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Rising rape figures in Scotland could actually be a step forward

As was confirmed recently by figures from Police Scotland, there has been a 23% increase in recorded cases of rape north of the border over the past year. In 2013-14, the first year of Police Scotland's operation, the number of recorded rapes reached an unprecedented total of 1,690 – 300 more than the year before. The sharp rise in recorded rapes stands in contrast to a downward trend in recorded crime in recent years, including a 10% reduction in violent crime during 2013-14.

These figures raise questions about whether there has been an actual increase in rape, more people reporting rape, or simply a change in police practices. They also raise questions about trends in recorded rape over time and in other parts of the UK.

Confidence rising?

One explanation might be an increase in public confidence about the police response to reports of rape. Since the launch of Scotland's single force in April 2013, rape has been acknowledged as an under-reported crime and prioritised within Scottish policing. The establishment of a national rape task force and dedicated rape investigation units has signalled a proactive approach to the crime. Further, police-led campaigns such as We Can Stop It are likely to have helped raise awareness that sex without consent constitutes rape, as defined by the Sexual Offences (Scotland) Act 2009.

The Police Scotland figures for 2013-14 also reveal that historic cases have increased to account for 36% of all recorded rapes, and a third of cases were recorded in a domestic context. What is not apparent in the figures that have been released is the extent to which historic rapes and domestic rapes are rising. However, it is likely that the recent spate of high profile historic abuse cases and the cumulative impact of ongoing domestic abuse work by the police and organisations such as Women's Aid have had the impact of increasing the number of rapes recorded in these categories.

Or part of a trend?

Having said that, this marked increase in recorded rapes should also be viewed in the context of a year-on-year increase in recorded rapes in Scotland. In 2010-11, 997 rapes were recorded and there

has been a 70% increase on that figure over the three years since then. So while the 2013-14 increase is the largest annual rise to date, it is part of a pattern.

It is difficult to draw comparisons before 2010-11. This is because the Sexual Offences (Scotland) Act 2009, which came into effect in December 2010, broadened the legal definition of rape to include oral and anal, as well as vaginal, penetration by a penis without consent or reasonable belief in consent. In effect, this also meant that male rape could also be recorded as rape rather than as another form of sexual offence.

It is reasonable to expect that widening the definition of rape would lead to a rise in recorded cases, but we lack sufficiently detailed comparative data to substantiate this trend. It also seems unlikely that this definitional change alone could account for the 70% increase in recorded rapes over the past four years.

Comparing England and Wales

It might help, then, to compare these figures from other UK regions. England and Wales have also witnessed a steady rise in rapes recorded by the police in recent years. In 2012-13, 17,061 rapes were recorded. This represents a 7% increase since 2010-11 – much lower than Scotland's 38% increase over the same period. But this disparity needs to be treated with caution because police recording practices vary: not all rapes reported to the police are recorded as rapes.

Recent results from the Scottish Crime and Justice Survey (SCJS) on sexual victimisation and stalking might provide a more comprehensive view of these trends, because it includes experiences irrespective of whether they have been reported to the police. Findings from the SCJS from 2010-11 to 2012-13 indicate that the proportion of adults who had experienced forced sex since the age of 16 increased from 1% to 2%.

This points to a possible rise in rape, though the relatively small numbers and rounding of percentages mean that we should be cautious about identifying a clear trend within this data. The terminology used by the SCJS is also at odds with the consent-based legal definition of rape since the survey uses questions about experiences of "forced sexual intercourse". This means that even these figures may underestimate the true extent of rape, as defined in Scottish law.

The under-reporting problem

It is also important to remember that rape remains a notoriously under-reported crime. Figures on sexual victimisation from 2012-13 indicate that only 19% of those who experienced forced sexual intercourse since the age of 16 had reported an incident to the police.

Yet it is also worth bearing in mind that some respondents may be reluctant to report their experience to a survey, for many of the same reasons that they are reluctant to report to the police. This is unsurprising given that experiences of rape are often described as being accompanied by feelings of shame, embarrassment, guilt, fear, and a desire to suppress or minimise what has happened. According to the SCJS 2012-13, the main reasons given for not reporting forced intercourse to the police were fear that it might make matters worse (31%) and viewing it as a private/family/personal matter (23%).

In this context, the recent rise in recorded rapes may be viewed to some extent as a positive trend reflecting greater awareness and lower tolerance of rape, coupled with increased confidence in the police response to rape rather than simply an actual increase in rape. That said, it must be borne in mind that reporting is only the first stage of a complex and challenging process.

Looking ahead

Looking to the future, it will be important to track the impact of new developments, such as the review of the criminal justice response to violence against women recently announced in the Scottish government's ambitious new strategy for preventing and eradicating violence against women.

Establishing robust systems for data collection will form an important part of understanding the effects of new developments in this field. The arrival of Police Scotland and unified national recording systems should go some way to providing meaningful comparative data in years to come. With a rate of almost five recorded rapes in Scotland every day, not to mention those that go unreported, it is imperative that improving responses to rape remain a top priority in Scotland and beyond.

Read the original article: <http://theconversation.com/rising-rape-figures-in-scotland-could-actually-be-a-step-forward-29109>