameworks or “scripts” that guide sexual activity and sexual behaviour. These scripts dictate what one should be doing as a sexual partner (Simon & Gagnon, 1986) and reinforce the widely and implicitly accepted standards for what sex “should” be and look like (Pham, 2016). While individuals shape their own sexual scripts in light of their own identity and experiences, sexual script theory argues that sexual partners perform sexual encounters according to highly gendered “roles” within the dominant script. These traditional heterosexual sex scripts position men as the active and aggressive initiators of sex, while positioning women as passive sex objects and gatekeepers. In so doing, these scripts privilege men’s sexuality by prioritising men’s sexual gratification and penile–vaginal penetrative sex as *the* sex act or “real” sex (Jackson, 2006; Medley-Rath, 2007).

**Victims and survivors**

This report primarily uses the term “victims and survivors” when referring to people who have experienced sexual assault. The term “victims” is used when referring to the myth about “genuine victims”.



# Executive summary

**The present study arose from a need to better understand the factors underlying the considerable community mistrust in women's reports of sexual assault demonstrated by the 2017 *National Community Attitudes towards Violence against Women Survey* (NCAS; Webster et al., 2018a).** As many as four in 10 NCAS respondents mistrusted women's reports of sexual violence victimisation in some contexts. International studies have similarly shown considerable mistrust in women's reports of sexual assault (e.g. Gunby et al., 2012; McMillan, 2017; O'Neal & Hayes, 2020). Such community mistrust can adversely affect victims' and survivors' treatment through the justice system, as myths and misconceptions can undermine police, legal and juror perceptions about the seriousness and credibility of the sexual assault allegations (Du Mont et al., 2003; Suarez & Gadalla, 2010; Waterhouse et al., 2016). Indeed, the fear of not being believed is a key factor in whether women identify their experience as sexual assault, disclose their assault to informal support networks or report their assault to authorities (Holland et al., 2021; Johnson, 2017; Kahn et al., 2003; Littleton et al., 2018; O'Donohue, 2019a; Taylor & Norma, 2012; Wamboldt et al., 2019; Weiss, 2013; Whiting et al., 2020; Wilson & Miller, 2016; Wilson et al., 2021). Further, the vast majority of sexual assault in Australia remains unreported (Australian Bureau of Statistics, 2017).

Research on what underlies mistrust in sexual assault allegations has had a relatively narrow focus. It has highlighted how mistrust is influenced by rape myths, perceptions that women lie about sexual assault due to motives of "revenge" and "regret", and specific contextual factors such as intoxication and a relationship with the perpetrator (Gunby et al., 2013; Kelly, 2010; McMillan, 2017; Saunders, 2012). Less is known about how mistrust might be shaped by community understandings of sexual assault and consent, by broader perceptions about the woman reporting sexual assault and her motives, and by perceptions of the accused's character and actions. Existing research has also largely been conducted in police, justice and college settings, so it is unclear whether the findings translate to the broader population (Deming et al., 2013; Ellison & Munro, 2010; Finch & Munro, 2005; Gunby et al., 2012; Jordan, 2004a; Kelly, 2010; McMahan, 2010; McMillan, 2017; Rich et al., 2021).

## Aims

Comprehensive understanding of the factors motivating community mistrust in reports of sexual assault is crucial for response and prevention initiatives – to debunk myths about sexual assault, encourage reporting, support women through the service and justice system and, ultimately, inform policy and prevention programs focused on reducing and preventing this violence. The present study aimed to inform prevention of sexual assault by addressing key gaps in the existing literature about the broad range of understandings, attitudes and myths that may underlie this community mistrust. More specifically, the research examined how trust and mistrust in women's reports of sexual assault victimisation is influenced by understandings, attitudes and myths about:

1. the nature of sexual assault and sexual consent



2. the nature of false allegations of sexual assault
3. the woman making the report, including her character, motives and actions
4. the accused, including his character and whether the accused is a friend.

## Research design

The study employed a mixed-method research design, with semi-structured, online focus groups being the primary mode of data collection. In addition, an online, abridged version of the 2017 NCAS was used to describe the sample and to establish their baseline knowledge and attitudes on mistrust and sexual assault prior to the focus groups. The insights from the quantitative survey were also compared to those from the qualitative focus groups.

The focus group discussions involved two hypothetical vignettes describing allegations of sexual assault. The vignettes were used to examine the factors underlying participants' level of trust or mistrust in the allegations by varying the information about the woman making the allegations (e.g. her motives, actions before the incident, emotional response and reporting to police), the accused (e.g. his character and actions, and whether he is a friend) and the circumstances of the incident (e.g. the relationship between the woman and the accused). Following the vignettes, additional questions were asked to explore understandings of false allegations of sexual assault.

Fourteen online focus groups were conducted, including seven groups with women and seven with men. The sample consisted of 40 men and 35 women who broadly reflected the age, geographic and cultural demographics of the Australian community. Ethics clearance for the project was provided by the University of Sydney's Human Research Ethics Committee (ethics project ID 2020/444).

## Key findings

### Quantitative survey

The survey results of the present sample were generally similar to the 2017 NCAS results. A sizeable proportion of the present sample mistrusted women's reports of sexual assault and a minority demonstrated gaps in knowledge or problematic attitudes regarding sexual consent, false allegations of sexual assault, rape myths, gender inequality and gender stereotypes.

## Qualitative focus groups

### Understandings of sexual consent and sexual assault

Participants overwhelmingly understood sexual consent in the negative sense as "no means no" (see e.g. Marcantonio et al., 2018), whereby consent is assumed until it is clearly refused either verbally or through physical resistance. This "social understanding" of consent is out of step with the legal definition of sexual consent and sexual assault in Australian jurisdictions. The notion of communicative, affirmative and ongoing consent was largely absent from the focus group discussions. Instead, participants conceptualised sexual assault as occurring if one partner initiated or continued sex after the other partner had clearly refused consent. While participants generally afforded greater trust to allegations of sexual assault that clearly described the victim and survivor as saying "no", many participants nonetheless leant on the "real rape" myth to question whether the woman had *really* communicated her refused consent if she did not fight back. Although participants acknowledged that rape does not necessarily result in physical injury, many nonetheless suggested that a report of sexual assault would be more believable if the victim and survivor could *prove* the assault through physical injury, as a result of the attack or fightback.

### Understandings about false allegations of sexual assault

Participants perceived false allegations as common, contrary to the evidence indicating they are rare (Ferguson & Malouff, 2016; Lisak et al., 2010). However, participants were uncertain about the defining features of a "false allegation". Instead, participants focused on the evidence that could be used to prove the allegation. They referred to forensic or physical evidence (e.g. bruising or other physical injury) and testing the allegation through the legal system, which was seen as the "proper process" for adjudicating whether an allegation was true based on the available evidence. Despite this reliance on "evidence" and legal processes, many participants afforded greater trust in an allegation on the basis of hearing a detailed, first-person account from the victim as well as information on how she refused consent.

### Perceptions of the woman reporting sexual assault: Her actions and motives

Participants perceived women's reports of sexual assault from a default position of scepticism and suspicion, which was informed by a range of overlapping rape myths about sexual assault victims and problematic stereotypes about women. Victims and survivors were expected to show they were a "genuine victim" by responding to their assault in

ways that demonstrate the “seriousness” of the assault. Failure to promptly report the assault to police or display emotional distress increased suspicions that the victim and survivor might be lying. Participants also mistrusted a woman’s sexual assault allegations if she was perceived to have an ulterior motive for lying. The key motives constructed by participants related to two overarching themes: lying about sexual assault in order to target, harm or “get” men; and lying about sexual assault to rectify social damage from embarrassment or regret. The findings show how mistrust was influenced by multiple, overlapping assessments of the woman alleging sexual assault. Suspicions of the woman’s ulterior motives for lying were influenced by assessments about her actions – notably, by perceptions of her indecision or delay in reporting to police and her “incorrect” emotional response (e.g. embarrassment or anger). Assessments of the woman’s character and broader actions, such as her intoxication or inability to recount her story in unchanging detail, added another layer of doubt towards her allegations. The findings thus indicate that these factors mutually inform and reinforce the climate of mistrust in women’s sexual assault allegations.

### Perceptions of the man accused of sexual assault: His actions and character

In assessing sexual assault allegations, participants paid limited attention to the accused’s actions, including any actions he may have taken to gain or confirm consent. Rather, consistent with the “deviant perpetrator” myth that “good guys don’t rape”, participants considered whether the accused was capable of sexual assault, based on their assessment of whether he was a person of good character. Participants relied on their *own* assessments of the accused’s character and were sceptical about third-party depictions of the accused’s “good character” and achievements (as seen in media reports). Perceptions that the accused engaged in poor or disrespectful relationship behaviours increased suspicions that he was not a “good guy” and may be lying about his innocence. When participants were asked if they would trust a (hypothetical) friend accused of sexual assault, many noted they would trust this friend’s claim to innocence if they *knew him well enough to be sure* of his good character. However, many participants also tried to distance themselves from their (hypothetical) friend accused of sexual assault by claiming that they did not *really* know whether he was a “good guy” or capable of sexual assault.

## Conclusions

The focus group findings showed that women’s actions and suspected motives for lying were the most influential site of mistrust in women’s reports of sexual assault, and were

frequently informed by rape myths and hostile gender stereotypes. Participants’ heavy reliance on problematic rape myths and gender stereotypes in the focus groups was particularly notable given their low acceptance of such myths and stereotypes in the quantitative survey. Notably, also, the qualitative findings indicate that no single factor in isolation created complete mistrust or resulted in categorical conclusions that the allegation was false. Rather, the results show how these influential factors overlapped and reinforced each other to increase doubt in the allegations. While suspicion towards the allegation and the woman making the claim was the default starting position, very rarely did participants categorically conclude that the allegation was false. The study thus reveals people are hesitant to *believe* women’s allegations, especially without proof, but, at the same time, people are also hesitant to flatly *disbelieve* sexual assault allegations or label these women “liars”.

## Implications for policy and prevention

The findings and implications outlined in this report provide an important opportunity to inform current efforts to reduce and prevent sexual violence against women. Relevant areas of policy reform include national and smaller jurisdiction-based plans to reduce violence against women; educational initiatives in schools, workplaces and universities; and reforms to support victims and survivors.

### Trust in women’s reports of sexual assault victimisation should be the default position

Given the rarity of false allegations of sexual assault, the default position should be to believe women who report sexual assault. Education strategies should address myths that false allegations are a prevalent problem by highlighting the established facts about the prevalence of sexual assault, the underreporting of sexual assault to police, and the rarity of false allegations. Similarly, initiatives should correct attitudes which, in line with rape myths, overemphasise proof of victim fightback in sexual assault cases.

### Promote communicative, affirmative and ongoing sexual consent

Incorrect understandings and problematic attitudes regarding sexual consent should be shifted to focus on communicative, affirmative and ongoing consent. In line with this shift, further attention and accountability should be placed on the abusive behaviour rather than the actions of the refusing person. Strategies should include devising and implementing a nationally consistent statutory definition of sexual assault and sexual consent, in support of existing calls by 2021 Australian of the

Year Grace Tame, ANROWS and other advocates in the women's safety space. Acknowledging the broad spectrum of consent practices that people use may also help to equip people with skills about the ways sexual partners can assess, safely recognise and continually affirm each other's consent, and to ensure recognition of coerced sex, presumed consent and other problematic consent practices (Hirsch & Khan, 2020; Kaplan, 2018; Nagoski, 2015). Respectful relationships education initiatives should also shift problematic traditional heterosexual sex scripts that place the responsibility of consent on only one party.

### **Address myths and stereotypes about sexual assault and victims and survivors**

Victims and survivors should be listened to and believed, not have their credibility questioned based on myths and stereotypes. Strategies should correct myths about so-called "genuine victims" by challenging victim-blaming attitudes, and correcting misperceptions that embarrassed or angry victims and survivors must be lying about their assault. Strategies should address problematic stereotypes about the "malicious" or vindictive woman and dispel myths that women lie about sexual assault for gain or to target men.

### **Improve trauma-informed and victim-centred responses to sexual assault**

To improve responses to, and supports for, victims and survivors, initiatives should shift attitudes to ensure all claims of sexual assault are treated seriously, regardless of whether a police report is made. Initiatives could also educate about and upskill the population (including friends and families, as well as practitioners and support services) in trauma-informed and victim-centred ways to support victims and survivors who disclose their sexual assault. This education could include increasing awareness of the range of formal and informal pathways for support available for sexual assault victims and survivors, not limited to only the justice system.

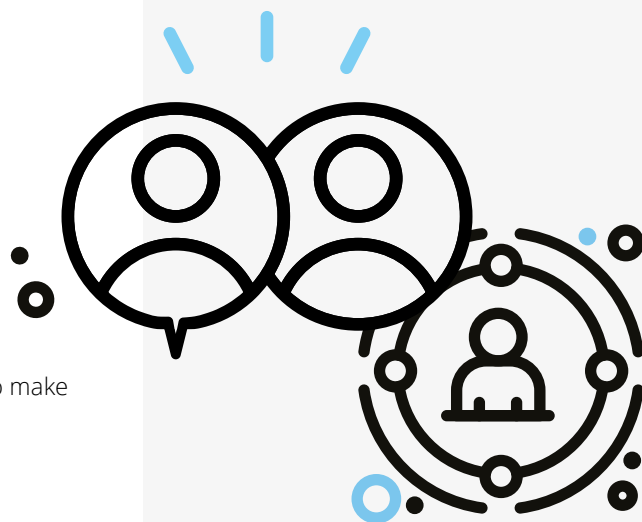
### **Empower victims and survivors to share their stories and seek assistance**

To empower victims and survivors and address people's hesitance or reluctance to believe their stories, strategies could include expanding support services and removing any legal or practical barriers they may face in sharing their stories (Funnell, 2021), while prioritising building victims' and survivors' resilience and opportunities for self-determination. Initiatives could also increase understanding of the "positive" reasons why victims and survivors report sexual assault, such as to seek justice, to heal or to have their experiences heard.

### **Address myths about perpetrators of sexual assault**

Myths that "good guys" are less likely to commit sexual assault need to be shifted because they reinforce stereotypes that sexual assault is committed by "deviant perpetrators", contrary to the evidence that women are more likely to be sexually assaulted by someone they know, and often by an intimate partner (Australian Bureau of Statistics, 2017). To shift these attitudes, strategies could enhance *preventative* bystander behaviours by encouraging and normalising conversations between friends about how sexual consent is safely assessed, affirmed and recognised. Initiatives could also equip people with the skills to support a friend accused of sexual assault without reinforcing victim blaming or undermining the woman's story.

# 1. Introduction



Interviewer: Are there any final comments people would like to make on this vignette?

Vinny: [Softly] Chuck her on a lie detector.

Interviewer: Sorry, can we have that again?

Vinny: Put her on a lie detector. [Laughs]

Brayden: [Laughs]

Waldo: [Laughs] (M7)

The present study arose from a need to investigate the considerable mistrust in women's reports of sexual assault among the Australian community, as evidenced in the 2017 *National Community Attitudes towards Violence against Women Survey* (NCAS; Webster et al., 2018a) and in international studies (e.g. Gunby et al., 2012; McMillan, 2017; O'Neal & Hayes, 2020). The quote presented above is an exchange between participants in the present study during the discussion of a vignette that outlines a woman's allegation of sexual assault in a news story. The quote is symbolic of the climate of community mistrust in women's reports of sexual assault victimisation. The call to "chuck her on a lie detector", and the ensuing sniggering laughter from participants, reflects the inherent assumption that women lie about sexual assault and, moreover, the flippancy and disrespect with which victims and survivors can be treated when disclosing or reporting their victimisation.

Although sexual assault continues to be a major social, health and welfare issue in Australia and worldwide, victims and survivors often fear that they will not be taken seriously, will not be believed or will be blamed for their victimisation (Brown, 2013; Capezza & Arriaga, 2008; Gravelin et al., 2019; MacLeod, 2016; O'Donohue, 2019a). Many victims and survivors also may not acknowledge their experience as "sexual assault" due in part to the normalisation of men's coerced and forced sex, as well as a lack of awareness of what constitutes sexual assault and sexual consent (Baldwin-White, 2019; Brady et al., 2018; Dardis et al., 2021; Ebrahim, 2019; O'Byrne et al., 2008; Pugh & Becker, 2018; Wilson & Miller, 2016). Although empirical evidence indicates that false allegations of sexual assault are rare (e.g. Ferguson & Malouff, 2016; Kelly, 2010; Wall & Tarczon, 2013), attitudes that victims and survivors often lie about sexual assault remain pervasive (Webster et al., 2018a). Within this culture of normalised sexual aggression and mistrust in women's claims of sexual assault, it is somewhat unsurprising that sexual assault continues to be significantly underreported to police. While one in five Australian women have experienced sexual violence in their lifetime,<sup>1</sup> around nine out of 10 Australian women did not contact the police about their most recent sexual assault victimisation by a man (Australian Bureau of Statistics, 2017).

This report outlines the findings of a mixed-method study that explored the factors underlying the considerable community mistrust in women's reports of sexual assault in Australia, as demonstrated by the 2017 NCAS.

<sup>1</sup> The *Personal Safety Survey* assigns the label "lifetime" to experiences of violence since the age of 15. See Australian Bureau of Statistics (2017).

In particular, focus group discussions were used to investigate how community mistrust in women's reports of sexual assault victimisation may be influenced by a range of understandings, attitudes and myths about the nature of sexual assault, as well as about the victims and perpetrators of sexual assault. We interviewed 75 women and men from the general Australian public, who had a diverse range of ages and cultural and linguistic backgrounds, and who came from a variety of metropolitan, regional and remote areas across Australia. The investigation revealed how mistrust in women's reports of sexual assault draws on, and is influenced by, many mutually reinforcing factors. These factors include community understandings of sexual assault and consent, gendered stereotypes, and myths about rape and about victims and perpetrators of rape. The findings offer fresh insights for the existing literature and offer opportunities for primary prevention and policy initiatives aimed at reducing sexual violence against women.

## 1.1. Structure of the report

To situate the current study within the broader research context and highlight the gaps that the present investigation aimed to address, this report begins with a review of the literature. Chapter 2 provides details about the research methodology. Chapters 3 and 4 outline the research findings. After describing the sample and their baseline knowledge and attitudes regarding sexual assault based on a quantitative survey in Chapter 3, the qualitative findings from the focus group discussions are detailed in four main sections in Chapter 4. The four sections in Chapter 4 explore how the following themes influence mistrust in sexual assault allegations: understandings of consent and sexual assault; understandings of false allegations of sexual assault; perceptions of the woman reporting sexual assault; and perceptions of the man accused of sexual assault. Chapter 5 discusses the findings in the context of existing literature and highlights the implications of the results for further research and for policy and primary prevention initiatives, while also noting the strengths and limitations of the present study.

## 1.2. Research context

### 1.2.1. The NCAS

The results from the 2017 NCAS provided the impetus for the present study on Australians' mistrust in women's reports of sexual assault. With more than 17,500

respondents in 2017, the NCAS is the world's longest running representative population-level survey of community attitudes of its kind and has been conducted roughly every four years since 1995 (Webster et al., 2018a). The NCAS explores community attitudes and knowledge regarding family and domestic violence, sexual violence, sexual harassment and stalking.

The 2017 NCAS results revealed that "Mistrusting women's reports of violence" was the most influential theme underpinning attitudinal support for violence against women in Australia (Webster et al., 2018a). This mistrust theme is one of the themes within the NCAS's Community Attitudes Supportive of Violence against Women Scale (CASVAWS) and comprises four items (see items 26, 37, 38 and 25 in Table 1).<sup>2</sup> An additional item, which was conceptually related to the mistrust theme, also identified mistrust in women's reports of sexual assault victimisation more specifically, with 16 per cent of respondents agreeing that "many allegations of sexual assault made by women are false" (see item 21 in Table 1).<sup>3</sup> These attitudes sit in contrast to the empirical evidence indicating that false allegations of sexual assault are rare (Ferguson & Malouff, 2016; Lisak et al., 2010).

The four items in the mistrust theme all refer to women lying about or exaggerating claims of violence perpetrated by men against women. Three of the items also explicitly refer to women having ulterior motives for lying about violence victimisation at the expense of men – namely, to seek revenge (item 37), to cover up consensual sex (item 38) or to gain an advantage in a custody battle (item 26). The mistrust items thus reflect gendered stereotypes of women as untrustworthy, malicious, vindictive and "out to get men" (Webster et al., 2018a, p. 88). Given these mistrust items had much higher levels of community support than other attitudinal items about violence against women in the 2017 NCAS, further investigation is needed to better understand the factors underlying and driving this considerable mistrust.

The second most influential theme underpinning community attitudes supportive of violence against women in the 2017 NCAS was the "Disregarding the need to gain (sexual) consent" theme. In addition to the items that fell within this theme statistically, other items in the 2017 NCAS similarly revealed concerning *attitudes* about sexual consent held by appreciable proportions of the community (see Table 2). Similarly, other items demonstrated gaps in *knowledge* about the nature of sexual consent in pockets of the community (see Table 2).

<sup>2</sup> Themes were identified through factor analysis and Rasch analysis of the 2017 NCAS results. For further details, see Webster et al. (2018b, p. 124).

<sup>3</sup> Although this item is conceptually relevant to mistrust, in the 2017 NCAS it was considered a knowledge item and was thus not included in the mistrust theme which measures attitudes.

Table 1: 2017 NCAS results for items in the “Mistrusting women’s reports of violence” theme and conceptually relevant to mistrust

Reference <sup>a</sup>	Item about mistrust	Strongly or somewhat agree (%) <sup>b</sup>
26	Women going through custody battles often make up or exaggerate claims of domestic violence in order to improve their case	43
37	It is common for sexual assault accusations to be used as a way of getting back at men	42
38	A lot of times women who say they were raped had led the man on and then had regrets	31
25	Many women tend to exaggerate the problem of male violence	23
21 <sup>c</sup>	Many allegations of sexual assault made by women are false	16

<sup>a</sup> The present study included a 39-item quantitative survey that is an abridged version of the 2017 NCAS. Reference numbers  $\leq 39$  reflect the item numbers in the present survey. Reference numbers  $\geq 40$  refer to 2017 NCAS items that were not included in the present survey (see Appendix C).

<sup>b</sup> “Agreement” refers to the percentage of participants who “strongly” or “somewhat” agreed.

<sup>c</sup> Although item 21 was not in the mistrust theme, it is included in this table because it is conceptually related to mistrust.

Table 2: 2017 NCAS results for relevant items on attitudes and knowledge about sexual consent

Reference <sup>a</sup>	Item about sexual consent	Strongly or somewhat agree (%) <sup>b</sup>
	<b>Attitude about sexual consent</b>	
40	Rape results from men not being able to control their need for sex	33
33	When a man is very sexually aroused, he may not even realise that the woman doesn’t want to have sex	28
35	Women find it flattering to be persistently pursued, even if they are not interested	23
41	Since some women are so sexual in public, it’s not surprising that some men think they can touch women without permission	21
42	A man is justified to force sex on his wife if she initiated intimacy but later changed her mind	15
43	A man is justified to force sex on a woman he has met at a party if she initiated intimacy but later changed her mind	13
44	Women often say “no” when they mean “yes”	12
31	If a woman is drunk and starts having sex with a man, but then falls asleep, it is understandable if he continues having sex with her anyway	10
	<b>Knowledge of sexual consent</b>	<b>Answered “no” (%)</b>
22	Is it a criminal offence for a man to have sex with his wife without her consent?	12
45	If one partner in a domestic relationship forces the other partner to have sex, is this a form of domestic violence?	2

<sup>a</sup> The present study included a 39-item quantitative survey that is an abridged version of the 2017 NCAS. The reference numbers  $\leq 39$  reflect the item numbers in the present survey. Reference numbers  $\geq 40$  refer to 2017 NCAS items that were not included in the present survey (see Appendix C).

<sup>b</sup> “Agreement” refers to the percentage of participants who “strongly” or “somewhat” agreed.

The sexual consent items with the highest endorsement (items 40, 33, 35 and 41 in Table 2) indicate that appreciable proportions of the community continue to hold problematic attitudes about sexual consent (21% to 33%). These attitudes reflect entrenched, problematic heterosexual sex scripts that rationalise and excuse men's aggressive sexual behaviour on the grounds that it is "natural" (items 40 and 33) or due to women's perceived promiscuity (item 41), or that stereotype men as the initiators of sex whose role is to pursue women (item 35; Baldwin-White, 2019; Darwinkel et al., 2014; Frith, 2009; Hirsch et al., 2019; Jeffrey & Barata, 2017). Further, at least one in 10 respondents agreed with attitudes that sexual assault is justified on the basis that consent was either not clearly communicated by the woman or was initially provided (despite being later withdrawn; items 42, 43, 44 and 31). Although endorsed less frequently, these items reveal attitudes held by a minority in the community that excuse men for their failure to recognise the woman's refused consent or failure to confirm her ongoing consent (items 42, 43, 44 and 31).

In terms of community knowledge of the nature of sexual consent, although very few respondents (2%) failed to recognise that forced sex in intimate relationships constitutes domestic violence (item 45), approximately one in 10 did not realise that forced sex within marriage is a criminal offence (item 22).

In addition to the mistrust and sexual consent items, the 2017 NCAS also included further items on sexual assault. These additional items reflect attitudes that minimise sexual assault, draw on gendered stereotypes of women as untrustworthy, and reflect myths about the nature of sexual assault and the victims of sexual assault (see Table 3). Although these items had lower endorsement than the mistrust items (see Table 1) and also generally lower endorsement than the sexual consent items (see Table 2), they nonetheless reveal problematic attitudes and knowledge gaps in a small minority of the community. The item with the highest endorsement among this group of items showed that, in line with the "real rape" myth, nearly one in five respondents incorrectly thought that women are more likely to be sexually assaulted by a stranger than by someone they know (item 19; Australian Bureau of Statistics, 2017). The results suggest that only a small minority (6% to 7%) endorsed the myth that sexual assault necessarily involves physical injury (see items 20 and 36). Similarly, expectations and myths about "genuine victims" of sexual assault – that they promptly report their assault to police and are not drunk – were endorsed by only about one in 10 respondents (items 46, 39 and 34).

Table 3: 2017 NCAS results for attitudes on items about sexual assault or harassment

Reference <sup>a</sup>	Item about sexual assault or harassment	Strongly or somewhat agree (%) <sup>b</sup>
	<b>Attitude about sexual assault or harassment</b>	
46	If a woman is raped while drunk or affected by drugs she is at least partly responsible	13
39	Women who wait weeks or months to report sexual assault are probably lying	11
34	Women who wait weeks or months to report sexual harassment are probably lying	9
20	If a woman doesn't physically resist – even if protesting verbally – then it isn't really rape	7
47	Women who are sexually harassed should sort it out themselves rather than report it	7
36	If a woman claims to have been sexually assaulted but has no other physical injuries she probably shouldn't be taken too seriously	6
	<b>Knowledge of sexual assault</b>	<b>Strongly or somewhat disagree (%)</b>
19	Women are more likely to be raped by someone they know than a stranger	18

<sup>a</sup> The present study included a 39-item quantitative survey that is an abridged version of the 2017 NCAS. Reference numbers ≤ 39 reflect the item numbers in the present survey. Reference numbers ≥ 40 refer to 2017 NCAS items that were not included in the present survey (see Appendix C).

<sup>b</sup> "Agreement" refers to the percentage of participants who "strongly" or "somewhat" agreed.



In summary, the 2017 NCAS revealed a high level of public mistrust in women's reports of sexual assault. The NCAS also highlighted attitudes that deny, trivialise and justify women's sexual assault; attitudes that dismiss the need for sexual consent; and gaps in knowledge about sexual consent. These NCAS findings provided the impetus for the present study to investigate the factors underlying the considerable community mistrust in women's reports of sexual assault. The literature review in the next section outlines the broader research, which helped to fine-tune the present research questions by highlighting the approaches taken to date and the gaps in the empirical evidence concerning mistrust in women's reports of sexual violence victimisation.

## 1.2.2. Perceptions about false allegations

### 1.2.2.1. Perceptions of the prevalence of false allegations

The 2017 NCAS finding that the general public overestimates the prevalence of false allegations of sexual assault (Webster et al., 2018a) is consistent with other research. For example, surveys with university students have found concerning levels of endorsement of items reflecting the idea that women lie about sexual assault (Beshers & DiVita, 2019; Gunby et al., 2012; Navarro & Tewksbury, 2017). Studies have also found high levels of mistrust in women's reports of violence among workers within the criminal justice system. A qualitative study of Los Angeles police officers (n=52) found nearly three quarters of participants (73%) claimed that teenagers lied about sexual assault (O'Neal & Hayes, 2020). Similarly, interviews with police officers in the United Kingdom (n=40) found that, on average, officers believed over half (53%) of reports of sexual assault were false (McMillan, 2017).

Discussions of mistrust in women's reports of violence victimisation within media publications are also of interest. A survey conducted on behalf of *The Economist* (n=1,500) suggested this mistrust may be increasing in the wake of the #MeToo movement ("Measuring the #MeToo backlash", 2018). The survey found that, between November 2017 and September 2018, the number of people who agreed that false accusations of sexual assault are a bigger problem than attacks that go unreported increased from 13 to 18 per cent.

Thus, public perceptions contrast with the evidence indicating that false allegations are rare. However, the *precise* rate of false allegations is difficult to establish due to inconsistent recording and classification, study limitations, and because most sexual assaults go unwitnessed (c.f. Kelly, 2010). Although estimates have varied, a meta-analysis of the higher-quality studies estimated that only 5 per cent of sexual assaults reported to police are false (Ferguson & Malouff, 2016). This figure may underestimate false reports to

police as it was based on reports "confirmed" to be either false or genuine. However, estimates of false allegations also typically exclude the vast majority of genuine sexual assaults (about 9 in 10) that go unreported to police (Australian Bureau of Statistics, 2017).

### 1.2.2.2. Defining false allegations

Although there is extensive research exploring the rates of mistrust in women's reports of sexual assault across different population groups, researchers have raised concerns that if criminal justice officers, researchers, commentators and the general public draw on different definitions of what constitutes a false allegation of rape (Kelly, 2010; McMillan, 2017; Saunders, 2012; Wall & Tarczon, 2013; Wheatcroft & Walklate, 2014). Notwithstanding these concerns, little is known about the general public's understandings of the defining features of a false allegation. Instead, much of the analysis has centred on differing definitions between people working within related institutions. Academic researchers tend to use a definition that labels an allegation as false when an investigation has been conducted and found that a crime did not occur. Based on this definition, a small proportion of allegations are typically considered false by researchers (Kelly, 2010; Lisak et al., 2010; Saunders, 2012). However, studies have shown that criminal justice officers, particularly police officers, draw on a broader definition of false allegations. This definition may include circumstances where there is insufficient evidence for an investigation; a complaint is withdrawn; the report does not lead to a conviction; a sexual assault has occurred but there are some untruths in the report; there is a procedural error and the accused has been misidentified; or the victim has admitted to making a false allegation (Kelly, 2010; McMillan, 2017; Saunders, 2012).

Saunders (2012) has argued that the use of different definitions of "false allegations" between criminal justice officers and researchers may explain why attitudes of mistrust are higher among criminal justice officers than what research suggests is the true (and low) rate of false reports. That is, the resulting attitudes of high mistrust in women's reports of sexual assault may be partly methodological and not purely attitudinal. Of course, people's understanding of how a false allegation is defined is certainly influenced by attitudinal factors including social norms and stereotypes about gender roles that imply the untrustworthy nature of women (McMillan, 2017; Wall & Tarczon, 2013). Thus, there exists a gap in the literature with respect to community understandings of what constitutes a false allegation. It also remains to be seen how community perceptions about the defining features of a false allegation may influence or relate to attitudes that false allegations are prevalent.

### 1.2.3. Understandings, attitudes and myths about “real rape”

#### 1.2.3.1. “Real rape” myths and understandings of sexual assault

Numerous studies have identified that a range of attitudes and cultural myths about sexual assault continue to be widely held among the community (Beshers & DiVita, 2019; Deming et al., 2013; Edwards et al., 2011; End Violence Against Women, 2019; Masser et al., 2010; McKimmie et al., 2014b; McMahon, 2010; Navarro & Tewksbury, 2017; Rich et al., 2021; Strub & McKimmie, 2016; Webster et al., 2018a). Often referred to as rape myths or the “real rape” script, these myths provide a very narrow definition of what constitutes “real” or “legitimate” rape. These myths and attitudes incorrectly stereotype “real rape” as committed by a “deviant perpetrator”, often a stranger, against an unsuspecting, “genuine victim”, in a dark, secluded area, often using physical violence, force or the threat of a weapon in the attack (Edwards et al., 2011; Gurnham, 2016; Hockett et al., 2016; Ryan, 2011; Suarez & Gadalla, 2010). Additionally, in “real rape”, “genuine victims” are expected to fight back to resist the attack. Thus, “real rape” supposedly results in physical injury or bruising from the attack itself or from the resistance against it (Burt, 1980, 1998; Edwards et al., 2011; Estrich, 1986; Gurnham, 2016; Ryan, 2011; Suarez & Gadalla, 2010). These myths about “real rape”, “genuine victims” and “deviant perpetrators” sit in stark contrast to the evidence. The myth that “real rape” is perpetrated by a deviant stranger contradicts the empirical evidence both in Australia and overseas that the vast majority of sexual assaults are perpetrated by an intimate partner or someone else known to the victim (Australian Bureau of Statistics, 2017; Larsen et al., 2015). Similarly, contrary to the myth that “real rape” results in physical injury as a result of the attack or the fightback from “genuine victims”, most sexual assaults do not result in bruising or other physical injury (Carr et al., 2014; Gavey, 2018; Hockett et al., 2016; McKimmie et al., 2020; Suarez & Gadalla, 2010). Moreover, these longstanding myths about “real rape” run counter to the legal definitions of sexual assault in Australia which do not require physical injury on the part of the victim (Briggs & Scott, 2020; Burgin & Crowe, 2020; Larcombe et al., 2016).

Extensive research has found that these rape myths act as a “cultural scaffolding” or schema through which many members of the community understand and interpret incidents of rape (Gavey, 2018; Leverick, 2020; McKimmie et al., 2014b; McKimmie et al., 2020; Stuart et al., 2016; Venema, 2014). Studies with mock juries, in particular, have established the way that these “real rape” schemas influence perceptions of sexual assault, perpetrators and victims (Ellison & Munro, 2013; Leverick, 2020; McKimmie et al., 2020; Pickel & Gentry, 2017).

Although rape myths still permeate parts of the community, there is evidence, including in the 2017 NCAS, of increasing community awareness that the “stranger rape” myth is incorrect and that rape is most likely to be perpetrated by someone known to the victim (e.g. Ellison & Munro, 2010; Hine & Murphy, 2017; Webster et al., 2018a). Despite this growing awareness that rape is not necessarily committed by a stranger, research has shown that a relationship between the perpetrator and victim, particularly if they are in a current intimate relationship or had previously engaged in consensual sex, can be used as a reason to mistrust allegations of sexual assault (Ellison & Munro, 2010, 2013; Hine & Murphy, 2017; Lynch et al., 2019). These findings suggest that the “stranger rape” aspect of the “real rape” myth may have a role in downplaying claims of acquaintance, date or marital rapes, along with sexual stereotypes that reinforce entitlement to sex within relationships and marriage (Hine & Murphy, 2017; Lynch et al., 2019; Stirling et al., 2020). It is therefore worth exploring how “real rape” myths may influence mistrust in acquaintance or marital rape allegations, given the strength of the “stranger rape” myth and its extensive investigation in existing literature (Burt, 1998; Gölge et al., 2003; Hirsch & Khan, 2020; O’Hara, 2012; Ryan, 2011; Sutherland et al., 2015).

Research with specific population cohorts, including police, jurors and students, has also found that belief in “real rape” myths about the physical injury resulting from the attack and the fightback from victims is associated with higher levels of mistrust in sexual assault allegations that do not involve physical injury (Ellison & Munro, 2009a, 2010; Gunby et al., 2013; Jordan, 2004a; McKimmie et al., 2020; McMillan, 2017; Sleath & Woodhams, 2014; Temkin et al., 2018). Within a legal system context, studies with mock juries have found that jurors are reluctant to convict perpetrators of sexual assault when there is no evidence of physical violence, physical injury or victim fightback (Ellison & Munro, 2009b, 2010; Gray & Horvath, 2018; McKimmie et al., 2020; Stuart et al., 2016). Such perceptions have been connected to the “CSI effect”, which refers to a preoccupation with physical and forensic evidence in criminal cases based on the influence of fictional crime investigation television shows such as “CSI: Crime Scene Investigation” (Hawkins & Scherr, 2017; Holmgren & Fordham, 2011; Kim et al., 2009; Klentz et al., 2020; Smith et al., 2011). However, research investigating the CSI effect has also found that these perceptions about physical evidence may also interact with broader attitudes and beliefs about violence (Ribeiro et al., 2019). In addition to a focus on physical evidence, Australian research has found that legal defence teams continue to deploy narratives that rely on “force and resistance” – thus activating the “real rape” myth about victim fightback – to challenge victims’ accounts and the lack of physical evidence (Burgin, 2019). Such narratives require women to “perform” or demonstrate

their resistance to rape in their accounts of sexual assault so that they are not perceived as failing to take proactive steps to prevent their rape (Burgin, 2019; Smith & Skinner, 2017; Temkin et al., 2018). Notably, in cases of acquaintance and intimate partner sexual assault, perpetrators are less likely to use force or physical violence in the sexual assault, which can result in victims and survivors being less likely to label their experiences as “rape” and which may compound mistrust in such cases (Wilson & Miller, 2016). Despite these findings, the 2017 NCAS found only low levels of attitudinal support for such “real rape” myths about physically violent sexual assault and victims’ physical fightback, suggesting that this myth may not be widely accepted across the community (see Section 1.2.1; Webster et al., 2018a). While research suggests belief in the myth of physical injury may influence perceptions of what sexual assault looks like (Ellison & Munro, 2010; McKimmie et al., 2020), particularly within a legal context (Burgin, 2019), an opportunity exists to more fully examine the influence of this myth on the general public’s mistrust in women’s reports of sexual assault outside of legal settings.

Much of the existing literature has predominantly examined the role of rape myths and other misconceptions about sexual assault through research within the justice system, including with police, lawyers and jurors. While these attitudes within the justice system may also reflect community attitudes, myths about “real rape” have been found to be heightened within specific institutional or organisational contexts. That is, “real rape” myths may be shaped by contextual settings and the norms and expectations associated with these settings. For example, rape myths have been found to be common among police officers and have been shown to be associated with increased mistrust in sexual assault allegations (Dewald & Lorenz, 2021; Du Mont et al., 2003; Ferguson & Malouff, 2016; Goodman-Delahunty & Graham, 2011; McMillan, 2017; Murphy-Oikonen et al., 2020; O’Neal, 2019). Research has also found that police decisions regarding the credibility of women’s claims are often influenced not only by individual-level attitudes but also by the institutional culture of the department and the overall “culture of scepticism” in the police force (Dewald & Lorenz, 2021; Goodman-Delahunty & Graham, 2011; Sleath & Bull, 2012). As a result, it is possible that police attitudes regarding mistrust in sexual assault allegations may vary to those held by the general public.

Within the court system, many studies have used mock juries and observations of trials to assess mistrust in sexual assault allegations. These studies have found that rape myths and misconceptions about sexual assault undermine trust in allegations of sexual assault (Ellison & Munro, 2009a, 2009b, 2010, 2013; Finch & Munro, 2007; Gray & Horvath, 2018; Hawkins & Scherr, 2017; Leverick, 2020; McKimmie et al., 2013; McKimmie et al., 2014a; Nitschke et

al., 2018; Pickel & Gentry, 2017; Stuart et al., 2016). While jury members are drawn from the general public, juries and mock juries are asked to consider allegations of sexual assault specifically within the legal context of “admissible evidence” and guilt “beyond reasonable doubt” (Gore, 2020; McKimmie et al., 2020; Nitschke et al., 2018; O’Donohue, 2019b). This specific scope of mock jury research, with its emphasis on the requirements for legal proof, may mean that conclusions about the extent of mistrust within this limited context may not accurately reflect mistrust in the broader community outside legal settings. Thus, more work is needed to explore how rape myths may influence mistrust in sexual assault claims among the general community, outside of a legalistic methodology. Moreover, whereas existing research has focused on rape myths and mistrust regarding *formal allegations* of sexual assault, made to police or at court, that have been *formally assessed* within this justice context, it would be worth exploring more *informal* contexts that are relevant to the broader community. For example, there would be value in investigating the influence of rape myths on mistrust towards more *informal claims* of sexual assault via first-person accounts or investigating mistrust resulting from *informal assessments* of sexual assault allegations reported by the media.

### 1.2.3.2. Understandings of sexual consent

As noted in Section 1.2.1, the 2017 NCAS demonstrated that concerning attitudes about disregarding the need for sexual consent still exist within sections of the community. Many studies have explored the varied explicit and implicit ways sexual partners assess and evaluate – or even assume – consent (Frith, 2009; Gavey, 2018; Glace et al., 2020; Graf & Johnson, 2020; Javidi et al., 2020; Marcantonio et al., 2018; Pugh & Becker, 2018; Willis et al., 2019). Limited research has specifically explored how understandings of what constitutes sexual consent influence the way people perceive women’s claims of sexual assault. It is therefore worth exploring whether community mistrust in women’s allegations of sexual assault is influenced by lay understandings of how consent or its refusal is communicated or established.

Legal definitions of consent vary slightly across Australian jurisdictions but generally stipulate that sexual consent is the free and voluntary agreement to take part in sex and that parties must have a *reasonable belief* that consent has been provided (Briggs & Scott, 2020; Burgin & Crowe, 2020; Larcombe et al., 2016). Following on from this definition of consent, sexual assault is defined as a sexual act that occurs without the consent of the participating person(s). The legal definitions of sexual consent require that sexual consent must be reasonably *provided and affirmed* and should not be assumed.

In contrast to the legal definitions of affirmative and communicative consent, research has found that the more common social understanding of consent in the community is a negative definition of consent as *refused*, such as “no means no” (Marcantonio et al., 2018). Such a negative notion of consent assumes sexual consent is implied or taken for granted until one party explicitly and overtly communicates their refusal of consent (e.g. Beres, 2014; Carline et al., 2018; Hills et al., 2020; Larcombe et al., 2016; Muehlenhard et al., 2016). Based on this negative understanding of sexual consent, sexual assault is generally understood as “forced” or “coerced” sex despite a verbal “no” or physical resistance by one party (Muehlenhard et al., 2016). This social understanding of consent as “no means no” has been criticised as not only being out of step with the law, but also reinforcing stereotypical heterosexual gender roles and “sexual scripts” which position women as passive “gatekeepers” and men as active initiators of sex (Frith, 2009; Gavey, 2018).

Such social understandings of negative consent may influence mistrust in women’s reports of sexual assault in a number of ways. Firstly, understandings of sexual consent and sexual assault that are out of step with the law are associated with high levels of “unacknowledged rape”. That is, even though a sexual activity may meet the legal definition of sexual assault, it may not be labelled or recognised as such by the victim and survivor because they may not be aware of the legal definition of sexual assault (Hirsch & Khan, 2020; Kahn et al., 2003; Khan et al., 2018; Littleton et al., 2018; Stirling et al., 2020; Wilson & Miller, 2016).<sup>4</sup> A recent meta-analysis of research predominantly with college students in the United States has suggested a high incidence (60%) of unacknowledged rape among victims and survivors. Although not directly generalizable to other contexts, these results suggest that unacknowledged rape may be similarly common among the wider community (Wilson & Miller, 2016, p. 157). While much of the research has focused on “unacknowledged rape” by victims and survivors, research has also found evidence of perpetrators of sexual assault not recognising or acknowledging a non-consensual sexual encounter as rape (Hirsch & Khan, 2020; Hirsch et al., 2019; Walsh et al., 2019).

Secondly, these community (mis)understandings of sexual consent also reinforce the myth of “miscommunication” of consent, where sexual assault is minimised as simply resulting from the woman’s poor communication of her refusal or “mixed signals” (Frith, 2009). The myth of miscommunication positions women as gatekeepers who are responsible for managing men’s sexual advances

(Beres, 2010; Dardis et al., 2021; Frith, 2009; Jozkowski & Peterson, 2013; Willis et al., 2019). In turn, this myth justifies persistent, coercive, aggressive and violent sexual behaviour by men as part of the “normal” gendered heterosexual sex script (Carline et al., 2018; Jozkowski & Peterson, 2013), contributing to high rates of unacknowledged sexual assault (Beres, 2010; Dardis et al., 2021). Further, perceptions that women are passive “gatekeepers” of sex who are responsible for communicating their refusal of consent have been associated with attitudes that blame women for their own sexual assault victimisation (Dardis et al., 2021; Grubb & Turner, 2012; Hine & Murphy, 2017; Idisis & Edoute, 2017). Similarly, attitudes of victim blaming that assert the woman could have done more to prevent or stop the sexual assault, such as through fighting back, have been found to be associated with attitudes that mistrust women’s allegations of sexual assault (Hine & Murphy, 2017; Johnson, 2017).

Thus, current literature suggests that traditional heterosexual scripts about sex and sexual consent need to be shifted towards more affirmative, communicative understandings and practices of consent in order to prevent and increase reporting of sexual assault and to improve women’s safety and sexual autonomy. Recent shifts towards positive, affirmative or communicative consent based on active and explicit communication (Javidi et al., 2020) have attempted to change existing consent practices and norms. Affirmative, communicative consent focuses on verbal and non-verbal behaviours that clearly signal mutual willingness to participate in sex and is established and negotiated throughout every sexual encounter (regardless of prior relationship), and can be withdrawn at any time (Javidi et al., 2020). This approach affirms the responsibility of all participants to gain, rather than assume, ongoing consent.

Taken together, the evidence on community understandings of sexual consent and sexual assault builds a complex picture about what is perceived as constituting consent and who is responsible for consent, as well as gendered social and interpersonal pressures around sex. To date, much of the research on social understandings of sexual consent has focused on the reasons why such understandings exist and how they influence both the perpetration and reporting of sexual assault victimisation (Beres, 2014; Briggs & Scott, 2020; Carline et al., 2018; Graf & Johnson, 2020; Hirsch & Khan, 2020; Hirsch et al., 2019). Building on the existing literature, more work is needed to consider how understandings of sexual consent and sexual assault affect people’s trust or mistrust in women’s reports of sexual assault victimisation.

<sup>4</sup> It is important to note that the application of the term “unacknowledged rape” is also viewed as controversial. This is because it is important that people who experience non-consensual sex are in control of how and whether they label their own lived experiences as sexual assault (Gavey, 2018; Hirsch & Khan, 2020).

### 1.2.4. Understandings, attitudes and myths about “genuine victims”

Part of the “real rape” myth involves socially constructed attitudes about the so-called “genuine victims” of sexual assault (Larcombe, 2002; Randall, 2010; Temkin & Krahé, 2008). Interacting with traditional gendered stereotypes, the “genuine victim” must meet the criteria of a “good” woman to be perceived as a “legitimate” sexual assault victim and therefore to be seen as more believable (Jordan, 2004a, 2004b; Spears & Spohn, 1996; Temkin & Krahé, 2008, p. 32; Viki & Abrams, 2002). This section discusses the literature on understandings, myths and attitudes about “genuine victims” in relation to their emotional response following the assault and ability to tell their story in vivid detail; their actions in reporting the assault to police; their characteristics and other behaviours; and any perceived motives they may have for lying about sexual assault.

#### 1.2.4.1. Expectations about how “genuine victims” are expected to respond emotionally and recount their sexual assault

A key aspect of the “genuine victim” myth is that victims and survivors must display emotions according to normative, socially constructed behaviours expected of “genuine victims”. That is, they are expected to be distressed or “visibly upset and emotional about the experience” (Temkin & Krahé, 2008, p. 32) and to demonstrate the trauma of the assault when disclosing to others or reporting to police (van Doorn & Koster, 2019). These assumptions reproduce rigid gender expectations that traditionally position women as “emotional” (Jordan, 2004b, p. 2; Smith, 2018). Research has found that victims and survivors who are visibly distressed are more likely to be believed than those who appear controlled or calm, or who display positive or inconsistent emotions over time (Klippenstine & Schuller, 2012; Nitschke et al., 2019; Temkin & Krahé, 2008; van Doorn & Koster, 2019). Other research into perceptions of intimate partner violence suggests that women are perceived more negatively and blamed if they acted aggressively prior to the assault (Witte et al., 2006) or reacted negatively to the abuse (e.g. yelled back; Capezza & Arriaga, 2008).

Relatedly, according to the myth, “genuine victims” are also imagined as being able to recount their experience of sexual assault completely, consistently and in detail. This expectation is considered a myth as it is contrary to the empirical evidence that shows how traumatic experiences can negatively impact on memory and result in memory fragmentation and “account incoherence” (Hardy et al., 2009, p. 786; van der Kolk & Fisler, 1995). This myth has been discussed in relation to female sexual assault (Jordan, 2004a; Klippenstine & Schuller, 2012; O’Neal, 2019; Randall, 2010; Spohn et al., 2014) as well as adult disclosures of child sexual abuse (Connolly et al., 2009; McCauley & Parker,

2001; Tabak & Klettke, 2014), where the inability of victims and survivors to accurately and clearly recount their sexual assault is associated with attitudes of increased mistrust. The focus on “details, specificity and consistency” in victims’ accounts by the legal system is inconsistent with the normal features of memory (Hohl & Conway, 2017, p. 248).

#### 1.2.4.2. Expectations about “genuine victims” and reporting to police

In addition to the expectation that “genuine victims” display emotional distress and recount their sexual assault in unchanging detail, research has also found that there is an expectation that they promptly report their assault to the police. A victim’s and survivor’s decision about whether to report her assault to police can shape attitudes towards the trustworthiness or perceived credibility of her claim. Research with police and mock jurors suggests that rape allegations are more likely to be perceived as credible if women make a formal report to police *immediately* following the assault (Ellison & Munro, 2009a; Jordan, 2004a, 2004b; McMillan, 2017; Smith & Skinner, 2017). Much of the literature examining how the perceived credibility of sexual assault allegations is influenced by whether and when they are reported to police focuses on attitudes held among particular cohorts within the criminal justice system, including police, jurors and lawyers. Very few studies have explored *general community* attitudes towards victims’ timely reporting of sexual assault to police, more broadly. Furthermore, even fewer studies have explored how attitudes about reporting sexual assault to police, the timing of the report, or the withdrawal of a police report may influence the community’s trust and mistrust in women’s claims of sexual assault.

The myth that “genuine victims” would report their assault to police sits in contrast to the evidence that sexual assault remains significantly underreported to police in Australia. Almost nine in 10 (87%) women in the 2016 *Personal Safety Survey* did not report their most recent sexual assault victimisation by a man to police, more often preferring to disclose to friends or family members instead (Australian Bureau of Statistics, 2017). Research has established a range of reasons why victims and survivors may choose not to report their experience of sexual assault to police or other authorities. Key reasons include concerns that they may not be believed by the police or through the judicial process (Johnson, 2017; Lorenz et al., 2019), as well as the stigma associated with sexual assault victimisation (Caron & Mitchell, 2021; Cohn et al., 2013; Reich et al., 2021; Taylor & Norma, 2012; Thompson et al., 2007; Whiting et al., 2020). Research has also found that the fear of not being believed when reporting sexual assault was particularly prominent for victims and survivors whose sexual assault did not align with “real rape” myths regarding physical violence or injury

from fightback (Deal et al., 2020; Gray & Horvath, 2018; Gurm & Marchbank, 2020; Haugen et al., 2018; Jeffrey & Barata, 2017; Johnson, 2017; Murphy-Oikonen et al., 2020; Williams, 1984; Woodward Griffin et al., 2021).

#### 1.2.4.3. Characteristics of “genuine victims” associated with mistrust

Following the above, studies indicate that “genuine victims” are trusted according to how they react emotionally, how they retell their experiences and what actions they take in reporting their assault to police. In addition, the “genuine victims” myth also relates to perceptions about the characteristics and behaviour of victims and survivors. Research has found that victims and survivors may be considered less credible if they are perceived as violating traditional gender roles or to be behaving in a flirtatious or sexually promiscuous way, or are wearing suggestive clothing at the time of the sexual assault (Bareket et al., 2018; Hine & Murphy, 2017; Kettrey, 2018; Landström et al., 2015; O’Hara, 2012). Victim intoxication through drugs or alcohol has also been associated with greater levels of mistrust (Carline et al., 2018; Finch & Munro, 2005; Gunby et al., 2013). Victims who are intoxicated at the time of the assault are considered to have greater sexual intent and are thus attributed more culpability for their sexual assault victimisation due to their “risky and inappropriate” behaviour (Grubb & Turner, 2012; Maurer & Robinson, 2008; Stewart et al., 1996; Whatley, 2005; Workman & Freeburg, 1999). Women who have a previous history of sexual assault allegations or have prior interactions with police are also deemed less credible (Johnson, 2017). In relation to the characteristics of victims and survivors, community assessments about “good” rape victims and “bad character” have been found to reinforce discriminatory attitudes and structural inequalities (Suarez & Gadalla, 2010). Studies in Australia and overseas show that racism informs constructions of white women as “ideal” victims compared to Aboriginal, Black and Latina women (Cossins, 2003; Cripps, 2021; Donovan, 2007; George & Martínez, 2002; Slakoff & Brennan, 2020), while victims of interracial rapes were seen in one study as more blameworthy, less credible and less likely to have their rape labelled “definitely rape” (George & Martínez, 2002). Ableism can also influence perceptions of credibility: women with intellectual, mental health or psychosocial disabilities can be deemed less credible by police (Antaki et al., 2015; Benedet & Grant, 2007; Ellison et al., 2015; Heenan & Murray, 2006), yet can be seen as more worthy of protection by jurors due to stereotyped vulnerability (Bottoms et al., 2003). Teenagers can also be perceived as more likely to lie about sexual assault (O’Neal & Hayes, 2020).

#### 1.2.4.4. Perceptions that women have an ulterior motive for reporting sexual assault

The literature thus highlights the influence of the “genuine victims” myth on people’s assessments of victims’ and survivors’ character, behaviour and responses to their assault. In addition, assessments about whether a victim is “genuine” often draw on problematic attitudes that women lie about sexual assault (Beshers & DiVita, 2019; Gray & Horvath, 2018; Gunby et al., 2012; McMillan, 2017; Navarro & Tewksbury, 2017; Webster et al., 2018a). Considerable research has identified attitudes suggesting that women lie about sexual assault allegations because they have an ulterior motive. Within this field of research, two main perceived motives have been identified: 1) a scorned or unrequited lover seeking revenge, often termed as a “malicious” motive or a motive of “revenge”; and 2) a sexual encounter a woman has regretted or wants to cover up, often referred to as a motive of “regret” (Abrams et al., 2003; Glick & Fiske, 1996, 1997; Gunby et al., 2013; Harrington, 2016; Hill & Marshall, 2018; Hipp et al., 2017; McMillan, 2017; Wall & Tarczon, 2013). Research has found that perceptions that women making sexual assault allegations have ulterior motives that are malicious draw on gendered assumptions and stereotypes about women, including that they are untrustworthy, deceitful, vindictive, motivated by greed and “willing to use their sexuality to harm men” (Rees & White, 2012, p. 428). Perceived motives of regret similarly rely on sexist stereotypes about women who “change their mind” and reclassify consensual sex as rape, often after the consumption of alcohol (Gunby et al., 2013), in order to maintain the moral and sexual virtue expected of stereotypically “good” women (DeWall et al., 2005). Research suggests that these hostile, sexist and adversarial sexual beliefs are also associated with higher levels of rape myth acceptance and attitudes that condone violence against women (Angelone et al., 2021; Fansher & Zedaker, 2020; Mason et al., 2004; Rogers et al., 2015; Suarez & Gadalla, 2010; Webster et al., 2018a). While there is evidence that perceptions of ulterior motives for lying about sexual assault are held at the population level (Webster et al., 2018a), qualitative research exploring how these perceptions interact with mistrust in sexual assault allegations and other stereotypes and rape myths have been largely limited to police and jurors. This research within legal contexts has found that perceptions of an ulterior motive increase mistrust in women’s reports of sexual assault (Jordan, 2004a; Kelly, 2010; Lievore, 2004; McMillan, 2017; Rumney, 2006; Saunders, 2012; Wall & Tarczon, 2013). Further, suspicions that inform perceptions of an ulterior motive have been found to interact with other factors which are used to undermine women’s reports of violence, particularly a prior relationship with the accused or the consumption of alcohol (Gunby et al., 2013; Jordan, 2004a). However, outside the justice system, limited

research has explored how the broader community's perceptions of women's motives for alleging sexual assault influence whether the allegations are trusted or mistrusted.

## 1.2.5. Understandings, attitudes and myths about “deviant perpetrators”

### 1.2.5.1. Perceptions about the character of “deviant perpetrators”

In the “real rape” myth, perpetrators are imagined as violent, predatory and monstrous (Burt, 1980; Estrich, 1986; O'Hara, 2012; Sutherland et al., 2015). This myth emphasises the “otherness” and morally deviant or “bad” character of perpetrators by presenting the perpetrator as not relatable and not a respectable member of the community (Lisak, 2004; O'Hara, 2012). In other words, the myth portrays rapists as “deviant perpetrators” (Burt, 1998; Sutherland et al., 2015). This stereotype of sexual assault perpetration fits a conceptual framework of sexual assault as sociopathy, rather than as part of a broader social context and patriarchal inequality (Armstrong et al., 2018; Khan et al., 2020). Such stereotypes are often reflected in media reporting and popular culture which tend to focus on extreme and violent cases of sexual assault, overlooking the established fact that most sexual assaults are relatively “ordinary” in that they are not physically violent and are committed by someone the victim knows and often trusts (Barnett, 2008, 2012; Kitzinger, 2004; O'Hara, 2012; Pica et al., 2017; Sutherland et al., 2015). Although these myths and stereotypes of sexual assault perpetrators have been well established (Burt, 1980; Estrich, 1986; O'Hara, 2012; Sutherland et al., 2015), little research has examined community perceptions of perpetrators and men accused of sexual assault – especially how these perceptions influence trust and mistrust in sexual assault allegations (Lonsway & Fitzgerald, 1995; Martinez et al., 2018; Nyúl et al., 2018; Payne et al., 1999). This gap is particularly stark when compared to the large body of research that explores the application and effect of rape myths that relate to “genuine victims” and the details surrounding the assault (Finch & Munro, 2005; Jordan, 2004a; Lievore, 2004; McMillan, 2017). The limited focus on the characteristics of perpetrators of sexual assault in the research literature also reflects broader community attitudes that minimise and excuse men's responsibility for violence and hold women accountable for the violence they experience (Grubb & Turner, 2012; Jozkowski & Peterson, 2013; Webster et al., 2018a; Weiss, 2009).

Stereotypes of “deviant perpetrators” also inform community perceptions and stereotypes about who *is* and *is not* perceived as a “real” perpetrator of sexual assault. The idea that “good guys don't rape” is a mirrored reflection of the stereotype of the “monster rapist” (Sutherland et al., 2015). Court cases have sometimes focused on the “good

character” of the accused as a defence (Manne, 2020; Pica et al., 2017). Similarly, media coverage of sexual assault and violence against women often reflects the “good guys don't rape” myth. Media reports of men accused of sexual assault or intimate partner violence (particularly high-profile men) who do not meet the stereotypical description of the “deviant perpetrator” often focus on the accused's positive attributes and achievements, including sporting, academic, career or social status qualities (Franiuk et al., 2008; Siefkes-Andrew & Alexopoulos, 2019; Sutherland et al., 2015; Toffoletti, 2007). For example, a 2019 systematic review of media reporting of sexual assault cases on college campuses in the United States found 82 per cent of media articles included details of the perpetrator's life and focused on his positive achievements, including athletic, academic or social achievements. In contrast, only 36 per cent of articles mentioned details of victims' and survivors' lives. Siefkes-Andrew and Alexopoulos (2019) noted that these positive depictions of the perpetrator's life may have influenced readers' perceptions of the case and who they believed. Such positive framing of the accused has been critiqued as contributing to inaccurate rape myths that distract from the alleged crime and perpetuate a “culture of protection” for the accused, where their achievements are used to minimise and excuse their actions (Blumell & Huemmer, 2017; Breen et al., 2017; Kimmel, 2008; O'Hara, 2012). The framing of media reports of sexual assault in this way may also influence the perceived credibility of the accused and whether the community trusts or mistrusts the sexual assault allegation (Sutherland et al., 2015).

Beyond rape myths about who is and is not a perpetrator of sexual assault, research on attitudes towards the credibility of the accused has chiefly focused on a limited range of the accused's actions and behaviours. This research mostly focuses on intoxication of the accused or the use of various tactics to commit sexual assault, such as the use of date rape drugs (Finch & Munro, 2005, 2007; Gunby et al., 2013; Weiss & Colyer, 2010). Focusing on the perpetrator's use of tactics and intoxication for the purpose of sexual assault arguably reinforces the “deviant perpetrator” stereotype and, moreover, maintains the invisibility of more typical, everyday sexual assault perpetration (Hirsch & Khan, 2020). Again, this paucity of research about the character and actions of the accused contrasts with the overwhelming focus in the existing literature on the actions and characteristics of the victim, particularly regarding what factors discredit the victim's account and how these relate to trust or mistrust in her account (Jordan, 2004a; Wall & Tarczon, 2013).

### 1.2.5.2. Friendship with someone accused of sexual assault

Research has found that people are more likely to express belief in an account of sexual assault when they know or

are friends with the person who has been victimised, which has been shown to generate more positive outcomes for victims (Ahrens et al., 2007; Paul et al., 2014). However, there is very limited research about how a friendship with someone accused of perpetrating sexual assault may influence trust or mistrust in the sexual assault allegation. A recent quantitative study found that when participants receive a disclosure of sexual assault victimisation from a friend but are also friends with the accused, they are more likely to doubt the sexual assault and raise feelings of divided loyalties (Rich et al., 2021). The authors of this study suggested that these responses indicate evidence of cognitive dissonance among participants, which leads them to doubt or dismiss the possibility that a friend of theirs committed sexual assault (Festinger, 1962a; Rich et al., 2021). Similar findings have emerged from bystander interventions, showing that people are less likely to identify a sexually aggressive behaviour as problematic when they have a relationship with the perpetrator (Bennett & Banyard, 2016). These findings suggest an unwillingness for people to reconcile being friends with someone who is capable of committing sexual assault (Festinger, 1962a). However, a recent, large ethnographic study by Hirsch and Kahn (2020) with college students in the United States suggests responses to an accusation levelled at a friend or an acquaintance may depend on their social status (see also Wamboldt et al., 2019). Though not a central focus of this study, some of the study's interviews suggested that an unpopular or moderately unpopular friend with limited social capital accused of sexual assault may be ostracised and labelled as a "rapist", while someone with greater social capital and influence may be protected or given the benefit of the doubt (Hirsch & Khan, 2020; see also Franklin et al., 2020; Seabrook & Ward, 2019; Wamboldt et al., 2019). As friendship with people who have committed or are accused of committing sexual assault is a relatively new field of inquiry, more work is needed to examine how friendship with the accused may influence people's trust or mistrust in a sexual assault allegation.

Among this emerging research, some analyses have examined how people respond when celebrities they respect have been accused of sexual assault. Two such recent cases have involved sexual assault allegations made against comedian Aziz Ansari and political activist Julian Assange (Harrington, 2016; Hinds & Fileborn, 2019). Critical discourse analysis of public responses to these cases by Harrington (2016) indicate that people find it difficult to reconcile bad behaviours with men whose work they value. Similar to the theory of cognitive dissonance, this study's results may suggest that people tend to be cautious about shifting their perceptions and opinions of someone, particularly when someone they like or respect is accused of behaving badly (Leising et al., 2013). In addition, a few studies have suggested that positive assessments of the accused's character, such as respect or acclaim,

can decrease the likelihood that women's reports of sexual assault victimisation are trusted or taken seriously (Harrington, 2016; Hinds & Fileborn, 2019; Wheatcroft & Walklate, 2014).

Attitudes that minimise and mistrust sexual assault allegations when they are made against someone's friend, or a person who is personally respected, also reflect the "othering" of sexual assault perpetrators. As discussed earlier, stereotypes of "deviant perpetrators" reinforce perceptions that sexual assault is not perpetrated by "everyday men" who may indeed be embedded within one's friendship circles (Lisak, 2004; O'Hara, 2012). In a similar vein to the limited research on the influence of perpetrator stereotypes on mistrust in reports of sexual assault, few qualitative studies have explored how people respond to sexual assault allegations made against their friends, particularly in relation to trust or mistrust in the allegation.

### 1.3. Aims of the present study

The present study arose from a need to better understand the factors underlying the considerable community mistrust in women's reports of sexual assault demonstrated by the 2017 NCAS. The NCAS findings and a review of the literature pointed to gaps in existing research about the full range of community understandings, attitudes and myths that may underlie this mistrust in women's reports of sexual assault.

Firstly, the gaps in community knowledge regarding the nature of sexual assault and sexual consent revealed by the NCAS and other research warrant investigation as a possible factor shaping this mistrust.

Secondly, how mistrust in reports of sexual assault may be influenced by lay understandings of what constitutes a false allegation has not been a focus of investigation. This line of inquiry deserves attention given the NCAS finding that Australians incorrectly believe that false allegations are commonplace.

Thirdly, while existing research has shown that mistrust in a woman's report of sexual assault can be influenced by perceptions that the woman may have motives for lying, these studies have predominantly focused on only two perceived motives for lying: regret about consensual sex and revenge for being a scorned lover. The NCAS similarly demonstrated relatively high levels of mistrust in women's reports of sexual assault on items referring to lying for reasons of regret and revenge. However, the NCAS also showed high endorsement of items referring to other ulterior motives women may have for lying about or exaggerating claims of men's violence, including to gain an advantage over men or to gain advantage in a custody



battle. Thus, it may prove useful to adopt a more open-ended approach in order to explore the perceived motives that may influence mistrust in women's reports of sexual assault more broadly.

Fourthly, while much research has examined how the perceived motives, character and actions of women reporting sexual assault influence mistrust in these reports, little attention has been paid to how mistrust might be shaped by perceptions of men accused of sexual assault, such as resulting from a friendship with the accused or from positive depictions of the accused's character (in media reporting, for example).

In addition, the 2017 NCAS found that rape myths are endorsed by a small minority of the community, despite the relatively high endorsement of mistrust in sexual assault allegations (by about four in 10 Australians). However, in contrast, existing qualitative research has established a prominent link between a range of rape myths and mistrust in women's reports of sexual assault. This discrepancy between quantitative and qualitative findings about the extent to which rape myths are likely to inform judgements about sexual assault allegations warrants investigation and suggests that the influence of rape myths on mistrust may be complex. For example, rape myths may be relied on more heavily in some contexts than others, or may become more prominent in combination or interaction with other factors to undermine trust in sexual assault allegations.

Finally, much of the Australian and international research on mistrust in women's reports of sexual assault has typically been conducted with discrete cohorts, predominantly in police, justice and college settings. The extent to which the findings from this research translate to the broader population is unclear, given that the specific contexts (e.g. legal notions of proof beyond reasonable doubt) may influence how sexual assault allegations are interpreted.

The present study aimed to fill some of these research gaps by engaging a diverse sample of the Australian public to explore how community mistrust in women's reports of sexual assault victimisation may be influenced by a range of understandings, attitudes and myths about the nature of sexual assault, as well as about the victims and perpetrators of sexual assault. A clear understanding of the factors motivating this community mistrust is crucial for response and prevention initiatives – to debunk myths about sexual assault, change problematic heteronormative sexual scripts, encourage reporting of sexual assault, support women through the service and justice system and, ultimately, reduce and prevent this violence. The key research question driving the present study was “How do understandings, attitudes and myths influence the general public's trust and mistrust in women's reports of sexual

assault?” More specifically, the research investigated the following questions.

How is trust and mistrust in women's reports of sexual assault victimisation influenced by understandings, attitudes and myths about:

1. the nature of sexual assault and sexual consent?
2. the nature of false allegations of sexual assault?
3. the woman making the report, including her character, motives and actions?
4. the accused, including his character and whether the accused is a friend?

## 2. Research design

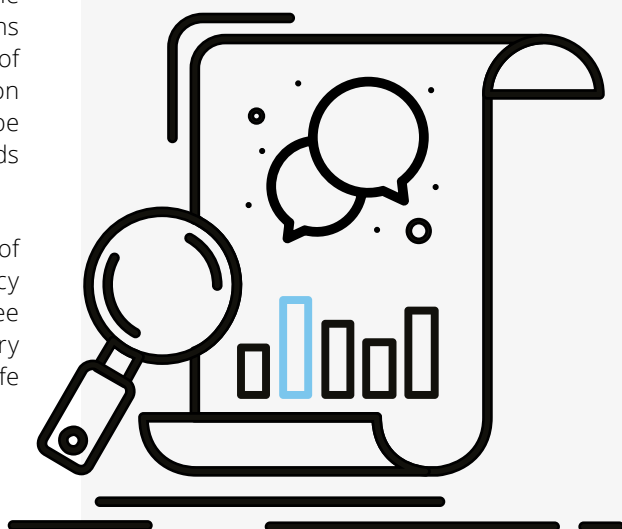
**Using a mixed-method design, the present study employed semi-structured online focus groups as the primary method of data collection.** The key activity in the focus groups was the discussion of two vignettes describing hypothetical cases of women reporting sexual assault victimisation to examine the basis for participants' perceptions of the credibility of these reports. Following the vignettes, additional questions were asked to explore participants' understandings of false allegations of sexual assault. An online quantitative survey, which was an abridged version of the 2017 NCAS, was also administered prior to the focus groups to describe the sample and benchmark participants' knowledge and attitudes towards violence against women.

A panel of experts and an advisory group provided input on the design of the present study and the implications of the study's findings for policy and primary prevention (see Appendix A). The present study is one of three studies within a broader NCAS Research Program, and these advisory bodies were formed to provide advice on all three studies throughout the life of program.<sup>5</sup>

### 2.1. Recruitment

A purposive sampling strategy was used, with the aim of recruiting a sample that broadly covered the diverse demographic characteristics of the Australian community according to gender, age, geographic area, and cultural and linguistic background. This strategy facilitated exploration of a range of different understandings of and attitudes regarding sexual assault held by members of the Australian population. Participants were recruited directly through a third-party recruitment company, Qualitative Recruitment Australia (QRA), via telephone contact. Recruits were selected from QRA's lists of people who had agreed to be contacted about participation in a broad range of research topics. Drawing recruits from people interested in broad research areas helped to mitigate selection bias compared to direct advertising, which would be more likely to result in participants with a specific or vested interest in violence against women. Selection bias was also minimised by ensuring participants did not have detailed professional knowledge about sexual assault or violence against women (such as through training or employment).

Participation was voluntary. A total of 75 participants took part in the study, comprising 40 men and 35 women. (See Section 3.1 for further information about demographics.) Participants were paid an honorarium of \$100. A small number of recruits withdrew prior to participating in the study, due in large part to technical difficulties when trying to join the online focus group.



<sup>5</sup> The NCAS Research Program also includes the 2021 iteration of the NCAS population-level survey and a second qualitative study to delve deeper into results from the 2017 NCAS about young people's understandings of violence in intimate partner relationships.

## 2.2. Data collection

### 2.2.1. Quantitative survey

Participants completed an abridged, online version of the NCAS in the week leading up to the focus group. The survey was used to gauge the similarity of the sample to the Australian population, both in terms of demographic profile and in terms of baseline knowledge of and attitudes regarding sexual violence against women. The findings from the online quantitative survey were also compared with the qualitative insights from the focus group discussions.

The online quantitative survey was run online via Alchemer (formerly Survey Gizmo) and took approximately 15 minutes to complete (see Appendix B). A shortened NCAS was used to avoid overburdening participants prior to the focus groups. The survey included shortened versions of two NCAS scales (Webster et al., 2018a):

- the Gender Equality Attitudes Scale (GEAS), comprising 11 of the original 18 items
- the Community Attitudes Supportive of Violence against Women Scale (CASVAWS), comprising 13 of the original 32 items.

These short versions of the GEAS and CASVAWS derived from the 2017 NCAS were recently produced and psychometrically validated by the Free from Violence (FFV) Survey Project (Ward & Honey, 2019). An additional nine items from the 2017 NCAS were included in the present survey that were not part of the FFV Survey Project. Four of these additional items measured understandings of sexual violence, another four measured attitudes condoning sexual violence and the remaining item measured attitudes to gender equality.<sup>6</sup>

### 2.2.2. Qualitative focus group interviews

Focus group discussions were chosen as the primary method of data collection because of their ability to generate debate and reveal community attitudes through the dynamics of sharing and comparing views (Freeman, 2006; Morgan, 2018; Nyumba et al., 2018; Seabrook & Ward, 2019; Seal et al., 1998; Thakker, 2012). Online rather than in-person focus groups were used due to the COVID-19 pandemic restrictions in place during the conduct of the study. Online focus groups using videoconferencing software have been shown to be highly satisfactory

alternatives to in-person and telephone interviewing, especially in an age of social distancing (Archibald et al., 2019; Howlett, 2021; Lobe et al., 2020). Compared with face-to-face discussions, online focus groups have also been shown to be better facilitators of participation, particularly for discussion of sensitive topics such as violence (Abrams et al., 2015; Reisner et al., 2017, p. 1661; Woodyatt et al., 2016). Online focus groups can be less threatening for participants, increase feelings of anonymity and emotional distance, and help to increase the participants' feelings of control or ownership over what information they share with the researchers (Abrams et al., 2015; Reisner et al., 2017). In the present study, engagement was also promoted through the quantitative online survey conducted prior to the focus groups, which allowed participants to familiarise themselves with the topic of the study and may have encouraged productive discussion in the focus groups (Rinkus et al., 2021).

Single-sex focus groups were used because greater levels of homogeneity within focus groups have been shown to provide a more comfortable, safer space for participants to discuss sensitive issues, particularly in relation to sex and violence (Frith, 2000; Gunby et al., 2012; Wellings et al., 2000). The focus groups of women were moderated by one of the authors and the focus groups of men were moderated by a research assistant. Another author acted as the assistant moderator and was available only in the background via the online private message function to assist with administration and to monitor and provide support to participants in the event they appeared at all uncomfortable with the content of discussion.<sup>7</sup>

The focus group methodology underwent pilot testing with several ANROWS staff not involved in the study to ensure effective and efficient administration and to check for any potential issues regarding understanding of the vignettes and the questions in the discussion guide. Based on the pilot, some small changes were made to the discussion guide and to the online procedure to minimise technical issues with joining and participating in the focus groups. Careful monitoring of the first few focus groups (with men and women) indicated that no further tweaks to the methodology were required as they ran smoothly and participants understood and engaged with the tasks.

Fourteen single-sex online focus groups (seven with women and seven with men) were conducted using WebEx videoconferencing software during October and November

<sup>6</sup> As detailed in Appendix C, the abridged GEAS and CASVAWS used in the present survey were identical to those used in the FFV Survey Project. The items in these abridged scales were all present in the 2017 NCAS. Appendix C also details the other 2017 NCAS items that were included in the present survey but were not part of the abridged GEAS and CASVAWS for purposes of analysis. Note that the present survey did not include items from the third main scale of the NCAS, the Understanding Violence against Women Scale (UVAWS), because this scale focuses on domestic violence rather than sexual violence.

<sup>7</sup> Kate Minter (author) ran the focus groups with women. A suitably qualified male research assistant, Dr Ben Lohmeyer, conducted the focus groups with the men. Dr Erin Carlisle (author) was the assistant moderator of the focus groups and wrote detailed field notes.

2020. Each focus group ran for approximately 90 minutes and an audiovisual recording was taken. Each group involved three to seven participants, which is effective and easily manageable for online focus groups and enabled an opportunity for all participants to contribute to the discussion of the vignettes (Ellison & Munro, 2010; Frith, 2000; Gunby et al., 2013; Kitzinger, 1994; Larcombe et al., 2016; Morgan, 2018). The online format of the focus groups helped to mitigate the possibility of one or several participants dominating the conversation. Participants often responded in turn to the moderator's questions and to issues raised by other participants. In addition, the moderator made sure to prompt participants who had not provided a view organically, with the assistant moderator notifying the moderator through the WebEx private chat function of any participant who had not yet contributed on a topic.

Fourteen focus groups facilitated data saturation for each of the research questions. Many similar responses recurred by the tenth focus group, which suggested the data was reaching thematic or "code saturation" for the research questions. However, the additional four focus groups helped reach "meaning saturation" (Hennink et al., 2016; Hennink et al., 2019).

### 2.2.2.1. Semi-structured interview guide and vignettes

The researchers guided each focus group discussion using a set of semi-structured interview questions designed to elicit information about participants' understanding of and attitudes regarding sexual assault (see Appendix D). A large part of the semi-structured focus group discussion reflected on two vignettes – the News report vignette and the Dinner party vignette – that each described a hypothetical report by a woman of sexual assault victimisation. Vignettes are common in research on violence and sexual assault as they enable researchers to explore and interrogate factors that influence attitudes and opinions while ensuring participants' comfort by distancing the content from their personal experiences (Larcombe et al., 2016; Sussenbach et al., 2017). A General discussion followed the vignettes, and asked for participants' understandings of and attitudes regarding false allegations of sexual assault (research question 2).

The vignettes purposely did not label the characters as the "perpetrator or offender" or the "victim and survivor" so that participants could provide their own interpretation of the events described. Avoiding these terms similarly enabled participants to focus on their own understandings or attitudes without using legal or other jargon, particularly if there was not a shared understanding of these meanings within the focus group (Seabrook & Ward, 2019).

The design of the vignettes comprised a number of methodological design elements in order to investigate the present study's aims and research questions. Both vignettes were used to explore all four of the study's research questions, namely, how mistrust is influenced by understandings of and attitudes regarding sexual assault and sexual consent (research question 1) and false allegations of sexual assault (research question 2), as well as perceptions about the woman alleging sexual assault (research question 3) and the man accused of sexual assault (research question 4). Further, both vignettes described acquaintance rape scenarios that largely did not align with myths about "real rape", "genuine victims" and "deviant perpetrators" to examine whether participants would nonetheless draw on rape myths in their assessments of the scenarios. The vignettes were also designed to differ in some key aspects to explore how mistrust in sexual assault allegations is influenced by specific aspects of the research questions:

- The News report vignette explored the influence of perceptions of the accused (research question 4), by providing positive depictions of him and presenting him as a friend of participants.
- The Dinner party vignette explored the influence of perceptions of the woman reporting sexual assault (research question 3), by alluding to her having a possible motive for lying (as a scorned lover) and to her flirtatious behaviour before the incident.
- The delay in reporting to police was manipulated between vignettes (research question 3). A police report was filed the morning after the incident in the News report vignette, whereas a decision was made to file a report one week after the incident in the Dinner party vignette.

Each vignette is further described below, while the interview questions are detailed in Appendix D.

#### Vignette 1: News report vignette

This vignette is a fictional media report of charges of sexual assault against an award-winning journalist, "Patrick Lane". The vignette was used to explore how an emphasis in the media report on the positive attributes of the accused influences levels of trust or mistrust in the report of sexual assault (research question 4). The key features of the News report vignette are as follows:

- The scenario is misaligned with rape myths, with the alleged assault occurring between two acquaintances who had just met at a shared work event.
- Detailed information is provided about Patrick's "good character" and positive achievements (research question 4).

- No information is provided about the woman reporting sexual assault, other than her being a 32-year-old fellow journalist.
- The woman filed a police report the morning after the incident (research question 3).
- Limited information is provided about the circumstances leading up to the incident, including the behaviours of the accused and the woman reporting sexual assault.
- No information is provided about evidence, other than a statement by the accused's lawyer that there was no physical injury (research question 2).
- There is no allusion to the woman having a motive for lying (research question 3).

The interview questions for this vignette were largely open-ended and exploratory (see Appendix D). The questions sought "initial thoughts" and "personal feelings" about the incident; perceptions about the elements that supported either the accused's or the woman's claims; and reflections about what further information might help them understand the events that occurred.

## News report vignette

Multiple award-winning freelance journalist Patrick Lane was charged with sexual assault yesterday afternoon. Police have released a statement indicating the charge involves a 32-year-old woman the investigative journalist met at a work function.

Lane has released a statement denying the charges and vowing to fight them in the court.

"I am innocent of this charge. I did not engage in non-consensual sex. I have an incredible amount of respect for women."

The local police spokesperson said Lane was charged with sexual assault which carries a possible jail sentence.

The allegation was made by a 32-year-old woman who also works in the media industry as a journalist. The assault is alleged to have taken place at an industry event. Attendees at the event, who have asked to remain anonymous, said the two met for the first time at the event and were seen talking for a large part of the evening. It has been alleged that Lane offered to walk the woman to her car after the event. She has claimed that when they arrived at the car Lane kissed her. It is then alleged that he forced the woman to have sex with him. The following day the woman made a statement to the police about the alleged sexual assault.

Lane has not denied having sex with the woman. Speaking outside the local court his lawyer argued the case against him was weak. "There is no evidence of physical violence or injury. There is no evidence of sexual assault here."

Lane has asked for privacy for his family during this time. Lane is a father of two who separated from his wife 18 months ago.

Lane is best known for his ground-breaking investigative report that uncovered political corruption at the highest levels of the Australian Government in relation to tax rorts, which lead to the resignation of three ministers. Often considered a crusader for the underdog, fellow journalists say they are shocked by the allegations. Lane is well respected in the media community and often seen as a mentor to younger journalists.

The matter is due before the courts again in three weeks.



## Vignette 2: Dinner party vignette

This vignette described a fictional incident of alleged sexual assault on the evening of a dinner party held at the house of woman claiming to have been assaulted. The vignette was used to explore whether mistrust in sexual assault allegations was influenced by perceptions of the woman's motives and actions (research question 3) and by a (hypothetical) friendship with the accused (research question 4).

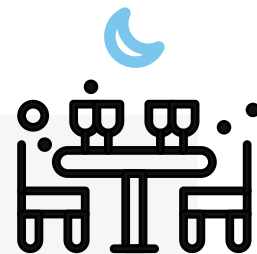
All focus groups were presented with two variations of the Dinner party vignette: a detailed first-person account of the incident by "Abigail" ("Abigail's story") and a very brief account from "Nathan" ("Nathan's story"). In the variation presenting Abigail's story, it is assumed that participants know neither Abigail nor Nathan. In the variation presenting Nathan's story, participants were asked to imagine they are friends with Nathan. To examine the influence of friendship with the accused on mistrust (research question 4), the order of the two accounts was counterbalanced: eight focus groups (four of each gender) received Nathan's story first, while six focus groups (three of each gender) received Abigail's story first. The other key design features of this vignette are as follows:

- The scenario is misaligned with rape myths, with the alleged assault occurring between platonic friends, after a dinner party with mutual friends at Abigail's house, and there is no mention of physical injury.
- Information relevant to sexual consent (research question 1) is provided through Abigail's account of her refused verbal consent and Nathan's contrasting account that the sex was consensual.
- Abigail's story provides information about her actions and possible motive (research question 3) by:
  - stating that she and Nathan flirted during the evening, contrary to the myth about "genuine victims"
  - stating that she and Nathan had a few drinks but were not drunk, in keeping with the myth about "genuine victims"<sup>8</sup>
  - stating her intention, one week after the incident, to file a police report
  - including Abigail's denial of Nathan's claim that she had motive to lie about sexual assault because she was a scorned lover.
- Nathan's story provides information about his character and actions (research question 4) by:
  - describing the allegation as "out of character" for him, contrary to the myth that rapists are "deviant perpetrators" (Martinez et al., 2018)

- asking participants to imagine Nathan is their friend (although not a best friend).

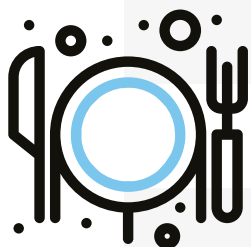
The interview questions for the two variations of this vignette (Appendix D) were largely open-ended and exploratory. The questions sought "initial thoughts" about the incident. One question asked directly for "personal feelings" about whether Nathan raped Abigail. The questions asked for reflections about what further information might help participants decide if Abigail was telling the truth, as well as perceptions about whether participants thought either vignette character had a motive for lying. The questions also asked participants what they would think if Abigail did not make a police report after all and for reflections on whether their (hypothetical) friendship with Nathan influenced their perceptions about the allegation.

<sup>8</sup> Inebriation was deliberately excluded from the vignette in order to avoid participants' discussion of alcohol and victim blame, which has been established in prior research by Gunby et al. (2013).



## Dinner party vignette variation: “Nathan’s story”

Nathan is a friend of yours through work. You recently found out that a woman made a sexual assault allegation against him. The sexual assault allegation against your friend has been made by a woman he knows named Abigail. You have heard that Nathan allegedly had non-consensual sex with Abigail at her house after a dinner party. Nathan says he’s innocent and the sex was completely consensual. He says that she made it up and adds that Abigail has always been in love with him, and is just mad he doesn’t want to have a relationship with her. You’ve never met or heard of Abigail before and this seems out of character for Nathan.



## Dinner party vignette variation: “Abigail’s story”

Last Saturday I hosted a dinner party with some friends. We all went to university together. It’s been 15 years since we graduated now, but we still catch up every now and then. There were eight of us at the dinner party. Everyone there is in a relationship and has kids these days. Everyone except Nathan and me. Nathan recently split up from his long-term partner. I’ve always found Nathan attractive and thought maybe one day we’d get together. We flirted a little over dinner. Everyone left pretty early because they had children to get home to. We hadn’t had much to drink, it was a pretty low-key dinner party.

Nathan stayed to help clean up. After we’d cleared the dishes from the table we sat on the couch to keep talking. I hadn’t seen him in such a long time and it was really nice catching up. Then we started kissing. I won’t lie, I liked that. But then things started to escalate. It all happened so fast. But I didn’t feel comfortable. I kept saying I wanted to stop, but he kept kissing me and he started to take my clothes off. He kept pressuring me to have sex. I kept saying “No, it’s too soon”, but he didn’t listen and had sex with me anyway.

Yesterday I was at a mutual friend’s birthday. A friend asked me if I’d sorted everything out with Nathan. They told me they heard Nathan and I slept together last week. Nathan was telling people I was upset because he didn’t want to be in a relationship with me – he said it was “just a casual thing, no strings attached”. He said I wanted something more because I was in love with him and always had been. Why is he telling people these things about us? It’s embarrassing and it’s not true. He didn’t take me seriously when I said stop and he raped me. That’s not okay. If he thinks this, then clearly I need to take things further. I’m going to make a police report.



## General discussion

Following the vignettes, some additional General discussion questions were asked to further explore participants' understandings of and attitudes regarding false allegations of sexual assault (research question 2). Participants were asked about the prevalence of false allegations, the defining features of false allegations, and the considerations and evidence relevant to trusting reports of sexual assault (see Appendix D). The General discussion questions were asked after discussion of the vignettes to prevent shaping how participants responded to the vignettes.

## 2.3. Analysis

### 2.3.1. Quantitative survey data

Consistent with the analysis for the 2017 NCAS, Rasch analysis was used to derive scale scores for the present participants on the abridged GEAS and CASVAWS used in the present survey. These scale scores could range from 0 to 100 (see Webster et al., 2018b, 2018c). Participants' scale scores on the GEAS and CASVAWS were compared to those of the 2017 NCAS population-level sample (see Section 3.1). Additionally, participants' responses to key individual items on mistrust, sexual consent and sexual assault were analysed and compared against the 2017 population-level NCAS results using descriptive statistics. The conclusions from the quantitative survey data were also considered in light of the qualitative results from the focus groups.

### 2.3.2. Qualitative focus group data

Verbatim transcriptions of the audiovisual (WebEx) recordings of the focus group discussions were completed by a professional transcription service, Outscribe, and subsequently quality-checked for accuracy by the research team. Transcripts were not returned to participants for comment to maintain anonymity. Finalised transcripts were uploaded into NVivo software and analysed using qualitative content analysis techniques (Bengtsson, 2016; Elo et al., 2014; Elo & Kyngäs, 2008; Morgan, 1993).

A partly predefined but open coding framework was devised from the literature review and the research questions guiding the inquiry. In keeping with the aims of the study, the main initial themes in the coding framework used to organise the data analysis were:

1. understandings of consent and sexual assault
2. understandings of false allegations
3. perceptions of the woman's actions (including reporting to police)
4. perceptions of the woman's motives

5. perceptions of positive depictions of the accused (in the News report vignette)
6. friendship with the accused (in the Dinner party vignette).

Other themes that were anticipated in the data included rape myths, victim-blaming attitudes and gendered stereotypes.

This initial framework was used to code themes in the transcripts using a mixed deductive and open-inductive approach. Any revised sub-codes or new codes were added to the framework through the open-coding process as necessary (Bengtsson, 2016; Gibbs, 2018). Two members of the research team conducted several cycles of line-by-line coding on all transcripts: initial deductive coding was completed, then open and inductive re-coding was conducted to revise the framework in light of unexpected or latent themes, which was then repeated until the point of data saturation was reached. Inter-reader reliability was established by comparing each researcher's coding and by reviewing the coding framework at several iterative stages through the coding cycles. During analysis, the themes about perceptions of the woman alleging sexual assault (3 and 4 above) as well as those about the man accused of sexual assault (5 and 6) were consolidated. The theme of false allegations was expanded through data analysis as the discussions revealed the theme inherently related to perceptions of evidence and proof. Detailed written analyses of the qualitative data were completed after the third cycle of coding. Different members of the research team repeatedly revised the written data analyses, which at times prompted the researchers to return to the data, to further confirm the reliability and rigor of the analysis.

## 2.4. Ethical considerations

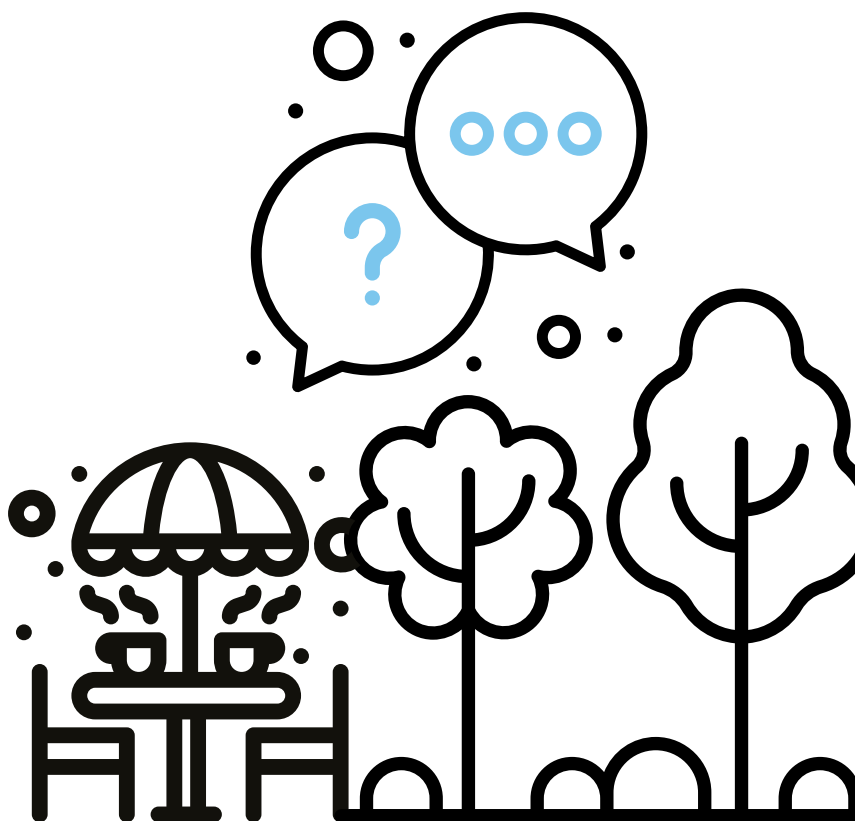
The study received ethics clearance from the University of Sydney's Human Research Ethics Committee (ethics project ID 2020/444). All participants voluntarily opted in to the study. Multiple methods of voluntary consent were used. After reviewing the participant information statement, participants confirmed their consent by electronically signing a participant consent form. The signed participant consent documents were stored securely as a record of formal consent. Oral consent was further ensured and recorded at the commencement of the focus groups.

The main potential risk to participants, particularly those with any lived experience of violence, was discomfort or emotional distress given the sensitive nature of the topic



of sexual assault. The use of hypothetical scenarios in the vignettes mitigated this risk by directing conversation away from personal or lived experiences. All participants were forewarned about the topic of discussion through all the information provided (at recruitment and via the participant information statement and the participant consent form) and were informed at several stages that they could withdraw from the study or take a break from the group interview at any time. Contact details of support and counselling services (such as 1800RESPECT and Lifeline) were provided to participants in the research information documents, as well as through the pre-focus group quantitative survey and in the online focus group interview through the chat function.

All personal information obtained from participants in the present study was kept confidential through de-identification processes. Pseudonyms were assigned to all participants for data storage, analysis and reporting purposes to protect their identity and anonymity. Identifiers in electronic data were removed through data cleaning and analysis. All direct quotes in this report refer to participants using pseudonyms and refer to the focus groups of men and focus groups of women as M1 to M7 and W1 to W7, respectively.



# 3. Findings:

## Quantitative survey

**The two sections in this findings chapter present the analysis from the quantitative survey.** The first section describes the sample demographics. The second section presents the results on the present sample's knowledge and attitudes regarding mistrust and sexual violence and provides a comparison to the 2017 NCAS population-level results.

### 3.1. Sample profile

As shown in Table 4, the study was successful in recruiting a broadly diverse Australian sample in terms of key demographic characteristics. The sample comprised 40 men and 35 women aged 18 to 74 years, and included people from most Australian states and territories as well as from major city, regional and remote areas; people who identified as Aboriginal and/or Torres Strait Islander; and people from culturally and linguistically diverse backgrounds who were born in a non-main-English-speaking country. The coverage of a broad range of demographic characteristics in the sample provides some confidence that the results tap into a range of attitudes held within the Australian community.

### 3.2. Knowledge and attitudes compared to the 2017 NCAS

Participants completed an online, abridged version of the NCAS prior to the focus groups (see Appendix B). The results from the survey were analysed in order to assess whether the attitudes and knowledge of the sample in the present study broadly aligned with the attitudes and knowledge of respondents to the 2017 NCAS population survey.<sup>9</sup> The quantitative online survey results from the present study were also compared to the qualitative findings from the focus groups (see Section 5.2.9).

For each participant in the present study, a mean Rasch score (with a possible range of 0 to 100) was calculated for the abridged GEAS and CASVAWS scales.<sup>10</sup> For the GEAS, a higher mean score indicates higher support for gender equality. For the CASVAWS, a higher mean indicates higher endorsement of attitudes supportive of violence against women.

The mean Rasch score on each scale for the present participants is provided in Table 5, broken down by gender. For comparison purposes, Table 5 also

<sup>9</sup> Note that tests of statistical significance were not conducted on any of the comparisons between the present survey and the 2017 NCAS results in this report, due to the relatively small size of the present sample and the use in the present study of abridged versions of the GEAS and CASVAWS. Thus, the differences in raw data that are reported between the two samples may not be statistically significant.

<sup>10</sup> Summarised in Linacre (2014) as follows: "Rasch analysis is a method for obtaining objective, fundamental, additive measures (qualified by standard errors and quality-control fit statistics) from stochastic observations of ordered category responses. Georg Rasch, a Danish mathematician, formulated this approach in 1953 to analyse responses to a series of reading tests." (See also Rasch, 1993.)



Table 4: Sample demographic characteristics

Demographic characteristic	Category	N	%
<b>Gender</b>			
	Male	40	53.3
	Female	35	46.7
	<b>Total</b>	<b>75</b>	<b>100.0</b>
<b>Age (years)</b>			
	18–24	9	12.0
	25–34	14	18.7
	35–44	15	20.0
	45–54	18	24.0
	55–64	12	16.0
	65–74	7	9.3
	Over 75	0	0.0
	<b>Total</b>	<b>75</b>	<b>100.0</b>
<b>Aboriginal and/or Torres Strait Islander (A&amp;TSI)</b>			
	Non-A&TSI	72	96.0
	A&TSI	3	4.0
	<b>Total</b>	<b>75</b>	<b>100.0</b>
<b>Country of birth</b>			
	Australia	65	86.7
	Non-main-English-speaking country	10	13.3
	<b>Total</b>	<b>75</b>	<b>100.0</b>
<b>State</b>			
	New South Wales	24	32.0
	Victoria	22	29.3
	Queensland	13	17.3
	Western Australia	7	9.3
	South Australia	6	8.0
	Northern Territory	3	4.0
	Australian Capital Territory	0	0.0
	Tasmania	0	0.0
	<b>Total</b>	<b>75</b>	<b>100.0</b>
<b>Remoteness<sup>a</sup></b>			
	Major city	55	73.3
	Regional	16	21.3
	Remote	4	5.3
	<b>Total</b>	<b>75</b>	<b>100.0</b>

<sup>a</sup> Remoteness was defined according to the Australian Statistical Geography Standard (ASGS): Remoteness Structure (Australian Bureau of Statistics, 2018). Note: Percentages may not sum to 100 due to rounding.

Table 5: GEAS and CASVAWS scores compared to 2017 NCAS sample

Gender	GEAS mean score		CASVAWS mean score		No. of participants
	Present study	2017 NCAS	Present study	2017 NCAS	Present study
Women	68	68	27	32	32
Men	65	64	33	34	38
<b>Total</b>	<b>67</b>	<b>66</b>	<b>30</b>	<b>33</b>	<b>70</b>

Note: 70 of the 75 participants completed the quantitative survey for the present study. Due to missing data on some items, scale scores on the GEAS and CASVAWS could not be calculated for three female and two male participants who completed the survey for the present study.

provides the mean scores on the GEAS and CASVAWS for the 2017 NCAS sample, which was representative of the Australian population. It can be seen that the mean scores for the present participants are generally very similar to those of the 2017 NCAS population-level sample. The largest difference in scale scores between the present study and the 2017 NCAS was for women participants on the CASVAWS. Women in the present study had a slightly lower mean score (27) on this scale than women in the 2017 NCAS sample (32), indicating lower levels of endorsement by the present women participants of attitudes supportive of violence against women. There were only minimal differences between the two samples on the other scale scores. These results suggest that the present sample is not particularly atypical compared to the Australian population in terms of their baseline attitudes to violence against women and gender equality. Overall, like the 2017 NCAS sample, the present participants demonstrated fairly positive attitudes towards gender equality and fairly low endorsement of violence against women. However, as with the 2017 NCAS sample, there is room for improvement in these attitudes for the present sample. It is also worth mentioning that the trend in the 2017 NCAS for women to hold attitudes that are more supportive of gender equality and less supportive of violence against women when compared to men is also evident in the results for the present study.

Present participants' responses on individual NCAS items related to mistrust, sexual consent and sexual assault were also analysed and compared to the 2017 NCAS sample (see Table 6). Although some differences between the two samples might be expected given their different sampling frames, the results for the two samples were generally similar. Interestingly, the biggest differences in percentages between the two studies were for the two items about sexual assault in the mistrust theme (items 37 and 38):

- Twenty-seven per cent of the present participants compared to 42 per cent of 2017 NCAS participants agreed with item 37 ("It is common for sexual assault accusations to be used as a way of getting back at men").

- Seventeen per cent of the present participants compared with 31 per cent of 2017 NCAS participants agreed with item 38 ("A lot of the times, women who say they were raped had led the man on and then had regrets.").

The present results on the other items measuring mistrust (items 26, 25 and 21) were quite similar to those for the 2017 NCAS sample, and indicate considerable mistrust in some contexts. Sixteen per cent of both samples mistakenly believed that false allegations of sexual assault are common (item 21).

The reason for the somewhat lower endorsement by the present sample of items 37 and 38 measuring mistrust is unclear. This result may reflect an improvement in community attitudes about mistrust since the 2017 NCAS was conducted; a difference in the mode of administration (i.e. online administration for the present survey versus telephone administration for the 2017 NCAS); or demographic or other differences between the samples. Nonetheless, this difference between the samples does not detract from the purpose of the present study to examine the factors underlying community mistrust in sexual assault allegations. In the present sample, as in the 2017 NCAS sample, these mistrust items were endorsed by a sizeable proportion (but not a majority) of participants, and indicate problematic attitudes that stereotype women as malicious (item 37) and as lying to cover a motive of "regret" (item 38).

The results for the present sample on items regarding sexual consent (items 33, 35, 31 and 22) were quite similar to those of the 2017 NCAS sample. These results for both samples demonstrate concerning attitudes and gaps in knowledge about sexual consent for appreciable proportions, albeit not a majority, of participants:

- Approximately one quarter of both samples endorsed items 33 and 35, which reflect gendered stereotypes of men's entitlement to sex and role as initiators of sex.
- A minority of both samples (12% in the present sample

Table 6: Individual items relating to mistrust compared to 2017 NCAS results

Reference <sup>a</sup>	Item	Present Study	2017 NCAS
<b>Attitude about mistrust</b>		<b>Strongly or somewhat agree (%)</b>	
26	Women going through custody battles often make up or exaggerate claims of domestic violence in order to improve their case	41	43
37	It is common for sexual assault accusations to be used as a way of getting back at men	27	42
38	A lot of times women who say they were raped had led the man on and then had regrets	17	31
25	Many women tend to exaggerate the problem of male violence	17	23
21 <sup>b</sup>	Many allegations of sexual assault made by women are false	16	16
<b>Attitude about sexual consent</b>		<b>Strongly or somewhat agree (%)</b>	
33	When a man is very sexually aroused, he may not even realise that the woman doesn't want to have sex	23	28
35	Women find it flattering to be persistently pursued, even if they are not interested	29	23
31	If a woman is drunk and starts having sex with a man, but then falls asleep, it is understandable if he continues having sex with her anyway	12	10
<b>Knowledge of sexual consent</b>		<b>Answered "no" (%)</b>	
22	Is it a criminal offence for a man to have sex with his wife without her consent?	17	12
<b>Attitude about sexual assault</b>		<b>Strongly or somewhat agree (%)</b>	
39	Women who wait weeks or months to report sexual assault are probably lying	7	11
34	Women who wait weeks or months to report sexual harassment are probably lying	6	9
20	If a woman doesn't physically resist – even if protesting verbally – then it isn't really rape	6	7
36	If a woman claims to have been sexually assaulted but has no other physical injuries she probably shouldn't be taken too seriously	1	6
<b>Knowledge of sexual assault</b>		<b>Strongly or somewhat disagree (%)</b>	
19	Women are more likely to be raped by someone they know than a stranger	16	18

<sup>a</sup> The reference number reflects the item's number in the quantitative survey (see Appendix C).

<sup>b</sup> Although item 21 was not in the mistrust theme based on statistical analysis, it is conceptually related to mistrust.

Note: The results for each item in the present survey are based on 68 to 70 participants. Seventy of the 75 present participants completed the survey, but some items were not answered by one or two of those who completed the survey. The results are expressed as a percentage of the participants who answered the item, including those who answered "Don't know" or "Prefer not to say".

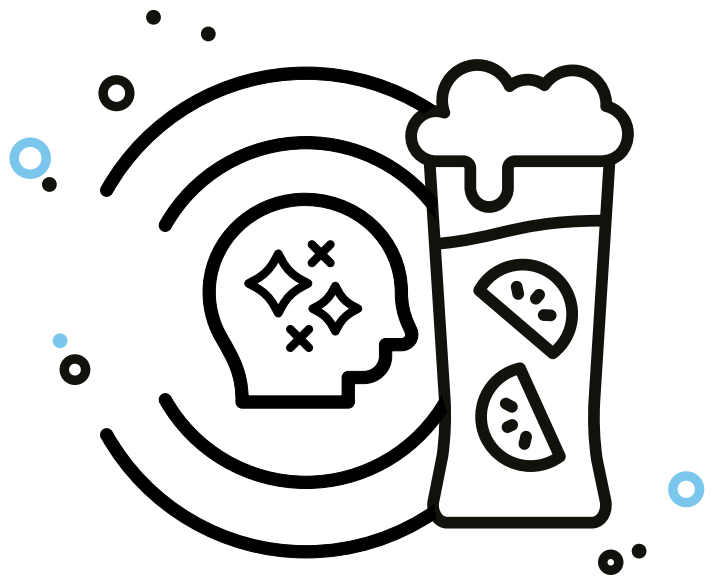
and 17% in the 2017 NCAS sample) did not know that non-consensual sex in marriage is a criminal offence (item 22).

- Approximately one tenth of both samples felt that alcohol was a reason for disregarding sexual consent (item 31).

The present survey also included other items on sexual assault that reflect attitudes that minimise sexual assault, draw on gendered stereotypes of women as untrustworthy, and reflect myths about the nature of sexual assault and the victims of sexual assault (items 39, 24, 20, 26 and 19). Consistent with the 2017 NCAS sample, these items generally had lower endorsement in the present sample than the items on mistrust and sexual consent. These items nonetheless reveal problematic attitudes and knowledge gaps based on gendered stereotypes and rape myths in a small minority of participants:

- Sixteen percent of present participants supported the stranger rape myth (item 19).
- Less than one tenth endorsed the physical fightback rape myth (items 20 and 26).
- Less than one tenth thought that delayed reporting to police meant women were lying about sexual assault or sexual harassment (items 39 and 24).

In summary, consistent with the 2017 NCAS population sample, appreciable proportions of the present sample mistrusted women's reports of sexual assault, and a minority demonstrated some gaps in knowledge regarding sexual consent and the rarity of false allegations of sexual assault, as well as some attitudes that align with gender inequality, gendered stereotypes and rape myths.



# 4. Findings:

## Focus group discussions

**Each section in the following chapter outlines the in-depth analysis of the focus group discussions in relation to the four key topics under investigation in this study: understandings of sexual assault and sexual consent; understandings of false allegations; perceptions of women reporting sexual assault; and perceptions of men accused of sexual assault.**

Before reporting on the key findings from the focus groups, it is helpful first to outline the dynamics of the focus group discussions and how participants engaged with the content. In addition, given that the vignettes were the key means of exploring the factors underlying community mistrust in women's reports of sexual assault, the overall levels of trust or mistrust that participants had in the alleged assaults depicted in the vignettes provide relevant context for understanding the discussion topics that emerged.

Despite the potentially sensitive and confronting subject matter, all focus group discussions were lively and genial. The groups developed excellent rapport, which facilitated a natural discussion of a range of themes and enabled participants to debate ideas and disagree with each other in a respectful manner. Notably, many of the themes which arose organically aligned with common myths and gender stereotypes regarding sexual assault. This unprompted emergence of myths and stereotypes is noteworthy – it highlights that they are embedded into the social framework or “cultural scaffolding” through which people make sense of allegations of sexual assault (Gavey, 2018; McKimmie et al., 2020).

The News report vignette was deliberately designed to include limited information about the alleged assault and the woman reporting assault, concentrating on the positive achievements of the accused. Participants attempted to address this uncertainty by “filling in” the gaps in the story, often by activating myths about sexual assault. The limited information in the vignette – particularly in relation to physical evidence of the assault, such as bruising or other physical injury – fuelled uncertainty about whether to trust the woman's allegation. Indeed, scepticism and doubt were the default position for many participants. They speculated broadly about the woman's possible motives for lying in her claim of sexual assault, using tentative phrases such as “it could mean ...” or “it might be ...”, even though the vignette did not imply a motive. This scepticism was not only limited towards the woman in the story. Many participants were also wary of the gaps in the news report and were critical of the unequal treatment in the report of the two characters – particularly of the way the news report put the accused “up on the pedestal” (Calista, W4). Given the limited information about the incident and the victim, when asked whether they felt the man (Patrick Lane) raped the woman, the majority of participants concluded that they did not know or were unsure if rape had occurred. Despite most participants being hesitant to characterise the events in the vignette as rape, many also did not want to



“point fingers” and flatly state that the woman was lying, or that the allegation was false.

The Dinner party vignette included both a detailed account from the woman claiming to have been assaulted (“Abigail’s story”) and a shorter account from the accused (“Nathan’s story”). Half of the focus groups received Abigail’s account first, while the other half received Nathan’s account first. Unlike the News report vignette, the Dinner party vignette provided considerable information about the context of the alleged assault through Abigail’s account. The discussion that emerged varied depending on which account was received first. The groups that received Nathan’s story first – which asked them to imagine they were friends with Nathan – were generally more trusting in his account and more mistrusting in Abigail’s account. However, this trust was conditional on the perceived closeness of the friendship. Compared to the News report vignette where details about sexual consent were absent, Abigail’s detailed, first-person account of refusing consent in the Dinner party vignette increased trust in her allegation. The majority of participants felt that if events had transpired as described by Abigail (and she had clearly said “no”), then these events would definitely or probably constitute sexual assault in line with the “no means no” definition constructed in the focus groups. Nonetheless, there was reluctance to believe that Abigail was telling the truth about what happened, with many participants retaining some scepticism about her account: “There just seems to be something missing in the story” (Irfan, M5). Participants again “filled in” these gaps by deliberating about her possible motives for lying; considering whether her delay in reporting the incident to police was a reason to mistrust her allegation; and activating myths about miscommunication of refusal of consent. As with the News report vignette, although all of the focus groups debated the possible reasons to mistrust Abigail’s account, participants rarely categorically concluded that she was lying or that her allegation was false, nor did they unequivocally believe her allegation. Despite acknowledging that her story may have met the “no means no” definition of sexual assault, participants did not know whether they could trust that the woman making the allegation was telling the truth.

Following the two vignettes, in response to the General discussion questions about the nature of false allegations of sexual assault, participants generally overestimated the prevalence of false allegations and were inconsistent in their discussion of the features of false allegations. Many did not feel confident in labelling allegations as false and, overall, the groups could not name any defining factor (or factors) that meant an allegation could be categorically classified as false. Instead, most discussed the factors that could mean an allegation was *true*, such as physical

evidence or pursuing the claim through the justice system, although several participants acknowledged that conclusive forensic or physical evidence for sexual assault was rare, especially to the threshold required by the law. Some suggested aspects of the woman’s character or the perceived credibility of her story could indicate the allegation was untrue; others referred to possible motives or potential for gains the woman may have in making the allegation. When asked how we could know for sure that a woman is telling the truth when she reports rape, several participants questioned, “How can you be sure, unless you were there at the time like a fly on the wall?” (Wes, M6), while others concluded simply, “We can’t” (Girish, M4).

The following sections detail the findings relevant to each research question of interest in the present study. Section 4.1 outlines how mistrust in allegations of sexual assault was influenced by participants’ understandings of the nature of sexual assault and sexual consent (research question 1). Section 4.2 discusses the ways mistrust in allegations of sexual assault was influenced by participants’ understandings of what makes an allegation false (research question 2). Sections 4.3 and 4.4, respectively, consider how participants’ mistrust in sexual assault allegations was influenced by perceptions about the woman making the report (research question 3), and perceptions about the accused (research question 4).

## 4.1. How understandings of sexual consent and sexual assault influence mistrust

As detailed in the sections below, participants’ constructions of sexual consent aligned with “no means no” or negative conceptualisations of consent, where consent is implied as given unless it is explicitly refused and sexual assault is deemed to have occurred when sexual consent has been clearly refused. A more affirmative conceptualisation of consent involving explicitly communicated, enthusiastic and ongoing consent was notably absent from the discussions. Participants overwhelmingly focused on whether the woman had effectively communicated her refusal of consent, often drawing on rape myths that refusal of consent should be demonstrated non-verbally through physical resistance (which may result in physical injury). In contrast, none of the participants interrogated whether the accused men had taken actions to gain consent. Although participants questioned the effective communication of refused consent by the woman, this questioning did not directly increase *mistrust* in the allegations of sexual assault. However, participants indicated that their *trust* in the allegations would be increased if the woman’s refusal of consent was clearly evident.



#### 4.1.1. Sexual consent is understood as “no means no”

Participants across all groups expressed a clear and shared definition that sexual assault is when a sexual act occurs after one party has refused consent. Continuing to initiate or proceed with sex after a clear statement of “no” was characterised as drawing a line between consensual sex and sexual assault. For example, as one participant stated, “Especially if someone has continued to say it like multiple times to stop and they haven’t stopped, then that is, in my opinion that is rape” (Emma W7). Thus, the majority of participants expressed a negatively framed understanding of sexual consent where “no means no”. For example, participants reflected that “‘No’ always has to mean ‘no’ ... if the woman says ‘no’, that means ‘no’ and anything more than that is assault” (Gwen, W4) and “When a girl says ‘no’ it’s fucking ‘no’, N-O” (Phillip, M2). As will be detailed in the next sections, participants’ shared understanding of consent as “no means no” indicated that it was the responsibility of the non-consenting person (i.e. the woman in the present study) to express their refusal of consent, either verbally or non-verbally through physical resistance. This social understanding of sexual consent and sexual assault, which focuses narrowly on negative consent, is out of step with legal definitions that instead place an obligation on both parties to take active steps to ascertain affirmative and ongoing consent (Briggs & Scott, 2020; Burgin & Crowe, 2020; Larcombe et al., 2016).

#### 4.1.2. Verbal refusal of consent is expected to be clearly communicated

Participants’ understandings of the refusal of consent emerged mostly through discussion of Abigail’s first-person account in the Dinner party vignette, where she *verbally* refused by stating “No, it’s too soon”.<sup>11</sup> When asked directly whether they felt the events in the Dinner party vignette constituted rape, the majority of participants agreed that if events occurred as described, and the woman clearly stated “no”, then it met the definition of rape: “Well if she said ‘no’, he should’ve stopped. What part doesn’t he understand?” (Lina, W1) Because of this stated “no” in the woman’s account, only a minority of participants were unsure and a handful disagreed that the description provided in the Dinner party vignette constituted sexual assault.

The majority of focus groups did not mistrust the woman’s allegation in the Dinner party vignette based solely on the perception that she miscommunicated her verbal refusal of consent. However, around one third of the focus groups were sceptical about the allegation in this

vignette on the basis that they felt the verbal refusal of consent was not properly communicated, for one of two reasons. Firstly, some suggested that the verbal refusal was miscommunicated because it was not phrased clearly and not stated unequivocally: for example, “She’s not saying ‘no, I don’t want to have sex’, you know ‘get away from me’, sort of thing, it was more ‘it’s a bit too soon’”, which meant the accused might have “got the feeling she wouldn’t have minded” (Harriett, W2). Secondly, some participants in these focus groups suggested that the verbal refusal of consent may have been misunderstood because it was provided in the context of “mixed signals”. For these participants, the earlier flirtation between the parties prompted perceptions that the woman may have “led the man on” and that her verbal refusal of consent was misunderstood because it was at odds with this flirtatious behaviour.

Thus, these findings show that one third of the focus groups raised doubts about the allegation of sexual assault in the Dinner party vignette because they bought into the rape myth of miscommunication or misunderstanding by suggesting either that the verbal refusal was not stated clearly or that the verbal refusal was provided in the context of mixed signals (Frith, 2009, p. 99). Although this perception of the miscommunication of refused consent was raised in only a minority of focus groups, it resulted in participants in these groups questioning whether the events described really met the definition of sexual assault, because the woman did not clearly state “no”. By extension, for these participants, this perceived miscommunication raised doubts about whether a sexual assault had indeed taken place, or whether the man simply misinterpreted her mixed signals. In addition, some of these participants used the myth of miscommunication to shift blame onto the woman in the vignette, rather than onto the male character for his alleged act of forced sex. Although the vignette described the woman’s repeated refusals, some participants argued that “if she had of [*sic*] been more forceful with the ‘no’, she might have been able to explain what she was saying or what she meant” (Weslas, M6). This explanation ultimately exculpates the perpetrator on the grounds that he did not know that consent had been refused, while simultaneously assigning blame to the victim for her failure to clearly refuse consent (Deming et al., 2013; O’Byrne et al., 2008).

#### 4.1.3. Physical resistance is seen as the clearest way to refuse consent

The two vignettes in this study were specifically designed to misalign with the “real rape” myth that sexual assault necessarily involves physical violence or physical resistance via fightback. However, around two thirds of participants

<sup>11</sup> The specific details of the alleged sexual assault and refused consent were not provided in the News report vignette. Consequently, participants did not provide views on whether or how consent was refused or ascertained for this vignette.

across all groups evoked this myth, particularly in response to the News report vignette. For most participants, the discussion of physical fightback or injury primarily centred on requests for further information about whether there was physical resistance to the assault, what this looked like, and whether the victim's fightback resulted in injury. The frequency of participants' queries about physical injuries from fightback indicates that "real rape" myths continue to underpin and drive community perceptions about what sexual assault looks like. Despite the prevalence of this myth in discussions, only a small minority explicitly indicated that they believed physical injury from the violent attack or from fightback against the attack is *necessary* for a sexual encounter to be defined as "sexual assault". Instead, participants largely discussed the myth of violent physical resistance as an effective means of non-verbally and clearly communicating the victim's refusal of consent. For example:

... whether there's any signs of her trying to push him away or a little struggle or something, if she was just to say no, the guy might be thinking that it's just part of the foreplay or something, yeah, that's why there could be a misunderstanding. Whereas *if she actually tried to push him away or struggle she might have some, you know, marks on her hand or scratches or whatever that indicates that she really didn't want it*, but the guy actually forced it on her. (Cecile, W2, emphasis added)

The lack of physical resistance by the women in the vignettes increased mistrust in the sexual assault allegations for only about half of the two thirds of participants who queried the issue of physical fightback. These participants suggested that the lack of physical resistance meant they were uncertain about whether consent had *really* been refused and sexual assault had occurred. Some also questioned *why* the women in the vignettes failed to physically resist the sexual assault, thereby revealing victim-blaming attitudes. For example:

I would have thought if it was non-consensual there would be at least some bruising or something like that ... I mean she's 32, she's young and fit, so one would have assumed that she'd be able to put up something of a struggle. I don't think she would have just passively let this happen, but we just don't know. (Dimitri, M3)

Participants also remarked that physical resistance would generate evidence *proving* that consent had been refused and sexual assault had occurred, through physical injury (e.g. bruising).<sup>12</sup> In this vein, participants indicated that they would be more likely to believe the woman's account if there was physical injury or evidence of physical fightback.

Participants' focus on physical resistance reveals an underlying expectation that women must make their refusals of consent abundantly clear, and that this can best be achieved and proved through physical resistance. Conversely, rape myths about the violent actions of the accused were largely absent from the discussions. That is, only a handful of participants queried or discussed whether the accused had used physical force, and none discussed whether or not the accused used or threatened the victim with a weapon. This finding suggests that some rape myths are more pervasive than others and further highlights how rape myths reinforce the onus on the victim and survivor to clearly communicate her refusal of consent through physical resistance.

#### 4.1.4. Overwhelming silence on affirmative consent

Participants' predominant emphasis on *whether* the women reporting sexual assault had refused consent reflects a broader culture where sexual consent is largely understood in negative terms as the communication of "no". Participants did not consider whether either party had communicated their sexual consent, revealing implicit social understandings that consent is *assumed* until either party refuses. Very few participants demonstrated an affirmative understanding of consent. An exception was a participant who remarked, "I just think if it's not a 'yes', then it's a 'no', and then it's rape. It needs to be 'yes'" (Quinn, W5). Thus, the findings suggest that affirmative or enthusiastic notions of sexual consent remain largely on the margins of community understandings of consent.

A notable omission from all discussions was whether the accused in either vignette had taken any steps to ascertain or confirm consent. In both vignettes, the man accused of sexual assault denied the allegations and claimed that the sex was consensual. Participants did not subject the accused's claims of consensual sex to the same level of interrogation as the woman's account of the events. As outlined above, a minority of participants speculated that the accused men may have misinterpreted consent: "Obviously the male agreed that something did happen [i.e. sex], whether he understood it to be consensual or not ..." (Albert, M5) A number of men in the focus groups also used metaphors or euphemisms to indicate that the men in the vignettes had unintentionally misread the woman's signals ("He stuffed up", Vinny, M7; "He's sort of jumped the gun a bit", Blake, M6). Here the participants positioned consent as something that needs to be interpreted, not something that needs to be sought and unequivocally gained.

<sup>12</sup> For these participants, evidence from physical resistance would help the victim and survivor to substantiate a later claim that sexual assault had occurred. As discussed further in Section 3.5, this understanding is linked to other views within the focus groups that sexual assault allegations need evidence to "prove" the assault.

Although affirmative consent was largely absent from the discussion, a small number of men – unprompted by the moderator – raised concerns that the process of actively seeking and confirming consent might, in fact, negatively impact intimacy:

It's almost to the extent now where you have to clarify the implied meaning with a partner, you know ... "Do you agree", and "You said yes, what does it exactly mean" ... It prevents that intimacy because you have to, you know, things don't roll or flow, you have to interrupt everything just to clarify what the implied or intended meaning was. (Brayden, M7, emphases in original interview)

While only raised by a small minority, this view is at odds with legal requirements of ascertaining (rather than assuming) sexual consent and trivialises the concept of affirmative consent. Similarly, two focus groups of men bemoaned that "you pretty much need a written contract" (Edvin, M7) to indicate that both parties consent to sex. While these comments about a prior contract confirming sexual consent engage with the concept of affirmative consent, they were less focused on ensuring sex was consensual than on men's need to protect themselves from falling victim to a false allegation of sexual assault.

#### 4.1.5. Conclusion: The onus remains on victims and survivors to clearly communicate refusal of consent

Across all focus groups, there was a shared understanding of sexual assault as occurring when one party involved in a sex act refuses consent, with the implication that it is the responsibility of the non-consenting party (i.e. the woman in the present vignettes) to clearly and unequivocally communicate this refusal of consent. The need to gain affirmative, enthusiastic and ongoing consent was largely absent from the discussions.

By and large, participants' discussions of consent focused on *whether* consent was clearly refused. Consideration of *whether*, *how* and to what extent the woman refused consent provided a means for participants to judge whether sexual assault had occurred. Chiefly, participants noted that refused consent could be communicated in two ways: verbally (i.e. "no means no") or through physical resistance. In addition, participants indicated that verbal refusal must be clearly communicated so as to avoid potential misinterpretation, while physical resistance unequivocally communicates the refusal of consent. Physical resistance was also identified as having the benefit of generating

evidence – namely physical injury – which could *prove* that consent had been refused. Participants' understandings of refusal of consent and sexual assault align with the rape myths of miscommunication and fightback.

Participants' overwhelming focus on whether and how consent was refused reveals implicit assumptions that place the onus on victims and survivors (and, primarily, women) to clearly and forcefully *refuse* consent. In addition, although most participants drew on the rape myth of the victim refusing consent via physical resistance, very few participants queried whether the accused had used a weapon or other means of physical force.

Together, the findings suggest that, in assessing sexual consent, the actions of the woman reporting assault are given more attention – and are arguably placed under harsher scrutiny – than those of the accused. For most participants, *whether* and *how* consent was refused was not directly associated with increased mistrust in the woman's account. However, participants indicated that clear proof of refused consent, particularly proof from physical fightback, would help them to believe the allegation, as discussed in the next section.

## 4.2. How understandings of false allegations of sexual assault influence mistrust

As noted in the introduction (Section 1.2.1), one of the items from the 2017 NCAS that sparked the present study was the survey item, "Many allegations of sexual assault made by women are false" (Webster et al., 2018a). In order to understand community perceptions about the prevalence and nature of false allegations, participants in the focus groups were asked to estimate the proportion of sexual assault allegations that are false. Participants gave varying estimates of the prevalence of false allegations: sometimes an exact percentage, sometimes a range of values. They generally believed that false allegations of sexual assault were quite common and collectively overestimated their prevalence. While a meta-analysis of the higher-quality studies estimated that only about five per cent of sexual assault allegations to police are false (Ferguson & Malouff, 2016), our participants' average estimate was 21 per cent.<sup>13</sup> Interestingly, in our study, the average estimate by men was also twice as high as that by women (28% compared with 14%, respectively). This gender difference in the present study is consistent with men's higher endorsement of the above-mentioned 2017 NCAS item,

<sup>13</sup> The mean value was calculated from all estimated values that were provided by participants. For those that gave a range, the median value between the highest and lowest values was used. Please note that the estimates from the present participants cannot be considered representative of the general Australian population, and should not be used to draw firm conclusions about the population.

“Many allegations of sexual assault made by women are false” (20% compared with 13%).<sup>14</sup>

As detailed in the following sections, participants could not provide a clear definition of a false allegation. Instead, they discussed the factors that could *prove* the *truth* of an allegation. However, they found it difficult to identify factors that could conclusively determine whether an allegation was false.<sup>15</sup> Nonetheless, participants’ mistrust was influenced by ideas that allegations could be *proven* through physical or forensic evidence and via the legal system. In the absence of physical or forensic evidence, participants typically didn’t know whether to trust sexual assault allegations and many deferred judgement to the legal system as the arbitrating authority on the truth or falsity of such allegations. Despite physical or forensic evidence and the legal system being seen as forms of authority that can *prove* the truth or falsity of sexual assault allegations, many participants also noted that a lack of evidence may prevent an allegation from being definitively proven or disproven via the legal system in some cases. The findings highlight how mistrust in sexual assault allegations remains influenced by legalistic conceptions of proof.

#### 4.2.1. Physical evidence increases trust in sexual assault allegations

Despite being asked for their *personal feelings* about the allegations in the News report vignette, the majority of participants focused less on what would increase their trust in the allegations than on the forensic and physical evidence that could *prove* the fact of the assault. Participants believed that this type of evidence would provide the information needed to *know* whether an assault occurred, bypassing the need to *trust* or *mistrust* the woman making the allegation. In this preference for physical or forensic evidence, participants referred primarily to evidence of physical injuries (in line with the fightback rape myth discussed in Section 4.1.3) and DNA evidence (such as from a “rape kit”), as well as CCTV footage and, to a lesser extent, witness accounts. This physical or other forensic evidence increased the perceived credibility of an allegation because it helped *prove* that the allegation was true. The absence of such evidence of proof in the News report vignette meant that the majority of participants hesitated to believe the allegation. In contrast, participants did not focus on the presence or absence of physical and forensic evidence in

their reflections on the Dinner party vignette. More than half of the participants, including slightly more women than men, indicated greater trust in the woman’s allegation in the Dinner party vignette based on the level of detail in her first-person account which included her verbal refusal of consent – they did not refer to physical or forensic evidence as the reason they trusted her allegation. Thus, although there was a reluctance to trust sexual assault allegations in the absence of physical and forensic evidence that *proved* the allegations, a detailed account from the woman nonetheless increased the *believability* of the allegation.

Evidence of bruising or other physical injury was raised – unprompted – in every focus group, and men more frequently referred to the need for physical evidence to foster trust than did women. Participants predominantly requested information about physical evidence in relation to the News report vignette, where the absence of physical evidence, together with very little other information about the events, informed participants’ scepticism towards the woman’s allegation.<sup>16</sup> Many participants noted that evidence of bruising or other physical injury from fightback would increase their belief in the woman’s allegations in this vignette. For example:

For me to really believe her, like, this is just my own opinion, if it had pictures of her arms and they were covered in bruises or something. That would be the one thing where I’d just be like “yeah” ... like a sign of physical trauma. Even though I know that doesn’t have to have occurred, once it’s there you just think “Oh yeah, he’s guilty.” (Angus, M1)

These comments align with the attitudes discussed earlier in Section 4.1.3, which place the onus on victims and survivors to prove their assault through evidence that they refused consent by fighting back. Only a handful of participants directly challenged the idea that physical evidence is needed to prove a sexual assault had occurred, arguing that this wrongly “assumes that ... sexual assault is only something quite, quite violent” (Antonia, W3). In this context, one of the women challenged the implicit expectation that it is the victim’s responsibility to prove the assault by joking: “I guess the key here is, if you’re being attacked you always need to scratch them so you’ve got skin traces under your fingernails – get the evidence! [Laughs]” (Nina, W4).

<sup>14</sup> Unpublished analyses by the authors. A test of statistical significance was not conducted on the apparent gender difference for the NCAS item.

<sup>15</sup> This definitional uncertainty is not limited to the general public: criminal justice officers, academics and the community have been seen to rely on different definitions of “false allegations”. See, for example, Kelly (2010); McMillan (2017); Saunders (2012); Wall and Tarczon (2013); Wheatcroft and Walklate (2014).

<sup>16</sup> The News report vignette included a quote from a fictional lawyer disputing the case against their accused client by claiming there was no evidence of physical assault or injury. Although it was clearly marked as a direct quote from the lawyer, which several participants noted, the presence of this statement nonetheless influenced participants’ scepticism toward the allegation of sexual assault in the vignette.

Although participants were not asked about the legal thresholds of guilt or innocence, a legalistic framework, described elsewhere as the “CSI effect”, informed their descriptions of the evidence that would prove an allegation “beyond reasonable doubt” (c.f. Hawkins & Scherr, 2017; Holmgren & Fordham, 2011; Kim et al., 2009; Klentz et al., 2020; Smith et al., 2011). While the majority of participants did not necessarily mistrust an allegation due to the absence of physical or forensic evidence, many nonetheless concluded that without this type of evidence it was not possible to know for sure that an allegation was categorically *true*. For example, many indicated that victims and survivors can “say whatever they like after the fact, but it’s only the evidence taken at the scene, like immediate to the fact” that can *prove* the truth of the allegation (Caleb, M6).

In the absence of physical or forensic evidence, many participants concluded that they “just don’t know” whether to trust the allegation of sexual assault or withheld judgement entirely (“I wasn’t there, I can’t make a judgement”; Charlotte, W3). In the absence of physical or other independent evidence, the large majority of men, but only about half of the women, described sexual assault allegations as simply “one person’s word against another” (Brian, M4) or a “he said, she said” sort of thing because there’s no evidence” (Jan, W3). Only a small minority of participants – all of whom were women – stated that they would believe the allegation of sexual assault in the News report vignette without physical or forensic evidence or other details about the assault. For example: “In general, I would just always believe the woman first.” (Quinn, W5)

In contrast to the News report vignette, participants rarely asked for additional facts or evidence to inform their *belief* or trust in the woman’s allegation in the Dinner party vignette. More than half the participants – including slightly more women than men – suggested that the level of detail in the woman’s story in the Dinner party vignette increased the credibility of her allegation. In contrast to the News report vignette where there was no first-person account from the woman and the vast majority of participants requested physical and forensic evidence to know whether the allegation was true, a request for physical evidence was far less prominent in the discussion of the Dinner party vignette. For example:

I think she’s given a lot of information there to say that, you know, what happened and how she felt about it, how she protested ... I’m with her all the way ... ‘cause, yeah, based on what she said, yeah, I can’t see that she would be making it up. (Lucy, W7)

Participants’ increased belief in the woman’s detailed account in the Dinner party vignette – largely without recourse to physical or forensic evidence – contradicted

their earlier proclamations that they “just don’t know” whether to believe allegations that cannot be substantiated with forensic or physical evidence. Some participants did note, however, that statements from the victim or the accused fell short of being indisputable evidence that could reliably *prove* an allegation. As such, doubts remained about the truth of the assault for many participants: “There is a lot of detail, but there’s still room for doubt.” (Greta, W5) These findings thus suggest a tension between people’s *trust* in women’s accounts and search for *proof* of the fact of the assault. This tension was illustrated by one participant’s response to the moderator’s prompt about what evidence is needed to know a rape had occurred: “That is a hard question ... Evidence that she’s telling the truth?” (Phillip, M2)

Although, as discussed earlier, the focus groups generally sought physical or forensic evidence to inform their trust or mistrust in sexual assault allegations, they generally did not specify the type of evidence that would prove or disprove an allegation. In this context, a few participants noted in contrast that the actual offence of sexual assault is difficult to prove because whether consent was provided or refused is often difficult to establish after the event. They argued that the physical evidence that may be available rarely proves *consent* per se. For example, one of the participants argued that “there may not be evidence at all” (Marco, M2), such as bruising or other physical injury, given that many victims may not resist the attack and may opt for compliance for reasons of safety. He noted, “How do you prove whether that was or wasn’t consensual? I don’t think that you can have that evidence.” (Marco, M2) This handful of participants also criticised the reliance on DNA evidence because this evidence does not satisfactorily prove there was no consent. For example:

DNA samples, whilst they may confirm that sex took place, we’re talking about consent here ... And that’s a different thing. How do I know consent didn’t take place? I don’t know ... So there can be evidence [of] non-consensual activity, but I think it’s pretty hard to find, but if it’s just straight DNA evidence, [it] doesn’t necessarily go to the issue of consent. And that’s, I guess, what we’re really talking about here. (Jerome, M4)

#### 4.2.2. Pursuing sexual assault allegations through the justice system increases trust

Two thirds of participants – unprompted – debated legal thresholds of evidence and the burden of legal proof, again shifting the thrust of the conversation from *believing* women’s accounts of sexual assault to *proving* the allegation. As detailed further below, the focus groups constructed the legal system as the proper investigating and arbitrating authority that could definitively judge the

truth of an allegation of sexual assault. Nonetheless, there was also reluctance to label allegations that were not proven through the legal system as false.

In the absence of physical or forensic evidence to prove the assault, around half of participants (including many of those who debated legal thresholds of proof) concluded that they “just don’t know” whether to believe the allegation. In so doing, one third of participants deferred to the legal system as the best-placed authority to arbitrate allegations of sexual assault. This deference to the legal system occurred more frequently in the discussion of the News report vignette than the Dinner party vignette, presumably because the former vignette stated that the allegation was soon due to go before the courts. Deferring to the legal system enabled many participants to refrain from making a judgement themselves about whether they believed the allegation: for example, “I don’t think it’s up to us to be judge and jury, you know, I think that that’s for the courts to decide.” (Jan, W3) These participants claimed that the legal system was best placed to adjudicate on sexual assault allegations because the legal judgement would be based on the full range of available evidence – physical and testimonial. On this basis, some participants described needing to have faith in the processes of the legal system, while others similarly described their trust in police investigations of sexual assault. Legal authorities and processes were thus seen as providing assurance about the legitimacy of an allegation. As one participant put it while responding to the News report vignette:

... innocent until proven guilty. And ... I think you’ve just got to leave it with the legal system. It’s not up to us ... to you know, ask the questions or do any of that. It’s up to the legal system to prove them correct or incorrect, and if they’re incorrect, it’ll come out in the wash. (Daria, W6)

Although the legal system was constructed as the “proper process” through which the truth of a sexual assault allegation could be decided, many participants also claimed that failure to prove an allegation through the legal system did not necessarily mean it was false or that the woman was lying. For example, as one participant stated, “There may be a number of rapes or assaults that are not provable, but it doesn’t necessarily make them false.” (Jerome, M4) Instead, participants acknowledged that the legal process may not always be able to fully determine the absolute truth or falsity of sexual assault allegations, citing chiefly the systemic requirements of evidence thresholds and the emotional toll victims can face in reporting sexual assault and pursuing legal cases, as discussed below.

As part of the General discussion after the vignettes, around half of the focus groups were asked about their attitudes towards someone withdrawing a report of sexual assault they had made to police. The majority of participants in these focus groups did not feel that a withdrawn police report indicated that the allegation was false or that the woman was lying. Only a handful among these groups claimed that a withdrawn allegation meant “it could be false”, because “why would you withdraw a complaint that serious?” (Megan, W4) The participants who would not mistrust the allegation based on a withdrawn police report cited a variety of reasons that might compel a complainant to withdraw their police report. Chief among these were emotional reasons, although familial, financial, friendship-related and professional reasons were also cited for withdrawing a police report. Participants predominantly described the emotional impact of going through the reporting and legal process as “traumatic”.<sup>17</sup> Within this context, participants noted that victims and survivors may withdraw their report because they “might think it’s just not worth persevering with it because of the additional layers of scarring that it’s going to inflict on me” (Rachel, W5). For these participants, none of these factors meant the allegation was false, nor meant the allegation should be mistrusted on these grounds. For example, a withdrawn complaint

means that it’s not an untrue complaint, it might just mean that that particular woman is intimidated by, for whatever reason, doesn’t feel she can go through with it. She might still have a very valid and true story but just might not feel that she can go through that particular court process. ... so they might ... decide that they just don’t want to go down that path. (Gwen, W4)

Just over half of the groups were also directly asked in the General discussion whether a not-guilty verdict in court indicated that a sexual assault allegation might be false. Around half of these participants rejected this idea. The majority of these participants cited insufficient evidence as an explanation for a not-guilty verdict. Some noted that the court outcome could depend on a variety of other factors – such as whether the accused had “a really good legal team” (Nathalie, W6) – which could explain how an allegation could result in a not-guilty verdict but still be true. For some, a not-guilty ruling based on insufficient evidence meant “you know, you’re not innocent, you’re just not guilty” (Angus, M1). When asked whether a not-guilty verdict meant an allegation was false, one group of women alluded to the burden of proof required for a guilty verdict:

Jan: No. Nup.

Marlyn: Not at all.

<sup>17</sup> In this context, as discussed later in Section 3.6.1.1, many participants noted that it was “not worth” reporting to police because of the secondary trauma that reporting to police may inflict. Relatedly, as discussed later in Section 3.6.2.3, a minority of participants also felt that women had “no motive” or reason to lie about their assault because they had nothing to gain – or, in fact, had a lot to lose – by reporting their assault to police.

- Antonia: No.
- Charlotte: [Shaking head]
- Jan: No, lack of evidence, it happens all the time.
- Antonia: It's almost impossible to prove it in court because you need so much evidence. (W3)

Thus, the findings again indicate that participants attempted to find *proof* of the allegation via the legal process, and refrained from definitively trusting or mistrusting the allegation in the absence of such proof. While participants deferred to the legal system, they also recognised that the legal system is not infallible and were reluctant to completely mistrust allegations that were not proven through the legal system.

#### 4.2.3. Conclusion: Mistrust is influenced by legalistic understandings of proof

The focus groups could not conclusively state the factors that would indicate an allegation of sexual assault was false. However, participants constructed an understanding that sexual assault allegations could be *proven* as true through forensic or physical evidence (e.g. bruising or other physical injury). In the absence of such forensic or physical evidence for proving the allegation, participants reported that they “just don't know” whether to believe the allegation. That is, an allegation of sexual assault without corroborating physical evidence was open to mistrust. These findings suggest that rape myths about physical injury and fightback, as well as the CSI effect, influence trust and mistrust in sexual assault allegations.

While forensic and physical evidence was seen as providing proof for the allegation, pursuing the claim through the legal system was seen as a further marker of proof, where an investigation and court verdict could adjudicate whether an allegation was true based on the available evidence. Perceptions that the legal system is seen as the “proper process” reflect attitudes that the legal system is the appropriate arbitrating authority through which allegations of sexual assault should be pursued and thereby *proven* as true. Nevertheless, participants' understandings that sexual assault allegations need to be *proven* via physical evidence and via the legal system in order to be believed were contradicted by their proclamations that not-guilty verdicts and withdrawn police reports did not necessarily classify the allegation as false.

Indeed participants' understandings of what constitutes a false allegation were fraught with inconsistencies. They generally overestimated the prevalence of false allegations, but could not define the factors or thresholds that classified an allegation as false. By seeking physical evidence or

deferring to the legal system, participants were caught between attempting to understand how to *prove* the truth of an allegation of sexual assault, on the one hand, and *believing* women's stories of sexual assault, on the other. Notwithstanding this, many participants refrained from labelling allegations as “false” and did not conclude that the woman was lying if there was insufficient physical evidence, a withdrawn police report or a not-guilty court verdict. In fact, over half of the participants indicated they had greater levels of trust in the woman's sexual assault allegation in the Dinner party vignette, not because of any physical evidence of injury, but because of her detailed first-person account which included her refusals of consent. Together, these findings suggest that a sexual assault allegation without physical or forensic evidence or one that is not pursued through the legal system can still be perceived as trustworthy and thus believable – if not necessarily *provable* – if the allegation contains a detailed account from the woman about the incident and her refusals of consent.

### 4.3. How perceptions about the woman reporting sexual assault influence mistrust

The previous sections showed how perceptions of sexual assault allegations were informed by sociocultural myths about what rape *should* look like and legalistic frameworks about how to *prove* whether sexual assault had occurred. As detailed in the following sections, mistrust was further influenced by perceptions about the woman alleging sexual assault, which were underpinned by myths about what “genuine victims” of sexual assault look like. In particular, women reporting sexual assault were doubted if they were perceived as failing to conform to sociocultural expectations about how victims *should* respond to sexual assault and if they were suspected of having a  *motive for lying* about sexual assault. Although none of these assessments *in isolation* created complete mistrust in the woman's allegation of sexual assault, together they reinforced one another to increase the level of mistrust in her account.

#### 4.3.1. Judging her responses: Victims and survivors are mistrusted if they are perceived as not demonstrating the seriousness of the assault

This section shows that the focus groups' mistrust in sexual assault allegations was influenced by social expectations and stereotypes that victims and survivors *should respond* to their sexual assault in a way that demonstrates the *seriousness* of the assault. Specifically, participants expressed greater levels of mistrust when the woman

alleging sexual assault did not promptly file a police report or did not express the expected emotional response of distress or trauma. The failure to report promptly to police had a stronger influence on mistrust than did an “incorrect” emotional response. Perceptions of “incorrect” emotions such as embarrassment and anger increased mistrust because they led participants to suspect that the woman may have been motivated to lie (which is discussed in Section 4.3.2).

#### 4.3.1.1. “Genuine victims” are expected to report to police without delay

Reporting to police was manipulated in the study design to examine its influence on mistrust in sexual assault allegations. The woman in the News report vignette filed a police report the morning after the incident, whereas the woman in the Dinner party vignette decided one week after the incident that she intended to file a police report. Compared to most other themes which were discussed speculatively or with hesitancy, the vast majority of participants were confident in stating their views regarding women’s decisions to report their assault to police. The overwhelming majority of participants perceived prompt reporting to police as a key marker of the “seriousness” and “legitimacy” of sexual assault allegations. Hence, reporting to police had a critical influence on the perceived trustworthiness of the allegations. This view was expressed in one or both of two directions: two thirds of participants indicated that *prompt reporting to police increases trust* in the allegation, and half indicated that *delayed reporting decreases trust*, with some participants expressing both views.<sup>18</sup> In contrast to this large majority view that reporting to police is critical, the remaining small minority (who were mostly women) indicated that they would believe the woman’s allegation irrespective of whether a police report is made.

Notably, the participants who afforded increased trust to sexual assault allegations based on prompt reporting to police did not necessarily *completely* trust or “know for sure” that the allegation was truthful. In fact, many of these participants still questioned the reliability of the woman’s allegation, predominantly by drawing on rape myths or perceptions that the woman may have had a motive to lie. Interestingly, many of these participants who indicated increased trust in allegations that *were* reported to police also argued that *not* reporting to police did not necessarily mean that the allegations were false or trivial. These participants pointed to the difficult and re-traumatising process of pursuing allegations through the legal

system as a legitimate reason for deciding not to report sexual assault.

The mistrust expressed by half the participants towards sexual assault allegations where a police report is absent or delayed was mostly in response to the Dinner party vignette. These participants questioned why the woman had only decided to report to police after a one week delay, for example:

If it was rape then it was worthy of a police report, why didn't she do it that night? Why leave it to later on when she feels hard done by? (Caleb, M6)

The perceived delay in reporting to police indicated for some that “it’s most likely she wasn’t raped” (Adam, M7). For others, the perceived indecision about whether to report implied that she was lying (for example, that she may have changed her mind after consensual sex; see Section 4.3.2.2), or that she was not taking sexual assault seriously. For example:

The first thing that came to my mind was it doesn't say that she had been to the police. And for me, that's a big thing for me, the police thing. Like, if you want to make those allegations and you're firm on it, you really do have to take it there ... because that, to me, that almost quantifies the seriousness of how you feel about it. (Bronwyn, W3)

However, there was no clear decision among participants about how soon a police report *should* be made. Many participants afforded increased trust to the allegation in the News report vignette because of the immediacy of her report to police the morning following the assault. For example, “I think that she actually went to the police the next day means that she’s very serious ... She hasn’t sort of held off at all.” (Amity, W7) Only a small number of participants criticised delaying the police report till the next morning in the News report vignette by suggesting that “if it was serious ... perhaps the report would have been made the night before” (Garry, M4). In contrast, many participants criticised the one-week delay in the Dinner party vignette, and others mentioned in the General discussion that a delayed police report was reason to suspect the woman was lying. For example:

You know, if it takes a few months for the woman to report to the police, it's more likely to be fake, in my opinion, not to say that it's definitely fake but it's more likely ... If there is an event of rape, then they need to report to police straight away, immediately. (Adam, M7)

The small minority of participants who opposed the majority view that prompt reporting to police is a critical

18 In response to the News report vignette, reporting to police the morning after the incident was generally perceived as prompt reporting, which had the result of increasing their trust in the sexual assault allegation. In response to the Dinner party vignette, where the woman decided one week after the incident that she intended to file a police report, participants were split between perceiving this as prompt reporting (which increased their trust in the allegation) and delayed reporting (which decreased their trust in the allegation).



marker of the trustworthiness of sexual assault allegations recognised that victims and survivors may take months or even years to report. This minority of participants described various reasons why women may not immediately report their assault to authorities, citing mostly emotional reasons. One participant, in particular, strongly challenged the mistrust that some other participants expressed because they perceived that the woman in the News report vignette should have filed a police report the night of the incident rather than waiting until the next morning:

... the fact that the person didn't report it until the next morning, I don't have a problem with that. Someone who's been assaulted, if she wants to spend the night crying with her best friend and then getting pissed over a bottle of wine, I mean – good luck to her if that's what her mental health needs are. Going to talk to the police or going to the, uh, you know, Sexual Assault Referral Centre or whatever it is in your other states, I mean ... it's a *really tough call* for women and I think just, sort of like, judging a bit harshly, thinking, "Well she didn't go that night, so" ... I mean, I just find comments like that offensive. (Jerome, M4, emphasis in interview)

The increased trust in allegations involving a police report that was expressed by two thirds of participants was largely based on the view that disclosing and recounting an assault to authorities would be very difficult for victims and survivors. These participants' trust increased based on views that "most women wouldn't bother" reporting to police "knowing how much they have to go through" (Lina, W1). While reporting sexual assault to police without delay was associated with increased trust in the allegations for the majority of participants, it did not result in absolute or complete trust in the allegations. That is, prompt reporting of a sexual assault to police in conformity with the expected behaviour of "genuine victims" was not enough to stop participants from raising other reasons, including reasons based on other rape myths, for mistrusting or questioning the allegation.

#### 4.3.1.2. "Genuine victims" are expected to display emotional distress

Although participants were not directly asked whether the emotional response of the woman making the allegation influenced their trust in the allegation, many nonetheless referred to myths about "correct" and "incorrect" emotional responses to sexual assault victimisation. Around one third of participants directly or indirectly afforded greater credibility to a woman's account of sexual assault if they perceived she had experienced trauma or emotional distress. For example, one participant remarked in the General discussion that "the respective psychological display of trauma or emotion" is one way to tell if "it is a genuine story" (Kassy, W5). Drawing on the "genuine

victim" myth, a small minority of participants, all of whom were women, were sceptical of the woman's allegation in the Dinner party vignette because she was perceived as not being distressed enough. Given she appeared "very blasé ... [and] doesn't seem very upset about it" (Marlyn, W3), the lack of emotional distress led this minority of participants to suggest that the incident may have been consensual sex, not rape, because "it doesn't sound like it was anything terrible" (Rachel, W5). In addition, one third of participants, including more than twice as many men as women, also mistrusted a woman's allegations of sexual assault if they perceived her as displaying an "incorrect" or inappropriate emotional response. They questioned, for example, "whether she has really been raped or she's just angry" (Cecile, W2). Perceived displays of anger or embarrassment, rather than emotional distress or trauma, led these participants to suspect the victim may be lying about her assault, due to a motive of regret or revenge (as discussed further in the next section).

In summary, the findings indicate that mistrust in sexual assault allegations is influenced by myths about the ways "genuine victims" *should* respond to their assault, with trust being undermined if victims and survivors do not respond by promptly reporting their assault to police or do not display emotional distress. Nonetheless, many participants challenged the views that women must report their assault to police without delay, noting the sheer difficulty of reporting to authorities and the likelihood that the woman would not be believed or taken seriously. Thus, participants were caught between sociocultural expectations about how victims and survivors *should* respond to sexual assault, and considerations about whether victims and survivors *must* respond according to these expectations in order to be believed.

#### 4.3.2. Judging her motives: Suspicions that victims and survivors have ulterior motives for lying increases mistrust

As noted in the introduction (Section 1.2.1), the 2017 NCAS identified high levels of community mistrust in women's allegations of violence when there was a perceived motive for *lying* about the violence, especially to achieve some gain. A key point of interest for the present study, therefore, was to explore how the perception of a motive influences trust and mistrust in women's allegations. The News report vignette was not specifically designed to explore motives and did not allude to any possible motives of either the woman or the man. Conversely, the Dinner party vignette was deliberately constructed to examine perceptions of motives. Abigail's account of this vignette stated that the accused, Nathan, had spread gossip that she was upset because she was in love with him and he had rejected her – which Abigail denied. Participants were also asked

directly if Abigail or Nathan had a motive for lying about the incident.

As detailed in the following sections, in response to both vignettes, and in the General discussion, motive was predominantly constructed by participants in the negative sense as the *woman having an ulterior or hidden motive for lying* about sexual assault. The motives of the accused were generally not interrogated. Questioning and searching for women's possible motives for lying was the most common default position for participants, including in response to the News report vignette which did not allude to possible motives. Participants generally speculated about the woman's possible motives for lying about sexual assault as an attempt to "fill the gaps" in the information provided by the vignettes. In speculating about women's motives, participants were often hesitant, posing motives as questions or using phrases such as "maybe". Participants were also not necessarily committed to just one motive. Rather, many participants provided a list of possible motives that might apply. Importantly, however, the focus groups highlighted how, regardless of the level of detail provided about the allegation, participants went to great lengths to construct or search for a motive that could explain why women may be *lying* about being sexually assaulted. These perceptions of negative or ulterior motives for lying about sexual assault increased mistrust in the allegations.

Two main categories of negative or ulterior motives for women to lie about sexual assault emerged from the focus group discussions. The first category, discussed below in Section 4.3.2.1, comprised suspicions that women lie about sexual assault to target, harm or "get" men for reasons of revenge or for some other gain. This perceived motive was the most dominant among the focus groups and appeared in response to both vignettes, as well as in the General discussion. The second category of negative motives, as discussed in Section 4.3.2.2, comprised suspicions that women lie about sexual assault to rectify the social damage caused by embarrassment or regret about consensual sex. Although most participants constructed possible motives for women to lie about sexual assault, such perceived motives were very rarely seen as a sufficient reason to completely mistrust the allegations. Rather, perceptions of ulterior motives for lying about sexual assault worked *together with* other factors, such as delayed reporting to police, to increase mistrust in the allegations.

Finally, as discussed in Section 4.3.2.3, in contrast to the overwhelming suspicion that women had "negative" motives for lying about sexual assault among the groups, only a minority of participants constructed "positive" motives for why women may want to report their sexual assault to police. These positive motives were associated with increased trust in women's allegations.

#### 4.3.2.1. Motivated to lie? Suspicions that women make false allegations to target or "get" men increases mistrust

Across all of the focus groups, around two thirds of participants held suspicions that women are motivated to falsely allege sexual assault in order to target, harm or "get" men. The most predominantly cited motive among this theme was revenge, where the woman was perceived as lying about sexual assault to seek revenge on a man who rejected her. As noted above, revenge was a recurring motive in participants' discussions of the Dinner party vignette. However, revenge was also a prominent motive in the General discussion, and, to a lesser extent, in response to the News report vignette. Participants also, but to a lesser extent, cited other ulterior motives for lying about sexual assault to "get" men. These motives included lying about sexual assault for material gain, such as financial gain or an advantage related to child custody, and lying as part of a premeditated plan to trap or set up the accused. These negative motives for women to lie about sexual assault to "get" the accused – involving revenge, material gains or other premeditated motives – were not mutually exclusive. A number of participants suggested that women navigate a range of motives when making false allegations. For most participants, suspicion that women were out to "get" men increased their scepticism towards women's reports of sexual assault, but did not result in complete mistrust or the conclusion that the woman was lying. Underlying participants' constructions of the possible ways women are motivated to "get" men is the idea that false allegations are specifically made to inflict harm on or to punish the accused. These constructed motives draw on perceptions of women as malicious, vindictive and predatory, in line with well-established and problematic gendered stereotypes of women (Mewett & Toffoletti, 2008; Rees & White, 2012). Positioning men as the victims of women's manipulations or vindictive false allegations thus reveals attitudes that women are "out to get men" or act in ways that come at the expense of men, which have been associated with societal backlash to gains in gender equality (Dragiewicz, 2011).

The predominant motive for women making false sexual assault allegations raised by the majority of participants was "revenge for being scorned", consistent with existing research (Harrington, 2016; McMillan, 2017; Rees & White, 2012; Wall & Tarczon, 2013). The "scorned lover" is perceived as being motivated to lie about sexual assault to seek revenge against the accused for rejecting their romantic advances. Participants frequently used the terms "get back at him", "hurt", "retribution", "threaten" and "payback" to describe this motive and the terms "vindictive", "bitter" and "scorned" to describe the actions of the woman. For example, one participant suggested that "one of the more common reasons to make a false claim would be revenge

... if they wanted to get their comeuppance or something like that" (Blake, M6). There was a clear focus on the idea that the woman was seeking to hurt or to "get" the accused, either through reputational damage or the criminal justice process. The motive of revenge for being scorned was used by participants to highlight the ill intentions of the woman making an allegation of sexual assault and raise doubts about whether the allegation could be trusted.

The focus groups primarily discussed revenge in reference to the Dinner party vignette and in the General discussion. The General discussion comprised a more speculative discussion of the possible reasons why women may make false allegations, for example, "Revenge for something. Might have had an argument. Or just to smear the name. It's hard to say." (Wes, M6)

Perceptions of a motive for revenge as a scorned lover were addressed more directly while discussing the Dinner party vignette. Participants suspected that the woman in the vignette was making a false allegation because she was angry or hurt by being rebuffed by the accused and of being the subject of his "gossip" that she was in love with him and wanted a relationship with him. For example, one participant questioned "whether she has really been raped or she's just angry" at the man in the vignette and added, "If [he] didn't go around telling people that she was upset and then uh, they had sex to the whole world would she actually want to report this?" (Cecile, W2) Notably, participants did not reflect on the woman's potential experience of anger or hurt as a result of experiencing sexual assault, nor on the possibility that she may want to seek revenge for the assault itself. Instead, some suggested that the woman in the vignette was aiming to "sort of blackmail him or defame his character" (Jillian, W3).

Together with the suspected anger or hurt from rumours, the perceived motive of revenge interacted with the perception that the woman in the Dinner party vignette was indecisive about or delayed her report to police. Many participants were sceptical of the woman for only deciding to report after hearing the rumours and thought she was "changing her story" from an incident not worth reporting to police to an incident she retrospectively labelled "rape". One participant questioned, for example, why "a few days later after hearing from other people about the encounter ... she then feels wronged enough to then call it rape and then go to the police?" (Victor, M2) In contrast, a small number of other participants, all women, empathised with the woman, noting that a perceived motive of revenge could be wrongly used by others – specifically the police – to discredit her account. These participants were concerned that the delayed police report and the context of gossip and rejection played into stereotypes of a "scorned woman" that may make other people mistrust her account of sexual assault. For example, a participant in one focus

group of women noted, "I think the police would think that, well, she's taken a week, it's vindictive ... It's just going to look like the woman's scorned." (Stella, W6)

In addition to revenge, a minority of participants raised suspicions – unexpectedly – that the woman in the News report vignette had planned to "set up" or "get" the accused. Participants discussed this motive, unprompted by the moderator, according to three main themes: a premeditated "trap", a vaguely defined "set-up", or a false allegation for material gain. Each of these motives position the accused as a victim, characterise the allegation of sexual assault as a way to hurt or damage the accused, and activate hostile sexist stereotypes of women as calculating and manipulative. Although a number of participants raised these motives while discussing the News report vignette and in the course of the General discussion, these motives were not used as reason alone to wholly mistrust women's reports of sexual assault. Rather, these perceived motives undermined the perceived credibility of the woman's account, which made it difficult to trust her allegation.

Firstly, some participants described the allegation in the News report vignette as a "specific, premeditated attack" or trap targeting the accused as part of a broader political plot because of his role in uncovering corrupt politicians as an investigative journalist. For example, "If you let your mind wander, you might think that he got set up for exposing the government." (Angus, M1) This perceived motive of a "premeditated attack" was unexpected by the researchers; participants likely constructed this motive to "fill in" the gaps in the story, given the limited information provided about the woman and the circumstances of the incident in the News report vignette. In constructing this motive, some participants speculated the woman may have had a relationship with a corrupt politician who had been exposed by the accused. Others hypothesised the woman may have been paid by someone connected to the politician to make a false allegation of sexual assault, or that there was some other material gain for the woman that was associated with the allegation. The fact that many participants made unprompted assumptions across many different focus groups to construct similar versions of this "premeditated attack" motive for lying about sexual assault highlights the pervasiveness of attitudes that women are manipulative and untrustworthy, and out to "get" men.

Secondly, a minority of participants constructed a vaguer "set-up" motive in relation to the News report vignette. Here participants also perceived the woman to be lying about sexual assault as part of an attempt to harm the accused in some (undefined) way. These participants referred to the accused's work in uncovering corruption, plus the harm and reputational damage that the allegation of sexual assault would cause to the accused. In contrast to the above-mentioned specific and premeditated set-

up, the purpose of this vaguer set-up was not articulated; instead, participants speculated generally about “whether it be she had another ulterior motive that she wanted to set him up or frame him” (Victor, M2).

Thirdly, some participants suspected that women may use false allegations to vindictively “get” men for material or other gains – specifically, financial gain or an advantage related to child custody. Participants chiefly mentioned this form of motive unprompted in the General discussion. Through the discussion of financial gain, participants assumed that the accused was wealthy, famous or had a high-status profile. In so doing, these participants positioned men as victims and also activated stereotypes of women as calculating and malicious, as identified in other research (Harrington, 2016; McMillan, 2017). Most participants among this minority did not indicate how they thought this financial gain would be obtained, although some speculated that blackmail was a possible means. A number of participants also suggested that women are motivated to make false allegations to gain advantage over an ex-partner in child custody disputes. While the motive of child custody gain was not relevant to the acquaintance rape scenarios in the vignettes, it arose unprompted in the General discussion as a key reason for mistrusting women’s reports of sexual violence. For example, one participant described women’s attempts to “drop somebody in it and make their life hell”, for the purpose of “financial gain or just to get the kids or do something and he can’t see the kids anymore. I’ve seen it happen” (Caleb, M6). Even participants who had expressed views that were generally trusting of women’s reports of sexual assault earlier in the discussion indicated that the motive of child custody gain would lead them to suspect that a report of sexual assault may not be trustworthy.

Although perceptions that women falsely allege sexual assault to target or “get” men – for reasons of revenge or some other gain – traversed all the focus group discussions, the overwhelming majority of participants did not directly conclude that the allegations were definitely false. Nonetheless, these perceived motives raised some doubts about the credibility of the women and were at times concocted from very limited information.

#### **4.3.2.2. Motivated to lie? Suspicions that women make false allegations to rectify social damage from “embarrassment” and “regret” increase mistrust**

The suspicion that women make false allegations of sexual assault in order to rectify or protect themselves from social

damage arose in all focus group discussions. This “social damage” included damage to her self-image, reputation, social status and relationships. This self-interested motive was perceived to be driven by emotion – predominantly embarrassment or regret – that was spurred on by “gossip” or being “found out”. However, this perceived motive was not merely about experiencing these emotions after consensual sex. Rather, the woman’s false allegation was constructed as a retroactive course of action with the specific purpose of “saving face” or rectifying the social damage from embarrassing or regretful consensual sex.

Embarrassment was the emotion most commonly proposed by participants as driving this motive of rectifying social damage. Although regret was mentioned across both vignettes, it was not discussed to the extent that embarrassment was, nor by as many participants.<sup>19</sup> A smaller number of participants also noted – unprompted – that women may lie about sexual assault as a way of hiding from others that they had engaged in consensual sex: for example, a woman may allege sexual assault as cover for cheating on a partner, or a teenaged woman may lie to hide “unapproved” consensual sex from her parents or family members.<sup>20</sup> For most participants, the perceived motives of embarrassment or regret increased their scepticism towards women’s reports of sexual assault, but did not result in complete mistrust nor the conclusion that the woman was lying. Nevertheless, their constructions of possible motives of regret and embarrassment reflect traditional sex role expectations which devalue and stigmatise women who engage in casual sex. These expectations brand women who engage in casual sex as promiscuous or “asking for it” because they do not conform to the socially ascribed ideal woman, namely, the passive virgin (Farvid et al., 2017; Jozkowski et al., 2017; O’Hara, 2012). This perception that casual sex is embarrassing or damaging to a woman’s reputation taps into broader gendered attitudes that judge women for sexual “promiscuity” as well as rape myths that mistrust women based on their sexual history (Hine & Murphy, 2017; O’Hara, 2012). Following this analysis, women perceivably lie about embarrassing or regretful consensual sex in order to defend their “sexual worth” and protect their identity from the socially damaging label “slut” (Farvid et al., 2017).

“Cover for embarrassment” was one of two prominent motives raised by the majority of participants in response to the Dinner party vignette and, to a lesser extent, in the General discussion. Participants constructed this motive for lying largely in light of the woman’s reaction to the accused supposedly telling people that she was only upset because she was in love with him and wanted something

<sup>19</sup> Regret was mentioned in nine focus groups, while embarrassment was discussed in detail in all 14 focus groups.

<sup>20</sup> It is noteworthy that the vignettes in the present study did not mention or imply that the women had a partner or were young women whose partner or family may not approve of them having sex with the accused. This minority theme thus appeared unprompted.

more than a casual relationship. The woman stated, “Why is he telling people these things about us? It’s embarrassing and it’s not true.” Participants predominantly interpreted her embarrassment as a reaction to the reputational or social damage associated with people “finding out” about her feelings for, and casual sex with, the accused. Thus, participants perceived that she had feelings of being rejected or “being used” that triggered her to lie about sexual assault. In this context the woman’s false allegation was perceived to be motivated by an attempt to redress the identity damage from embarrassed rejection, to defend her reputation, and to rectify humiliation. Some participants speculated generally that “possibly she could’ve been trying to save herself the embarrassment of the rumours” (Emma, W7). For many participants, the woman achieved this redress of social and reputational damage by “changing the narrative” of the sexual encounter. For example:

It’s like she’s embarrassed because the word’s got out that they had sex. And it’s like she’s going to make a report because she’s embarrassed ... is she more, would she consider [the incident] an assault before he said something about it? Or is she more worried about her reputation amongst their circle of friends? (Bruno, M6)

Based on this perception, participants suspected the woman had made a false allegation of sexual assault for the specific purpose of protecting her reputation, not for the purpose of reporting a crime. Here, the perceived motive of embarrassment interacted with perceptions that the woman was indecisive or delayed her report to police. For these participants, the delayed report and the embarrassment together increased suspicions that the woman may be falsely alleging sexual assault. For example, one participant suspected that the woman was thinking about reporting to police “to either maintain her own ego or her reputation. Um. I don’t think she so much feels like a victim of a crime” (Kassy, W5). Some among this cohort – primarily men – were concerned that the woman was making a formal report of sexual assault for the “wrong reasons”. One participant even acknowledged that while they thought sexual assault had occurred, they questioned whether it was appropriate for the woman to use her embarrassment arising from being the subject of gossip – rather than the assault itself – as a reason to report:

... it was clearly rape but the way she described it, that’s not the offence she seems to be going against, it’s more the fact that he started telling people about it ... So, like, I wonder, like, in a court of law, is it [her actions in reporting to police] actually, is it against rape or is it actually against gossip or malicious slander? (Norris, M5)

Similar to the motive of embarrassment, a minority of participants constructed a motive of regret. Participants did not specifically pinpoint the underlying reasons for the regret, but the motive of regret often overlapped with the motive of embarrassment in the discussions. Like embarrassment, regret was constructed as a retroactively motivated and self-interested action by the woman, where she was perceived as making a false sexual assault allegation as an attempt to rectify regretful past behaviour, either because of self-reflection or because she wanted to “save face”. As one participant put it, “If you regret it, even though you’re consenting at the time ... your social standing is affected” so you might lie about sexual assault (Edvin, M7). Among this minority cohort, it was mostly men who identified regret as a potential motive.

Participants discussed regret in varied ways. Some participants discussed regret generally in conjunction with embarrassment. In this context, being “found out” sparked regret about engaging in casual sex outside of a committed relationship. For example, “it [alleging sexual assault] may be just to cover up the fact that that she’s in fact done something that she’s not particularly comfortable with” (Garry, M4). In addition, other participants vaguely referred to regret by considering whether the woman was “changing her story”, whether alcohol was involved,<sup>21</sup> or whether it was simply “a case of buyer’s remorse” (Bruno, M6). These participants posited that the woman in the vignette (more often the News report vignette but also in the Dinner party vignette) had consensual sex with the accused and regretted the encounter so decided to report sexual assault:

Ninety per cent of the time, it ends up being that one of the two has, you know, regretted something that’s happened from the night before, um, and is just making it seem like it’s a lot worse than what it is. ... She’s just, yeah, I think she’s just woken up the next day and gone, “Nope, didn’t want to do that.” (Vinny, M7)

This small minority of participants characterised the woman’s decision to make a sexual assault allegation based on regret as a flippant and reactive decision after the fact, and did not reflect on the reasons why the woman would “wake up the next day” and decide “nope”.

The motives of embarrassment and regret constructed by participants suggested that women retrospectively “changed the story” simply to protect their self- and social identity. Although these perceived motives increased scepticism about whether the woman had actually been sexually assaulted, rarely did participants conclusively

21 It is worth noting that the consumption of alcohol was purposely excluded from the News report vignette. Nevertheless, as noted here, some participants referred generally to alcohol in the context of regret. The topic of alcohol is considered in more detail below (Section 4.3.3.2).

state that she was lying or entirely dismiss her account based solely on these motives. As shown above, the embarrassment and regret motives were inherently informed by perceptions that the woman was indecisive or delayed her report to police, which was also associated with increased mistrust (see Section 4.2.2).

#### 4.3.2.3. Motivated to report? Perceptions of positive motives for women to report sexual assault increases trust

While the majority of the discussion focused on women's ulterior or "negative" motives for *lying* about sexual assault (as discussed above), a minority of participants considered "positive" motives or motivating reasons for women to *disclose their experience* of sexual assault to others or to the police. These participants identified two motivating reasons to report sexual assault: to take back control of the story, and to hold the perpetrator accountable for their actions. These positive motives only arose in relation to the Dinner party vignette. Additionally, in response to both vignettes, another smaller cohort of participants did not provide positive motives for reporting sexual assault but noted that women had "no ulterior" motive for lying because there was nothing to be gained by making a false allegation, and potentially much to lose. As detailed below, perceptions of positive motives and no ulterior motives were both associated with higher levels of belief in women's reports of sexual assault.

The motive of "taking back control of the story" was raised by a minority of participants. Contrary to the majority view that the woman in the Dinner party vignette lied about sexual assault because she was embarrassed by the version of events spread by the accused, this minority of participants instead believed the woman was motivated or compelled to report sexual assault in order to correct the accused's version of events. Gossip can be used as an informal means of controlling female sexuality (Baumeister & Twenge, 2002; Rudman et al., 2013). These participants noted that the woman had not been silenced by her abuser's gossip (c.f. Brown & Walklate, 2011) and saw her act of reporting her assault as a way to "take back control of the story". This perceived motive to correct the narrative interacted with perceptions regarding the timing of the police report. These participants thought the woman felt compelled to report because, in the accused's version of events, he had not acknowledged he committed any wrongdoing. Others went further to suggest that the accused's fictional version of events might have empowered the woman to report her assault. Because the accused did not acknowledge any wrongdoing, this minority of participants felt the woman was compelled or empowered to correct the version of events he had been telling people. For example:

They were obviously friends and things went too far and she told him to stop and he didn't. It's almost like that level of acceptance from her, she's like "Well it's happened", you know, "I'm kind of gonna have to let it go" but then because he started spreading rumours about her and saying things about her, she thought "Well hang on, it's not *my fault*, I haven't done anything wrong here". And that's what's trying to encourage her to make the police report, I suppose, as a way of being able to fight back when I guess initially she didn't. (Anita, W4, emphasis in interview)

Additionally, a very small number of women and one man among the focus groups argued that the woman in the Dinner party vignette may have been motivated to report her assault to police in order to hold the perpetrator accountable. This perceived motive of perpetrator accountability was associated with higher levels of trust in the woman's report. This view positions the woman as an active and responsible agent, while also positioning the accused as culpable for wrongdoing rather than an innocent victim of a false allegation. For these participants, this "accountability" meant that the man in the Dinner party vignette would become aware his actions were wrong and this awareness might prevent him from reoffending. For example, "That has forced her hand, so to speak in terms of 'This has to be reported' ... He doesn't think there's anything wrong in it." (Pablo, M2) Along with holding the perpetrator accountable and ensuring his recognition of the moral and criminal wrong of his behaviour, participants also associated this motive with the broader good of protecting other women. For example, some participants warned that if the woman in the Dinner party vignette did not report to police, the accused "would think that that's okay to do, and he might do that [sexual assault] to someone else" (Emma, W7). However, this perception unfairly places the burden of responsibility upon the victim and survivor for the future actions – and potential reoffending – of the perpetrator.<sup>22</sup>

In addition to these positive motives for reporting or disclosing sexual assault, a very small number of participants perceived that the women in the two vignettes had no ulterior motives for lying about sexual assault. These participants reflected that there was nothing to be gained by making a false allegation: "There's nothing she can gain out of this from just coming out and saying 'It's happened to me.'" (Phillip, M1) These participants claimed that women had a lot to lose professionally, socially and emotionally by reporting to police and pursuing an allegation through the legal system. They argued that women would weigh the risks against the benefits when considering whether to make a police report, which in turn led these participants to find the reports themselves more credible. For example: "I instantly am like, yeah – why would you risk her

22 These implications for the perceived positive reasons women report are discussed further in Section 5.2.5.

entire career, her life, to do this, so I'm like, okay, he did it." (Caitlyn, W6)

Perceptions that women have positive motives for reporting sexual assault or have no ulterior motives for lying about sexual assault were both associated with increased trust in women's accounts. However, very few participants engaged with these reasons to believe women's reports of sexual assault. In the absence of evidence to prove the assault (see Section 4.2.1), searching for women's ulterior motives for lying about sexual assault was the default position for most participants. However, although many participants went to great lengths to construct women's suspected motives for lying, these motives alone rarely resulted in completely disbelieving the allegation. Rather, motives were considered together with the woman's responses to the alleged assault, to mutually reinforce mistrust. As shown in the next section, assessments of the woman's character and behaviour also influenced perceptions that the woman may be lying about sexual assault.

#### **4.3.3. Judging her character and behaviour: Perceptions that women's character or behaviour does not conform to expectations about "genuine victims" increases mistrust**

This section outlines the ways assessments of women's character and broader behaviour also informed participants' perceptions that women may be motivated to lie about sexual assault. Like the constructed motives for lying about sexual assault, participants' assessments of the women's character and behaviour also leaned on rape myths about so-called "genuine victims". Although less influential than perceived motives for lying and delayed reporting to police, these character and behaviour assessments added another layer of scepticism towards women's reports of sexual assault. Further, these assessments of women's character and behaviour interacted with perceptions about their motives and responses to the alleged assault to mutually undermine trust in the allegations. As detailed below, participants' mistrust was influenced by whether the woman tells her story in unchanging detail (which interacted with the motive of embarrassment and her emotional response); whether she was intoxicated at the time of the assault (which related to the motive of regret); and whether her personal information or history indicated she may not be reliable or that she was motivated by revenge or some sort of gain.

##### **4.3.3.1. Victims' inconsistent stories increase mistrust**

Just under half of participants, including roughly equal numbers of men and women, described mistrust in women's allegations if their stories were inconsistent or

patchy or changed over time. Women primarily referred to inconsistent stories as a reason to mistrust women's allegations of sexual assault in the General discussion, when asked what factors may indicate an allegation was false. For example, inconsistencies or gaps led some participants to question, "Why is their story changing ... You know, if it did happen – okay you've gone through trauma – [but] you'd remember what happened." (Megan, W4) Inconsistent stories were also discussed, mostly by men, in response to the Dinner party vignette. Here, perceptions that the woman's account was inconsistent were considered together with a perceived motive of embarrassment or regret (see Section 4.3.2.2) and resulted in increased mistrust in her allegation of sexual assault. These participants suggested that it was not possible to ever be sure whether women are telling the truth. In contrast, only one participant explicitly challenged this perception, stating, "It wouldn't bother me if people don't have a perfect recall of traumatic events" or "if someone's a bit inconsistent in their story", because "traumatised people don't always think logically" (Jerome, M4).

In line with the "genuine victims" myth, participants largely perceived survivors' testimonies as more trustworthy if they were recounted in comprehensive and unchanging detail. Participants particularly expressed this view in relation to the Dinner party vignette where they received a detailed first-person account from the woman making the allegation. As discussed in Section 4.2, a detailed first-person account was associated with greater levels of trust. The expected behaviour of "genuine victims" thus acted as a benchmark against which participants assessed the reliability of women's allegations of sexual assault. For example, "If you are really the victim, probably you would know the details", and "You would be able to remember it because it's so traumatising" (Cecile, W2). Failure to conform to these expectations and meet these markers of reliability influenced suspicions that the woman might be lying. This myth that recollections and testimonies of sexual assault must be coherent and consistent reinforces attitudes that minimise the seriousness of sexual assault and increase attributions of victim culpability (Belknap, 2010; Brown, 2013; Jordan, 2004b, 2008). Such expectations from participants also run contrary to research which demonstrates that the recall of traumatic events can be impaired by the trauma itself (Hardy et al., 2009; van der Kolk & Fisler, 1995).

##### **4.3.3.2. Victims' intoxication increases suspicions of "regretful" sex**

The two vignettes were specifically designed not to focus on alcohol intoxication as an influence on trust or mistrust. Neither the women nor the accused in the two vignettes were depicted as intoxicated. The News report vignette did not mention alcohol consumption, and Abigail's account

in the Dinner party vignette stated that they “hadn’t had much to drink”. Nevertheless, in their attempts to fill in gaps in the vignettes, around one third of participants *speculated* whether alcohol was a factor in either vignette and generally discussed how alcohol can blur people’s judgement (for example, “If he was intoxicated it might have impaired his judgement”; Roland, M3). Others mentioned that alcohol may have lowered the women’s inhibitions, which led them to question whether the sex may have been consensual, consistent with other research (Gunby et al., 2013). These speculations attempt to minimise sexual assault and shift responsibility from the offender to the victim. By and large, though, these participants did not cite alcohol as a sole reason to mistrust the women’s accounts. Only a small minority among this cohort referred to alcohol in conjunction with the motive of regret in order to raise doubts about the reliability of the women’s accounts. For example, one participant explicitly tied alcohol to regret while discussing the Dinner party vignette:

If you choose to drink, then that’s on you and you can’t, if the next day you wake up and you’ve done something and you go, “Oh no, I didn’t want to do that, that counts as ...”, whatever. (Vinny, M7)

In contrast, a handful of participants instead afforded *more trust* to the women in the vignettes based on the lack of alcohol. For example:

... and the fact that she said that they didn’t drink very much, it’s like you can’t ... confuse it, like ... I mean not that alcohol’s an excuse but things can’t be confused, you know, they’re both sober so you know, it’s more believable ... (Angelica, W7)

Thus, a minority of participants raised doubts about the sexual assault allegations based on suspected intoxication, while another minority afforded more trust to the allegations due to a perceived lack of intoxication. Both these minority views perpetuate victim-blaming attitudes against those victims and survivors who may have been intoxicated at the time of their assault. This perception that sober victims and survivors are more believable because they are “judged as acting responsibly” (Deming et al., 2013, p. 481) buys into rape myths about “genuine victims” and reproduces problematic attitudes that sexual assault allegations involving alcohol may be false.

#### 4.3.3.3. Victims’ personal information or history may influence suspicions of lying

In their attempts to fill in the gaps in the vignettes and assess the sexual assault allegations, around one quarter of participants requested further information about the victims’ backgrounds: namely, their personal or work history. These participants’ reflections on the women’s histories were largely speculative and did not, on their

own, increase mistrust in the allegations. Given the limited information on the women’s histories in the vignettes, many participants noted “it’s hard to make a judgement call” about “whether, you know, she’s somebody that is reputable or not as a person” (Lucy, W7). Nonetheless, this minority of participants tried to fill in these gaps about the woman’s histories by making (unprompted) assumptions about the woman’s character, in order to construct a possible motive that would explain her report of sexual assault. In this way, character assessments were inherently wound up with constructions of possible motives.

Some among this minority suggested that information about the career of the woman in the News report vignette could provide insight into “whether the woman could have used” a false allegation “as a way of damaging his career” (Roland, M3). Further, some participants suggested that the woman’s current relationship status was relevant, but while some suggested this status decreased the likelihood that the sex was consensual, others suggested it increased the likelihood that the sex was consensual because she may have lied about sexual assault by “pointing the finger” to cover for cheating (Jason, M3). In the General discussion, a small number of other participants indicated that a woman with a history of making false allegations would be less trustworthy. Additionally, a handful also implied that allegations made by teenaged women were worthy of doubt or scepticism: “troubled teens” might “make things up ... for attention” (Rose, W5) or “to make themselves popular between friends” (Ela, W7).

Many of these reflections on victims’ personal or professional histories were speculative and were not used to conclusively mistrust women’s accounts. Most of these remarks went largely unchallenged, except that two young women rebuffed the view that teenagers would lie about sexual assault. These participants noted that “people no matter how old they are, how young they are” would be both “likely and not likely to make a false claim” (Jade, W7) and made clear that they “wouldn’t want to be terribly dismissive of allegations made by teenagers” (Emma, W7) as it sets a precedent for overlooking allegations about family abuse.

#### 4.3.4. Conclusion: Myths about “genuine victims” and negative gender stereotypes increase mistrust

The findings highlight the range of reliability assessments that victims and survivors of sexual assault were subjected to, including assessments of their motives, responses to the assault, and their character and broader behaviour. Importantly, these assessments were generally underpinned by myths about what “real rape” looks like; the character and behaviour of “genuine victims”; and



negative gender stereotypes of women as untrustworthy, vindictive and malicious. In line with existing literature, the present study demonstrates that perceptions that women have motives for lying about sexual assault are pervasive. In addition, these perceived motives for lying about sexual assault interacted with myths that “genuine victims” report their assault to police promptly and exhibit emotional distress to mutually inform mistrust in the allegations. Assessments of women’s character and broader behaviour added another layer of doubt towards their allegations of sexual assault, although these assessments were less influential than perceptions about the motives and expected responses of “genuine victims” to sexual assault. The findings thus indicate that these factors together mutually inform and reinforce the climate of mistrust in women’s allegations. Further, these findings suggest that the onus is on victims and survivors to take particular steps to make themselves believable.

In contrast to the intense scrutiny of the motives and actions of women reporting sexual assault, the motives and actions of accused men were not closely examined. As shown in the next section, the focus groups paid closer attention to his “good character”, in order to consider whether the man was capable of or likely to have committed sexual assault.

#### 4.4. How perceptions of the accused influence mistrust

The ways mistrust in a woman’s report of sexual assault is influenced by perceptions of the accused has been subjected to considerably less research than how mistrust is influenced by perceptions of the woman herself. The present study addressed this gap in two ways. Firstly, via the News report vignette, it investigated the influence of positive, third-party depictions of the accused (via a news article) on trust in both the accused’s claims of innocence and the woman’s sexual assault allegation. Secondly, via the Dinner party vignette, the study investigated the influence of a (hypothetical) friendship with the accused on trust or mistrust in the sexual assault allegation. The hypothesis underlying these design manipulations was that the “good character” of the accused – the character of a good friend or the “good character” depicted in a third-party (news) report – would be associated with higher levels of trust in the accused’s account and, ipso facto, lower levels of trust in the woman’s allegations.

This hypothesis was not clearly confirmed by the results. Third-party depictions of the positive achievements of the accused and hypothetical friendship with the accused did not usually translate into increased trust in the accused’s account. Only a minority of participants indicated that the positive character of the accused would increase their belief

in his claim of innocence. Notably, participant discussion of the accused’s characteristics and relationships and the hypothetical friendship with the accused focused more on trust and mistrust in *his* account and less on the believability of the woman’s allegation. In discussion of the accused’s character, participants considered whether he was capable of, or likely to have committed, sexual assault. However, the *actions* of the accused, particularly in relation to the alleged assault itself, including actions related to gaining (or not gaining) consent, remained largely undiscussed in the focus groups.

##### 4.4.1. Judging his story: The accused’s claims that the sex was consensual went largely unquestioned

In both vignettes, each of the men accused of sexual assault denied the allegations and claimed that they had consensual sex with the woman making the allegation. Participants acknowledged that the defining feature of sexual assault fundamentally hinged on whether or not the sex was consensual. However, for both vignettes, most participants tended to take the accused’s claim that consent was provided at face value. They did not subject the accused’s claims to the same level of interrogation as the woman’s account of the events or subsequent actions (such as her claims of refusing consent, reporting to police or her perceived motives; see Sections 4.1 and 4.3). A handful of participants suggested that the accused in the Dinner party vignette had “been really open and honest and said he had sex with her” (Marlyn, W3), which they associated with increased trust in his version of events and an implicit suspicion towards the woman’s version of events. Another small minority of participants held the opposite view, suggesting that the accused’s admission to what he claimed was consensual sexual intercourse seemed calculated and that he was simply attempting to improve or protect his image. However, for most participants, the accused’s claim of consensual sex did not have a strong influence on whose account they trusted or mistrusted. Instead, the accused’s claim of consensual sex went largely unquestioned and only added further uncertainty about what had happened in the vignettes: “The fact that this guy seems to be so emphatically denying it, muddies the waters a bit.” (Antonia, W3)

Participants’ general lack of questioning of the men’s claim of consensual sex in the vignettes was in stark contrast to their close interrogation and pulling apart of the women’s refusals of consent. Participants judged the women in the vignettes much more negatively and perceived them as failing to “clearly” and “violently” communicate their refusal of consent (see Section 4.1). These findings highlight the ways participants (often unknowingly) privileged the accused’s account.

#### 4.4.2. Judging his character: Depictions of the accused's "good character" do not influence mistrust

The News report vignette was written as a news article that included the following markers of the accused's "good character": positive career-related information that he is an award-winning journalist, mentor for younger journalists and "crusader for the underdog"; and positive family-related information that he is a father from a previous marriage. All focus groups acknowledged that the accused was depicted positively in the vignette. Scepticism about the news article, and its source, was the default position for the vast majority of participants, due to perceptions of bias both in the specific media article and media reporting in general. Participants were particularly sceptical of the positive portrayal of the accused and the woman's allegation.

By and large, the scepticism towards the media source translated neither to trust nor mistrust in the woman's account but, rather, led to uncertainty about who to believe. As detailed below, only a small group of participants mistrusted the woman's allegation in light of the positive depiction of the accused's character.

##### 4.4.2.1. For most, depictions of the accused's "good character" are seen as irrelevant to the allegation

Most participants raised concerns that the News report vignette was one-sided, focused too heavily on the achievements of the accused and largely included information that was irrelevant to the sexual assault allegation. They described the article as biased and "absolutely for the bloke" (Bronwyn, W3) as well as a character reference for "how good he is or how upstanding he is" (Connor, M1). Participants largely argued that the "good character" depicted by the article had little bearing on whether the accused's account or the woman's allegation was believable. For example, one participant described the article as a "fluff piece by some cadet journalist writing about their mentor" and added:

I don't care how nice a bloke he is. I don't care how many awards he's won. I want to know why this article ... is not actually about the alleged crime, rather than providing a character defence of a person who's been accused. (Jerome, M4)

Participants were critical of the bias inherent in the story. They often made assumptions about the ulterior motives of the media source. Some suspected that the positive depictions of the accused were intended to act as a distraction from the seriousness of the allegation: "It's just there to sort of cloud your judgement, I guess, to maybe, you know, distract you from what is, you know, or

what's happened." (Zen, W1) Some suspected the positive depiction was designed to make the reader think that the accused was not capable of sexual assault: "It's like it's pre-empting his character to make sure that everyone doesn't judge him." (Marlyn, W3)

Thus, the majority of participants deemed the third-party depiction of the accused's "good character" as irrelevant to their assessments of whether the woman's report of sexual assault was credible. Relatedly, participants also did not trust (or even mistrust) the accused's account based solely on the third-party depiction of his "good reputation" or character. This finding is positive: it highlights how the community is sceptical of inappropriate and perceivably biased media reporting which invokes myths that good guys don't rape (Martinez et al., 2018; Sutherland et al., 2015).

##### 4.4.2.2. For some, depictions of the accused's "good character" increased mistrust in his account but did not increase trust in the woman's account

For a minority of participants, the third-party depictions of the accused's "good character" led to suspicions that he was guilty of sexual assault. However, these participants did not directly indicate greater trust in the woman's allegation either. Some among this minority read the depiction of the accused's "good character" as an illustration of his position of power, which led them to suspect he may have taken advantage of a power imbalance between him and the victim. Others argued that the biased account in the news story was an attempt by the accused to manipulate media reporting and hide his guilt. However, these discussions of the accused's suspected guilt did not generally involve reference to the woman's allegation per se. Instead, participants focused on whether or not the accused was *capable* of the assault – not whether the woman was "lying" or telling the truth. For this minority of participants, the depiction of his position of power was reason to suspect he was capable of sexual assault.

Only a very small number of participants referred to the depiction of the accused's "high status" and "good character" as reason to have trust in the woman's account. For these participants, the accused's high status and influence in the media industry meant that the victim, a fellow journalist, had overcome significant barriers to file a police report, making her account more believable. While this view was not widely held, one participant acknowledged:

Once people have got more of a public profile, the person making any sort of allegation against them is going to get a hell of a lot more gruelling and different treatment from the investigating authorities ... The more well-known the perpetrator is, the more likely I'd think it to be true ... (Jerome, M4)

#### 4.4.2.3. For a minority, depictions of the accused's "good character" increased mistrust in the woman's account

Only a handful of participants felt that the third-party depiction of the accused's "good character" added weight to his version of events and, in turn, increased mistrust in the woman's account. A slightly larger group of participants, but still a minority, suspected that the accused may have been the target of a false allegation of sexual assault due to his "high profile" and status. As one participant put it: "It kind of seems like he was targeted or something like that." (Cris, M6) These participants were reluctant to ascribe guilt to the accused and often expressed sympathy for him. Suspicions that the accused had been the target of a false allegation were often wound up with participant theories that the women alleging sexual assault had ulterior motives, or that the allegation in the News report vignette was a premeditated "trap" to "get" the accused (see Section 4.3.2.1).

This minority view that the accused was probably a "target" of a false allegation due to his high status generated a broader discussion about how men accused of sexual assault may be victims of smear campaigns. Through this broader (and unprompted) discussion of the News report vignette, these participants repositioned the accused as a victim based on three key ideas. Firstly, participants raised concerns about the long-term, negative impact the allegation could have on the accused's reputation: "He is forever tainted as being a person that assaulted someone, even if he didn't do it." (Victor, M2) Secondly, they noted the lack of privacy afforded to the accused through the public media reporting of the allegation and, in doing so, criticised the privilege of privacy and anonymity afforded to the woman making the allegation. For example, "It doesn't seem fair, though, that he has to have everything identified and she hasn't." (Marlyn, W3) Thirdly, participants were concerned that the accused was not receiving a "fair process" and was instead subject to "trial by media" given the publicity of the reporting. This view was associated with the concept of "innocent until proven guilty", a term used frequently by participants in the discussion of the News report vignette. By reframing the accused as a victim, this small group of participants tended to overlook or even disregard the impact that the alleged sexual assault may have had on the woman making the allegation. While this was a view expressed by only a minority of participants, it is important to acknowledge that pockets of the community may hold these views that minimise women's experiences of sexual assault, blame women for their victimisation and excuse men's behaviour (Deming et al., 2013; Gavey, 2018).

#### 4.4.3. Judging his character: Perceptions that the accused's behaviour is not of good character increases mistrust in his account, but does not increase trust in the woman's account

As noted above, participants almost invariably were not swayed by the third-party depictions of the accused's "good character" in the News report vignette, preferring to form their own character assessments and conclusions about the credibility of the accused and the woman making the allegation. Indeed, to assess the character of the accused in both vignettes, participants often requested further information about the accused's relationship history and past actions. Additionally, participants made judgements about the actions of the accused in the Dinner party vignette that were described as following the alleged sexual assault in Abigail's account. Specifically, they raised concerns about him "spreading gossip" in response to the allegation. Through their character assessments of the accused men in both vignettes, participants attempted to establish whether the men were capable of committing, or likely to have committed, sexual assault in accordance with the myth that good guys don't rape. As detailed below, violence in past relationships, disrespectful behaviour towards women and engaging in "gossip" led to perceptions that the accused men may not be of good character and created suspicions towards them.

In the Dinner party vignette, Abigail's account stated that the accused had "spread gossip" in the wake of the allegation by suggesting she had lied about the sex being consensual because she was in love with him and he didn't want a relationship with her. The overwhelming majority of participants were concerned about the "gossip" spread by the accused and his treatment of the woman. They felt the accused had spread gossip as a tactic to refute the allegations and as a means of "covering his butt" (Jan, W3). They were sceptical about the accused's claim that the woman was "in love with him", perceiving it as a character assassination of the woman, painting her as "crazy". Based on the view that the accused was "spreading gossip", participants – particularly women – were critical of the accused's character, referring to him as "an arsehole", "nasty", "egotistical", "disgusting", "petty" and "immature". These participants suggested the action of spreading gossip reflected negatively on the accused's character and was indicative of his general disrespect for the woman in the story. These perceptions about the accused's poor actions were associated with greater mistrust in his account.

Additionally, a large number of participants suggested that it was "disrespectful" for the accused to have casual sex with the woman if he did not plan to pursue a relationship with her despite knowing she had feelings for him. They

suggested he had taken advantage of the woman, which is indicative of a broader disrespect for women: "It sounds like he took advantage of the situation because he knew that she was in love with him." (Dimitri, M3) Taking advantage of a longstanding friendship with the woman was seen as both a breach of trust and a poor reflection on his character: he "did not do the right thing by [her]" (Amity, W7). Although these negative perceptions of the accused's character raised doubts about his claims of innocence, they did not increase trust in the woman's allegation: participants were unable to commit to completely trusting the account of the woman. In fact, even though participants cited the accused's claim that "she's just in love with me" as a reason to mistrust or be sceptical of his account, this same claim was also used by participants to mistrust the woman's account on the basis she was a "scorned lover" or motivated by embarrassment to lie about assault (see Section 4.3.2).

Perceptions of disrespectful behaviours by the accused towards the woman in the News report vignette similarly raised doubts about the accused's claim to innocence. Specifically, such doubts were raised by a handful of participants who felt that the accused's claim that he has "an incredible amount of respect for women" was contradicted by his actions of (allegedly) having sex with a colleague at a work event or in a car park.<sup>23</sup>

Similarly, participants attempted to make their own judgements of the credibility of the accused in both vignettes by requesting additional information about the accused's relationship history. A substantial number of participants made specific requests about whether the accused men had a history of domestic violence; whether other women had made allegations of sexual assault against them; or other details about their previous relationships. For example: "If he was, say, accused of sexual assault before, that would be a red flag, definitely." (Roland, M3) Some others also speculated about whether the breakdown of the accused's long-term intimate relationship described in each vignette<sup>24</sup> indicated a pattern of abusive or problematic behaviour. For example, "If anything like that happened when they were together ... I think that would help as well, if he has a history of it." (Emma, W7) These participants suggested that this information would help to establish more about the character of the accused. Behaviours seen as being in discordance with "good character", such as those outlined in this section, increased mistrust towards the accused. However, this mistrust towards the accused did not translate into greater trust in the woman making the allegation.

#### 4.4.4. Friendship with the accused: Knowing a friend is of "good character" increases trust in his account, but does not increase mistrust in the woman's account

The Dinner party vignette was designed to explore how a (hypothetical) friendship with someone accused of sexual assault influences trust or mistrust in the allegation of sexual assault. A common theme across all focus groups was a reluctance to take a strong position to unequivocally trust this hypothetical friend accused of sexual assault. Nonetheless, many participants – more than one third – indicated they would likely trust their friend accused of sexual assault. These participants described their trust in the accused friend's account as dependent on the closeness of the friendship and knowing their friend was of "good character". In contrast, about one quarter of participants indicated that their friendship with the accused was irrelevant and that friendship did not influence their trust or mistrust in the sexual assault allegation. Regardless of the position they took, including not taking a position at all, many participants (approximately two fifths) attempted to distance themselves from the accused by questioning whether they were really good friends with him. These findings are further detailed below and indicate that even those who expressed belief in the accused's innocence on the basis of close friendship still had reservations and were reluctant to be associated with someone accused of sexual assault.

##### 4.4.4.1. Hearing an accused friend's account first increases trust in his account

As described in the methodology (Section 2.2.2.1.2), the Dinner party vignette presented both the woman's (Abigail's) and the accused's (Nathan's) account of a sexual assault allegation with half of the focus groups receiving Abigail's account first and half receiving Nathan's account first. When presented with Nathan's account, participants were asked to imagine they were his friend, and were directly asked, "Does being friends with Nathan influence whether or not you think he raped Abigail?" The variation of the order of the accounts aimed to explore whether hearing the account of an accused friend first was associated with greater trust in his account and, relatedly, greater mistrust in the woman's account.

The study found that the order of the vignettes had a noteworthy influence. The participants who heard the accused's account first were more likely to indicate that being friends with the accused would make them inclined

23 Although some participants interpreted that the alleged assault occurred in a car park, while the vignette mentioned that the alleged assault occurred at some point after the man had kissed the woman at her car, it did not provide the exact location of the incident.

24 The accused in the News report vignette was described as separated from his wife, while the accused in the dinner party vignette was described (via Abigail's story) as being single again after a long-term relationship.

to believe his account. In addition, when these participants subsequently received Abigail's account, they were also more likely to propose that Abigail had an ulterior motive for lying about sexual assault. In particular, two motives were considered by these participants – that she was lying in order to cover for embarrassment or to seek revenge as a scorned lover – and were used to raise doubts about her allegation (see Section 4.3.2). These participants were also more likely to question the woman's decision to delay making a police report, which again was associated with increased mistrust in her account (see Section 4.3.1.1). Thus, in addition to greater belief in the innocence of their accused friend, hearing the accused's account first also increased participants' mistrust in the woman's account via a reliance on myths about women's ulterior motives for lying about sexual assault and expectations of prompt reporting to police. These findings therefore lend support to the hypothesis that friendship with the accused and hearing his account of events first is associated not only with greater trust in his account, but also greater mistrust in the woman's account.

#### 4.4.4.2. Close friendship with the accused increases trust in his account

Regardless of which account was presented first, most participants were reluctant to provide unwavering trust in the account of a hypothetical friend accused of sexual assault. Despite this, many participants also indicated that believing a friend would be their instinctive or default position. This belief in a friend was usually expressed conditionally – on the condition that the accused was a “good friend”, both in terms of being a close friend and in terms of “knowing” that the friend is of “good character”. Around one third of participants indicated that they would be more likely to believe their accused friend's account, but this was always on the condition of him being a “good friend” and of “good character”. Trust in a friend's account was raised by almost twice as many men than women.<sup>25</sup> In assessing their friend's claims of innocence, participants indicated that the closeness of the friendship and their first-hand knowledge of the “good character” of their friend would shape their trust in his account: “If you're very close to [the accused] as a friend then, yeah, you would be on his side.” (Damon, M2) Participants reflected that being close friends with the accused meant they knew their friend's character and background well, which meant they felt well placed to make an assessment about the reliability of their friend's account. In addition to being well placed to judge their *good* friend's character, participants provided a range of justifications for why they would be more likely

to believe their close friend. Some referred to loyalty or the bond of friendship. Others referred to the fact they did not know the woman making the allegation: “You've never heard of this girl before, and all of a sudden, he just tells you this ... that's got to raise a little bit of alarm, doesn't it?” (Phillip, M2) Some noted that there would need to be compelling evidence to not believe their close friend, given their intimate knowledge of their close friend and his “good character”: “Until there's something that would really swing the pendulum against [the accused], I'd be likely to support [him].” (Finn, M1) Only one participant indicated that they would believe their friend irrespective of evidence substantiating the allegation: “If I was part of this friendship circle, I would probably back the person that I was more friends with, regardless of the evidence.” (Edvin, M6)

Participants acknowledged that believing their friend inherently involved “trusting” that their friend was being truthful, and there was still a risk that their friend had sexually assaulted the woman. For example, one participant noted that “if it was my friend and I knew them really well, I would want to believe them if I thought it was out of character for them”, but added later:

I think you'd want to hope for the best though wouldn't you, if it was someone you'd been friends with for a long time, you'd want to hope that they wouldn't do something like that. So ... it's not that, I would never dismiss the other girl's claim or anything like that, but you would just really be hoping to, hoping that your friend's not like that. (Nina, W4)

Some participants, most of whom were men, felt that an allegation levelled at their friend would reflect poorly upon them and their judgement of his character. They explained that they would never intentionally be friends with a rapist, and hoped that their judgements about the good character of people with whom they chose to be close friends would always be accurate. For these participants, this careful choosing of their close friends was a reason to believe their friend's account.

After being presented with Nathan's account, regardless of whether his account was presented before or after Abigail's, participants were asked, “Does your being friends with Nathan influence whether or not you think he raped Abigail?” (See Appendix D.) When answering this question, participants generally did not reflect on the woman making the allegation. They rarely mentioned the woman or even the events surrounding the alleged sexual assault, but instead answered predominantly through judgements about their friend's character and how well they knew him.

<sup>25</sup> It is unclear what this apparent gender difference reflects. Possibilities include that, compared to men in the focus groups, the women may have fewer close male work friends, may have been less likely to identify with a male friend falsely accused of rape, or may have been more reluctant to be associated with someone who had been accused of or had perpetrated sexual assault.

However, some of the participants who heard Nathan's account first did refer to the woman making the allegation by contrasting their close knowledge of their accused friend with their lack of knowledge of this woman who was a stranger. These participants cited their lack of knowledge about the woman as a factor in siding with their friend. For example, "It would be hard to not believe your friend over someone you've never met or don't know. So you just have to take his word for it." (Angus, M1) For those participants who indicated they were more likely to believe their friend's account (especially over that of a woman they did not know), close friendship did not necessarily result in conclusions that the woman was lying. Rather, participants appeared to simply side with the person they knew, basing their trust on judgements of character as opposed to believing a person that they did not know.

Notably, although one third of participants indicated their inclination to believe their *close* friend's claim of innocence, they did not always provide emphatic and unequivocal support for their friend. Instead, as discussed in Section 4.4.4.4, many of these participants who were inclined to trust their *close* friend were also among the broader group who had reservations in accepting a close (hypothetical) friendship with the accused and expressed a reluctance to be associated with someone accused of sexual assault.<sup>26</sup>

#### 4.4.4.3. For some, friendship with the accused is irrelevant to whether his account is trustworthy

Around one quarter of participants indicated that friendship with someone accused of sexual assault was irrelevant to their consideration of the trustworthiness of the allegation. These perceptions about the irrelevance of friendship were based on a number of different rationales. A handful of participants thought that the accused's actions and behaviours were more relevant than their friendship when it came to making an assessment on the trustworthiness of his account. These participants pointed to concerns about his treatment of the woman in the story: "Even though he's my friend, it sounds like he did not do the right thing by Abigail." (Amity, W7) Other participants indicated that friendship with the accused did not necessarily mean they would know how they would act. For example:

Well you might be friends through work, um, like I work with heaps, about 100 people but I wouldn't ... you're probably quite good friends with people at work, but you don't necessarily know how they act. (Harriett, W2)

Similarly, some participants raised concerns that the accused could be putting "on a front for a really long time" which would make it difficult to trust him "even if I've known

him for a long time" (Norris, M5). These participants claimed that despite friendship, you could never rule out that the accused was capable of sexual assault. One participant pointed to examples:

People always believe, you know, believe their, you know, their uncles and their cousins, their stepbrothers and all that sort of stuff, you know, until it actually happens to them, all they think is "Shit, I didn't see that coming." (Zen, W1)

Here participants shared perceptions that friendship or closeness to a person was not an effective way to determine the credibility of their claim. For a handful of participants, a reluctance to trust Nathan's account was a reflection of the seriousness of the allegation being made by the woman: "It would be very difficult for me to make an opinion or to be supportive of Nathan here when there's something so grand at stake." (Casper, M4)

#### 4.4.4.4. There was a reluctance to acknowledge a hypothetical friendship with someone accused of sexual assault

In response to the Dinner party vignette, which asked participants to imagine the accused was their friend, around two fifths of participants sought to distance themselves from the accused by questioning whether they were really "close" friends with him. This group who were reluctant to acknowledge their (hypothetical) friendship with the accused overlapped to some extent with both of the cohorts described in the previous two sections (4.4.4.2 and 4.4.4.3): the cohort who were inclined to believe the accused if he were a close friend and the cohort who felt friendship was irrelevant to assessing sexual assault allegations.

In part, participants' reluctance to acknowledge a close friendship with the accused may reflect the specific content in the Dinner party vignette that asked participants to imagine they were friends with the accused "through work" but not "best friends". While some participants engaged with and imagined this "friendship", for others, not being "best friends" led to too many unknowns about the context and nature of the friendship. For example, as one participant noted: "It also just says Aaron is a friend of yours through work. Well, you know, I've got friends at work but they're not like, you know, close friends that you're discussing that kind of stuff with." (Jan, W3) Similarly, participants indicated that people might have a different persona at work, which meant they did not really know how the accused would respond in interpersonal settings

<sup>26</sup> Of the third of participants who were inclined to trust their close friend, about half were also among the broader group of participants who questioned the closeness of their relationship with Nathan. As noted earlier, around two fifths of the total sample questioned the closeness of their relationship with Nathan.

outside of work. For example:

Well I don't think if you're a friend through work, unless you spend a lot more time with him away from work, you know what his character really is. You've got a different character at work, maybe a professional character but when you're out, when you're on with your private life, you never know what people are thinking or what their actions are going to be. (Wes, M6)

Some participants also queried how well they would know the accused if, as described in the vignette, they had never heard of the woman making the allegation: "If he's such a good friend of mine I would know more about him and I would have heard of that person [Abigail]." (Malene, W2)

Further, some participants expressed very bluntly and unequivocally that they would not be friends with a rapist:

Harrison: You hope that you would be a good judge and that's why the person is your friend. If he's a real shit bag I don't know if I'd be his friend, you know. Like, [sarcastically] "Yeah, he's a nice guy, he buys beer, but once in a while he rapes women." Well, he wouldn't be my friend, you know.

Interviewer: Angus, you wanted to add something?

Angus: Oh I don't know, it's like what Harrison says, you know. I'm not really friends with rapists, so ... (M1)

These participants' unwillingness to accept a (hypothetical) friendship with someone accused of sexual assault reinforces the "othering" of perpetrators through rape myths which position perpetrators as deviant or monstrous (Hirsch & Khan, 2020, pp. xxv, 8–10). Thus, the myth that good guys don't rape was used to undermine the idea that Nathan was a close friend, because close friends were perceived as being of good character and not capable of perpetrating rape. The finding that trust in the accused's account was dependent on the perceived closeness of the friendship underscores the idea that participants perceived that their own character assessments of close friends are critical in deciding whether a friend's account could be trusted. In addition, participants' attempts to distance themselves from the accused may also in part reflect a reluctance to be associated with someone accused of sexual assault and the undesirability and negative implications of such an association. Section 5.3 discusses the possible limitations of the present finding in the methodological context that the friendship was hypothetical rather than real.

#### 4.4.4.5. Very few indicated how they would engage with a friend accused of sexual assault

Across the focus groups, a minority of participants provided reflections about how they might interact with or respond to a friend who had a sexual assault allegation made against them. While not a focus of this study, these reflections provide some useful insight into bystander behaviours or informal support networks. Several participants indicated that they would approach the accused directly and ask for more information about the allegations. Some of these participants indicated that such additional information would help them decide whether to believe the accused's account and whether they would be prepared to provide some "support" to the accused. For this small minority, the further information would shed light on the accused's demeanour and approach to the allegation. For example:

I'd find him up. I'd sit down with a cup of coffee and say, "Mate what happened? Tell me about it." I wouldn't make a decision based on this, but because I know [the accused], I'd talk to him and I'd ask, and based upon how he answered my questions or didn't answer them, then I might make an opinion. But that would be my starting point to contact him and say "What's going on?" (Jerome, M4)

A handful of participants also indicated that they would suggest to their friend that he should take the matter into his own hands by making a proactive report to the police or human resources in order to "clear this up" (Marlyn, W3).<sup>27</sup> This minority view relates to the broader authority participants attributed to the legal process (as discussed in Section 4.2.2).

In contrast, a handful of women indicated that the allegation would have a negative impact on their relationship with the accused. These women indicated that they would question their friendship with the accused and may become "cautious around him" as a precaution for their own safety. For example, "I might start seeing him with different eyes unless I got the clear picture of what actually happened, because it might put me in, uh, danger if he's ... yeah." (Ela, W7)

Aside from these small numbers of participants, most participants did not mention that they would talk to their accused friend about the allegation. On the whole, participants did not spend much time discussing responses or interactions with the accused beyond whether or not they trusted him. A few participants indicated that they would "avoid the whole situation" (Quinn, W5) but, overall, participants did not engage with the broader implications of an allegation of sexual assault against their friend.

<sup>27</sup> One group of participants referred to human resources because they interpreted the allegation in the Dinner party vignette as being discussed among colleagues in a work environment.

#### 4.4.5. Conclusions: Trust towards someone accused of sexual assault hinges on people's own assessments of his good character

When discussing the believability of the allegations of sexual assault, participants did not give as much weight to third-party, positive depictions of the character and achievements of the accused as they did to the accused's actions and previous behaviour and their own knowledge of the accused through friendship. There was not a consensus position in discussions, but for most participants, perceptions of the accused's disrespectful relationship behaviour were associated with lower levels of trust in the accused's account. Information about the accused's achievements were seen as less relevant to assessing his trustworthiness and whether his account could be believed.

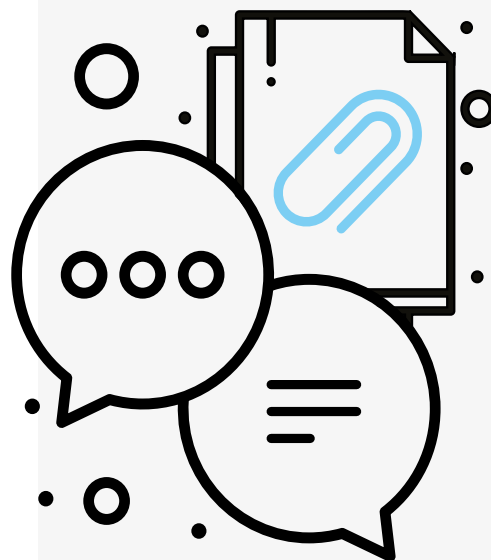
The ability to judge the good character of one's friends sits in stark contrast to participants' scepticism toward the third-party depictions of the accused's "good character" in the News report vignette. Although close friendship with the accused was associated with greater trust in the accused's account for many participants, they did not necessarily completely mistrust the woman's allegation or conclude that the woman was lying on the basis of this friendship alone. Nonetheless, many participants were hesitant to be aligned with someone accused of sexual assault and often placed distance between themselves and the accused by detracting from or minimising the extent of their friendship. These participants' struggles to reconcile being friends with someone accused of sexual assault align with existing research around cognitive distance (Bennett et al., 2015; Festinger, 1962b; Rich et al., 2021).





# 5. Discussion and implications

**The driving purpose of the present study was to investigate what understandings, attitudes and myths underlie the Australian community's mistrust in women's reports of sexual assault victimisation that was revealed by the NCAS population-level survey.** Understanding these influences on mistrust in women's reports of sexual assault is critical. The present findings not only provide evidence for informing strategies to reduce and prevent sexual violence, but also for challenging stigma, for improving responses to violence from formal and informal support networks, and ultimately for supporting victims and survivors of sexual assault. The first section of the discussion below draws together the overall findings to conceptualise mistrust and unpack the ways the varied factors under consideration in this study influenced participants' mistrust in women's reports of sexual violence. The second section discusses the findings in the context of existing research, identifies possibilities for future research, and outlines key implications for policy and primary prevention initiatives. The final section of the discussion briefly outlines the strengths and limitations of the study.



## 5.1. Conceptualising mistrust and the factors that influence it

Mistrust in women's reports of violence was identified as a key concept underlying attitudinal support for violence against women in Australia in the 2017 NCAS (Webster et al., 2018a, p. 146), echoing other national and international research that highlights the broad climate of mistrust in women's reports of domestic, family and sexual violence (e.g. Gunby et al., 2012; McMillan, 2017; O'Neal & Hayes, 2020). The present study provides further evidence for this climate of mistrust in the Australian community: it reveals how mistrust draws on, and is influenced by, many overlapping and mutually reinforcing factors. The study demonstrated how participants used understandings (including understandings of sexual consent and sexual assault), attitudes (including stereotypical gendered attitudes about women being untrustworthy or manipulative), and myths (including about rape itself, as well as rape victims and perpetrators) to create and reinforce mistrust in women's allegations of sexual assault. The present study therefore confirms that attitudinal mistrust in women is not only limited to police, lawyers, jurors and court officers, as shown in other research, but permeates the public consciousness (Du Mont et al., 2003; Ellison & Munro, 2013; Gray & Horvath, 2018; Larcombe et al., 2016; Leverick, 2020; Maier, 2008; McMillan, 2017; Osborn et al., 2018; Temkin et al., 2018; Waterhouse et al., 2016).

Doubt about and suspicion towards the allegation and the woman making the claim was the default starting position for the majority of participants in our study. Participants' interpretations of the sexual assault allegations in the vignettes moved through several steps, often relying on myths and gendered stereotypes, each of which reinforced layers of mistrust. Other research has similarly shown that people "step down through" (McKimmie et al., 2014b) a hierarchy of *social schemas* in their attempts to evaluate and make sense of

allegations of sexual assault and other criminal behaviours, which draw on gender-related stereotypes, myths and other misconceptions (Bongiorno et al., 2016; Brown et al., 2018; Leverick, 2020; Masser et al., 2010; McKimmie et al., 2014b; McKimmie et al., 2020; Strub & McKimmie, 2016; Stuart et al., 2016; Venema, 2014). The present inquiry reveals how these social schemas interweave and mutually reinforce each other and highlights the strength of rape myths and gendered stereotypes in minimising, dismissing or denying that an incident of sexual assault fits the category of “real rape” (Burt, 1998, p. 130).

The steps that the present participants took through these social schemas were as follows. Firstly, participants were sceptical towards the claim of sexual assault itself. They questioned whether the incident was in fact sexual assault based on perceptions that the woman “failed” to clearly refuse consent via verbal communication (“no”) or by physically fighting back.

Secondly, participants further questioned whether sexual assault had occurred because there was no proof of physical injury, revealing a reliance on the “real rape” myth that physical injury would be expected from the woman physically resisting the assault. Through this process, participants repeatedly shifted the thrust of the conversation from *believing* women’s claims to *proving* the truth of the allegation. The findings thus indicate that, when first hearing a woman’s claim of sexual violence, people implicitly default to a position of scepticism and mistrust the claim unless there is independent forensic or physical evidence to prove the claim. Without evidence, people “just didn’t know” whether to believe her.

Thirdly, after attempting to establish whether a rape had occurred through the available information on sexual consent and forensic or physical evidence, participants then interrogated the woman’s actions, behaviours and demeanour in order to establish whether she was “credible” or worthy of belief. Such interrogation of the woman making the allegation was the most prominent site of mistrust in this study. The findings demonstrated how victims and survivors may be interrogated according to expectations about how they *should* refuse consent, how they *should* respond to their sexual assault (with the “correct” emotional response of distress and by prompt reporting to police), how they *should* behave (not drinking or “leading the man on”), and what motives they are *supposed* to have for reporting their assault to police. These interrogations typically relied on myths and gendered stereotypes, activated victim-blaming and trivialising attitudes, and worked to undermine the perceived credibility of women’s accounts of sexual assault.

Lastly, participants assessed the man accused of sexual assault to consider whether his claims to innocence were

reliable or trustworthy. Where the women alleging assault in the vignettes were subject to heightened scrutiny and mistrust in their actions, character and motives, the accused men were not subject to anywhere near the same extent of interrogation. Rather, participants largely restricted their assessments to his character – much more than his actions (such as how he did or did not gain sexual consent) – by relying on myths that good guys don’t rape (Martinez et al., 2018).

Although participants’ interrogations of the women’s actions and suspected motives were the most influential sources of mistrust, the findings indicate that no single factor in isolation created mistrust, or resulted in categorical conclusions that the allegation was false. Rather, the results show that these highly influential factors overlapped and mutually reinforced each other. The absence of physical or forensic evidence to prove the allegation and perceptions that the woman was not credible worked together, and in tandem with myths about “real rape”, “genuine victims” and “deviant perpetrators”, to raise doubts about the trustworthiness of the allegation and about the woman making the claim. Nevertheless, very rarely did participants categorically conclude that the allegation was false. The study thus reveals people’s hesitance to *believe* women’s allegations (especially without proof) and, at the same time, people’s hesitance to flatly *disbelieve* their allegations or label these women “liars”.

## 5.2. What the findings mean for research, policy and prevention

As detailed below, the findings of the present study provide a number of important implications for future research and for policies and strategies aimed at reducing and preventing sexual violence against women in Australia. These implications are highly relevant for policymakers, practice design decision-makers, practitioners, sexual violence support services, and other response and intervention services (including police and services working with perpetrators), and for the promotion of respectful relationships through prevention education strategies. The findings from this study provide an important opportunity to inform a range of policy and prevention efforts to reduce and prevent sexual violence already underway in Australia. For example, the findings are relevant to the following:

- future iterations of the *National Plan to Reduce Violence against Women and their Children*, taking on the task in the *Fourth Action Plan* to better respond to sexual violence both as a form of domestic and family violence and a separate, standalone crime (Australian Government, 2019)
- national and jurisdictional taskforces, inquiries and committees tasked with exploring and addressing the

issue of sexual assault, including the recent National Sexual Violence Taskforce established by the Attorney-General (Attorney-General for Australia and Minister for Industrial Relations, 2021)

- reforms to state and territory action plans and frameworks designed to address sexual violence against women
- law reform processes at national and smaller jurisdictional levels, including the need for state and territory criminal code definitions of sexual assault and sexual consent to include clear and consistent definitions of affirmative consent
- initiatives and reforms within institutional settings to reduce, prevent and respond appropriately to sexual harassment and violence, including within universities (in alignment with recommendations in the Australian Human Rights Commission's 2017 report, *Change the Course*) and in workplaces (in alignment with recommendations in the Australian Human Rights Commission's 2020 report, *Respect@Work*)
- targeted dissemination strategies to ensure uptake and use of media guidelines on reporting of sexual assault cases, as similarly recommended in the recent ANROWS research into media representations of violence against women (Sutherland et al., 2015). Guidelines such as *How to Report on Violence against Women and Their Children* by Our Watch (2019), as well as others developed by private media organisations and police media units, must also be reviewed and updated in line with trauma-informed practice
- education strategies and trauma-informed practice guidance for workers in the justice system and the health network and within intervention and support services working with victims and survivors of sexual assault, such as accredited training recently developed by Monash University (Minister for the Department of Social Services, 2021)
- strategies and efforts to improve responses for marginalised victims and survivors and groups of women and people at increased risk of victimisation or who may experience greater barriers in reporting sexual violence, as explored in ANROWS research on the experiences of trans women from CALD backgrounds (Ussher et al., 2020)
- reform of approaches to directions provided to jurors in sexual assault cases
- prevention programs and frameworks that engage men in order to improve attitudes and understandings of sexual assault, such as the *Engaging Men: Reducing Resistance and Building Support* framework (Flood, 2019)
- education initiatives delivered to young people in both school and community settings, including the recent proposed changes to sexual and consent education within the national school curriculum by the Australian

Curriculum, Assessment and Reporting Authority (ACARA; see e.g. ANROWS, 2021) and successful peer-to-peer relationship education programs such as R4Respect (Pascua et al., 2019; see also the ANROWS-commissioned action research by Struthers et al., 2019)

- public campaigns and resources that aim to improve understanding of and attitudes about sexual assault, including the current #MakeNoDoubt campaign by Women NSW (Women NSW, 2019), The Line by Our Watch (Musovic, 2017) and the Consent Toolkit (Rape and Sexual Assault Research and Advocacy, 2021).

As detailed below, the results of the present study underline key issues for which continued research and prevention effort is still required, and identify some relatively new areas that warrant attention. Specific implications for policy and prevention that are discussed within their relevant sections below are also summarised in Table 8.

### 5.2.1. Understandings of sexual consent and sexual assault

Participants overwhelmingly understood sexual consent in the negative sense as “no means no” (see e.g. Marcantonio et al., 2018) and defined sexual assault as occurring if one partner initiated or continued sex after the other partner had clearly refused consent. This “negative” understanding of sexual consent assumes that consent is implied unless it is clearly refused. There was very little consideration of how parties *gain* or *continue to confirm* sexual consent, as well as little consideration of the ways consent can be *coerced* or *withdrawn*. Thus, participants’ understandings of sexual assault differ from the legal definitions of consent in many Australian jurisdictions that require reasonable belief “in *affirmative, communicated* consent in all circumstances” (Larcombe et al., 2016, pp. 621, emphasis added; see also Burgin, 2019; Burgin & Crowe, 2020). Instead, in response to the Dinner party vignette, many participants criticised the woman’s perceived failure to “correctly” refuse consent either verbally or through physical resistance or fightback. In contrast to the criticisms of the woman’s actions (or “failures”), there was very little interrogation of any actions the man may have taken to gain or confirm consent – indeed, many accepted his claim that the sex was consensual at face value. These findings therefore confirm the existing literature about the expectations upon women to refuse consent (Baldwin-White, 2019; Bedera, 2021; Frith, 2009; Hirsch et al., 2019; Jozkowski et al., 2017; Kettrey, 2018; Levine, 2017), as well as the invisibility of the actions of perpetrators to gain consent (Baldwin-White, 2019; Brady et al., 2018; Dardis et al., 2021; Jeffrey & Barata, 2017; Jeffrey & Barata, 2019; Stuart et al., 2016).

Consistent with their “negative” understanding of consent, many participants afforded greater trust to the allegation

in the Dinner party vignette because of the woman's first-person account that clearly described her "no" statement. Importantly, however, a large number of participants also expressed perspectives that were contradictory to these initial definitions of sexual assault that they had provided, drawing on myths that "real rape" involves physical resistance to question whether the woman had *really* refused consent. Additionally, participants' understandings that rape is not necessarily physically injurious was contradicted by their perceptions that sexual assault allegations are more believable if the victim and survivor can *prove* the assault through physical injury as a result of the attack or fightback. These contradictions corroborate the existing qualitative and quantitative literature on the pervasiveness myths about "real rape" (Beshers & DiVita, 2019; Edwards et al., 2011; Fansher & Zedaker, 2020; Franiuk et al., 2008; Grubb & Turner, 2012; Haugen et al., 2018; Hockett et al., 2016; Leverick, 2020; Ryan, 2011; Smith & Skinner, 2017; Suarez & Gadalla, 2010; Temkin et al., 2018). The findings from the present study provide new insights and suggest that the "real rape" myth informs understandings of consent (particularly regarding how the refusal of consent is expected to be performed), which work in tandem to increase mistrust in sexual assault allegations. Moreover, the findings highlight the complex ways people understand sexual assault, and provide further insight into the ways rape myths disrupt people's otherwise "rational" understandings of how sexual assault is defined.

The lack of attention to whether and how the accused men had gained consent may be due to predominant heterosexual sex scripts that position men as sexually aggressive initiators of sex and women as passive gatekeepers who are presumed to be responsible for managing and refusing men's sexual demands (Hirsch & Khan, 2020, p. 129). This positioning can be used to blame victims if they are perceived to be "ineffective" in how they communicate their refusal of consent (Hirsch & Khan, 2020, p. 129). As highlighted in the present study, this approach also places responsibility on the victim to prove that consent was refused and that sexual assault took place. By placing the onus for consent solely on the non-consenting person, these perceptions contribute to attitudes that mistrust women's sexual assault allegations while at the same time exonerating and excusing the actions of perpetrators (Frith, 2009; Healicon, 2016).

The present results therefore highlight the importance of shifting "negative" social understandings of sexual consent so that they align with affirmative, communicative and ongoing consent that is the responsibility of both parties. The results also underscore, however, that this shift towards affirmative, communicative and mutual consent needs to be accompanied by changes to normative heterosexual scripts about men's entitlement to sex and

women's traditional role of sexual gatekeepers. Such heterosexual scripts reinforce men as the initiators of sex and women as the gatekeepers who must either provide or refuse consent, thereby affording men "the status of naïve mishearers" who can claim that they do "not know" how to interpret women's communications" (Frith, 2009, p. 113). Promoting affirmative and mutual consent without addressing problematic heterosexual sex scripts may contribute to a failure to recognise instances where "yes" is coerced because of gendered sexual scripts or other relationship expectations and power dynamics (Baldwin-White, 2019; Ellison & Munro, 2009a; Jeffrey & Barata, 2019; Jozkowski et al., 2018; Kern & Peterson, 2020; O'Byrne et al., 2008). In addition, efforts to promote explicit affirmative and communicative consent should not overlook the varying and complex non-verbal and indirect ways that consent is negotiated in practice – including where consensual sex occurs without the sexual partners ever explicitly saying "yes" (Bedera, 2021; Beres, 2007, 2014; Graf & Johnson, 2020; Hirsch & Khan, 2020, p. 114; Hirsch et al., 2019; Jozkowski et al., 2017; Jozkowski et al., 2018; Jozkowski & Peterson, 2013). Rather than continue to focus on victims' and survivors' actions to refuse sex – which reinforces traditional heterosexual sex scripts, victim-blaming attitudes and myths that rape results from miscommunication – more work is needed to investigate the ways sexual partners, irrespective of gender or sexuality, each assess and continually gain each other's consent in practice (Hirsch & Khan, 2020). Further research could also examine how trust and mistrust in sexual assault allegations may be influenced by claims regarding consent made by both the alleged victim and the accused.

In light of the findings from the present study, policy and primary prevention initiatives could:

- implement a nationally consistent statutory definition of sexual assault and sexual consent across Australia. Such reforms align with broader research and recommendations made by the 2021 Australian of the Year, Grace Tame, as well as ANROWS and others on the importance of updating sexual consent and sexual assault legislation to ensure clear and consistent definitions of affirmative consent and the withdrawal of consent (ANROWS, 2019a, 2019b, 2020; Hislop, 2021)
- acknowledge the broader spectrum of consent practices that people use in order to:
  - equip people with skills about the ways sexual partners (irrespective of gender or sexuality) can assess, safely recognise and continually affirm each other's consent
  - ensure recognition of coerced sex, presumed consent, and other problematic consent practices (Hirsch & Khan, 2020; Kaplan, 2018; Nagoski, 2015)
- shift problematic traditional heterosexual sex scripts that place the responsibility of consent on only one

party, through respectful relationships education strategies within schools and the broader community

- address attitudes that disregard the need to gain sexual consent to challenge the culture where women's refusals continue to be "not heard, ignored, or overruled" (Frith, 2009, p. 99)
- increase recognition about the ubiquity of sexual assault by continuing to dispel entrenched myths about "real rape" – particularly misconceptions that "real" sexual assault is violent, perpetrated by a stranger, and always results in physical injury from fightback.

### 5.2.2. Understandings of false allegations of sexual assault

Participants' perceptions that false allegations of sexual assault are highly prevalent sits in contrast to the empirical evidence in Australia and internationally of the rarity of false allegations (Anderson & Overby, 2021; Ferguson & Malouff, 2016; Lisak et al., 2010). Despite their perceptions of the high prevalence of false allegations, participants were uncertain about the defining features of a false allegation. These findings align with existing literature which has found varying definitions of false allegations between justice officials and researchers (Dewald & Lorenz, 2021; Kelly, 2010; McMillan, 2017; Saunders, 2012; Wall & Tarczon, 2013; Wheatcroft & Walklate, 2014). The present study goes further by demonstrating that definitional uncertainties are similarly present for members of the general community. Given the uncertainty regarding the defining features of a false allegation in the focus groups, it is perhaps unsurprising that their understandings of false allegations had a limited influence on mistrust per se. Instead, their perceptions that an allegation could be proven as *true* via forensic or physical evidence and via the legal process had a greater, though indirect, influence on mistrust. This finding adds further weight to the literature about the so-called CSI effect on community attitudes, where trust that a crime has been committed is based on forensic or physical evidence – even when such evidence may not be possible (Hawkins & Scherr, 2017; Hayes & Levett, 2013; Holmgren & Fordham, 2011; Klentz et al., 2020). In the present study, legalistic understandings of proof reinforced mistrust via myths that sexual assault allegations need to be *provable* in order to be *believable*. As discussed above, such perceptions rely on existing, inaccurate myths that sexual assault must be violent and result in physical injury. Although the participants in the present study emphasised proof and evidence as key reasons to trust the legitimacy of a sexual assault allegation, other research has demonstrated that the legal "burden of proof" threshold for sexual assault cases is often unattainable, particularly as consent cannot necessarily be proven through physical evidence, such as bruising, genital injuries or DNA evidence (Campbell & Fehler-Cabral, 2020; Du Mont & Parnis, 2001;

Randall, 2010; Rees, 2010; Wells, 2006). The present study indicates that more work is needed to investigate these community perceptions of "provable" versus "believable" sexual assault allegations, particularly in situations where a disclosure of sexual assault may be made outside of the legal system.

Given the present findings regarding community understandings of false allegations, an opportunity exists for policy and primary prevention strategies to:

- address myths that false allegations are a prevalent problem through education campaigns that highlight the established facts about the prevalence of sexual assault, the underreporting of sexual assault to police and the rarity of false allegations
- correct attitudes which, in line with rape myths, overemphasise proof of victim fightback in sexual assault cases.

### 5.2.3. Expectations that women must report sexual assault to police

Perceptions that a woman failed to promptly report an alleged sexual assault to police were also highly influential on mistrust, particularly when combined with perceptions that the woman had a motive to lie about her assault. These findings thus reveal support in the community for myths that delayed reporting or a failure to report an alleged assault is suspicious (James & Lee, 2014; Johnson, 2017; Jordan, 2004a, 2004b; McMillan, 2017; Smith & Skinner, 2017; Whiting et al., 2020). Relatedly, participants in the present study afforded notable trust to sexual assault allegations that were promptly reported to police and were made by women who were perceived as having positive motives for reporting or no ulterior motive for lying. Together, these results indicate that reporting sexual assault allegations to police increased their credibility because it was perceived as demonstrating the seriousness of the allegation and because pursuing the matter through the justice system was seen as the "proper process". Although this perceived authority of the justice system and its function as the proper process was not a focus of the present study, it confirms conclusions in other recent studies that police are often positioned as "legitimate authority figures" and gatekeepers for justice in sexual assault cases (Henry et al., 2020, p. 6; see also Murphy-Oikonen et al., 2020; Spencer et al., 2018). These findings highlight that the general public's attitudes and expectations that victims and survivors must report their assault immediately is a key influence on trust. As such, the findings add fresh insights to the existing literature which largely focuses on mistrust among those working within formal institutions, such as in the police force and the justice system (see e.g. Ellison & Munro, 2009a; Ellison & Munro, 2009b; Gray & Horvath, 2018; Smith & Skinner, 2017; Temkin et al., 2018).

In contrast to the majority view among present participants that women alleging sexual assault had “reason to lie”, perceptions by a small minority that women had positive motives for reporting sexual assault or no ulterior motives for lying about sexual assault were associated with increased trust. Consistent with other research with victims and survivors about their motivations for reporting their assault to police (Brooks-Hay, 2019; Lievore, 2005; Taylor & Norma, 2012), this minority of participants in the present study cited that women may be motivated to disclose an experience of sexual assault in order to take back control of the story or to hold the perpetrator accountable for their actions. Existing studies with victims and survivors have similarly found that holding the accused accountable and protecting other women are key justice goals for many women who have experienced sexual assault (Brooks-Hay, 2019; Lievore, 2005; Taylor & Norma, 2012). However, perceptions that position victims and survivors as responsible for the future actions of perpetrators (by “holding him accountable”) can result in victims and survivors feeling overburdened by this responsibility (Brooks-Hay, 2019). Absent in participants’ discussions in the present study were other reasons why women report sexual assault to police, including processes of healing, recognition of their sexual assault as a crime, validation of their experiences, or feelings of social or moral responsibility (Brooks-Hay, 2019; Johnson, 2017; Lorenz et al., 2019; Scoglio et al., 2021; Taylor & Norma, 2012). Seeking justice for their sexual assault as a motivator for reporting sexual assault to police was notably absent from the focus group discussions. Further research, particularly in Australia, is needed to explore the full range of *positive* reasons why women report their assault to police or decide to disclose it to others, as well as to establish the extent to which the broader community understands these reasons and whether community knowledge of these reasons increases trust in the allegation.

While present participants did not consider seeking justice as a positive reason for reporting sexual assault to police, a minority did acknowledge the difficulties victims and survivors can face in reporting their assault to police and pursuing their claim through the legal system. Echoing these views, much research has focused on the *barriers* victims and survivors face when reporting sexual assault and the reasons why they decide not to report (Cohn et al., 2013; Lorenz et al., 2019; Murphy-Oikonen et al., 2020; Reich et al., 2021; Thompson et al., 2007; Whiting et al., 2020). However, contrary to this research, the dominant attitude held by most of the present participants was that prompt reporting to police demonstrates the seriousness and legitimacy of the allegation. One potential consequence of this attitude is the undue pressure it places on victims and survivors to act quickly and report to legal authorities, which may also reinforce the stigma and shame that victims and survivors may already be feeling (Hirsch & Khan, 2020,

p. 212). Indeed, going through the process of reporting to police and pursuing the claim through the justice system has been described elsewhere as a kind of “secondary trauma” (Carroll, 2021; Johnson, 2017; Maddox et al., 2011; Maier, 2008; Murphy-Oikonen et al., 2020; Spencer et al., 2018; Waterhouse et al., 2016). The expectation that victims and survivors *must* report to police in order for their claim to be seen as “serious” and to be trusted, as found in this study, suggests more work is needed to educate the general public about women’s reporting decisions. This finding also flags an opportunity for further research that explores these gaps in understandings about victims’ and survivors’ decision-making and the social expectations of “genuine victims”.

Given the emphasis on reporting to police, participants did not spend much time considering any alternative pathways outside of the justice system that are available for victims and survivors of sexual assault to engage in healing (Deakin-Greenwood & Bolitho, 2021; Naylor, 2010; Relyea & Ullman, 2015; Scoglio et al., 2021). Studies have shown that many people who have experienced sexual assault do not report their assault to police, and many may also decide not to disclose their assault to even those in their informal networks (Caron & Mitchell, 2021; Khan et al., 2018; Lievore, 2005; Reich et al., 2021; Slatton & Richard, 2020; Whiting et al., 2020; Woodward Griffin et al., 2021). Additionally, attitudes evidenced by a small group of participants in the present study that they would advise their friend “not to bother” reporting to police highlights how these attitudes may shape victims’ and survivors’ informal and formal help-seeking behaviours. Hearing such views from a friend or family member may reinforce feelings of isolation or stigma (Ahrens, 2006; Ahrens et al., 2007; Dworkin et al., 2019), which may make it even more difficult for victims and survivors to seek help, whether through the justice system or other avenues such as restorative justice, mental health support or other medical care. These findings highlight an opportunity to improve “social reactions” and responses from victims’ and survivors’ informal networks (Edwards et al., 2020; Waterman et al., 2020) through greater public awareness of the response services inside and outside the justice system that are available to victims and survivors. The findings also highlight a research opportunity to investigate whether victims’ and survivors’ decisions to seek help for sexual assault outside of justice system pathways impact how their claims are perceived and the level of trust or mistrust they are afforded.

These findings highlight opportunities to improve supports for victims and survivors through primary prevention and policy initiatives that:

- shift attitudes to ensure all claims of sexual assault are treated seriously, regardless of whether a police report is made

- use trauma-informed and victim-centred approaches to remove barriers to reporting and to make the process easier, safer and more accessible for all victims and survivors irrespective of gender, ethnicity, disability, sexuality, age or class background
- increase awareness of the range of formal and informal pathways for help and support available for sexual assault victims and survivors, not limited to only the justice system
- educate and upskill the population (including friends and families as well as practitioners and support services) about how best to support victims and survivors who disclose their sexual assault, according to trauma-informed and victim-centred best practice.

#### 5.2.4. Myths about “genuine victims” and survivors

The present study highlighted that myths and misconceptions about “genuine victims” of sexual assault are still evident in community thinking and continue to shape mistrust in women’s allegations of sexual assault. Previous studies have similarly found that women’s claims of sexual assault victimisation are mistrusted if, in accordance with such myths, they are intoxicated or affected by drugs (Carline et al., 2018; Finch & Munro, 2007; Gunby et al., 2013); are teenagers or members of other groups of women perceived as untrustworthy (Bottoms et al., 2003; Hughes et al., 2020; O’Neal & Hayes, 2020); previously flirted with the accused or “led him on” (Landström et al., 2015); or have a history of making false allegations of sexual assault (Dewald & Lorenz, 2021). Given that the vignettes in the present study did not involve heavy drinking or intoxication, it is unsurprising that alcohol was not among the key influences on mistrust in the present study. However, in line with other research, some participants in the present study afforded *more* trust to claims of sexual assault where the woman was not drinking (Gunby et al., 2013). Similarly, in keeping with myths about “genuine victims” and existing research, present participants expected victims and survivors to display trauma or distress as the “correct” emotional response to sexual assault (as also seen in e.g. Klippenstine & Schuller, 2012; Lens et al., 2016; Nitschke et al., 2019; Sleath & Woodhams, 2014; van Doorn & Koster, 2019; Wrede & Ask, 2015) and also expected that victims and survivors should be able remember and tell their stories in vivid, unchanging detail (Hohl & Conway, 2017; Lens et al., 2016). These two expectations are in fact contradictory given it has been well established that trauma impacts memory recollection (Bedard-Gilligan & Zoellner, 2012; Brown, 2013; van der Kolk & Fisler, 1995). The present findings thus highlight the inconsistent reasoning underlying community perceptions about whether victims and survivors are perceived as “genuine” or trustworthy. Other research has highlighted that structural inequalities

such as racism, ableism, classism and ageism further shape who is perceived as a “genuine victim” of sexual assault or other violence (Antaki et al., 2015; Benedet & Grant, 2007; Bottoms et al., 2003; Cripps, 2021; Ellison et al., 2015; George & Martínez, 2002; Murphy-Oikonen & Egan, 2021; Slakoff & Brennan, 2020; Suarez & Gadalla, 2010; Watego et al., 2021). These intersecting inequalities were not a focus of the present study. Thus, there is an opportunity for future research to investigate the ways these structural and intersecting inequalities influence who is perceived as a “genuine” victim, and the ways these inequalities may interact together with other factors to influence mistrust in women’s reports of sexual assault.

The present findings highlight the need for education initiatives that:

- correct misconceptions about so-called “genuine victims” by challenging victim-blaming attitudes
- ensure that jury directions address misunderstandings about sexual assault and about victims and survivors and the circumstances of their report of sexual assault. Such reforms align with broader NCAS findings and with recommendations made by ANROWS in government submissions (ANROWS, 2019a, 2019b)
- increase understanding and empathy regarding the variety of ways trauma may manifest and be displayed by victims and survivors, which may not necessarily include emotional distress
- reinforce that women claiming they have been sexually assaulted are almost invariably telling the truth, regardless of whether they consumed alcohol, show visible signs of emotional distress, can fully and clearly describe every facet of their experience, or previously flirted with the accused.

Correcting these myths about sexual assault victims and survivors, as well as those about “real rape”, would not only help to reduce stigmatisation and victim blaming, but may also help more victims and survivors to acknowledge their experiences as rape (Lipinski et al., 2021; Littleton et al., 2018).

#### 5.2.5. Victims’ and survivors’ voice and agency

In the Dinner party vignette, the woman’s detailed, first-person account of her experience of sexual assault and her refusals of consent was a source of increased trust for many participants. Additionally, perceptions by a minority of participants that women had only positive motives or no ulterior motive for reporting sexual assault were also sources of increased trust for these participants. Common among these sources of increased *trust* is the victim’s and survivor’s agency and voice (Jordan, 2011; McQueen et al.,

2021; Walklate et al., 2018). These findings suggest that victims and survivors of sexual assault telling their stories can be powerful in challenging the climate of mistrust. In particular, the results suggest the importance of research and prevention approaches that focus on victims' and survivors' agency and "strategies of resilience" (Healicon, 2016, p. 120) and on further examining whether these forms of agency or voice influence trust. Additionally, these results emphasise the importance of the advocacy work underway in Australia via the #LetHerSpeak/#LetUsSpeak campaign, which aims to destigmatise storytelling and abolish legal and other barriers to victims and survivors speaking out about their experiences. Nonetheless, and in line with #LetHerSpeak/#LetUsSpeak (Funnell, 2021), victims and survivors need to have ownership over their stories and to be empowered to tell their stories safely and on their own terms, if they should choose to do so. Nevertheless, although a first-person account from the woman in the Dinner party vignette increased trust in the present study, it did not result in complete or unconditional belief in women's allegations. More work is therefore needed to address this hesitancy or reluctance to believe women.

These findings suggest policy and practice initiatives should:

- adopt trauma-informed and victim-centred approaches to ensure that victims' and survivors' own wants, needs, feelings and opportunities for self-determination and resilience are prioritised in their decision-making and help-seeking actions (Deakin-Greenwood & Bolitho, 2021; Healicon, 2016; Hirsch & Khan, 2020; Maier, 2008; Scoglio et al., 2021; Wheatcroft et al., 2009)
- empower victims and survivors to tell their stories safely and on their terms by expanding support services for victims and survivors to disclose their experiences, removing any legal or practical barriers they may face in sharing their stories (Funnell, 2021), and ensuring victims and survivors are not unfairly burdened or traumatised when sharing their stories
- increase understanding of the positive reasons why victims and survivors report sexual assault – such as to seek justice, to heal, or to have their experiences heard – in ways that prioritise victims' and survivors' agency and voices.

### 5.2.6. Women's perceived motives for lying

Suspicious that women had ulterior motives for lying about sexual assault were very influential on mistrust in the present study. The findings show that perceived ulterior motives interacted with other factors to reinforce mistrust

in women's reports of sexual assault. Participants rarely hinged their mistrust *only* on suspicions that the woman had motive to lie. Rather, perception of an ulterior motive for lying about sexual assault was most influential on mistrust when combined with assessments of the woman's decisions to report to police or her emotional response to the assault. These present findings both build on the existing literature (largely conducted in justice or college settings) and offer fresh insights about women's perceived motives for lying about sexual assault (Gray & Horvath, 2018; Gunby et al., 2013; Jordan, 2004b; Kelly, 2010; Lievore, 2004; Rumney, 2006; Wall & Tarczon, 2013). Some of the key motives constructed by the present participants were broadly consistent with the motives of regret and revenge established in other research (see e.g. Abrams et al., 2003; Glick & Fiske, 1996, 1997; Gunby et al., 2013; Harrington, 2016; Hill & Marshall, 2018; Hipp et al., 2017; McMillan, 2017; Wall & Tarczon, 2013). However, the present study revealed additional constructed motives that have not been widely evidenced in the existing literature. Although the motive of revenge as a means of "getting back at" men has been well documented, motives for "getting" men for other types of gain besides revenge (such as for financial gain) were also constructed by the present participants. The constructed motives in the present study also highlighted that ulterior motives may be externally focused (to target or "get" men) or may be more self-motivated (to rectify social damage from embarrassment or regret).

Furthermore, although prior research has reported perceptions that women lie about sexual assault to cover up consensual sex they later regretted (Demarchi et al., 2021; Gunby et al., 2013), covering up consensual sex for reasons of embarrassment was far more prominent in the present study. Notably, only a small minority of the present participants, mostly men, mentioned the motive of regret. Some other studies indicate that a key source of women's sexual regret is feeling pressured to have sex and that women may hold feelings of regret or self-blame following coerced or forced sex (Eshbaugh & Gute, 2008; Hirsch & Khan, 2020, pp. 82, 106–107; Johnson et al., 2021; Kennair et al., 2018). Contrary to these studies, none of the present participants who mentioned the woman may have a possible motive of regret suggested that this regret may have been due to sexual victimisation. The greater influence on mistrust of the motive of embarrassment in the present study, compared with the motive of regret, may be due at least in part to one vignette mentioning the woman's embarrassment, although this embarrassment was not in the context of covering up consensual sex.<sup>28</sup> This finding illustrates that ulterior motives for women lying about sexual assault are constructed from whatever little information may be available. Moreover, the findings

28 In the dinner party vignette, Abigail said that she was embarrassed that Nathan was spreading lies about her being in love with him. However, participants instead constructed the motive of embarrassment as the reason why Abigail may have lied about consensual sex.



highlight an opportunity to adopt a broader scope to examine how mistrust may be influenced by perceptions that women lie about sexual assault to redress social damage due to feelings of embarrassment and regret about consensual sex.

Importantly, the present study also showed how participants actively, and at times unexpectedly, constructed women's motives for lying about sexual assault by filling in the gaps in the information provided in the vignettes. These findings thus reveal the extent of people's willingness to fabricate reasons why women alleging sexual assault would lie, rather than believe that they might be telling the truth. The explanation for this finding is unclear. The most obvious reason is the deep-seated reluctance to believe that women would be telling the truth when they make an allegation of rape, particularly when there is no physical or other forensic evidence to substantiate the allegation, as shown in the present study. Another more speculative explanation reflects Just World theory (Fetchenhauer et al., 2005; Sleath & Bull, 2012), which posits that it is easier to believe that bad things happen to bad people – as seen in assumptions that the victim had a malicious ulterior motive (Strömwall et al., 2013) – than to acknowledge the ubiquity of sexual assault or the uncomfortable truth that rape is “something that ‘normal’ people do” (Hirsch & Khan, 2020, p. 8). Suspecting that the woman has motive to lie, and building up a picture of her supposed false allegation by interrogating her character, emotional response, and delay in reporting to police, help to reposition blame onto the woman based on Just World beliefs that “there are no innocent victims” (Strömwall et al., 2013, p. 2). The insight into the ways participants “filled in” the gaps highlights an opportunity for further research using, for example, open-ended qualitative story completion methods (Braun et al., 2019; Clarke et al., 2019) to more broadly examine community attitudes about women's ulterior motives for lying about sexual assault.

To address suspicions that women have a motive to lie about sexual assault, policy and primary prevention strategies could:

- target and reverse gendered stereotypes about the malicious or vindictive woman and dispel myths that women lie about sexual assault for gain or to target men
- ensure strategies acknowledge and seek to address attitudes of backlash or resistance that position men as victims or “targets” of women's false allegations of assault (Dragiewicz, 2011; Flood et al., 2020)
- address misperceptions that embarrassed or angry victims and survivors must be lying about their assault (Klippenstine & Schuller, 2012; Nitschke et al., 2019).

### 5.2.7. Friendship with someone accused of sexual assault

Negative bystander behaviours within peer networks regarding sexual assault on college campuses are increasingly being studied (DeKeseredy, Hall-Sanchez, & Nolan, 2018; DeKeseredy, Schwartz, et al., 2018; Emmers-Sommer, 2017; Franklin et al., 2020; Jewell et al., 2015; Wamboldt et al., 2019). Few qualitative studies into attitudes, however, have explored how people respond to sexual assault allegations levelled against their friends, and whether friendship influences mistrust in the allegations. The present study filled this gap. For many of the present participants, (hypothetical) friendship with someone accused of sexual assault was associated with greater trust in his claims to innocence. While this friendship did not directly influence mistrust in the woman's allegation per se, it could be considered a source of indirect mistrust in the woman's account due to the increased trust in the accused's account. Many of these participants noted that trust in this friend's account was conditional upon the closeness of the friendship and knowing that their friend was of “good character”. Importantly, some participants activated the myth that “good guys don't rape” (Martinez et al., 2018) to rationalise that their friend must be innocent, because they would not be friends with a perpetrator of sexual assault. At the same time, participants attempted to distance themselves from the accused by downplaying the strength of their (hypothetical) friendship. These findings align with other studies which have shown a discomfort with being friends with someone capable of committing sexual assault or being associated with “rapey people” (Hirsch & Khan, 2020, p. 192; see also Bennett & Banyard, 2016; Festinger, 1962a; Rich et al., 2021; Wamboldt et al., 2019). The process of “distancing” that many participants engaged in, as well as the activation of the “good guys don't rape” myth, may also reflect the tendency to “other” sexual assault perpetrators as deviant predators (Martinez et al., 2018; O'Hara, 2012), rather than acknowledge the uncomfortable but possible truth that perpetrators may well be among one's friendship group (Hirsch & Khan, 2020). Participants' attempts at distancing themselves from a hypothetical friend accused of sexual assault may similarly be seen as demonstrating they are morally good people, by “removing potential ‘sexual offenders’ from [their] group” of friends or acquaintances (Hirsch & Khan, 2020, p. 192). Future research could build on the present findings to further examine the influence of friendship on mistrust in sexual assault allegations. For example, studies could explore people's discomfort in “judging” or labelling someone known to them as a perpetrator of sexual assault (see e.g. Leising et al., 2013). Additionally, research could investigate whether and how this distancing may occur when the accused is a good friend rather than an acquaintance, and could explore how the degree

of friendship with someone accused of sexual assault influences mistrust in the allegation.

These findings have implications for policy and prevention initiatives, including for bystander interventions, which could:

- enhance peoples' skills in preventative bystander behaviours, such as by encouraging and normalising conversations between friends about how sexual consent is safely assessed, affirmed and recognised
- equip people with the skills to support a friend accused of sexual assault without reinforcing victim blaming or undermining the woman's story.

### 5.2.8. Depictions of the positive character of the accused

Media have been criticised by researchers for centring on the positive achievements and lives of offenders, while sidelining victims and survivors of sexual assault (Li et al., 2017; Siefkes-Andrew & Alexopoulos, 2019; Sutherland et al., 2015). However, the influence of positive media depictions of men accused of sexual assault on mistrust in the allegations of sexual assault had not previously been examined. The present study suggests that people in the community are highly sceptical towards news reports that overemphasise the positive attributes of the accused and that these positive depictions did not affect belief in either the accused or the woman alleging sexual assault. Rather, the positive portrayals of the accused and the limited information about the woman making the allegation in the news story created greater scepticism and mistrust in the credibility of the *news source itself*. Positively, these findings provide evidence for critical media literacy in the community. Further research could determine if these findings hold for other types of media, other contexts (such as film or television), different methodological designs (such as mock jury research), and other samples or discrete communities (including in professions such as police, legal professionals and journalists).

The findings from the present study suggest the media has a role to play in reducing mistrust in women's reports of sexual violence and should:

- change reporting narratives that overemphasise the positive attributes of people accused of sexual assault or that generate excessive sympathy for the accused (sometimes referred to as "himpathy": Manne, 2020), while overlooking the impact of the assault on the victim
- ensure quality, unbiased, victim-centred and trauma-informed reporting of violence against women in adherence with the national guidelines, *How to Report*

*on Violence against Women and their Children*, set out by Our Watch (2019).

### 5.2.9. Comparison of insights from qualitative and quantitative data

As discussed in Section 3.2, the quantitative survey showed broad similarities between the present sample and the 2017 NCAS population-level sample in knowledge and attitudes regarding mistrust and sexual assault. The survey was also conducted in the present study to enable comparison of the insights from the quantitative survey data and the qualitative focus group data. As outlined in Table 7, there were some key differences in the insights from the two sources of data.<sup>29</sup> The key differences generally related to the concepts that were associated with the greatest levels of mistrust in women's reports of sexual assault in the qualitative group discussions: the fightback rape myth, perceptions of delay in reporting to police and perceptions of women's ulterior motives for lying about sexual assault.



<sup>29</sup> Note that statistical tests of significance were not conducted to compare the present quantitative survey results with those of the 2017 NCAS.

Table 7: Comparison of key quantitative survey and qualitative focus group findings

Reference <sup>a</sup>	Theme	Survey item	% agreement <sup>b</sup> with item in		Presence in focus group discussions
			Present sample	2017 NCAS sample	
20	Rape myth: physical injury	If a woman doesn't physically resist – even if protesting verbally – then it isn't really rape	6	7	Disconnect between understanding sexual assault does not require physical injury and use of the physical injury myth to mistrust sexual assault allegations. Many requested “physical evidence” to assess the allegations and lack of physical injury increased mistrust in the allegations
36		If a woman claims to have been sexually assaulted but has no other physical injuries she probably shouldn't be taken too seriously	1	6	
39	Delayed reporting to police	Women who wait weeks or months to report sexual assault are probably lying	7	11	Widespread view and highly influential on mistrust, particularly in combination with a perceived ulterior motive for lying about sexual assault
37	Perceived motive for lying: revenge	It is common for sexual assault accusations to be used as a way of getting back at men	27	42	Widespread view and highly influential on mistrust. Revenge or motive to “get” or “target” men often constructed from (limited) information provided in the vignettes
38	Perceived motive for lying: regret	A lot of the time, women who say they were raped had led the man on and then had regrets	17	31	Minority view, raised by mostly men. The regret motive was less influential on mistrust than related motive of embarrassment which was frequently raised in relation to the vignette content

<sup>a</sup> Reference numbers reflect the item numbers in the present online quantitative survey.

<sup>b</sup> “Agreement” refers to the percentage of participants who “strongly” or “somewhat” agreed.

Firstly, the pre-focus group survey and 2017 NCAS indicated very limited support for myths that “real rape” requires physical injury (items 20, 36). In the focus group discussions, participants similarly expressed a clear understanding that sexual assault did not need to involve physical injury or fightback. However, in the context of the vignettes, participants frequently requested evidence of physical injury as proof of the assault and were reluctant to believe allegations without such evidence (see Section 4.2.1). Taken together, the quantitative and qualitative findings suggest a disconnect between people's *understanding* that sexual assault does not necessarily involve physical injury and their *attitudes* regarding the trustworthiness of sexual assault allegations in the absence of proof. That is, despite limited support for the myth of physical injury in the abstract, people draw on this rape myth in the context of assessing the believability of specific reports of sexual assault.

Secondly, despite low support for mistrust based on delayed reporting to police in the quantitative survey results (item

39), participants in the focus group discussions regularly cited delays and indecisions in reporting to police as a reason to doubt the credibility or seriousness of women's sexual assault allegations (see Section 4.3.1.1). In the focus group discussions, this mistrust was often associated with perceptions that a delay in reporting to police may suggest an ulterior motive. A key insight from the qualitative results in the focus groups is that mistrust is influenced by overlapping and mutually reinforcing attitudes and assessments of the woman making the allegation. Thus, the discordance between the qualitative and quantitative results regarding reporting to police may be partly due to the survey asking about this factor in isolation, whereas participants in the focus group discussions were able to consider multiple factors in their assessments of the trustworthiness of sexual assault allegations.

Thirdly, although the survey item on revenge as a motive for lying about sexual assault (item 37) had higher endorsement than the items on the physical injury myth and delayed reporting to police (items 20, 36 and 39), it

was not endorsed by the majority. In contrast, revenge as a motive for lying was raised by most participants in the focus group discussions, particularly in response to the Dinner party vignette, which alluded to the possibility that the woman was a scorned lover. It is likely that the context of the vignettes in the focus group provided a platform through which to explore the motive of revenge in detail compared with the survey item which was asked without any context. Nevertheless, the qualitative findings suggest that mistrust based on revenge may be a more widespread attitude than suggested by the quantitative data (from the present sample and the 2017 NCAS sample).

Lastly, there was limited support for the motive of regret in both the survey results (item 38) and the focus group discussions, despite its presence in prior research. However, the related perceived motive of lying to rectify social damage from embarrassment was influential upon mistrust for a majority of participants. This finding is likely to partly reflect that the Dinner party vignette mentioned embarrassment, and indicates that the motives people construct for why women lie about sexual assault may be specific to the context and are not limited to the well-documented perceived motives of revenge and regret. This finding points to the value of broader investigation of the different types of perceived motives that may undermine mistrust in women's reports of sexual assault in different situations. The motive of embarrassment, more specifically, warrants further exploration in other qualitative research and at the population level, for example through new items in the NCAS.

These attitudinal inconsistencies between the two modes of data collection revealed by the present study corroborate the insights from two other multi-modal studies from the United States (McMahon, 2007) and Canada (Zidenberg et al., 2021). These two studies similarly revealed contradictions between participants' low acceptance of rape myths in quantitative survey data and the same participants' endorsement of myriad subtle rape myths in qualitative focus groups and interviews. The present qualitative findings suggest that rape myths are more pervasive than quantitative data indicate, and interact with each other and with other factors to form part of a pre-given sociocultural framework or "schema" through which people "make sense" of allegations of sexual assault (Masser et al., 2010; McKimmie et al., 2014b; McKimmie et al., 2020; Strub & McKimmie, 2016; Stuart et al., 2016; Venema, 2014). The rape-condoning attitudes revealed through the present qualitative data importantly show how these "myriad subtle, yet powerful, beliefs" (McMahon, 2007, p. 367) not only perpetuate rape culture, but also influence and reinforce the climate of mistrust in women's allegations of sexual assault. The present study also highlights the value of multiple modes of data collection as a "means for digging deeper" into the complex web of rape

myths and attitudes underpinning rape culture (McMahon, 2007, p. 368), with qualitative data complementing and extending the insights from population-level research (such as the NCAS or the *Personal Safety Survey*).

These varied expressions of rape myths and attitudes that mistrust women's reports of sexual assault between modes of data collection have implications for research and evaluation work, including:

- tracking changes in attitudes towards sexual violence and violence against women more broadly by complementing measures at the population level (such as via the NCAS) with in-depth analyses of community perceptions (via qualitative research)
- incorporating mixed-method approaches to understanding the attitudes of target populations or groups in evaluations or programs in order to ensure accurate conclusions.

Table 8: Key insights and implications for policy and prevention

Key insight from the present study	Implications for policy and prevention
<b>1. Understandings of sexual assault and consent</b>	
<p>Understandings of sexual consent were negatively framed as “no means no”, whereby consent is assumed until it is clearly refused either verbally or through resistance. Rape myths were relied on to question whether the woman had clearly communicated her refused consent verbally and through physical fightback. Communicative, affirmative and ongoing consent was largely absent from discussions (see Section 4.1).</p> <p>This understanding of sexual consent is out of step with legal definitions, places the burden of responsibility on the non-consenting party, and can lead to victim blaming and the excusing of perpetrators’ actions</p>	<p>Understandings of and attitudes regarding sexual consent should be shifted to focus on communicative, affirmative and ongoing consent, and problematic traditional heterosexual sex scripts should be shifted.</p> <ul style="list-style-type: none"> <li>• Implement a nationally consistent statutory definition of sexual assault and sexual consent across Australia. Such reforms align with broader research and recommendations made by the 2021 Australian of the Year, Grace Tame, as well as ANROWS and others on the importance of updating sexual consent and sexual assault legislation to ensure clear and consistent definitions of affirmative consent and the withdrawal of consent.</li> <li>• Acknowledge the broader spectrum of consent practices that people use in order to: <ul style="list-style-type: none"> <li>– equip people with skills about the ways sexual partners (irrespective of gender or sexuality) can assess, safely recognise and continually affirm each other’s consent</li> <li>– ensure recognition of coerced sex, presumed consent and other problematic consent practices.</li> </ul> </li> <li>• Shift problematic traditional heterosexual sex scripts that place the responsibility of consent on only one party, through respectful relationships education strategies within schools and the broader community.</li> <li>• Address attitudes that disregard the need to gain sexual consent to challenge the culture where women’s refusals continue to be ignored.</li> <li>• Increase recognition about the ubiquity of sexual assault by continuing to dispel entrenched myths about “real rape”, particularly misconceptions that “real” sexual assault is violent, perpetrated by a stranger, and always results in physical injury from fightback</li> </ul>
<b>2. Understandings of false allegations of sexual assault</b>	
<p>Contrary to the evidence, false allegations were perceived as being commonplace rather than rare. Participants were uncertain about the defining features of a “false allegation” and were reluctant to trust an allegation in the absence of physical or forensic evidence (e.g. bruising or injury) that could prove the assault (see Section 4.2)</p>	<p>Trust in women’s reports of sexual assault victimisation should be the default position given the rarity of false allegations.</p> <ul style="list-style-type: none"> <li>• Address myths that false allegations are a prevalent problem through education campaigns that highlight the established facts about the prevalence of sexual assault, the underreporting of sexual assault to police and the rarity of false allegations.</li> <li>• Correct attitudes which, in line with rape myths, overemphasise proof of victim fightback in sexual assault cases</li> </ul>

Key insight from the present study	Implications for policy and prevention
3. Perceptions of the woman reporting sexual assault: Her actions and motives	
<p><b>Expectations that women must report sexual assault to the police</b></p> <p>Women making an allegation of sexual assault are expected to report their sexual assault to the police without delay. Reports to the police were perceived as a key marker of the “seriousness” of the assault and increased trust. Not reporting an allegation to the police or delaying a police report increased mistrust in the allegation (see Section 4.3.1.1)</p>	<p>People’s responses to and supports for victims and survivors should be improved.</p> <ul style="list-style-type: none"> <li>• Shift attitudes to ensure all claims of sexual assault are treated seriously, regardless of whether a police report is made.</li> <li>• Use trauma-informed and victim-centred approaches to remove barriers to reporting and to make the process easier, safer and more accessible for all victims and survivors irrespective of gender, ethnicity, disability, sexuality, age or class background.</li> <li>• Increase awareness of the range of formal and informal pathways for help and support available for sexual assault victims and survivors, not limited to only the justice system.</li> <li>• Educate and upskill the population (including friends and families, as well as practitioners and support services) about how best to support victims and survivors who disclose their sexual assault, according to trauma-informed and victim-centred best practice</li> </ul>
<p><b>Myths about “genuine victims” and survivors</b></p> <p>Doubt and suspicion towards the woman making the sexual assault allegation was the default starting position, and was informed by rape myths and problematic stereotypes about women. Victims and survivors were expected to respond to their assault according to the myth about “genuine victims” to demonstrate the “seriousness” of the assault by promptly reporting the assault to police and displaying the “correct” emotional response of distress or trauma. Not responding in these ways increased mistrust (see Section 4.3.1)</p>	<p>Victims and survivors should be listened to and believed and not have their credibility questioned based on myths and stereotypes.</p> <ul style="list-style-type: none"> <li>• Correct misconceptions about so-called “genuine victims” by challenging victim-blaming attitudes, and ensure that jury directions address misunderstandings about sexual assault and about victims and survivors and the circumstances of their report of sexual assault. Such reforms align with broader NCAS findings and with recommendations made by ANROWS in government submissions (ANROWS, 2019a, 2019b).</li> <li>• Increase understanding and empathy regarding the variety of ways trauma may manifest and be displayed by victims and survivors, which may not necessarily include emotional distress.</li> <li>• Reinforce that women claiming they have been sexually assaulted are almost invariably telling the truth, regardless of whether they consumed alcohol, show visible signs of emotional distress, can fully and clearly describe every facet of their experience, or previously flirted with the accused</li> </ul>
<p><b>Victims’ and survivors’ voices and agency</b></p> <p>Although mistrust was the dominant position, some participants assessed victims’ and survivors’ actions with increased trust. A detailed, first-person account of the victim’s and survivor’s experience of sexual assault was a source of increased trust (see Section 4.2.1). An allegation was seen as more trustworthy if the victim and survivor was also perceived as having positive reasons to report her assault to police. The positive motives described included “correcting the narrative” or “protecting other women” (see Section 4.3.2.3)</p>	<p>Victims and survivors should be empowered and people’s hesitance or reluctance to believe their stories should be addressed.</p> <ul style="list-style-type: none"> <li>• Adopt trauma-informed and victim-centred approaches to ensure that victims’ and survivors’ own wants, needs, feelings and opportunities for self-determination and resilience are prioritised in their decision-making and help-seeking actions.</li> <li>• Empower victims and survivors to tell their stories safely and on their terms by expanding support services for victims and survivors to disclose their experiences; removing any legal or practical barriers they may face in sharing their stories (Funnell, 2021); and ensuring victims and survivors are not unfairly burdened or traumatised when sharing their stories.</li> <li>• Increase understanding of the positive reasons why victims and survivors report sexual assault – such as to seek justice, to heal, or to have their experiences heard – in ways that prioritise victims’ and survivors’ agency and voices</li> </ul>

Key insight from the present study	Implications for policy and prevention
<p><b>Women’s perceived motives for lying</b></p> <p>Victims and survivors were also mistrusted when they were perceived to have an ulterior motive for lying about sexual assault, in line with stereotypes of the malicious woman who is out to “get” men. Suspicions of victims’ ulterior motives combined with perceptions of delayed reporting to police or an “incorrect” emotional response increase mistrust (see Section 4.3.2)</p>	<p>Suspicions that women have a motive to lie about sexual assault should be addressed.</p> <ul style="list-style-type: none"> <li>• Target and reverse gendered stereotypes about the malicious or vindictive woman and dispel myths that women lie about sexual assault for gain or to target men.</li> <li>• Ensure strategies acknowledge and seek to address attitudes of backlash or resistance that position men as victims or “targets” of women’s false allegations of assault.</li> <li>• Address misperceptions that embarrassed or angry victims and survivors must be lying about their assault</li> </ul>
<p><b>4. Perceptions of the man accused of sexual assault: His actions and character</b></p>	
<p><b>Friendship with someone accused of sexual assault</b></p> <p>Trust in a (hypothetical) friend’s claims to innocence was conditional upon the closeness of the friendship and knowing that he was of “good character”. However, participants also tried to distance themselves from their (hypothetical) friend by claiming they did not <i>really</i> know whether he was a good guy or capable of sexual assault (see Section 4.4.4)</p>	<p>Address the “deviant perpetrator” myth that good guys don’t rape, which is contrary to the evidence that sexual assault is typically conducted by someone the victim knows, often an intimate partner.</p> <ul style="list-style-type: none"> <li>• Enhance peoples’ skills in preventative bystander behaviours, such as by encouraging and normalising conversations between friends about how sexual consent is safely assessed, affirmed and recognised.</li> <li>• Equip people with the skills to support a friend accused of sexual assault without reinforcing victim blaming or undermining the woman’s story</li> </ul>
<p><b>Depictions of the positive character of the accused</b></p> <p>Men accused of sexual assault were not subject to the same level of scrutiny as women reporting their experience of rape. Instead, trust in the accused’s claims to innocence was largely based on participants’ assessments of his <i>character</i>, relying on myths that good guys don’t rape. Perceptions that the accused engaged in poor or disrespectful relationship behaviours increased doubt about his innocence. Participants relied on their <i>own</i> assessments of the accused’s character and were sceptical about third-party depictions of the accused’s “good character” as seen in media reports (see Section 4.4.2)</p>	<p>Media reporting should help address myths that good guys don’t rape.</p> <ul style="list-style-type: none"> <li>• Change reporting narratives that overemphasise the positive attributes of people accused of sexual assault, or that generate excessive sympathy for the accused (sometimes referred to as “himpathy”; Manne, 2020), while overlooking the impact of the assault on the victim.</li> <li>• Ensure quality, unbiased, victim-centred and trauma-informed reporting of violence against women in adherence with the national guidelines, <i>How to Report on Violence against Women and their Children</i>, set out by Our Watch (2019)</li> </ul>

### 5.3. Strengths and limitations of the present study

The present study's exploration of Australians' mistrust in women's reports of sexual assault victimisation has helped shed light on both the 2017 NCAS results and the broader climate of mistrust underlying attitudes towards sexual violence against women in Australia. This is one of few studies in Australia and internationally that has centred on community mistrust in reports of sexual assault as an emergent and distinct phenomenon. Moreover, it is one of few studies that has explored this mistrust in relation to wide-ranging rape myths, attitudes and understandings about sexual consent, the woman alleging sexual assault and the man accused of perpetrating sexual assault. The study provided robust insights into the factors underlying community mistrust in women's reports of sexual assault using a primarily qualitative methodology supplemented with quantitative survey data. The study demonstrates the benefits of an open-ended approach to investigating attitudes that suspect women lie about sexual assault, particularly in the results revealed for the perceived motives for lying. Finally, the study's large qualitative sample of the general community adds to the existing literature on attitudes among discrete cohorts, such as college students and justice system staff.

Despite its strengths, the present study also had a few limitations. While these limitations do not detract from the study's overall insights, they should be kept in mind when considering the findings and point to avenues of inquiry that could be addressed by future research.

Firstly, as with all qualitative research, the present findings provide unique insight into community perceptions but cannot be considered representative of the whole population due to the non-random sampling approach. Nonetheless, given that the sample's demographic profile was broadly comparable to the population profile (see Table 4), there is some confidence that the findings tap into some important attitudes within the Australian community. It is also worth noting that while the research design aimed for equal participation according to gender, slightly more men than women participated in the study (see Section 3.1) due largely to technical difficulties in accessing the WebEx focus group platform. This slight overrepresentation of men is unlikely to have appreciably affected the mistrust or other attitudes revealed in the study, but should be kept in mind when considering the results. Notwithstanding these acknowledgements, a strength of the present study is its relatively large sample size for a qualitative inquiry.

Secondly, in addition to the more general limitations inherent in focus group interviews (such as the inability to generalise and purposive recruitment, among others; see

e.g. Freeman, 2006; Morgan, 2018; Nyumba et al., 2018; Seal et al., 1998), the views revealed through the focus groups about the experiences of victims and survivors are subjective and must be seen as *perceptions* or *attitudes* rather than actual accounts of victims' and survivors' experiences. Similarly, the present study provided *perceptions* and *attitudes* about justice processes relating to sexual assault allegations.

Thirdly, the Dinner party vignette asked participants to imagine a *hypothetical* friendship with someone accused of sexual assault. Their reflections on the influence of friendship on mistrust may have been limited because of the hypothetical nature of this friendship. A hypothetical or fictional friendship lacks the social dynamics, shared history and loyalties that are likely to have an influence on trusting or mistrusting a friend's claims to innocence. The implications around friendship and mistrust – particularly regarding the perceived discomfort of being associated with someone accused of sexual assault – thus warrant further investigation through lived experience research with people who are friends with someone accused of sexual assault.

Fourthly, the present study was also somewhat limited by its scope. The study focused on mistrust in relation to acquaintance rape, rather than stranger rape (which otherwise dominates the field) or intimate partner sexual assault. Whether mistrust is heightened towards victims and survivors of intimate partner or marital rape, especially in relation to presumed consent in relationships, represents an important opportunity for future research in Australia (see Lynch et al., 2019 for one such US study).

Additionally, the present study considered sexual assault victimisation specifically in the form of rape perpetrated by men against women. While the present study focused on the experience of women broadly, trans women and non-cisgender sexual assault victims and survivors may face even greater levels or forms of mistrust that were not captured in the present inquiry (e.g. Noack-Lundberg et al., 2020). More research is therefore needed on this topic, as well as mistrust in reports of men's sexual violence victimisation (Javaid, 2017). Mistrust in relation to other forms of sexual assault victimisation also warrants investigation, including, for example, sexual assault in non-heterosexual relationships, sexual assault as an element of coercive control in intimate relationships (Broach & Petretic, 2006; Dutton, 2014), forced or coerced participation in pornography, and the non-consensual distribution of sexual images via technology (Henry et al., 2020).

The study's scope was also limited in that it did not consider how intersecting structural inequalities – such as the gender, race, disability, sexuality, class and age of the victim and survivor, for example – may undermine trust in reports



of sexual violence victimisation. Research in justice system contexts has documented institutional discrimination and failure to see particular peoples as “genuine victims” (Antaki et al., 2015; Australian Bureau of Statistics, 2017; Band-Winterstein & Avieli, 2021; Bottoms et al., 2003; Flanders & Anderson, 2021; Mailhot Amborski et al., 2021; Murphy-Oikonen & Egan, 2021; Smidt et al., 2021; Tomsa et al., 2021; Watego et al., 2021). There is an opportunity to explore how structural inequalities may undermine mistrust in other contexts, including among the general community.

In addition, the present study did not closely consider the spatial context in which sexual assault occurs and, relatedly, whether perceptions of social space interact with understandings of implicit or presumed consent to influence mistrust in reports of sexual assault victimisation (as explored in Hirsch & Khan, 2020 in US college contexts; see also Wilson et al., 2020). This line of inquiry may be worth considering further given recent prevention and intervention efforts into sexual harassment and sexual assault on university campuses (Australian Human Rights Commission, 2017; Lichtwark & Drysdale, 2020) and workplaces (Australian Human Rights Commission, 2020; Nawaz, 2021) in Australia.

## 5.4. Conclusion

Spurred on by the concerning results in the 2017 NCAS, the present study investigated how understandings, attitudes and myths influence the public’s trust and mistrust in women’s reports of sexual assault. The study revealed how attitudes that treat women’s claims of sexual violence with suspicion and doubt remain entrenched in people’s thinking and are influenced by rape myths and problematic gender stereotypes. Such attitudes were typified by one focus group’s flippant call to “chuck her on a lie detector”, suggesting an underlying assumption that women’s claims of sexual assault cannot be trusted at face value. The analysis showed that this scepticism towards the woman making the allegation – the presumption she might be lying – was the default starting point for most participants in the present study. Although suspicion and mistrust in the allegation and towards the woman making the claim was the default starting position, very rarely did participants categorically conclude that the allegation was false. Mistrust was most strongly influenced by assessments about the woman making the allegation, particularly if she was perceived as having an ulterior motive for lying or as “failing” to conform to the behaviours and emotional responses expected of “genuine victims” that demonstrate the “seriousness” of the assault. Participants queried whether the incident was in fact sexual assault, questioning whether the woman “failed” to clearly refuse consent either verbally or by physically fighting back. Each of these assessments overlapped and mutually reinforced suspicions about her allegation.

The call to “chuck her on a lie detector” also revealed the hesitancy to trust women’s reports of sexual assault in the absence of physical evidence of proof. This overemphasis on legalistic notions of proof shifts the onus from believing victims and survivors to *only* trusting their claims if they can be substantiated via evidence. This finding is contrary to the reality that sexual assault and refused consent often cannot be proved “beyond reasonable doubt”. Finally, an implication inherent within the call to “chuck her on a lie detector” is the privileging of the accused man’s claim of innocence and consensual sex. Notably, the study showed how accused perpetrators of sexual assault are not subject to the same level of scrutiny as women alleging sexual assault victimisation.

The study was one of few studies, both in Australia and internationally, to focus on the distinct attitudinal concept of mistrust. The research design was strong in its sample size for a primarily qualitative project and its inclusion of quantitative data via a mixed-method approach. The study benefited from its wide-ranging scope into mistrust relating to community perceptions about sexual consent, understandings of false allegations of sexual assault, the woman alleging sexual assault and the man accused of perpetrating sexual assault. From this wide approach, the study offered a range of highly relevant and important implications for efforts to reduce and prevent sexual violence against women, including in areas of policy reform such as national and smaller jurisdiction-based plans to reduce sexual violence; educational initiatives in schools, workplaces and universities; and reforms to support victims and survivors.

The findings are both consistent with, and add fresh insights to, the existing literature on the myths and attitudes surrounding women’s reports of sexual assault victimisation. The study highlights the importance of how we react and respond to sexual assault disclosures. Victims and survivors should be listened to and believed – not mistrusted or treated with suspicion – as the default starting point. They should not have their credibility questioned based on myths and stereotypes, especially given the significant underreporting of sexual assault and the rarity of false allegations.

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# Appendix A: NCAS panel of experts and advisory group

## NCAS panel of experts

Name	Position and organisation
Associate Professor Kristin Diemer	Associate Professor Department of Social Work, School of Health Sciences University of Melbourne
Associate Professor Michael Flood	Associate Professor Faculty of Creative Industries, Education, and Social Justice Queensland University of Technology
William Milne	Director, National Centre for Crime and Justice Statistics Australian Bureau of Statistics
Professor Jenny Morgan	Professor Melbourne Law School University of Melbourne
Associate Professor Anastasia Powell	Associate Professor Criminology and Justice Studies RMIT University
Honorary Professor Julie Stubbs	Honorary Professor Faculty of Law University of New South Wales
Distinguished Professor Maggie Walter	Distinguished Professor School of Social Sciences University of Tasmania

## NCAS advisory group

Organisation	Jurisdiction
Australian Human Rights Commission	Australia
Australian Women Against Violence Alliance (AWAVA)	Australia
Harmony Alliance (Migrant & Refugee Women for Change)	Australia
Healing Foundation	Australia
LGBTIQ+ Health Australia	Australia
No to Violence	Australia
Our Watch	Australia
People with Disability Australia	Australia
Department of Social Services, Australian Government	Australia
Office of the Coordinator-General for Family Safety, Australian Capital Territory Government	Australian Capital Territory
Domestic Violence NSW	New South Wales
Women NSW, New South Wales Government	New South Wales
Department of Territory Families, Housing and Communities, Northern Territory Government	Northern Territory
R4Respect	Queensland
Office for Women and Violence Prevention, Department of Justice and Attorney-General, Queensland Government	Queensland
Embolden – Alliance for Women’s Freedom, Equity and Respect	South Australia
Office for Women, Department of Human Services, Government of South Australia	South Australia
Family Safety Secretariat, Department of Communities Tasmania, Tasmanian Government	Tasmania
Respect Victoria	Victoria
Office for Women, Department of Families, Fairness and Housing, Victoria State Government	Victoria
Department of Communities, Government of Western Australia	Western Australia

# Appendix B: Quantitative survey instrument

## Demographic items

1 Please enter the 6 digit code you were emailed. \_\_\_\_\_

2 What gender do you identify with? \_\_\_\_\_

3 Which of the following age groups do you belong to?

- 18–24 years     25–34 years     35–44 years     45–54 years     55–64 years     65–74 years     75+ years

4 In which country were you born? \_\_\_\_\_

5 Are you of Aboriginal or Torres Strait Islander origin?

- No  
 Yes, Aboriginal  
 Yes, Torres Strait Islander  
 Yes, Both Aboriginal and Torres Strait Islander  
 I'd prefer not to say

6 What is the highest level of formal education you have completed?

- Primary School  
 Year 10 or below  
 Year 11  
 Year 12  
 Trade/apprenticeship qualification  
 Other TAFE qualification  
 Certificate or Diploma/Associate Diploma  
 Graduate Degree or Graduate Diploma  
 Post Graduate Degree

## Survey items: Gender equality

- 7 Do you agree or disagree that **many** women exaggerate how unequally women are treated in Australia?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 8 Do you agree or disagree that **many** women mistakenly interpret innocent remarks or acts as being sexist?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 9 Do you agree or disagree that **many** women fail to fully appreciate all that men do for them?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 10 Do you agree or disagree that on the whole, men make better political leaders than women?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 11 Do you agree or disagree that in the workplace, men generally make more capable bosses than women?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 12 Do you agree or disagree with the following statement: I think it is embarrassing for a man to have a job that is usually filled by a woman?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 13 Do you agree or disagree that women **often** flirt with men just to be hurtful?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know

- 14 Do you agree or disagree that men should take control in relationships and be the head of the household?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 15 Do you agree or disagree that women prefer a man to be in charge of the relationship?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 16 Do you agree or disagree that when a couple start dating, the woman should not be the one to initiate sex?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 17 Do you agree or disagree with the statement: I think there's no harm in men making sexist jokes about women when they are among their male friends.
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 18 Do you agree or disagree with the statement: I think it's normal for a man to want to appear in control of his partner in front of his male friends.
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know

## Survey items: Sexual violence

- 19 Do you agree or disagree with the following statement: women are more likely to be raped by someone they know than by a stranger?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know

20 Do you agree or disagree that if a woman doesn't physically resist - even if protesting verbally - then it isn't really rape?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

21 Do you agree or disagree that many allegations of sexual assault made by women are false?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

22 To the best of your knowledge, is it a criminal offence in Australia for a man to have sex with his wife without her consent?

Yes

No

Don't know

## Survey items: Violence supportive attitudes

23 Do you agree or disagree that a lot of what is called domestic violence is really just a normal reaction to day-to-day stress and frustration?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

24 Do you agree or disagree that domestic violence can be excused if, afterwards, the violent person genuinely regrets what they have done?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

25 Do you agree or disagree that **many** women tend to exaggerate the problem of male violence?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

26 Do you agree or disagree that women going through custody battles **often** make up or exaggerate claims of domestic violence in order to improve their case?

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Don't know

- 27 Do you agree or disagree that sometimes a woman can make a man so angry that he hits her when he didn't mean to?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 28 Do you agree or disagree that if a woman keeps going back to her abusive partner then the violence can't be very serious?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 29 Do you agree or disagree that a female victim who does not leave an abusive partner is partly responsible for the abuse continuing?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 30 Do you agree or disagree that it's acceptable for police to give lower priority to domestic violence cases they've attended many times before?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 31 Do you agree or disagree that if a woman is drunk and starts having sex with a man, but then falls asleep it is understandable if he continues having sex with her anyway?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 32 Do you agree or disagree that if a woman sends a nude image to her partner, then she is partly responsible if he shares it without her permission?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 33 Do you agree or disagree with the statement that when a man is very sexually aroused, he may not even realise that the woman doesn't want to have sex?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know



- 34 Do you agree or disagree that women who wait weeks or months to report sexual **harassment** are probably lying?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 35 Do you agree or disagree that women find it flattering to be persistently pursued, even if they are not interested?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 36 Do you agree or disagree that if a woman claims to have been sexually assaulted but has no other physical injuries she probably shouldn't be taken too seriously?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 37 Do you agree or disagree that it is **common** for sexual assault accusations to be used as a way of getting back at men?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 38 Do you agree or disagree that a lot of times women who say they were raped had led the man on and then had regrets?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know
- 39 Do you agree or disagree that women who wait weeks or months to report sexual **assault** are probably lying?
- Strongly agree       Somewhat agree       Somewhat disagree       Strongly disagree       Don't know

# Appendix C: Items in quantitative survey

Item code in:		Items in quantitative online survey in present study	Items in:	
Present survey	2017 NCAS		2017 NCAS scale <sup>a</sup>	FFV Survey scale
		<b>Demographic items</b>		
1		Participant identifier code	-	-
2	Gend1	What gender do you identify with?	other item	-
3	Intro7	Which of the following age groups do you belong to?	other item	-
4	Dem3a	In which country were you born?	other item	-
5	Dem2	Are you of Aboriginal or Torres Strait Islander origin?	other item	-
6	Dem8	What is the highest level of formal education you have completed?	other item	-
		<b>Items on gender equality</b>		
7	ATT4nn	MANY women exaggerate how unequally women are treated in Australia	GEAS	GEAS
8	ATT4oo	MANY women mistakenly interpret innocent remarks or acts as being sexist	GEAS	GEAS
9	ATT4pp	MANY women fail to fully appreciate all that men do for them	GEAS	GEAS
10	ATT4a	On the whole, men make better political leaders than women	GEAS	GEAS
11	ATT4m	In the workplace, men generally make more capable bosses than women	GEAS	GEAS
12	ATT4o	I think it is embarrassing for a man to have a job that is usually filled by a woman	GEAS	GEAS
13	ATT4qq	Women OFTEN flirt with men just to be hurtful	GEAS	-
14	ATT4g	Men should take control in relationships and be the head of the household	GEAS	GEAS
15	ATT4h	Women prefer a man to be in charge of the relationship	GEAS	GEAS
16	ATT4v	When a couple start dating, the woman should not be the one to initiate sex	GEAS	GEAS
17	ATT4dd	I think there's no harm in men making sexist jokes about women when they are among their male friends	GEAS	GEAS
18	ATT4ff	I think it's normal for a man to want to appear in control of his partner in front of his male friends	other item	GEAS
		<b>Items on sexual violence</b>		
19	SV3a	Women are more likely to be raped by someone they know than by a stranger	other item	-

Item code in:		Items in quantitative online survey in present study	Items in:	
Present survey	2017 NCAS		2017 NCAS scale <sup>a</sup>	FFV Survey scale
20	SV3g	If a woman doesn't physically resist – even if protesting verbally – then it isn't really rape	other item	-
21	SV3u	Many allegations of sexual assault made by women are false	other item	-
22	SV3yy	To the best of your knowledge, is it a criminal offence in Australia for a man to have sex with his wife without her consent?	other item	-
<b>Items on violence-supportive attitudes</b>				
23	DV6ff	A lot of what is called domestic violence is really just a normal reaction to day-to-day stress and frustration	CASVAWS	CASVAWS
24	DV6h	Domestic violence can be excused if, afterwards, the violent person genuinely regrets what they have done	CASVAWS	CASVAWS
25	DV6ee	MANY women tend to exaggerate the problem of male violence	CASVAWS	CASVAWS
26	DV6n	Women going through custody battles OFTEN make up or exaggerate claims of domestic violence in order to improve their case	CASVAWS	CASVAWS
27	DV6r	Sometimes a woman can make a man so angry that he hits her when he didn't mean to	CASVAWS	CASVAWS
28	DV6t	If a woman keeps going back to her abusive partner then the violence can't be very serious	CASVAWS	CASVAWS
29	DV6cc	A female victim who does not leave an abusive partner is partly responsible for the abuse continuing	CASVAWS	CASVAWS
30	DV6bb	It's acceptable for police to give lower priority to domestic violence cases they've attended many times before	CASVAWS	CASVAWS
31	SV3x	If a woman is drunk and starts having sex with a man, but then falls asleep, it is understandable if he continues having sex with her anyway	CASVAWS	-
32	SV3bb	If a woman sends a nude image to her partner, then she is partly responsible if he shares it without her permission	CASVAWS	CASVAWS
33	SV3v	When a man is very sexually aroused, he may not even realise that the woman doesn't want to have sex	CASVAWS	CASVAWS
34	SV3p	Women who wait weeks or months to report sexual harassment are probably lying	CASVAWS	-
35	SV3r	Women find it flattering to be persistently pursued, even if they are not interested	CASVAWS	CASVAWS
36	SV3t	If a woman claims to have been sexually assaulted but has no other physical injuries she probably shouldn't be taken too seriously	CASVAWS	-
37	SV3y	It is COMMON for sexual assault accusations to be used as a way of getting back at men	CASVAWS	CASVAWS
38	SV3l	A lot of times women who say they were raped had led the man on and then had regrets	CASVAWS	-
39	SV3s	Women who wait weeks or months to report sexual assault are probably lying	CASVAWS	-

<sup>a</sup> "Other item" denotes that the item was present in the 2017 NCAS but was not part of the GEAS or CASVAWS in the 2017 NCAS.

Note: The table includes all the items in the present survey, all of which were also present in the 2017 NCAS (except for the participant identifier code). The abridged GEAS and CASVAWS in the present study comprised only the items in these scales in the FFV Survey Project (Ward & Honey, 2019).

# Appendix D: Focus group interview guide

## Vignette 1: News report vignette (15 minutes)

Multiple award-winning freelance journalist Patrick Lane was charged with sexual assault yesterday afternoon. Police have released a statement indicating the charge involves a 32-year-old woman the investigative journalist met at a work function.

Lane has released a statement denying the charges and vowing to fight them in the court.

"I am innocent of this charge. I did not engage in non-consensual sex. I have an incredible amount of respect for women."

The local police spokesperson said Lane was charged with sexual assault which carries a possible jail sentence.

The allegation was made by a 32-year-old woman who also works in the media industry as a journalist. The assault is alleged to have taken place at an industry event. Attendees at the event, who have asked to remain anonymous, said the two met for the first time at the event and were seen talking for a large part of the evening. It has been alleged that Lane offered to walk the woman to her car after the event. She has claimed that when they arrived at the car Lane kissed her. It is then alleged that he forced the woman to have sex with him. The following day the woman made a statement to the police about the alleged sexual assault.

Lane has not denied having sex with the woman. Speaking outside the local court his lawyer argued the case against him was weak. "There is no evidence of physical violence or injury. There is no evidence of sexual assault here."

Lane has asked for privacy for his family during this time. Lane is a father of two who separated from his wife 18 months ago.

Lane is best known for his ground-breaking investigative report that uncovered political corruption at the highest levels of the Australian Government in relation to tax rorts, which led to the resignation of three ministers. Often considered a crusader for the underdog, fellow journalists say they are shocked by the allegations. Lane is well respected in the media community and often seen as a mentor to younger journalists.

The matter is due before the courts again in three weeks.

## Questions:

1. What are some of your initial thoughts about what happened here?
2. What are your personal feelings about whether Patrick raped the woman in the news story?
3. Are there any elements of the story that you think might support Patrick's account?
4. Are there any elements of the story that you think might support the woman's account?
5. What additional information would help you to better understand what happened in the story?

## Vignette 2: Dinner party vignette – Abigail’s story (20 minutes)

**Prompt:** In this scenario Abigail is telling her friend about something that happened between her and Nathan. Abigail is thinking of making a police report. This account is in first person. I will be reading aloud from the perspective of Abigail.

Last Saturday I hosted a dinner party with some friends. We all went to university together. It’s been 15 years since we graduated now, but we still catch up every now and then. There were eight of us at the dinner party. Everyone there is in a relationship and has kids these days. Everyone except Nathan and I. Nathan recently split up from his long-term partner. I’ve always found Nathan attractive and thought maybe one day we’d get together. We flirted a little over dinner. Everyone left pretty early because they had children to get home to. We hadn’t had much to drink, it was a pretty low-key dinner party.

Nathan stayed to help clean up. After we’d cleared the dishes from the table we sat on the couch to keep talking. I hadn’t seen him in such a long time and it was really nice catching up. Then we started kissing. I won’t lie, I liked that. But then things started to escalate. It all happened so fast. But I didn’t feel comfortable. I kept saying I wanted to stop, but he kept kissing me and he started to take my clothes off. He kept pressuring me to have sex. I kept saying “No, it’s too soon”, but he didn’t listen and had sex with me anyway.

Yesterday I was at a mutual friend’s birthday. A friend asked me if I’d sorted everything out with Nathan. They told me they heard Nathan and I slept together last week. Nathan was telling people I was upset because he didn’t want to be in a relationship with me – he said it was “just a casual thing, no strings attached”. He said I wanted something more because I was in love with him and always had been. Why is he telling people these things about us? It’s embarrassing and it’s not true. He didn’t take me seriously when I said stop and he raped me. That’s not ok. If he thinks this then clearly I need to take things further. I’m going to make a police report.

### Questions:

1. What are some of your initial thoughts about what happened in this case study?
2. What are your feelings about whether Nathan raped Abigail?
  - Follow-up: Do you believe Abigail’s report? Probe: Why? Why not?
  - Follow-up: Do you think Abigail is lying?
3. What additional information would help you decide if Abigail was telling the truth?
  - Follow-up: What are your thoughts about Abigail and Nathan’s relationship?
4. Do you think Abigail might have a motive for lying? If so, what motive might Abigail have?
  - Follow-up: Do you think Nathan might have a motive for lying? If so, what motive might Nathan have?
5. What would you think if Abigail didn’t end up making a police report?

## Vignette 2: Dinner party vignette – Nathan’s story (10 minutes)

**Prompt:** I now want to revisit the scenario from a different perspective.

Nathan is a friend of yours through work. You recently found out that a woman made a sexual assault allegation against him. The sexual assault allegation against your friend has been made by a woman he knows named Abigail. You have heard that Nathan allegedly had non-consensual sex with Abigail at her house after a dinner party. Nathan says he’s innocent and the sex was completely consensual. He says that she made it up and adds that Abigail has always been in love with him, and is just mad he doesn’t want to have a relationship with her. You’ve never met or heard of Abigail before and this seems out of character for Nathan.

### Questions:

1. What are your thoughts about Nathan’s claim?
2. Does your being friends with Nathan influence whether or not you think he raped Abigail?

## General discussion questions about reports of sexual assault (15 minutes)

### Questions:

1. Thinking about allegations of rape – what percentage do you think are false?
2. What factors or circumstances make you think an allegation is false?
3. How can we be sure women are telling the truth when they make a report of rape?
  - Follow-up: What evidence do you think is needed to know that a rape occurred?
4. And what about the other way around: how can you be sure a woman making a rape allegation is lying?
  - Further follow-ups/prompts:
    - What does it mean if the accused is found not guilty in court?
    - What if a complaint is withdrawn?
    - What is the threshold for when a complaint should be considered false?
5. Why do you think women make false allegations?



# ANROWS

AUSTRALIA'S NATIONAL RESEARCH  
ORGANISATION FOR WOMEN'S SAFETY  
*to Reduce Violence against Women & their Children*

