

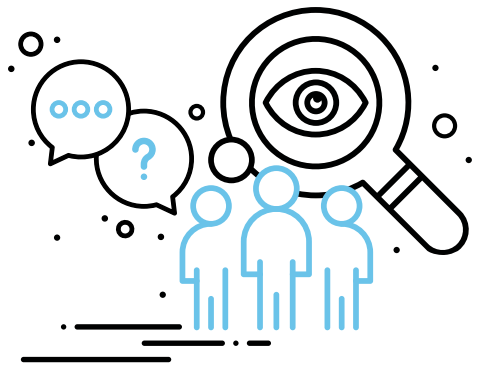
“Chuck her on a lie detector”: Investigating Australians’ mistrust in women’s reports of sexual assault

Key messages

As many as four in 10 Australians mistrust women’s reports of sexual violence according to the [2017 National Community Attitudes towards Violence against Women Survey](#). The present qualitative research study explores the factors underlying this community mistrust in women’s reports of sexual assault.

Fourteen online focus groups were conducted with a sample of 40 men and 35 women, which broadly reflected the age, geographic and cultural demographics of the Australian population. The findings below reflect the participants’ responses to questions about hypothetical sexual assault scenarios, as well as general questions about false allegations of sexual assault.

All key messages are supported by the study findings, participant quotes and evidence that corrects the myths and stereotypes that emerged in focus group discussions.



KEY MESSAGE 1

Understanding why the community mistrusts reports of sexual violence is how we start to correct rape myths, encourage reporting, support women through the service system, facilitate access to justice and, ultimately, reduce and prevent this violence

KEY MESSAGE 2

The sexual consent script needs to be changed from one where responsibility is on the woman to say “no” to one where consent involves both parties respectfully, continually and mutually agreeing to sex

Finding from the report:

There was greater trust of allegations of sexual assault where the woman clearly said “no”. This understanding of sexual assault and consent placed the burden of responsibility on the woman to say “no” and disregarded whether the other party did anything to seek or affirm her consent.

Participant quote:

“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’. So whether he got the feeling she wouldn’t have minded ...” – Harriett

Fact:

These community understandings are out of step with legal definitions of sexual consent across Australia. All Australian jurisdictions require that consent to sex be either “freely and voluntarily given” or that consent involves “free” or “free and voluntary” agreement (Burgin & Crowe, 2020, p. 2). Thus, sexual consent cannot be assumed simply because a person has not explicitly refused by saying “no” or by physically fighting back.

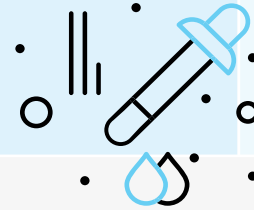


KEY MESSAGE 3

Despite a growing awareness that sexual assault does not always result in physical injuries, the community still relies on physical or forensic evidence to trust that the assault occurred

Finding from the report:

A woman's allegation of sexual assault was perceived as more credible if she had bruises or other physical injuries or if there was DNA evidence.



Participant quote:

"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

Fact:

Because most sexual offenders are known to the victim (Australian Bureau of Statistics, 2017), assaults generally do not involve physical violence or a weapon. Instead, a common response to sexual assault is turning cold, freezing or cooperating in an attempt to stay safe. The legal definition of sexual assault does not require physical injury to the victim.

KEY MESSAGE 4

While some members of the community recognise the challenges of reporting sexual assault, the perception that women lie about rape is still pervasive

Finding from the report:

Although participants' estimates of the prevalence of false allegations varied substantially (1% to 60%), the majority of participants overestimated the prevalence of false allegations. Some participants (mostly women) did acknowledge that it is difficult to make a report of assault.

Fact:

False allegations of sexual assault are rare (1% to 10%), with the vast majority of allegations being true. Most women who report sexual assault are telling the truth and should be trusted.



KEY MESSAGE 5

Victims and survivors need to be empowered to share their stories safely and on their terms

Finding from the report:

A woman's allegation of sexual assault was mistrusted if her story was inconsistent or patchy, or changed over time. An allegation was also seen as less believable if the victim and survivor did not immediately report the incident to police.

Participant quote:

"Why is their story changing ... You know, if it did happen – okay you've gone through trauma – [but] you'd remember what happened." – Megan

Fact:

Although victims' and survivors' statements are powerful forms of evidence, the vast majority of victims and survivors (87%) do not report their assault to police, often because they fear they won't be believed (Australian Bureau of Statistics, 2017). In addition, research confirms that the trauma that victims and survivors can experience may affect their memory and ability to recount their story in complete, consistent or linear detail (Hardy, et al. 2009). Thus, discrediting accounts from victims and survivors that are inconsistent is unfair and creates another barrier for women sharing their experiences of sexual assault.

KEY MESSAGE 6

Victims and survivors need to be trusted when reporting sexual assault, instead of being treated with doubt and suspicion based on harmful and incorrect stereotypes

Finding from the report:

A common response to a woman's sexual assault allegation was to speculate that she may have ulterior motives for lying about the assault. Women were suspected of lying about sexual assault as a way to either "get" men or cover up consensual sex because they were embarrassed. Some participants showed more trust in a woman's allegation if she was seen to have "positive motives" for reporting, such as holding the perpetrator accountable or taking back control of the story.

Participant quote:

"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

Fact:

These perceptions draw on problematic gendered attitudes which stereotype women as untrustworthy, deceitful and motivated by greed (Rees & White, 2012). In the legal context, these beliefs have been associated with higher levels of mistrust in women's reports (Jordan, 2004).

KEY MESSAGE 7

Given the prevalence of sexual assault in Australia, it is likely that an acquaintance, friend or relative has perpetrated sexual assault or sexually coercive behaviour, whether or not they are a "good guy"

Finding from the report:

If an accused person was a close friend and known to be a "good guy", his account was more likely to be trusted over that of the woman making the sexual assault allegation. However, there was also a reluctance to be associated with someone who had committed sexual assault.

Participant quote:

"It'd 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

Fact:

Studies have shown that people are uncomfortable with being friends with someone capable of committing sexual assault (Hirsch & Khan, 2020). This process of "distancing" feeds into the myths that "good guys don't rape" and that perpetrators are deviant predators who are strangers.

These misconceptions stand in stark contrast to the reality that one in six Australian women report having been sexually assaulted since the age of 15 (Australian Bureau of Statistics, 2017) and therefore that being associated with or knowing a perpetrator is likely.



KEY MESSAGE 8

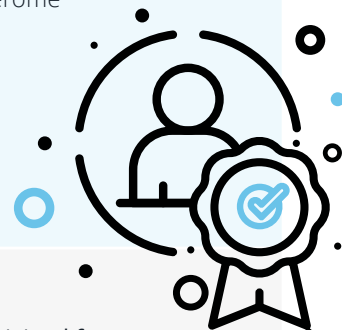
Media reporting of an accused's "good character" is seen as irrelevant and one-sided. The community and victims and survivors deserve media reporting that is unbiased, victim-centred and trauma-informed

Finding from the report:

News reporting was criticised for focusing on the achievements of the accused while sidelining the victim and survivor. The positive depictions of the accused in the news report did not lead to greater trust in either the woman or the accused, but instead 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.

Participant quote:

"I want to know why this article, in whatever newspaper it was, is not actually about the alleged crime, rather than providing a character defence of a person who's been accused." – Jerome



Fact:

The media's reporting of sexual assault, and violence against women more broadly, has been criticised for reinforcing myths and misrepresentations which directly or indirectly excuse perpetrators and blame victims. These media messages can affect how audiences understand and respond to the problem and attribute blame and responsibility (Sutherland et al., 2015).

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Source:

Minter, K., Carlisle, E., & Coumarelos, C. (2021). "Chuck her on a lie detector"—Investigating Australians' mistrust in women's reports of sexual assault (Research report, 04/2021). ANROWS.

Suggested citation:

Australia's National Research Organisation for Women's Safety. (2021). "Chuck her on a lie detector": Investigating Australian's mistrust in women's reports of sexual assault – Key messages. ANROWS.