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**Understanding the Relationship Between Female Sexual Assault Survivors' Perceptions of Police
Investigations and Their Reasons for Not Reporting Their Assaults**

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UNDERSTANDING THE RELATIONSHIP BETWEEN FEMALE SEXUAL
ASSAULT SURVIVORS' PERCEPTIONS OF POLICE INVESTIGATIONS AND
THEIR REASONS FOR NOT REPORTING THEIR ASSAULTS

Masters Thesis

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Abstract

Since the 1980's a number of amendments have been made to the Canadian criminal justice system and Canadian police services in an effort to increase the reporting of sexual assault cases. According to the Department of Justice Canada (1997) the term sexual assault is used to refer to criminal acts, which range from any unwanted sexual touching to forced intercourse. However, despite reforms, under-reporting continues to remain drastically high.

This study uses Anthony Giddens' social theory of structuration as a theoretical framework and employs semi-structured in-depth qualitative interviews as a data collection method to analyze and further an understanding of female sexual assault survivors' perceptions of police investigations and their reasons for not reporting their assaults. The data collected for this study was analyzed using thematic analysis.

The findings suggest that survivor perceptions of police investigations had an impact on their decisions not to report their assaults to police. Additionally, survivors indicated that their decisions not to report were also contingent upon the overarching theme of fear of being discredited. Within this theme, the sub-themes of self-blame and guilt, previous sexual history, lack of understanding of police investigation, and distrust of the Canadian criminal justice system also impacted participants' decision-making processes in regard to that which they elected to report to police.

These findings were analyzed using Anthony Giddens' theory of structuration, and can be used to further our understanding of why sexual assault survivors may choose not to report their assaults to police.

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Chapter One

Introduction

Sexual assault is a criminal, social, and cultural problem that primarily affects women and children. According to the Canadian Department of Justice (1997) the term *sexual assault* is used to refer to criminal acts, which range from any unwanted sexual touching to forced intercourse. Despite a series of legal amendments made to the Canadian criminal justice system in order to encourage more survivors to report their crimes, today the reporting of sexual assault in Canada continues at a much lower rate than the under reporting of all other violent crimes.

Since the 1980's, following a series of legislative amendments, the topic of sexual assault has been increasingly debated amongst the Canadian public. After mounting pressure was put on the Canadian criminal justice system by feminist groups for the creation of laws that would reflect the *true* nature of the crime of sexual assault, Bill C-127 was introduced (Gunn & Linden, 1997). Proclaimed by the Parliament of Canada on January 4th 1983, Bill C-127 transformed the classification of the crime of "rape" to three levels of sexual assault which were based on the degree of aggravation (Gunn & Linden, 1997). The three-tiered categorization of sexual assault offences used to indicate the degree of violence involved in the assault are as follows: level one sexual assault (with minimal physical injury to the victim); level two sexual assault (with a weapon, threats to use a weapon, or causing bodily harm); and, level three aggravated sexual assault (wounds, maims, disfigures, or endangers the life of the victim) (Department of Justice Canada, 1990). The term "rape" was also replaced by the term sexual assault (Department of Justice Canada, 1992). Bill C-127 also established the "rape shield law,"

which meant that defence counsel were no longer able to use the complainant's previous sexual history as a rationale for discounting his or her credibility (except in certain circumstances if it was proven to be necessary) (Department of Justice Canada, 1992). In addition, Bill C-127 also allowed sexual assault to become gender-neutral.

The ultimate goal of Bill C-127 was to redefine sexual assault as a crime of violence rather than a sexual crime. This was intended to reduce perceived degradation and hostility towards sexual assault survivors by the justice system. Much of this perceived degradation was inherent in pre-1983 laws, which imposed tremendously difficult standards on survivors to support their accusation of rape. For instance, prior to the introduction of Bill C-127 the act of rape was limited to vaginal-penile penetration. Additionally, husbands could not be charged with raping their wives and a rape conviction could only be obtained if corroborative evidence supported the contention that the complainant was not only an "unwilling participant" but also that she actively resisted the defendant's actions (Busby, 2006).

These pre-existing laws operated by isolating sexually victimized women into believing that if they were to report their assaults they would not receive fair treatment (Busby, 2006). For instance, in one study, 50 % of women who did not report their rapes believed that police would do nothing about their assault. 44 % were concerned about the attitudes of both police and the courts toward sexual assault. 33 % were afraid that if they reported the attack they would be assaulted again by the accused. 64% did not report because of shame and fear (Dispelling Myths, a pamphlet issued by the Ontario Women's Directorate of the Government of Ontario, March 1995). Consequently, proponents of Bill C-127 believed that the Bill would encourage more victims to report their sexual

assaults, ensure victims were treated fairly and increase the conviction rate of sexual assaults, which in turn would function as a deterrent (Gunn & Linden, 1997). Yet these desired changes which proponents of Bill C-127 envisioned have not occurred. Instead, under-reporting of sexual assault is still high. This trend reflects the disconnection between the goals of Bill C-127 and the vast numbers of survivors who still do not report their sexual assaults to police.

Statement of Problem

Despite these legislative amendments, incidents of sexual assault continue to remain the least reported crime (Statistics Canada, 2005). Due to the staggering level of under-reporting of this crime, the question arises: what is deterring individuals from seeking justice for their assaults? Although “the rate of sexual assault in Canada is high, it is [still] the least likely violent offence to be reported: with only 6 percent of complainants who contact the police” (Statistics Canada, 2005, p.1). Additionally, data from the 2004 Statistics Canada General Social Survey on Victimization suggests that the vast majority of sexual offences (88 percent) continue to be unreported.¹

Purpose of the Study

Consequently, despite amendments made to the Canadian criminal justice system and the police procedures, survivors of sexual assault are still overwhelmingly choosing not to report their assaults to police. Specifically, as Daylen (2005) suggests, survivors choose not to report their assaults based on their feelings of guilt, shame, confusion, embarrassment or concerns about their credibility. However, what these findings reflect

¹ This statistic was derived from a General Social Survey (GSS) conducted in 2004, that sampled 24,000 people who were 15 and older. This study focused on criminal incidents in Canada that are not reported to police and focused exclusively on respondents' personal accounts of criminal victimization. Since GSS collects information on all incidents of violent crimes (even those which were not reported), these surveys typically produce vastly higher rates of victimization.

is the need for closer examination of what contributes to survivor perceptions of sexual assault and if these perceptions impact survivor reporting rates to police. According to Merriam Webster, a perception “is an attitude or understanding based on what is observed or thought.” Although several studies have examined the issue of under-reporting of sexual assault (Campbell Report, 1996; Gregory & Lees, 1999; Harris & Grace, 1999; McCahil, Meyer & Fischman, 1979; Moriarty, 2002; Snow, 2006), none have examined the role of Canadian survivors’ *perceptions* into police investigations and whether they impact a survivor’s decision to report their assault to police. This study aims to uncover survivors’ perceptions of police investigations into sexual assault cases in an effort to determine whether these perceptions lead to the under-reporting of sexual assault.

Rationale for the Study

As Hazelwood and Burgess (1995) note, for a survivor of sexual assault, a police officer is often the first person who validates their victimization (Hazelwood and Burgess, 1995). As a result, police are often attributed with the ability to exercise greater judicial discretion over cases than judges (Hazelwood and Burgess, 1995). It is for this reason that police are often blamed by survivors for contributing to re-victimization and added trauma. Much of the literature that analyzed the role of police procedures and protocol in sexual assault cases has addressed the role police have to determine whether an assault is “founded” or “unfounded” and if the case can be legally prosecuted. The impact of communication and miscommunication by police often has significant effects on survivors of sexual assault. Jordan’s (2004) study, which is based on detailed police rape and sexual assault files, analyzes the role of police perceptions of sexual assault

survivors. The author notes how biases held by police regarding survivor demeanour, intoxication during the assault and reticence are utilized as corroborating evidence against the survivor. As police are faced with the task of determining whether or not a sexual assault has occurred, Jordan indicates that a thorough, bias-free investigation *should* be completed.

In Canada concerted efforts have been made to improve Police procedures and the Canadian criminal justice system for survivors of sexual assault. Specifically, police developed specialized sexual assault units and established mandatory sexual assault training, and made greater attempts to revamp their overall image. Similarly, the Canadian justice system made changes by enacting a series of legal reforms with the goal of protecting survivors from undue trauma as a result of court procedures and increasing survivors' overall rights. Yet, despite these reforms, vast numbers of sexual assaults continue to occur, and under-reporting of these assaults remains high. To date, a myriad of studies and information has been collected on the prevalence of sexual assault in Canada. In addition, a majority of these studies have determined the reasons why survivors of sexual assault choose not to report their assaults to police. As Moriarty (2002) notes, some of these reasons include guilt, shame, fear of being disbelieved, fear of the perpetrator, or the belief that the assault was a private matter. Yet, no studies have examined whether survivor perceptions of police investigations have changed since these reforms or if these perceptions affect survivors' decisions to report.

Against such a backdrop, the reasons behind the under-reporting of sexual assault in Canada, with a focus on survivor perceptions of police investigations into sexual

assault cases were examined, with the intention of furthering our understanding of why sexual assault survivors may choose not to report their assaults to police.

Using Anthony Giddens' social theory of structuration as a theoretical framework for this study, the issues surrounding the under-reporting of sexual assault in Canada and survivor perceptions of police investigations in sexual assault cases were examined. Specifically, Giddens' ideas on the role of action (routinized practices within our society that contribute to the reproduction of institutionalized behaviours), structure (the rules and resources recursively implicated in social reproduction), and power (as both enabling and constraining) were utilized with semi-structured in-depth qualitative interviews to assess these perceptions. All participants in this study are female survivors of sexual assault who are Canadian and who did not report their assaults to police.

Although several studies have attempted to understand the under-reporting of sexual assault in Canada, to date none have investigated survivor perceptions of police investigations into sexual assault cases and whether they impact a survivor's decision to report.

Overview of Thesis

Chapter One: Introduction (Background, Statement of Problem, Purpose of Study, Rationale for Study, Chapter Summary)

Chapter Two: Literature and Theoretical Framework

Chapter Three: Research Design and Methodology

Chapter Four: Results and Analysis

Chapter Five: Discussion

Chapter Six: Conclusion (Limitations, Recommendations, Findings)

Appendix A: Interview Questions

Appendix B: Ethics Approval

Chapter Summary

In this chapter the topic of sexual assault in Canada was introduced. Additionally, changes made to the Canadian criminal justices system in order to encourage more survivors to report their assaults were addressed, as well as the fact that despite these changes under-reporting of sexual assault is still the highest of all other violent crimes in Canada. By examining the background of this topic, the statement of the problem, the purpose of this study, and its rationale, this chapter outlined how this study will attempt to understand survivor perceptions of police investigations into sexual assault cases and the issue of under-reporting. In the following chapter, a literature review on other studies of sexual assault was conducted, as well as an introduction to Anthony Giddens' theory of structuration and a subsequent literature review on his theory.

Chapter Two: Literature Review

The following literature review was performed by conducting a thorough examination of the topic of sexual assault, and more specifically the issue of under-reporting in Canada. This literature review has been divided into five sections. First, the myths surrounding sexual assault and rape and how these myths are embedded within many institutions in society were examined. This was followed by a review of prominent studies which looked at North American societies and the prevalence of violence against women. Third, alongside these sociological aspects, the literature review also examined rape-prone and rape-free societies. This section outlines the prevalence of sexual violence in several societies, and suggests that sexual violence is more prevalent in societies which exhibit higher levels of patriarchy. Fourth, the topic of under-reporting of sexual assault is also explored, specifically, studies which have been conducted on the reasons survivors cite for not reporting their assaults to police. The last section looked at the challenges posed to police investigations into sexual assault cases. Additionally, Anthony Giddens' structuration theory's concern with action, structure, and power will be explored alongside the previous studies conducted on sexual assault.

Rape Myths in North America

With the stated aim to improve survivor reporting rates of sexual assault the Canadian criminal justice system implemented vast changes beginning in the early 1980s. Many studies have examined these concerted efforts that were made to improve services for survivors of sexual assault (Gartner & Macmillan, 1995; McGregor, Marion & Wiebe, 1999; McGregor, Weibe, Marion & Livingstone, 2000; Vopni, 2006). Specifically, the police developed specialized sexual assault units and established

mandatory sexual assault training. These changes were implemented in order to alter and improve their overall image and increase accessibility for complainants. Similarly, the Canadian criminal justice system made changes by enacting a series of legal reforms (such as amendments made in 1985 and 1992 criminal amendment Bill C-49, and Bill C-46), which aimed to protect survivors from undue bias and trauma as a result of the court procedures. This legislation increased their overall rights (Daylen et al., 2006). However, while these amendments were progressive changes, they have yet to produce their desired aims. Notably, as Tang (1998) argues, “law in itself cannot change attitudes overnight and social changes develop in a context of education and formal rules,” (p. 267). As Tang (1998) suggests, while these amendments provide opportunity for more survivors to receive justice, the myths and stereotypes which were embedded in previous laws still remain.

For instance, while there are intrinsic benefits to these legal amendments, a myriad of studies have examined the lingering *myths* surrounding sexual assault and how they continue to function within public and legal psyche (Burgess, 1983; Busby, 2006; Du Mont, Hazelwood & Burgess, 1995; Miller, Myhr & Terri L., 2003). According to Merriam Webster’s (2008) definition, a myth refers to “a popular belief or tradition that has grown up around something or someone; especially one embodying the ideals and institution of a society or segment of society.” Typically, these myths demonstrate an unfounded or false notion, which mirrors the ideologies of a culture. More specifically, much research has been conducted on “rape” myths which impact the perception of the criminal act of rape both publicly and legally and have a powerful impact on survivor reporting rates. Specifically, as Busby (2006) states, many of the laws within the

Canadian legal system were founded on “rape myths” (p. 274). For instance, the “twin myths” that were embedded in the construction of Canadian laws prior to the legislative amendments made in 1983 were seen as discriminatory as they upheld the belief that:

- i) Unchaste women were considered to be less worthy of belief, and therefore sexual history evidence was probative of a complainant’s general credibility.
- ii) Unchaste women were more likely than were chaste women to consent to acts giving rise to the charge, and therefore the evidence was probative of consent. (p. 274)

The twin myths functioned to create an “ideal” rape victim, one whose credibility was contingent on moral virtues (Busby, 2006). In turn, women who had previously engaged in consensual sex were somehow deemed to be less credible. The lasting impression these myths provided was that women who had previously consented to sexual activities, would be more prone to consent to them in the future; thus their “claims of rape” should not be believed.

Although Bill C-127 legally eliminated the use of sexual histories for evidence of credibility in sexual assault cases, these myths continue to reside in the minds of judges, jury, and defence counsel (Busby, 2006). In addition, sexual histories often do not need to be entered into evidence as defence counsel can get away with framing the nature of the complainant by using various “stereotypes” about the victim, to call her credibility into question (Busby, 2006). As Laura Moriarty (2002) argues one common rape myth which is used to tarnish the victim’s character is that “the victim was ‘asking for it’ by the manner in which she dressed, by flirting, or by where she was walking or spending her time (such as a bar or the assailant’s dwelling)” (p. 70). These myths operate to negatively frame women who are sexually assaulted since they suggest that women somehow provoked their assailant. In addition, these myths create a negative discourse

which blames women for their victimization and avoids addressing the real issue which is the systematic violence against women perpetuated by men.

Other prominent rape myths used against women, and widely discussed in scholarly literature, relate to the appearance and “dress” of the women during the assault. As Daylen et al. (2006) note, these discourses rely on the myth that women are sexually assaulted based on how they are dressed. Additionally, this line of reasoning also puts the onus on women and attributes fault or blame where none should exist. Other common myths which persist, involve the mistaken belief that sexual assaults are sexual acts, rather than acts of violence. For example, existing literature shows that a majority of incidents of rape and sexual coercion are not motivated by sexual desire but instead by the desire for power, domination, violence, and the urge to degrade and humiliate (Burgess, 1983; Busby 2006; Daylen et al. 2006; Du Mont, Hazelwood & Burgess, 1995). The myth “that only bad girls get raped,” and “any healthy woman can resist a rapist if she really wants to” are also deeply ingrained in public and police psyche (Busby, 2006). These oppressive myths avoid addressing the root causes of rape and the gendered nature of these acts. As Busby (2006) argues, sexual violence can be understood as a systematic method of creating and sustaining male dominance over women. These myths assist in sustaining this dominance.

A wide array of literature has analyzed these myths and indicated that they are drawn directly from a culture or society that allows these myths to exist in the first place (Hazelwood and Burgess, 1995). According to Busby (2006) the myths that a woman cannot be raped against her will or that a woman provoked rape have also been widely studied. As one officer in a study conducted by A.W. Burgess (1983) states, “It’s not

right for a girl to go into a stranger's apartment, drink beer, and then be upset when the guy makes advances" (p. 8). As Burgess (1983) comments, these myths surrounding rape reflect our society's belief system which supports and promotes rape in many ways.

Burt's 1980 qualitative analysis of "rape culture" also furthers our understanding of the role of rape myths and how they operate within North American society. By conducting interviews with a random sample of 598 adults in Minnesota, Burt studied whether or not people believe in rape myths. The results of Burt's study indicated that not only did a large portion of interviewees believe in rape myths, but also they had a high acceptance rate of interpersonal violence. Burt's study highlighted how "a person's acceptance of interpersonal violence is found to be the strongest attitudinal predictor of his or her acceptance of rape myths" (p. 7). The findings suggest that violent acts in North American society have become deeply embedded within our cultural ideologies. These findings also point to the large acceptance of violence within this culture.

Factors that contribute to the degree of belief in rape myths are also primary areas of investigation. For instance, Du Mont, Miller, & Myhr (2003) examined rape myths in Canada by attempting to determine whether rape myths constrain women's reporting of sexual assault to police. Data for the study was collected by consulting 186 sexual assault cases seen at hospital-based sexual assault care centres in 1994, and then analyzed using logistic regression. The researchers conclude that many women were influenced by the myth that "all rapes are violent in nature" (p. 466). The research supports this myth by identifying two overtly violent aspects of "real rape" myths that rape must involve 1) the use of excessive physical force, and 2) the occurrence of substantial physical injury. In both instances, survivors were more apt to report their assaults to the police if there was

clear evidence of physical injury (such as cuts, bruising, or vaginal tearing). The researchers concluded that these are gross inconsistencies that influence the perception and reception of survivor credibility. These myths also function to illustrate the dramatic change in discourse that needs to occur on the topic of sexual assault.

More specifically, these studies suggest that many female survivors choose not to report their assaults to police as a result of the prevalence of rape myths. As the above studies have suggested rape myths reflect the ideologies of society at large. Additionally, these myths operate as deterrents for survivors who fear their credibility will be questioned if they were to report their assaults to police. Through the lens of structuration theory, the impact of rape myths on the act of non-reporting can be explored further.

For instance, within structuration theory, actions are considered to be the routinized practices within society which contribute to the reproduction of institutionalized behaviours (Giddens, 1984). As it was discussed above, many of the lingering rape myths which still persist within North American society tend to place blame on women for perpetuating or causing their assaults. Given that these rape myths are now routinized beliefs in society, it could be argued that many women choose not to report their assaults to police for fear of being labelled negatively because of the existence of these myths. As a result, when women choose not to report their assaults to police their actions unintentionally contribute to the reproduction of institutionalized behaviour (namely, blaming women for causing or provoking their assault) by allowing these rape myths to persist and go unchallenged.

Violence against women in North America

Additional studies have also suggested that rape myths reflect our society's belief system, and that this contributes to facilitating rape and sexual assault (Burgess, 1983; Du Mont, Hazelwood, & Burgess, 1995; Du Mont, Miller, & Myhr, 2003). For instance, the prevalence of rape myths also reflects how society views violence against women (Howell & Willis, 1991). Consequently, in order to understand the nature of crimes of sexual assault it is important to look at the cultural, social, and societal issues that foster violence against women. For instance, many feminist studies have suggested that rape and sexual assault are directly linked to the power relations of gender, race, class, and more specifically patriarchy (Davis, 1985). Researchers have determined that the patriarchal structure of North American society fosters sexual coercion in North American culture by creating a hierarchy that positions men above women (Gordon, 1989; Kimmel, 2006; Sanday, 1981; Schur, 1988; Sheffield, 1984). As Robinson (2003) has documented, many of the imbalances in power between men and women are acted out through the use of violence. His research suggests that while North America is viewed as a culture where women uphold equal rights and status to men, the prevalence of violence against these women does not reflect this equality. For instance, his research suggests that 40-50 per cent of North American women experience some form of violence over the course of their lives (Robinson, 2003).

These studies show that the prevalence of violence against women can be attributed to the patriarchal structure of North American society. More specifically, as some of these studies have highlighted, within patriarchy imbalances of power exist between men and women. Using Anthony Giddens' theory of structuration to analyze these power relations a deeper understanding can be achieved.

Giddens (1984) conceptualizes power within societies as both enabling and constraining. To apply his concept of power to the inequalities between men and women, the elevated rate of violence against women can be used to understand how power operates within North American society. For instance, since patriarchy operates as a hierarchical system, men have been deemed superior to women (Harry, 1995). Yet, as the studies above suggest, North America is perceived as a society where women have equal rights to men. However, while structural progress has enabled women to hold equal legal rights to men, negative underlying beliefs about women continue to constrain female efforts towards achieving total equality. High rates of violence against women, is one area which illustrates the sustained imbalances of power between the sexes. According to the United Nations Population Fund (2005), “gender-based violence is perhaps the most wide-spread and socially tolerated of human rights violations. It both reflects and reinforces inequities between men and women and compromises the health, dignity, security and autonomy of its victims” (p.17). The continued prevalence of violence against women suggests that while what women have achieved has been enabled by structural legal changes, they are still constrained by patriarchal beliefs which undermine and constrain this progress. Patriarchal beliefs persist and, subsequently, have not caught up with the legal rights society has afforded women.

Rape-free and rape-prone societies

An examination of the cultural aspects which foster rape and sexual assault has been explored in numerous studies. A vast array of literature provides the compelling argument that the Western ideal of “masculinity” encourages men to equate violence and aggression as ordinary “masculine” behaviour. As Joanna Bourke’s (2007) book posited,

many social theorists and feminists note the innumerable ways in which environmental factors contribute to the societal trend of rearing men who then go on to sexually abuse women. One manner in which this trend occurs is by the cultural structure of patriarchy, in which men are socialized to believe they are born with greater privileges than women, simply because of their gender (Bourke, 2007). Additionally, these structures raise men to believe in aggressive conceptions of masculinity and also operate to reinforce the notion that men are inherently more powerful than women, who are traditionally socialized to behave in a much more passive manner (Bourke, 2007).

Anthropological studies have also revealed that the occurrence of rape and sexual assault can be practically non-existent in many societies. For instance, Peggy Reeves Sanday (1981) study identifies the existence of rape-free societies and rape-prone societies. For the purpose of Sanday's study, rape-free societies were defined as those where rape is infrequent or does not occur at all, and rape-prone societies as societies where the incident of rape is high, rape is a ceremonial act, or rape is an act by which men punish or threaten women. This cross-cultural study on the sociocultural context of rape was undertaken to examine the incidence, meaning, and function of rape in tribal societies. The study utilized a cross-cultural sample of 156 tribal societies. The findings of the study demonstrate that the very existence of rape-free societies suggests that rape is not a "natural" occurrence in *all* societies. As a result, her research highlights the profound role cultural and environmental effects play in contributing to characterizing gender roles, and discourses around sexuality.

Sanday's (1981) research argues that societies which hold sexual equality, high levels of female economic power, and acknowledgment of the importance of women's

contributions (reproductive or other) within society, contribute to *low* levels of rape. As such Sanday concludes: "Rape then is not rooted in our biology but in cultural socialization" (as cited in Bourke, 2007, p. 56).

In terms of socialization, Sanday (1981) argues that in some societies men are taught only to express themselves through violent or aggressive means. As a result, masculinity in North American society is considered by Sanday to be sexually aggressive. For example, men are socialized to interact with others by demonstrating their strength, assertiveness and competitiveness, characteristics which allow them to exert their dominance over women and others (Harry, 1995). As Fuller (2000) furthers, in some cultures (such as North America) male dominance and violence are rewarded more than cooperation and harmony. The realm of sport is one area where this dominance and violence is rewarded, and reinforces the value of these traits for men.

Additionally, Fuller (2000) suggests that the messages men receive from society regarding how to "be real men," are contradictory. As he adds: "Physical and verbal aggression towards women, concern with developing a muscular body, and finding a way to gain respect of male peers, all propel a young man to take on the extreme roles of manliness that are taught by the culture," (p. 166). Fuller (2000) believes that violence within North American society is not acted out by a few deviant individuals; instead it operates as a systematically produced system which is stable and consistent. He suggests that much of the difficulty men experience today, stems from the challenges they have expressing emotions and finding appropriate methods for demonstrating their manhood. He notes that in the past, early societies performed ceremonies and rites of passage which encouraged and enabled men to make the "symbolic" transition from boys into men.

Today, this transition is ambiguous and many men find themselves turning to violence in order to exert their masculinity. As Kaufman (1998) argues, men "...see violence against women and violence against other men... as ways to articulate their masculinity" (p. 167). Some theorists also believe that male violence against women, such as rape, is influenced by the approval (implicit or explicit) of violence in other spheres of North American society (Ammar, 2001). Ammar (2001) furthers this argument by showing that socially approved violence is reinforced for men in various social activities such as sports, and forms of entertainment such as mass media. As Sandy (1981) argues, these dominant characteristics are also acted out in the bedroom; socializing men to believe they can use these traits to coerce women for sex. Since the immense constraints imposed on North American masculinity require that men harness their desires in extremely narrow realms, North American men are taxed by their emotional frustrations and in turn act violently (sometimes against women), or suppress these feelings altogether (Kaufman, 1998).

Intrigued by the discrepancies in the rate of violence between Norway (a rape-free society) and North America (a rape-prone society) Norwegian social anthropologists Howell & Willis (1990) studied these societies in an effort to determine what could be learned from cultures which had low levels of violence. Their findings show that the definition of masculinity had a significant impact on the propensity toward violence in a given society (Howell & Willis, 1990). Societies such as Norway, for example, where men were able to show fear, levels of violence were extremely low. However, in societies which valued masculine bravado, and encouraged the repression and denial of fear as core features to the definition of masculinity, levels of violence were high (Howell &

Willis, 1990). These findings suggest that the more patriarchal a society is the more prevalent male violence against women will be in that society (Brownridge, 2002). For instance, Yllo and Straus (1990) conducted a study in order to determine the rate of acceptance of patriarchal norms and the increase in violence against women. Their findings supported this hypothesis, and concluded that in multiple states in America many families expressed the belief that husbands should dominate decision making within the family structure (Yllo and Straus, 1990). In states where a higher rate of acceptance of patriarchal beliefs existed, there were also elevated rates of violence against women.

By examining the prevalence of sexual assault in North America (which operates within the hierarchical patriarchal structure) using Giddens structuration theory implies that these acts of violence against women have become routinized. Additionally, Giddens (1982) argues that humans as social actors reflexively monitor their day-to-day functioning as a result of discursive consciousness. Specifically, since female survivors of sexual assault are socialized in this increasingly hostile environment where male violence against women is prevalent, they are taught to routinely alter their behaviour in order to survive in this environment. As Gordon (1989) and Sheffield (1984) argue the societal obsession with violence has created a “culture of fear” that women struggle with habitually. In their respective studies, both authors described the conditions of fear that women experience, such as the continual threat of being mugged, assaulted, or raped.

Under-reporting of Sexual Assault

Alongside the societal myths, stereotypes, and cultural influences that contribute to sexual assault, the issue of under-reporting has also been widely studied. Many studies

have examined if societal perceptions about how sexual assaults occur contributes to the under-reporting of these crimes. One study conducted by Clay-Warner and Callie Harbin (2005) examined whether a gap still existed between the reporting of simple versus aggravated rape or if this gap had narrowed following legal reforms. In their study they discovered that aggravated rapes (rapes that leave survivors with considerable physical injuries) continued to be more likely to be reported than “simple” rape (rapes which have minimal physical injuries), which, they argue, that the perception exists amongst survivors that physical injuries enhance the credibility of a rape report.

Many studies have also investigated issues of accessibility and adequate services for sexual assault survivors and the role this plays in the under-reporting of sexual assault. For instance, Evans, Jordan, Logan, and Stevenson’s (2005) study aimed to determine the factors that deterred survivors from using formal services to cope with trauma following their assaults. Thirty women from Kentucky were recruited from rape crisis centers in rural communities (n=18) and urban areas (n=12) to participate in six focus groups. Drawing from the experiences of urban and rural participants, the study concluded that a lack of direct accessibility to these centers was a primary reason for sexual assault survivors to avoid these services and to fail to report. This finding was determined by analyzing survivor perceptions of the services. However, the results of this study are limited as the researcher used a small sample of survivors, and did not interview survivors who did not use these services in order to derive their results. Instead, they relied on survivors who *did* use formal services and their perceived barriers to receiving treatment in order to uncover these findings.

Many victimization surveys have also attempted to identify the socio-demographic factors that impact survivors' decisions not to report crimes committed against them to the police. For instance, as Zawiz et al. (1993) suggest, the gender and age of a victim have a tremendous impact on whether or not they will report their crime. Specifically, Zawiz et al. (1993) determined that survivors of violent crimes who are between the ages of 12 to 19 are less likely to report than older survivors of similar crimes.

Additionally, several victimization surveys have also made attempts to uncover the primary reasons survivors cite for failing to notify police about crimes in which they have been the victim. One of the earliest studies, conducted in 1967 on this topic by the National Opinion Research Center (NORC), determined the main reasons survivors provide for not reporting crimes committed against them to the police. These reasons have been classified into four distinct categories (Ennis, 1967). First, 34 percent of survivors who did not report their victimization to the police did not do so based on their belief that the incident was not a police matter. 30 percent of survivors added that they believed the matter was private and they did not want the offender to suffer or be harmed by the police (this was often the case when the perpetrators were family members or friends). The second category dealt with those survivors who feared reprisal from the offender or his/her friends or family. Third, nine percent of survivors claimed that they did not believe the crime was worth the trouble to involve police, or they claimed to have suffered a great deal of confusion following the incident. Survivors in the fourth category, consisting of more than half of respondents of non-reporting victims, did not notify police because of the scepticism they held concerning police capability. Many said

they believed that the police would not be able to do anything about the incident, they would not apprehend the offender(s), or they could not be bothered. As Ennis (1967) indicates:

In short, these victims failed to report because of a negative attitude toward police. This finding is of particular importance because it strongly suggests that an increase in police efficiency and an improvement in public attitudes toward the police [would] likely result in increased reporting (p.45).

As the findings of this study indicated, the primary reason cited for not reporting sexual assault dealt directly with negative perceptions of police. Unfortunately, these problematic perceptions, which prevailed in the past, continue to appear in numerous victimization studies today (Bachman, 1998; Beatty, 1997; Binder, 1981; Block C.R. & Block R.L, 1989; Bureau of Justice Statistics, 1994; Conaway M.R. & Lohr S.L 1994; Doerner, W.G. & Lab, S.P 1998; Greenberg M.S. & Ruback,R.B, 1992; Kilpatrick et al., 1987).

Although the above examples describe the reasons most crime victims do not report the crimes committed against them to the police, studies have also focused exclusively on survivors of sexual assault and their under-reporting, in an effort to understand their motivations for not coming forward to police. For instance, Kilpatrick et al. (1987) interviewed 391 female adults who were interviewed regarding crimes committed against them over the course of their lives. The results of these interviews revealed that over half of all crimes committed against these women were never reported. The researchers concluded that reporting rates of crimes of sexual assault were drastically low. Much to their surprise, they also discovered that reporting rates of completed versus attempted rapes did not impact a survivor's decision to report. Additionally, less than half of all aggravated assaults were reported. As Moriarty (2002) comments on the results,

“The findings in this study suggest that underreporting of major violent crimes is a significant problem, particularly for completed rapes and other forms of sexual assault,” (p. 45). What was also remarkable concerning the results of the Kilpatrick et al. (1987) study was that the researchers determined that more than half of all robberies and burglaries committed against these women *were* reported. Reporting rates were somewhat higher in the more recent crimes, but nonreporting remained the norm for the most serious violent crimes (Moriarty, 2002).

Other studies have determined that another reason why survivors choose not to report can be their underestimation of the crime. As Moriarty (2002) indicates, many victims tend to underestimate the crimes committed against them, believing that the incident is not worthy of police or legal action, because they either believe the incident to be unimportant, or hold the perception that police will deem the incident to be so. Similarly, for many victims of crime, the decision on whether or not to contact police depends on the survivor’s belief of the detect-ability of the offence (Cretney & Davis, 1995). For instance, some survivors who themselves have difficulty identifying the perpetrator(s) of their crime often believe that the chance of the crime being solved by police is very unlikely (Hough & Mayhew, 1995). Additionally, for many assault survivors, the overall belief in the capabilities of police is also rather low, or in some cases non-existent (Hough & Mayhew, 1995). These perceptions result in survivors choosing not to report, based on their belief that police will not assist in solving or prosecuting their crime.

Another contributing factor which is often overlooked is that many survivors have an inability to view themselves as “victims of crime,” an aspect which affects their

decision to report. As Moriarty (2002) indicates “some people regard going to the police as synonymous with weakness. [Likewise] asking for help may conflict with an individuals need to deny his or her victimization” (p. 44). In cases where survivors suffer from repeated assault and continue to maintain a relationship with the perpetrator, survivors may not consider themselves victims (or view the harm they are experiencing as “assault”) (Hough & Mayhew, 1985). Males, who are victims of crime are especially prone to reject their victimization, especially in cases where they were assaulted-- an occurrence frequently viewed as an assault on their masculinity. Scarce (1997) who studies male rape, suggests male survivors may not report because of their immense guilt and shame from being victimized. He adds that this shame is paired with the belief that police will be more judgemental to male survivors of sexual assault. As Scarce (1997) argues, “Police officers who work with male rape survivors can sometimes be insensitive and perhaps administer more harm than good” (p. 197). Scarce (1997) suggests that male survivors’ apprehension to report their assaults to police are not unfounded, due to the immense stigma the reporting process can have on male survivors.

Further studies have examined the psychological impact of sexual assault on survivors and whether their emotional state impacts their decision to report. For instance, many survivors who fail to report their assaults are often overwhelmed and characterized by feelings of despair (Moriarty, 2002). As Wortman (1983) remarks, “Police may not be called in situations where individuals feel vulnerable because of self-recrimination and loss of personal control” (p. 78). Their fear and feeling of powerlessness dictates that they suffer their victimization in silence. However, as Daylen et al. (2006) note, the emotional cost of remaining “silent” can negatively impact the survivor. These negative feelings can

have a severe impact on the survivor's emotional recovery. The decision to remain silent or avoid seeking help following the assault can also have detrimental psychological effects on survivors who are suffering from Post Traumatic Stress Disorder (PTSD) (Daylen et al., 2006). PTSD is an anxiety disorder that some people develop after being exposed to life-threatening or terrifying experiences, such as being in combat or experiencing a sexual assault. Often an individual initially responds to these traumatic incidents by experiencing shock, extreme fear, horror, or helplessness, which can result in the development of PTSD symptoms (Daylen et al., 2006). PTSD occurs when these symptoms of stress do not go away, and life will not return to normal for the survivor. In addition, studies indicate that women have a higher chance of developing PTSD following a sexual assault than men. Common symptoms of PTSD include flashbacks, intrusive thoughts nightmares about the trauma, avoidance of places and things associated with the trauma, hyper vigilance for signs of danger and hyper nervous arousal, panic attacks, chronic irritability and tension, and depression. However, as Moriarty (2002) explains, developing a psychological disorder such as post-traumatic stress disorder, acute stress disorder (ASD), or depression is not uncommon for crime victims (especially victims of sexual assault). For instance, Rothbaum, Foa, Murdock, Riggs & Walsh (1992) study found that 94 percent of sexual assault survivors exhibited symptoms of PTSD. When researchers monitored survivors twelve weeks after their assaults, 47% continued to exhibit symptoms of PTSD.

In cases of sexual assault, the decision to avoid police investigation is often even more emotional for survivors who are struggling to regain the control they may feel they have lost during the assault itself. Similarly, as Moriarty (2002) argues, in those

instances, the female victim may feel she has, through her own actions, precipitated the crime. In this case, non-reporting may be particularly detrimental to survivors of sexual assault as research indicates that survivor recovery requires support from others, including police/law enforcement personnel (Sales, Baum, & Shore, 1984). Without support many female survivors of sexual assault may choose not to report their assaults to police. This decision is often contingent on a wide range of factors which may include: confusion, uncertainty, shame, fear, or embarrassment (Daylen et al., 2006). Without the support of a third party, survivors remain isolated with these difficult emotions, and as a result they choose not to report.

By examining the under-reporting of sexual assault through the lens of Giddens theory of Structuration a deeper understanding can be gained. For instance, Giddens suggests that all agents possess ontological security, which is the desire to maintain order and to avoid disruptive changes. As result, if woman who does not recognize her agency becomes the victim of a sexual assault, it is unlikely that she will risk further damage to her ontological security by choosing to report her assault to police.

Challenges to police investigations into sexual assault cases

Studies have also found that the under-reporting of sexual assault can be linked to challenges within police investigations. A wide array of literature has focused on the challenges inherent in police investigations into sexual assault cases (Campbell Report, 1996; Gregory & Lees, 1999; Moriarty, 2002; Snow, 2006). In addition, during police investigations, many cross-jurisdictional issues can arise in sexual assault cases, which can necessitate cooperation between police agencies (*An Investigative Guide for Sexual Offences*, 1997). Other studies have focused on specific cases that highlight the need for

improved unified police procedures across Canada (Bair, 1985; Hornick & Paetsch, 1995; Roberts & Grossman, 1994). Specifically, an internal review conducted by the Ontario Solicitor General's Department (1996) resulted in the creation of a five step strategy to prevent serial predators.² This five step strategy comes following the Campbell report (1996) which studied serial predators such as Paul Bernardo who utilized the police boundaries in various jurisdictions to deliberately confuse authorities in an effort to escape detection (An Investigative Guide for Sexual Offences, 1997).

In addition, much of the literature surrounding police procedure into sexual assault focuses on survivor believability. For instance, Parnis and Du Mont's (2006) study argued that the role of forensic evidence in police investigations is linked to survivor credibility. The study combined data from surveys, interviews, and focus group research collected from 143 sexual assault professionals working in Ontario, Canada. The authors discussed Sexual Assault Evidence Kits (SAEK or rape kits), and described how survivors of sexual assault who refuse to have samples taken (collection of forensic evidence) or only agree to have a portion of samples taken, are often labelled by police and the justice system as "unwilling victims," thus calling their credibility into question. As the authors indicate "for some officers, the willingness of a woman to undergo a lengthy and invasive examination is a testament to her commitment to the legal pursuit of justice" (p.27). However, this problem is complicated when officers utilize the SAEK as a method to determine whether the case is worth exploring further. As other studies have

² This five step strategy places a great deal of importance on establishing a system that has the capability to recognize a link between crimes within various regions across Canada such as (ViCLAS) which would enable separate investigations from multiple regions to target perpetrators. In addition, focus is placed on changing the attitudes of law enforcers by emphasizing the importance of case management and large response teams. Similarly, the implementation of a common case management computer and information system would allow for serial investigations to recognize, share, and consolidate information. Lastly, the importance of training is stressed within this strategy (Campbell report, 1996)

shown, many women who refuse forensic samples do so because they are too traumatized, sore, or uncomfortable with the invasive internal examination involved in the collection of forensic evidence (Du Mont, McGregor, Miller 2000; Du Mont, Miller, Myhr, 2003; Du Mont, Parnis 1999, Du Mont, Parnis, 2003; Feldberg, 1997). The importance (and use) of the collection of forensic evidence has been increasingly debated when complainant credibility is an issue (Du Mont, Parnis, 2003). Therefore, in legal cases where it is the complainant's word against the accused, more often than not corroboration of evidence (evidence that confirms or strengthens evidence already presented to the court) will be used (Daylen et al., 2006). What is remarkable, however, is that despite amendments to the Canadian Criminal Code which indicate that corroboration of evidence is not required for a conviction in sexual assault cases, research suggests that "at the level of legal practice, it still remains reliant upon corroborative evidence" (Feldberg, 1997, p.56). Yet, as the results of Du Mont and Parnis' (2006) study show, research findings from other countries have also found *partial or no correlation* between forensic medical evidence collected in sexual assault cases and *positive* legal outcomes for survivors (see, for example, Gray-Eurom, Seaberg and Wears, 2002; Penttila and Karhunen, 1990; Rainbow, Adkinson, Frost and Peterson, 1992; Schei, Muus and Meen, 1995; Tintinalli and Hoelzer, 1985).

Alongside the sustained practice of corroboration of evidence, the belief in female survivors making false accusations is unfortunately still a stereotype held by some police officers (Bourke, 2007). As Bourke (2007) notes, in the past the belief in false accusations by women claiming to be the victims of rape was widespread. As Taylor (1987) suggests, it was commonplace for police to profess that as many as one in every

five women who reported a sexual assault were making an unfounded claim (Taylor, 1987). More shocking, however, were the findings from a study conducted at a large police department in Texas, where one researcher discovered that male rape investigators believed that 12 percent of rape cases they investigated were false, while female rape investigators claimed to believe that 40 percent of the cases they examined were fabrications (Bourke, 2007). However, despite these perceptions, studies have shown that women who report crimes of sexual assault are *not* making false accusations in the majority of instances. As Bourke (2007) states, “Some investigations have shown that the percentage of false accusations in rape cases is no larger than that for other felonies, and probably does not exceed 2-3 percent of all rape charges” (p. 393).

Often, the mistaken belief in a high rate of “false rape accusations made by women” can be attributed to police labelling a case as “unfounded,” (Bourke, 2007). For instance, cases can be deemed unfounded if there is not substantial evidence to bring the case to court, too much time has passed since the attack against the victim occurred, or “the victims’ previous sexual conduct was not exemplary or the race of the victim and her attacker make the police downgrade the seriousness of the attack,” (Bourke, 2007, p. 395). Similarly, in several jurisdictions, police are to list a certain number of cases as “unfounded,” “clear” or “no crime” (Bourke, 2007). Police also experience immense pressure from politicians, courts, and crown prosecution service to label cases as unfounded to ensure good “clear-up” rates (Bourke, 2007):

As a consequence, if the police do not believe that there is a high chance of a successful prosecution, they attempt to persuade the complainant to drop the case. Often they have been able to do this by emphasizing (and even exaggerating) the ordeal of the trial. (p. 296)

Bourke's (2007) research suggests that because police receive a great deal of pressure from external forces they may persuade survivors to not bring their case to trial; a problem that undermines the rights of female survivors of sexual assault.

Alongside the structural difficulties that obstruct survivor reporting, a lack of training, expertise, and funding also contributes to a lack in effective policing and consequently survivor apprehension to come forward. For example, as recently as 2002, the UK Crown Prosecution Service Inspectorate noted numerous flaws with rape investigations. Specifically, the Crown Prosecution Service Inspectorate witnessed a shortage of staff, lack of resources for forensic analysis in some police stations and forensic medical examiners who had merely received "on the job training," (Bourke, 2007). As a result, the fact that as few as five percent of all rapes reported to police in the UK results in a conviction comes as little surprise (Bourke, 2007).

Although these examples of failures within police protocol and procedures are challenging, there are also countless examples of the positive steps that police have taken in order to improve relations with survivors and encourage more to come forward to police and report the crimes committed against them. As Moriarty (2002) outlines, recently in the U.S. and Canada innovative police-community programs have made dramatic improvement to their services for survivors. Team-based approaches are evident in areas such as mental health, community resources, and access to medical professionals. These efforts have been made in order to support survivors and to increase survivor reporting rates.

By analyzing the challenges posed to police investigations into sexual assault cases using structuration theory a deeper understanding can be achieved. According to

Giddens (1984), structural constraints are partially constituted by an actor's motives, wants and needs, as a result of the duality of structure. Since police units were initially created by men who upheld deep-seated beliefs in gender inequalities, it could be argued that gendered biases were embedded within the structure from its inception. While the current organization of police units has attempted to make changes in order to respond to the needs of female survivors of sexual assault, the high rate of under-reporting suggests that to some degree barriers continue to exist. For instance, police typically issue warnings to survivors to tell the truth before they recount the circumstances surrounding their assault (Daylen et al., 2005). This underlying suspicion can work to send the message that survivors of sexual assault are prone to lie about their victimization. While this is simply one example of the manner that police conduct their investigations, it is clear that initiating the interview process by using suspicion undermines a survivor's credibility.

The above literature review examined the trends and findings that have been significant to the topic of sexual assault. Specifically, this review explored prevalent "rape myths" and how they operate within North American society in addition to the public and legal realms. A discussion of the high degree of violence and aggression inherent in North American culture was also investigated, based on previous studies which have identified a correlation between the degree of sexual equality and the degree of violence present within a particular society. In general, these studies have determined that the degree of violence and the prevalence of hyper-masculine values lead to a culture that promotes violence against women. Additionally, this literature review also focused on cultural difference on rates of violence against women and the existence of rape-prone

and rape-free cultures. Alongside the societal factors that contribute to the pervasiveness of sexual assault, the reasons behind the under-reporting of sexual assault were explored. Specifically, previous studies have determined that many survivors avoid reporting based on fear of being discredited, the degree of violence used during the assault, certain socioeconomic and demographic factors, self blame, the degree of psychological and emotional trauma suffered by the survivor, and a survivor's emotional state following the assault. Additionally, a description of studies examining the challenges posed to police investigations and how these challenges are perceived by victims of crime was also considered. Finally, studies that have analyzed the methods used by police to determine the credibility of victims were discussed. These studies shed light on the number of ways police procedures and protocol can and should improve in order to encourage more survivors to report their sexual assaults.

The above literature review highlights the importance of looking at sexual assault and the subsequent under-reporting of sexual assault. To this point in time, no studies in Canada have examined survivor perceptions of police investigations into sexual assault cases. Although many studies have noted that under-reporting of sexual assault in Canada is vast and other studies have identified several reasons why survivors choose not to report their assaults, to date, a substantial gap exists in the area of survivor perceptions of police investigation. Equally, while some studies have noted that *some* victims of crime perceive the role of police in a negative light, no Canadian studies have identified specifics that contribute to this negative perception or the role of survivor perception in the reporting of sexual assault in Canada.

Against such a backdrop, Giddens' theory of structuration as a theoretical framework will be employed. The theory of structuration approaches the formation of structures within society from a distinct perspective that is relevant to studying sexual assault. Specifically, as Giddens' (1984) theory of structuration looks at how structures both constrain and enable individuals, it can be used to examine survivor perceptions of police investigations into sexual assault cases and the contributing factors to underreporting of these assaults. Unlike other social theories (such as structuralism and functionalism) which take a myopic perspective rooted in either subject or object based approaches Giddens' theory examines the societal trends of producing and reproducing structures by combining each of these approaches (Baran, 2006). For the purposes of this thesis, the basic tenets of Giddens' theory--action, structure, and power--will be explored in order to understand survivors' perceptions of police investigations into sexual assault cases and the factors that contribute to underreporting of their assaults.

Anthony Giddens' Theory of Structuration

Over the last four decades, Anthony Giddens' social theory of structuration has made important contributions to our understanding of social theory (Hardcastle et al., 2005). Specifically, Giddens' theory has been attractive to many, based on the theory's principle that structure and agency should not be viewed separately (Vaughan, 2001). One way in which Giddens' attempts to explain that structure and agency should be viewed together is by indicating that humans (social actors) are responsible for creating and recreating the conditions which make their activities possible.

In order to comprehend the position from which Giddens approaches structuration theory, it is first important to understand functionalism and structuralism and Giddens'

criticism of those concepts. Functionalism, for instance, views behaviours within society as purely structural. As Stanley J. Baran (2006) notes, functionalism is a theory that posits that societies are composed of inter-related parts which operate together for the survival of the whole. Functionalism focuses on the structure and inner workings of society (Baran, 2006). Functionalists believe society can be compared to a living organism, in that both society and organisms are made up of interdependent working parts and systems (Baran, 2006). Or as Robert K. Merton (1967) suggests, functionalists view society as a combination of parts that work together to make a whole. Each individual part operates in a manner that contributes to the survival of society as a whole. Viewing the structures and systems in society from a purely subject oriented approach has also been discussed in the works of Emile Durkheim (1936, 1982 cited in Baran, 2006).

In contrast, structuralism centers on the premise that society is more of a self-supporting structure. As Baran (2006) suggests, from a structuralist perspective meanings are produced and reproduced through cultural practices which operate as systems of signification. Within structuralism, phenomena such as routines and rituals can be studied in order to understand how meaning is produced and reproduced during social interaction (Baran, 2006).

Many of the criticisms of structuralism stem from the concern that the theory tends to lack historical perspective and context (de Saussure, 1973). This means that the theory is narrow in its application since it fails to account for the role that subjects play in the development of cultural practices. Additionally, for Giddens (1979) and Baran (2006), one of the primary problems with structuralism is that it is far too deterministic,

because it favours deterministic structural forces over acknowledging the abilities of individuals to act. As a result of this determinism, structuralism does not accurately reflect the reality of how cultural practices develop, since it examines this phenomenon from merely one viewpoint—the structural make-up of society.

In terms of critiques, Parsons (1961) posits that functionalism fails to account for social change and structural contradictions. These changes can include shifting ideologies over time (e.g., societal tolerance of gay marriage) or improved structural institutions that favour marginal members of society (e.g., groups that lobby for better rights for women). Giddens (1979) discusses how theorists like Parsons view society as static, a viewpoint that he believes fails to account for the changes and growths which occur in every organism and must be considered when analyzing society. Furthermore, functionalism is often believed to be teleological (the use of ultimate purpose or design as a means of explaining natural phenomena) in its attempt to explain social institutions primarily through their effects and thereby fail to explain the cause of those effects. For instance, functionalism singularly focuses on the outcome of actions and events without examining the cause of those effects. In addition to these well known criticisms, Giddens (1979) discusses how structure is given primacy over action within functionalism and structuralism.

Giddens' (1982) theory of structuration asserts that neither subject (human agent) nor object (society or social institution) should be regarded as having primacy, instead both should be considered together in order to understand society in all entirety. Accordingly, structuration theory attempts to rectify this divide (between object and subject) through an awareness of the duality of structure that exists within society

(Giddens, 1984). Additionally, structuration theory indicates that humans (social actors) are responsible for creating and recreating the conditions which make their activities possible.

Giddens (1979) discusses how structuration theory differs greatly from Parsons' perspectives in that Parsons takes the popular functionalist viewpoint that the object (society) dominates over the subject (knowledgeable human agent). Giddens asserts that Parsons' viewpoints fail to examine society in its entirety. In the end, Giddens believes that there is a great divide between the object (society) and the (subject) agent, which both functionalist and structuralist perspectives fail to acknowledge. Building on the limitations of the functionalist and structuralist perspectives, Giddens' theory of structuration attempts to bridge this divide between object and subject through an awareness of the duality of structure that exists within society (Giddens, 1979). For Giddens (1979), the duality of structure refers to the structural properties of social systems. As a result, these structural properties do not exist outside of action and are habitually implicit within structural production and reproduction.

Unlike the structuralist viewpoint, Giddens (1979) believes that every individual has a conscious and unconscious awareness of their daily activities while they are performing them. Giddens (1984) considers this awareness, primarily as the reflexive capacity of humans to continuously, "understand what they are doing while they are doing it" (p. xxi). Similarly, Giddens (1979) describes this conscious awareness (or intentionality) as being directly linked to agency. Giddens believes that although every human being has unconscious motivations in their conduct, individuals are not often able to report discursively on their motivations in the same manner. This common difficulty to

understand motivation also extends to the realm of human agency and the misconceptions that surround it. Specifically, Giddens (1979) discusses the ways in which human agency can be defined solely in terms of intention: “That is to say, for an item of behaviour to count as action, whoever perpetrates it must intend to do so, or else the behaviour in question is just a reactive response” (p. 8). Since Giddens views agents as active in their ability to understand their conscious awareness (intentions), this aspect of structuration theory could be applied to survivors of sexual assault. Survivors who do report their sexual assault to police are actively utilizing their agency. On the other hand, survivors who do not report, need to realize their ‘agency’ and accordingly attempt to come forward and change their situation. This is important according to Bourke (2007) since the alternative is a vicious cycle of offence and repeat offence, with perpetrators believing they can carry-out these crimes without consequence. According to Giddens’ (1979), the activity of reporting would be considered an action and a reflection of survivors’ agency, because they were consciously aware of what they were doing and intended to take the action.

Additionally, within his description of human actions, Giddens’ (1984) notes that “human action occurs as a *durée*, a continuous flow of conduct as does cognition” (p. 3). This continuity of action fits with other discussions of Giddens’ regarding of the reflexive monitoring of human action.

This reflexive monitoring of action is one of the key components within Giddens’ (1984) stratification model of the agent. As Giddens (1984) states: “The stratification model of the acting self involves treating the reflexive monitoring, rationalization and motivation of action as embedded sets of processes” (p. 3). This model combines the

rationalization of action with the diversity of circumstances involved in each interaction. Giddens expresses his belief that within each interaction a mutual knowledge is incorporated into the encounter. The actors continuously monitor their own actions and expect others to do the same. Additionally, they also regularly monitor their actions in relation to the social and physical context as well. In terms of rationalization of action, Giddens (1984) explains, that, “actors maintain a continuing theoretical understanding of the grounds of their activity” (p. 5).

Structuration theory has been useful for researchers to study phenomena such as management techniques (Pozzebon, 2004), social self-organization (Fuchs, 2003), psychoanalysis (Groarke, 2002), systems theories (Cattell, 2004), social constraint (Healy 1998), nursing efficacy (Hardcastle et al., 2005) and the nature of societal structures (Bates, 2006; King, 2000). Structuration theory has also provoked significant interest within the field of criminology. Primarily, criminologists use this theoretical framework when profiling and understanding the motivations of criminals and the impact of their crimes on victims (Farrall & Bowling, 1999). Specifically, Farrall and Bowling (1999) use Giddens’ structuration theory to explain how and why offenders choose to stop committing offences. They suggest that existing research on desistance was limited in approach since it focused on either human agency (decision-making) or social structure (employment status). Consequently, Giddens theory which takes an integrated approach of examining both object and subject, was useful for Farrall and Bowling in order to fully understand criminal desistance. Giddens’ theory of structuration was also used by Smith (1986) during her discussion of crime rates in Birmingham in an effort to determine cause and effects of elevated rates of crime. Similarly, Bottoms (1993) and Bottoms and

Wiles (1992) used structuration theory to suggest the ways in which the theory can be adopted by criminologists to explain criminal behaviour within society. Studies in the field of criminology that employ Giddens' structuration theory appear in areas such as: penology, environmental criminology, criminal development, and general social analysis (Henham, 1998; Walklate, 1997). For instance, Henham's (1998) study addresses the advantages of adopting a rights-based approach to the sentencing process, as opposed to traditional crime control models. Additionally, he notes that Giddens' structuration theory assists in providing analysis for human rights within the sentencing process. Walklate's (1997) study examines criminal victimization and the subsequent degree of risk from victimization. She addresses risk from a gendered perspective, suggesting that in order to understand criminal victimization at large, the issue of gender needs to be explored. Her study uses Giddens' theory of structuration, particularly "the duality of structure" to lend support for her analysis on how gender is implicated in the risk of criminal victimization.

For the purpose of this thesis, Giddens' (1982) social theory of structuration is employed as a theoretical framework in order to understand survivors' perceptions of police investigations into sexual assault cases and their reasons for choosing not to report their assaults to police. For instance, Giddens' (1979) concept of the dialect of control, (i.e. the control exerted by actors or groups who have the ability to influence the circumstances of others) signifies the potential for societal change to occur. As Giddens' (1979) described, although the dialect of control always operates, it is a matter of how agents who are in subordinate positions utilize the resources available to them in order to effect change. As Bourke (2007) asserted, under-reporting contributes to repeat offence, for offenders who believe they are invincible to the law. Giddens' (1984) theory of

structuration, therefore, can provide a useful framework to highlight the agency of women who are sexually assaulted and the subsequent importance of reporting their sexual assaults to police. More specifically, Giddens' (1982) ideas on the role of action (routinized practices within our society that contribute to the reproduction of institutionalized behaviours), structure (the rules and resources recursively implicated in social reproduction), and power (as both enabling and constraining) will be used to this end.

Based on the above literature review, I pose the following research questions to guide this thesis:

RQ 1: How do survivors of sexual assault describe their perceptions of police?

RQ 2: What are the reasons survivors of sexual assault provide for choosing not to report their assaults?

Chapter Summary

In chapter two a review of relevant literature on the topic of sexual assault and its under-reporting was provided. The literature review also discussed Anthony Giddens' theory of structuration, examined and explained the concepts embedded within the theory, and argued for using it as a theoretical framework for this study. Based on the contributions and limitations of the literature reviewed, the research questions guiding this thesis were posed.

In the following chapter, the research design and methodology to carry out this study is described.

Chapter Three: Research Design and Methodology

This chapter describes the research design and the methodological approach used in this study. Specifically, this chapter discusses participant recruitment, procedures, data collection methods, approaches to data analysis, and the limitations of the research design with a view to provide a thorough understanding of how this study was conducted.

Chapter Three: Research Design and Methodology

Taking into account the sensitive nature of the research topic, it was deemed that semi-structured interviews (Denzin, 1994) would provide the best environment for the participants to share their perceptions of police investigations into sexual assault cases. Semi-structured interviews were utilized in order to facilitate an understanding of the reasons participants provided for not reporting their assaults. Semi-structured interviews allowed for a conversational yet structured format. Although a structured interview can allow for greater researcher control, it does not encourage the participants to create “the reality of the interview situation” (Denzin, 1994, p. 353). Whereas, a semi-structured interview allows participants to tell their “stories,” without this becoming the sole focus of the study, the researcher is still granted some control on how the interview proceeds. Against such a backdrop, semi-structured interviews were used. Participants were told that the purpose of the interview was to learn about their perceptions of police investigations. Semi-structured interviews allowed for the flexibility to ask follow-up or probing questions to gather more detail, depending on responses provided by participants.

Methodology

This study builds on the perspectives of sexual assault survivors in Ontario (specifically from cities between Barrie and Ottawa). To this end, qualitative methods were employed to understand participants' perceptions on reporting sexual assaults. Participants' perceptions were analyzed using thematic analysis and the themes emerged from the data providing answers to the research questions posed.

Participants

With the intent to focus on sexual assault survivors' decisions not to report their assaults to the police, (N=11) sexual assault survivors were recruited for participation in this study. My experience as a survivor of sexual assault allowed me to develop a personal network with other sexual assault survivors. For recruitment, I consulted my personal network of survivors who reside in Ontario and invited them to participate in qualitative interviews. Using snowball sampling (Keyton, 2006), I then relied on referrals from initial participants who generated other participants for the study. An important recruitment criterion was that all participants be survivors of sexual assault and that they have not reported their assaults to the police. All participants were 18 years or older. This study received Research Ethics Board approval.

According to Keyton (2006), purposive sampling is used by researchers in order to "select cases that are typical of the population of interest," (p. 130). This form of sampling is dependent on the judgment of the researcher and his/her ability to determine what is "typical" of a specific population (p. 129). As the purpose of this study is to determine survivors' perceptions of police investigation into sexual assault cases, a very specific population was consulted for this study. Only those survivors who reside in Ontario and those who have not reported their assaults to police were recruited for this

study. Additionally, as Keyton explains, “Purposive sampling is often used when sensitive topics are of research interest or very specialized populations are sought” (p. 129). Due to the sensitivity of the research topic and the fact that a very specific group was targeted for this study, as well as my own experience as a sexual assault survivor, the use of purposive sampling was deemed to be the most appropriate method to recruit appropriate participants.

Procedures

This study was conducted using semi-structured in-depth interviews lasting from 30-60 minutes in length and field notes taken during my interactions with the participants. As the interviews were focused on very personal issues that could have evoked emotional responses, all survivors were provided with detailed lists of the support systems available in the area for survivors of sexual assault. Similarly, during these interviews I aimed to achieve the level of sensitivity that I often wished to experience while undergoing questioning on the topic of my own assault. After gaining Research Ethics Board (REB) approval for this study, I used informed consent forms to obtain permission from each participant prior to conducting the interview.

The locations of the interviews varied widely, depending on my relationship with the participant, her comfort level with discussing the assault, and the degree of privacy requested. However, in most cases, a public place such as a coffee shop or restaurant or the participant’s home was used to conduct these interviews.

Although I did not ask participants to describe the details of their assaults to me, many of them did disclose this information. Additionally, simply discussing their decision not to report their assault to police did evoke emotional responses from a few

participants. This emotional discomfort was documented in my field notes and observations in terms of participants' tone of voice, body language, unwillingness to elaborate on certain aspects, and their decision to avoid answering certain questions

Data Collection

During the REB review the concern was raised on the emotionality of the topic of sexual assault. In order to ensure that no participants suffered emotional discomfort or trauma as a result of these interviews, I took precautionary measures to make sure that participants were *willing* volunteers. Although I do not have any credentials for engaging in counselling experience, I have volunteered at Rape Crisis Centers (in Barrie and in Ottawa, Ontario) and read extensively on sensitivity techniques for interviewing/interacting with sexual assault survivors (Adam, 2008; Davis, 1990; Thorne-Finch, 1992). In addition, following my own assault, I was interviewed by SANE's (Sexual Assault Nurse Examiners), police officers, psychiatrists, and psychologists. During this process I was able to determine the techniques I found to be helpful and positive as opposed to those techniques that were offensive and emotionally draining. I made an attempt to combine my past experience as a volunteer and a survivor, as well as the knowledge I gained through research, to foster a safe environment for consenting participants to willingly disclose their perceptions. I also wanted to create a situation that was empowering for these survivors who had felt powerless during their assaults.

For the purposes of this study, confidentiality was of utmost importance to ensure the protection of the identities of all participants. Additionally, since many of the participants chose not to report their assaults to police because they did not want to be

identified as victims of sexual assault, maintaining this confidentiality was crucial to respecting the integrity of the participants in this study. Keyton (2006) notes that maintaining confidentiality is essential for researchers and participants and that by controlling access to information provided by participants confidentiality can be ensured. Keyton (2006) states: “The researcher who provides confidentiality is attempting to ensure that no harm or embarrassment will come to participants,” (p. 91).

As such, the identity of every research participant was kept strictly confidential. The actual names of participants or other distinguishing details that could be linked to a particular person are not disclosed. Pseudonyms were decided and attributed to participants before the interviews took place, and they were used during the recordings in order to further protect participants' identities.

I used member checking (Keyton, 2006) to ensure balance and to avoid subjectivity by obtaining feedback from the participants at the time of the interviews. For example, I used the participants' feedback to make transitions to the next questions. As Keyton (2006) indicated, the use of member checks improves accurate reporting of participants' perspectives. Member checks for this study involved repeating answers stated by each participant prior to completing the interview in order to clarify and ensure that what was being documented was exactly what had been said.

Interviewer Bias

The role of interviewer bias is important for the purpose of this study. Since my experiences as a survivor of sexual assault are similar to the participants in this study, particular care was paid to my biases and predispositions. For instance, as Broussine & Fox (2003) explain, “As researchers, we are clear that we must be honest and non-

manipulative, of both our research participants, and of the data” (p. 7). The desire to be honest and attempt to put forth bias free analysis, are challenges for all researchers, especially those who experience the phenomena in which they are studying (Broussine & Fox, 2003). In my desire to be reflexive in approaching this study, I attempted to consciously challenge my biases and underlying assumptions in order to understand the role they had on my ability to interpret the data. As Olsen (1998) argues, by deliberating working with our biases as researchers we can work to create an understanding of our interpretations and behaviours during the research process. She furthers that what is needed is, “sufficient reflexivity to uncover what may be deep-seated but poorly recognized views on issues central to the research, and a full account of the researchers’ views, thinking, and conduct” (p.314). One technique I used in order to be reflexive was to try to avoid taking an authoritative role as a researcher and interviewer. Many feminist researchers have argued that traditional interview structures create an imbalance where the interviewer is elevated at a higher status than the participant (Fontana & Frey, 1991). Feminist theoretical interviewing techniques attempt to minimize these imbalances, which allows for a greater spectrum of responses and more freedom (Fontana & Frey, 1991). The technique was implemented in order to avoid creating an imbalance between the interviewer and the participants.

Data Analysis

Marshall and Rossman (1999) explain:

Qualitative data analysis is the process of bringing order, structure, and interpretation to the mass of collected data. It is a messy, ambiguous, time consuming, creative, and fascinating process. It does not proceed in a linear fashion; it is not neat. (p. 150)

The above statement accurately summarizes the approach taken in this study to analyze the data collected during these semi-structured interviews. A thorough reading and re-reading of data was carried out using thematic analysis, in order to identify recurrent themes.

Despite my pre-conceived decision to conduct semi-structured interviews which would be tape recorded and later analyzed, I quickly learned after engaging with participants that this technique could not be applied to every participant's case.

Specifically, when I began the study I intended to tape record all of the interviews I would be conducting. However, as I began the interview process, it became increasingly apparent that most participants felt tremendously uncomfortable with having their discussion tape recorded due to the sensitivity of the topic. As a result, only two participants agreed to have their interviews recorded. Although this factor could be viewed as a limitation, it became evident that those participants who did not agree to have their interview recorded were much more candid and disclosed information in a more natural and honest way than they might have if a tape recorder had been running. For those participants who did not want to have the interview recorded, a 30-60 minute interview was conducted where their responses were documented by hand. The length of interviews varied depending on how much or how little each participant chose to disclose. In certain cases, participants were very forthcoming and enthusiastic about expressing their views and experiences as sexual assault survivors.

Although not every interview was tape recorded, this did not impact how the data was recorded; all raw data was transcribed (tape-recorded responses and written accounts) and analyzed carefully. Thematic analysis was used to interpret the data collected for this

study. According to Owen (1984), thematic analysis is a form of interpretation that is based on participants' conceptions of actual communication episodes. Owen argues that themes are the conceptualization of an interaction, a relationship, or an event. In order for a theme to be categorized using thematic analysis, it depends on three criteria: recurrence, repetition and forcefulness. Bouma & Atkinson (1995) note, "For qualitative researchers, analyzing data is the process of identifying themes" (p. 290). This process allows for a great deal of flexibility while analyzing data. This flexibility was especially useful due to the gaps in time that elapsed between conducting interviews with each participant. The interviews were conducted between August and December 2008, and they were carried out subject to the participants' availability. Due to scheduling difficulties with some participants, several months elapsed from the time when the first interview was conducted and the last. However, this gap allowed for the initial interviews to be analysed in order to work towards coding and identifying themes early on, making the work of identification much easier while analyzing the data from the later interviews.

According to Keyton (2006), "A category is a label for a set of excerpts, examples, or themes that are similar. Categories may be drawn from the literature and used to build a foundation for the qualitative research design" (p.91). For the purposes of this study, categories were identified and designated as such, as they emerged within the data. Categories were not predetermined before data was collected. As Becker (1958) notes, in an inductive model, data analysis does not start until the data collection process has begun. The inductive model allows for tentative suppositions to be made during the data collection process, to be confirmed once all data has been collected and analyzed. Similarly, as advised by Keyton (2006), in order to ensure that nothing was overlooked in

this iterative process, a rereading of the literature which initially prompted the development of this study was revisited to determine whether or not proposed categories discussed in this literature were confirmed or rejected by the study's results.

Due to the large amount of data that was collected from these interviews there was a lot of material to shift through when coding. The initial coding process was carried out by using open coding; a process where data is considered in minute detail in order to develop initial categories (Keyton, 2006). The open coding process was performed by making notes in the margins of each transcript and highlighting key words. These key words were then placed into a list, and categorized in order to describe what the meanings of these words represented. This process allowed for initial categories to develop, many of which overlapped, in the initial stages of the coding process. For example, at this stage of coding the categories which related to fear included: fear of being disbelieved, fear of criminal justice system, fear of police, fear of what friends would say, fear of previous sexual history being used, and fear of what parents thought. These initial categories were then paired down, as links were identified between these categories. According to Keyton (2006) "as categories emerge you should begin labelling with a code, one word or a short phrase." As a result of identifying links between categories, one overarching theme emerged "fear of being discredited." Categories and sub-categories were then determined based on the number of times (repetition) with which they were present.

Chapter Summary

This chapter outlined the methodology adopted to conduct this study. By describing the specific procedures, data collection methods, approaches to data analysis, and the limitations, a clearer understanding of the research design has been uncovered.

All 11 participants in the study were Anglophone residents of Ontario, recruited from rural and urban cities between Barrie and Ottawa region who did not report their sexual assaults to police. By discussing the specific pros and cons of the procedures, data collection, and data analysis, the chapter provided a justification for employing semi-structured in-depth interviews. Additionally, due to the sensitive nature of the research topic, an explanation as to why this study uses a qualitative research design was also described.

In the following chapter, the results of this study will be reported and analyzed.

Chapter Four: Results and Analysis

Results

Although the sexual assault of each participant differed immensely, on the whole a number of related themes were identified amongst the responses given by participants. The methodological approach taken to conduct this study relied on 30-60 minute long in-depth semi-structured interviews, which generated a large amount of data for interpretation. This interpretation was carried out by using the constant comparative method (Strauss & Corbin, 1998). This method reduces data to a manageable state, which can then be analyzed. Accordingly, the interview data was read in its entirety in order to examine participant responses on the whole. This process of re-reading was carried out several times so that patterns, phrases and themes from participant responses were visible. A constant comparative approach allowed these themes to emerge directly from the data. The themes were not pre-determined, and subsequently, the categories evolved directly from participant responses. Themes and patterns were coded by hand during the re-reading process, until the point of saturation.

The analysis that follows first identifies common patterns amongst the participants in terms of their socio-demographic information. These patterns include the following: participant age during the assault, the assault being the survivors' first sexual encounter, the fact that all participants were assaulted by men who were older than they were, their lack of understanding of the criminal justice system, and shared traumas and emotional responses. Additionally, participants' fear of being discredited was identified as an overarching theme in the responses of all participants. Within this overarching

theme, four sub-themes were identified which include: self blame and guilt, previous sexual history, understanding of police investigations into sexual assault cases, and distrust of the Canadian criminal justice system. The following analysis contains the responses and quotations from nine of the eleven participants recruited for this study. Although the transcripts of all participants were analyzed, quotations and personal descriptions of nine participants were described in detail in the analysis which follows. The responses and descriptions of participant experiences were selected based on their suitability for the study in that some participants were more descriptive and forthcoming in their responses than others. As a result, not all 11 participants were quoted in the following analysis.

Common Patterns amongst Participants

Socio-demographic Information

The first question on the Interview Guide for this study requested that survivors disclose their socio-demographic information. Such information included their age, racial background, family status, level of education, and yearly household income. It was at this stage of the interview where the first common pattern among participants' socio-demographic information was uncovered. It is important to note that while the criteria for participation in this study required that all participants be female, Anglophone, survivors of sexual assault, patterns which were identified among these participants were not preconceived; instead they emerged on their own. Although some of these participants were selected by consulting my personal network, I then relied on referrals from initial participants who generated other participants for the study. This technique is also known

as snowball sampling (Keyton, 2006). As a result, the patterns in the socio-demographic information among these women are important to note.

Firstly, all women were Caucasian, Anglophones who resided in suburban areas. Most women had obtained higher education (university degrees) except for two participants who had obtained their grade 10 high school education. The age range of the participants fell between the ages of 24- 54 years, and the majority of participants were assaulted once by someone known to them. Additionally, roughly 5 of these participants chose to work in some facet of the criminal justice system. As well, the majority of participants are currently in romantic relationships; most participants are cohabitating, while only three participants identify themselves as single. During the interview process it was also uncovered that almost all participants are now involved in helping female survivors of sexual assault in some capacity. While two participants work full time in the criminal justice system, the remaining participants have taken courses relating to law or criminology. Additionally, all participants indicated that following their assault they became involved in assisting or helping other female survivors of sexual assault in some capacity.

Age of Participants during the Assault

Just as the patterns which were revealed within participants' socio-demographic information, participant responses to the first question of the interview guide also revealed another pattern.

The average age of participants when they were assaulted was between 14 and 16 years. In two instances however, participants were the victims of repeated childhood sexual assaults. In these instances, Melissa, age 53, was repeatedly sexually abused by

her step father from the ages of 4-14. Lisa, age 25, was sexually assaulted by her father between the ages of 4-6, her step father between the ages of 8-11, and she was later raped by a stranger at age 14. Additionally, two other participants, Susan, age 26, and Kathy, age 42, both suffered from multiple sexual assaults. Susan, for instance, was raped when she was 16, and then again by another assailant when she was 21. Kathy indicated that she endured 5 sexual assaults, including one gang rape, over the course of her life.

All participants were assaulted by men who were older than them

The second question on the interview guide asked participants to disclose when their assault occurred. It was at this point of the interview when most participants began to describe their assault in precise detail. Upon analysis of these responses to the second question on the interview guide, a pattern was revealed regarding the sex and the age of the assailants.

While the vast majority of participants were assaulted when they were young women, all participants were also assaulted by men. Although it was no surprise that the majority of these assailants were men (countless studies document this fact) the young age of participants at the time of the assault is worthy to note. Additionally, in all cases, these women were assaulted by men who were older than them. Remarkably, in most instances, participants described their assailants to be at least 2-3 years older than them at the time of their assault took place.

For instance, as Kathy, age 42, describes, the circumstances which led to her assault began with an invitation she received to attend a party with a 17-year-old male she met the summer she was 14. Removed from the familiarity of her group of friends, Kathy felt bored and isolated, while staying at her cottage with her parents for the

summer. She now believes she had been targeted from the time of her initial encounter with her assailant. "In hindsight he used to walk in front of my cottage every day, waiting for me to come out. I realise now that he was stalking me," she explains. Kathy goes on to divulge how their relationship evolved, beginning with those daily run-ins.

Consequently, when he invited Kathy to come to a party, she gladly accepted his invitation. Kathy was eager to make friends--a willing reprieve from daily struggles with her alcoholic parents. Like any teenager, Kathy was resentful for being away from her friends and siblings. As a result, when she received attention from an older boy, she was relieved to have finally found someone to pass the time with. Having never engaged in any sort of sexual activity, Kathy explains that she was naive and totally unaware of this man's intentions. "He invited me to a party, and I went along. But it turns out that *I* was the party. There were five of them," she explains with a sigh. Forcing themselves on her Kathy tried tirelessly to defend herself. The assault lasted most of the evening, so late, in fact, that by the time she returned home her mother was waiting-up for her.

These guys wouldn't let me go home. When I finally did go home my mom was so mad at me for being out all night that she was screaming. The anger on her face was too much for me to explain what had happened. I was ashamed...I guess I just lost it. I just turned my pain inwardly.

Worried about all the trouble she was already in for returning home late, Kathy decided there was no point in making things worse by confiding in her mother about the assault. She vowed then, to remain silent, keeping the horror of the experience to herself.

Like Kathy, Polly, age 28, was also raped by a man who was older than she. Spending the evening at a friend's house, Polly was 14-years-old when she was attacked by her friend's cousin in the early hours of the morning. Attracted to her friend's 17-year-old cousin, Polly was flattered when he too showed interest in her. They began kissing,

something which Polly consented to. However, things got out of control when he began to pressure her for sex. She refused, but to her dismay he wouldn't take no for an answer. She was shocked, afraid, and humiliated. Her rape was the first sexual encounter she experienced. Confused and ashamed, Polly wasn't sure what to do next. Her thoughts raced as she pondered the actions that she *had* given consent to. She wondered if those actions would be used against her. As Polly explains: "...because I had been, um, intimate [referring to kissing] with this person, I was concerned that that was going to be an issue." Deciding that the odds were stacked against her, Polly chose not to report her rape to the police.

Emily, age 20, shares a similar experience; she was 14 when she was raped by a much older man. While visiting with her best friend Mary, who was house-sitting, Emily was preyed upon by Mary's 27-year-old boyfriend. The girls had been enjoying an afternoon swim, when Mary's boyfriend joined them with a knapsack filled with alcohol. Intrigued and curious, the young pair began to consume the drinks he supplied them. As twilight approached, the girls were intoxicated. Mary had to return to her house, but suggested that her boyfriend walk Emily home. Not giving it a second thought, Emily agreed to be accompanied. After Mary had left, Emily began to gather her things in preparation to leave. Mary's boyfriend, however, had different plans. He suggested that they take another swim before heading out. Although she didn't really feel like swimming, she agreed to, because she was afraid to walk home alone. Intoxicated and confused Emily was shocked when Mary's boyfriend began to make sexual advances. As she explains:

I was really tipsy. I was so uncomfortable that I couldn't even say stop. I think I was in shock, really. He sort of picked me up and put me on the ground, and

started to take off my clothes. And I said 'you don't understand, I don't want to do this.' But he was just so manipulative. He kept so calm, and he just kept saying 'this is going to be okay,' over, and over again. Like he was trying to convince *himself* that it would be.

After he was finished, Emily grabbed her clothes and raced home. She explains that she was in such shock that she didn't even recognize that she had been raped until weeks later. Confused about what had occurred, Emily blamed herself for what happened. It would be years before she would fully understand that she was raped, and she was not to blame for it.

Although the sexual assaults committed against the remaining participants in this study differ from the unique experiences of Kathy, Polly, and Emily, these accounts have highlighted two common patterns which were uncovered: notably the age difference between the assailants and the survivors, and the gender of those assailants.

The Assault was the Participants' First Sexual Encounter

In addition, to the age difference between survivors and their assailant, approximately half (N=5) of the participants, indicated that their sexual assaults were their first sexual encounters. Most participants were 14-years-old or younger when their assaults occurred. Since all participants were very young at the time of their assaults, many had not yet reached puberty, or were just beginning to do so. As a result, the fact that they had not had any prior sexual encounters is explained.

For instance, Polly, age 28, explains that her assault occurred at a time when she was vulnerable and sexually inexperienced. "I was quite young so there wasn't a whole lot of sexual history there." Rebecca, age 25, shared a similar occurrence. Assaulted by her first boyfriend at age 16, Rebecca expressed a lack of knowledge and experience with sex at the time her assault took place. "This was someone that I knew. He was my

boyfriend; we were dating for a week. It was my first sexual experience. So I had no idea what was going on. So yeah...” she explains with exasperation.

Rebecca’s description of her lack of sexual experience is shared by other participants in the study. For instance, Lisa’s first sexual experiences were also the result of the sexual assaults she endured. Repeatedly sexually abused by her father and step father from the ages of 4 through 14, Lisa was then raped by a stranger causing her to lose her virginity as a result of this abuse. She explains:

The last one [the rape that was perpetrated by a stranger] well that’s how I lost my virginity. There was tearing, and stuff. I didn’t go to the hospital. It hurt, there were bruises—bruises on my ribs and legs. [But] it’s easy to tell your mom it’s from sports, or horsing around.

The relative lack of sexual experience of these women seems to be a pattern which may have been an advantage for their assailants. The majority of the participants described themselves as having been innocent and naive to the wills of their perpetrators. As a result, their lack of awareness could have made it easier for their assailants to prey on their sexual inexperience. Since both Melissa and Lisa were victims of the sexual abuse inflicted upon them by male family members, they too experienced their first sexual encounters as a result of these assaults.

A Lack of Understanding of the Criminal Justice System

In addition to the sexual inexperience of the majority of the participants, all participants expressed a lack of understanding (at the time of their assault) as to what legally constituted rape or sexual assault. Due to their vulnerability and young ages, most participants stated that at the time they were unaware that their assaults could have been legally classified as sexual assault or rape. Specifically, because all participants were sexually assaulted by someone known to them, this classification became even more

difficult. As Kathy explains “I thought it was my fault; I had no sex education from my parents.” This lack of information on sex was also a main concern for other participants. Lisa’s experience is a primary example of such concern.

For Lisa trying to understand what her father had done to her seemed impossible. Not only was she too young to even understand the issue of sexual assault, (she was 4 when she was first assaulted) but she had the added confusion of being assaulted by a parent. She worried that telling anyone what had happened would destroy her family. When she finally did disclose the truth, and her case proceeded to court (she was 8 at the time), Lisa’s father *only* received a two month jail sentence. Lisa and her family on the other hand, had to endure the ensuing emotional upheaval. Accordingly, two years later when her mother remarried and her step father began sexually assaulting her, Lisa was confused and unsure of what to do. She describes the pain she felt when she told her mom about her experiences with her step father:

The worst part was when they told me it was in my head, I ended up believing it. I believed it was in my head. And then it happened again, and I couldn’t tell my mother because she loved him. It wasn’t just my feelings. It was her feelings and the other people around me.

Lisa went on to describe how difficult it was for her mother and younger brother to accept what her father, and later her step father, had done to her. The confusion she suffered from the repeated abuse, and the disbelief she experienced from her family, allowed her step father to continue to assault her for two more years, before she finally had the courage to *insist* that what she was experiencing was in fact sexual assault.

Melissa, a survivor of childhood sexual abuse, also experienced disbelief when she confessed to her mother that she was being sexually abused by her step father. Unable to accept the reality of the situation, and choosing to believe her husband instead of her

daughter, Melissa's mother turned a blind eye to the sexual abuse. Instead, Melissa was branded a liar, and subsequently distrusted for the remaining years she lived with her parents (she moved out when she was 14). She describes the irony of her mother's refusal to accept the truth. "For me, my mother was the head of social services, but she didn't believe me when I told her." After receiving no support from her mother, Melissa concluded she probably would not find any support anywhere else.

The experiences of Kathy, Lisa, and Melissa denote the inadequate access to information and resources that these survivors had at the time of their assaults. Specifically, while several survivors did recognize that what they experienced was not right, many expressed confusion as to what constituted sexual assault or rape. In several cases, particularly Lisa's, for instance, her relationship with her father deeply impacted her decision to disclose information. This relationship also affected her understanding of the circumstances of the assault. Although the assaults of only three participants were disclosed for this example, all survivors noted that an increase in education surrounding the legality of sexual assault could have improved their understanding of their own assault. Several participants suggested that had they had this information it could have affected their decisions when choosing whether or not to report their assault to police.

Trauma as a result of Sexual Assault

As noted in the literature review, sexual assault survivors often experience a wide range of traumas as a result of their assaults. The type and degree of trauma suffered varies from person to person, and can depend on the details of each assault. However, due to the violent and invasive nature of sexual assault, many survivors suffer from Post Traumatic Stress Disorder (PTSD). Additionally, other symptoms which can result from

sexual assault include general anxiety, depression, eating disorders, difficulty sleeping, stomach ailments, alcohol and substance abuse, and a myriad of other physical and mental symptoms. The participants in this study are no exception.

All participants described experiencing some degree of trauma following their assault. Notably, many survivors claimed to have difficulty trusting people immediately following the assault, an emotional consequence which is quite common for survivors of sexual assault. Other participants noted they suffered from heightened levels of fear and anxiety in certain situations. Some of these situations included walking alone at night, drinking, or other activities which would cause them to feel more vulnerable to be attacked.

Additionally, four participants described suffering from anxiety immediately following their assault. Of those participants, three still suffer from PTSD, and experience panic attacks on a routine basis. Kathy's symptoms are a primary example of the impact of anxiety and the lingering trauma caused by sexual assault.

28 years after her first rape, Kathy, still experiences the trauma from that night. A recovered alcoholic, Kathy first discovered she had an anxiety disorder four years ago when she was at a rehabilitation facility. It was there that Kathy was diagnosed with PTSD. She was told that the reason she was feeling so anxious was because she was suffering from episodic panic attacks, a symptom of PTSD. When memories would surface, or resurface, they would function as triggers which would cause Kathy to relive her assault all over again. She describes her battle with anxiety in more detail.

When I remember what I've been through, or I'm overwhelmed with my fears from the past, my anxiety takes over. When I'm having a panic attack, I just feel like I'm not going to survive in that moment. Your brain is telling you to survive,

but you feel absolutely traumatized. You just panic, and you don't understand that you aren't going to die from these feelings.

Sadly, Kathy's explanation of her symptoms of PTSD is extremely common for survivors of sexual assault (Daylen et al., 2007). In addition, many survivors often experience panic attacks while dreaming; a problem which causes them to believe their assault is happening all over again (Daylen et al., 2007). While discussing the aftermath of her assault, Lisa confesses that, like Kathy she continues to experience terrifying nightmares. When these occur, Lisa dreads sleeping for fear that memories which she has repressed will surface. "In the past month and a half I haven't been dealing with things very well. I've been having nightmares and pushing my boyfriend away. Lately it's just been horrible. I just keep waking up crying," she explains with frustration.

Many participants described the difficulty they experienced controlling their emotions following their assaults. Several participants discussed how their decision to keep their assaults to themselves ended up harming them emotionally. Kathy, for instance, turned to drugs and alcohol to numb her pain, while Rebecca developed an eating disorder. In both circumstances, these survivors described the immense challenges they felt while trying to come to grips with the reality of what they had undergone. For Rebecca, her inability to accept that she had been assaulted by her boyfriend led her to repress the entire memory of the assault; a coping mechanism used by many survivors of sexual assault (Daylen et al., 2007). As she explains: "I was in complete denial for a year and a half. I developed an eating disorder and, through counselling, that's when it really all came out."

While Rebecca developed an eating disorder in response to her assault, Kathy tried to cope by turning to drugs and alcohol. Now happily recovered from her years as

an alcoholic, Kathy believes that other women who were traumatized share her struggle. “I wonder how many other women who have been raped and can’t handle it have resorted to drugs and alcohol?” she questions.

The trauma experienced by these participants denotes the lasting emotional and physical affects caused by sexual assault. Although all of these participants have demonstrated tremendous strength and courage while recovering from their assaults, most have acknowledged that the healing process is ongoing. Some participants recognized that they have been irrevocably affected by their assaults, and as such, for them this recovery process will be life long.

In addition to the shared traumas experienced by the participants in this study, a number of common themes were also evident. The next section, will examine survivor’s overarching fear of being discredited. Within this overarching theme of participant fear of being discredited, a number of sub-themes will also be addressed.

Fear of Being Discredited

Although each participant was sexually assaulted in a unique manner, all participants were able to identify their experience in a similar fashion. Primarily, the overarching theme identified amongst these participants was the fear of being blamed, or discredited. In most cases, participants stated that they felt as if their actions during and prior to the assault would be used against them. This fear was mentioned as one of the primary concerns that participants expressed for choosing not to report their sexual assaults to police. This section has been divided into four parts to represent the four corresponding sub-themes identified within the overarching theme of the fear of being discredited. These sub-themes are the following: self blame and guilt, previous sexual

history, understanding of police investigations into sexual assault cases, and distrust of the criminal justice system.

Self Blame and Guilt Following the Assault

All participants expressed some degree of self blame (whether overt or covert) for the circumstances surrounding the assault. This self blame was often evident in specific phrases and the choice of words they used to describe their assault. In cases where survivors were unable to recall all of the specific details around their assault, many expressed regret and self blame at being unable to retrieve these details. Frustrated by these partial memories many survivors turned their confusion inward, and felt guilty as a result of being sexually assaulted.

Emily's experience indicates her feelings following the assault. Fearful that she would not be believed, Emily felt guilty for being naive about Mary's boyfriend's true intentions. Additionally, because she had chosen to consume alcohol to the point of intoxication, she believed others would use her intoxication against her. The few friends she did confide in were judgemental of her actions. As she explains:

Other people's perceptions of what happened f*****d me up. I started thinking obviously I wasn't aggressive enough. I just started thinking of all these things that I could have done. If it even would have made a difference. I really started to legitimately believe that it was my fault. It was only as recently as two years ago that I really acknowledged that it wasn't my fault.

Susan's experience, although different, reveals that her feelings were similar to Emily's after her assault. For instance, as Susan described, her second victimization which took place when she was 22, left her disoriented, fearful, and confused.

I didn't know what happened. I woke up and he was having sex with me from behind. What do you say? I felt so weird, that maybe I had actually done something wrong? It was just such a f*****d up experience. I felt like I had got

myself into this situation. Did I get so drunk that I had gone home with him, or something? Then I was like, no. No. It was awful.

Gathering her bearings, Susan returned home and struggled to piece together the events of the night. She recalled going to a bar with a friend and having a few drinks; the rest however remained a terrifying blur. Her memory a fog, Susan felt terribly ill. The one thing she did remember however was that she had not been in any state to consent to sexual activities.

The bewilderment which followed led Susan to attend a sexual assault treatment center. It was here, where nurses deemed her symptoms to be consistent with the side effects of the drug Rohypnol (also known as the date rape drug). She had a physical but declined to have the rape kit administered.

Susan exhibited a number of emotions which were echoed by other participants. She felt frustrated, scared, and ashamed by what she had been through. Notably, her feelings of guilt were matched by her anger towards being a victim once again. She describes her emotions at the time:

I felt angry. I had been working at a rape crisis centre, and I'm smart. So how did this happen to me again? It was this weird situation, where the nurses were telling me stuff that I already knew (stuff I was used to telling people who came to my center).

The experiences of Emily and Susan indicate the added difficulty which occurs when drugs and alcohol are used to facilitate sexual assault. In the instance of these two participants both women expressed some measure of self-blame for partaking in a normal social activity; consuming a drink or two while socializing with friends. However, due to the stigma that surrounds sexual assaults which are not clear cut or simple rapes, both survivors responded by experiencing self-blame, guilt, and the inability to understand

how their assaults could have occurred. Clay-Warner and Callie Harbin (2005) describe “aggravated rapes” as rapes which leave survivors with considerable physical injuries and “simple” rape as rapes which have minimal physical injuries. These two accounts highlight, yet again, another difficulty survivors’ face when determining whether or not to report their assaults to police. For Susan, with her memories only partially intact, her decisions to avoid police involvement seemed at the time to be her only option.

Sexual Assault Survivors’ Previous Sexual History

For the purpose of this study, participants were asked whether or not they believed that their “previous sexual history” would be used against them if they chose to report their assaults to police. Additionally, because investigating officers ask survivors who report their assaults whether or not they are currently sexually active, or have been in the past, this question was deemed important for determining survivor perceptions on investigations into sexual assault cases.

Although the majority of survivors had not been previously sexually active, three of the participants (Susan, Catherine, and Darcy) had had consensual sex prior to their assaults. For Susan, a 26-year-old, who was sexually assaulted twice (but only chose to report her first assault), the topic of “prior” sexual experience became a concern for her. Raped at age 16 by a man a year or two older than she, Susan expressed gratitude that the assault had not been her first sexual experience. “I’m happy I wasn’t a virgin when it happened to me. I had had sex before with my boyfriend who I was still with at the time,” she says. Yet, for Susan, her happiness was short lived. Five years later when she did decide to report her assault to the police, her previous sexual experience was scrutinized. She describes her interactions with the police:

It did bother me. They asked me if I had had sex before, if I was with multiple partners. But at the time it was only one person, my boyfriend. I had been dating him since I was 14. I had had the same boyfriend all throughout high school. It was to my benefit I think, because I didn't come across as a slut.

Susan's experience highlights one of the main concerns complainants have with police investigation into sexual assault cases, which is their fear that previous sexual histories will be used against them.

Similarly, for Catherine, age 24, the perception that police *would* question her about her sexual history significantly impacted her decision not to report her assault. Catherine was assaulted by a close friend when she was 15-years-old. Having previously engaged in a consensual sexual relationship with her assailant, Catherine doubted police would believe her.

I knew that my prior sexual history with the assailant would be used against me. Aside from him, it wasn't a really long list, but at the time I was actually only 15. A lot of people would have looked at that negatively. They would have twisted it, as some kind of justification.

Catherine's doubts regarding her credibility are common amongst other survivors; specifically, her concerns regarding her sexual history with her assailant. Darcy, another participant shared Catherine's concerns regarding credibility.

Darcy, age 25, felt similarly concerning her credibility. Raped by an acquaintance she had bumped into at a local bar on her 22nd birthday, Darcy was worried about how the event would be perceived. She explains: "I was definitely concerned that police would be insensitive or question my credibility or actions." At the time of the assault, Darcy was living in a house with a number of girls who were known to be promiscuous. When her assault took place she was not a virgin. Darcy wondered if her association with them would impact her credibility. For these reasons, she believed that she would be called a

liar if she did contact the police. As Darcy explains: “I lived with very promiscuous roommates [at the time of my assault], and I believed that would have been used against me.” As a result, Darcy chose not to report her assault, believing her assailant would not be charged, and she would be perceived negatively. As she further states:

I was definitely concerned that police would be insensitive or question my credibility or actions. I was drunk, passed out by myself in my own bed, and don't really remember the assault because I was in and out of consciousness. It would be my word against his and my lack of recollection of the assault would not put me in favour in our justice system.

Due to her difficulty recalling most of the assault, Darcy's experience indicates that she believed she would be blamed for her actions prior to the assault.

The accounts of Susan, Catherine, and Darcy suggest that some survivors hold the perception that having prior sexual experiences reduces a complainant's credibility. In the case of these three participants, their decisions not to report their assault to police was contingent on their belief that their sexual experience would be used against them. This factor will be explored more fully in the following chapter.

Understanding police investigation into sexual assault cases

For many survivors, the decision to report their assault to police was marred with contention. Although all participants realized that the role of police is to serve and protect, all survivors also indicated that they feared they would have received some degree of scepticism if they had chosen to report their assaults. Much of this fear stemmed from the fact that all survivors indicated they did not have enough information about police investigation into sexual assault cases to fully understand how these investigations are carried out. All survivors mentioned that they held the belief that police would have been insensitive towards them on some level if they had reported their

assaults. While some survivors expressed regret and anger towards police investigations, others showed insights regarding the difficulty inherent in police investigations into sexual assault cases.

For instance, four participants indicated that they could understand the reasons why some people believe officers will be insensitive. As Lisa explains, “There are girls out there that are going to lie. I understand that. I get that, but not everybody’s lying. There is a higher portion of people who are telling the truth, than lying.” Lisa’s explanation indicates that she comprehends the inherent difficulty police have in determining the truth within sexual assault cases. However, she also suggests that more flexibility should be granted to survivors. Rebecca made similar suggestions by indicating that she believed the difficulty was not with police investigations, but instead with the legal system. As she notes:

I think they [police] are extremely competent. There are a few men that are insensitive. But they are fully competent. In a legal sense though, the victim is re-victimized numerous times, right until the sentencing. But as far as the police go, I think they do an excellent job. It’s just a sensitivity issue.

Although the responses of Lisa and Rebecca did differ slightly from the majority of participants, it is useful to note that both Lisa and Rebecca have had extensive experience with police. For instance, when reporting her first assault, Lisa was routinely questioned and exposed to police procedures for lengthy periods of time. Rebecca, on the other hand, grew up with a father who was a police officer. Rebecca currently works as a parole officer; a job which affords her daily encounters with the police.

Apart from the experiences of Lisa, Rebecca, and Susan, most participants expressed a lack of direct exposure to police. However, during the interview process it was revealed that one participant, Catherine, is currently working as a police officer. She

explained that she feels as though she has a unique perspective because she has been on both sides of the fence, as a survivor and now an officer. She notes:

As a police officer, I know that in many cases our hands are tied to legal obligations imposed by higher powers. Police are not given all the resources they need. I honestly don't know where detectives get their training. Because the way they treat and speak to some people is absolutely ridiculous. A lot has to do with coming from a police background, which severely taints your opinion of people. As a police officer everyone lies to you. Why would this be any different?

Catherine's experience as a police officer shows remarkable insight into the struggles detectives endure in their investigations into sexual assault cases. She goes on to explain that the only way individuals are promoted to become detectives specializing in sexual assault is through demonstrating successful performance as police officers. Based on her first-hand experiences dealing with citizens as a police officer, she hints that she has felt jaded by the lies she receives from most of the people she deals with. Catherine also suggests that men are not necessarily the best people to fulfill the role of detectives for sexual assault investigations. She indicates further, "As a liberal feminist, I don't think that men should be detectives in this area. They haven't been through anything like this. They don't understand." She goes on to suggest that while she personally knows several men who do great work dealing with child pornography and internet pornography for the sexual assault unit, she does not believe that the same success can be achieved from male detectives who interview female sexual assault victims. She explains further:

Personally I know a lot of detectives in the sexual assault unit who with deal with child pornography and internet porn, and they are great at their job. But standing over victims saying 'tell me your story,' well they are not going to get it. Police tend to ask questions that they aren't going to get the answers to, from the victim. They act more like a prosecutor, and you can't get the answers that way.

Catherine's description highlights the reasons why some survivors feel intimidated to tell their stories to police. While Catherine's personal experiences highlight some of the

difficulties survivors are faced with during police investigations into sexual assault cases, other participants expressed their belief that problems lie with the entire criminal justice system.

Distrust of the Canadian Criminal Justice System

When asked about their perceptions of police, many survivors avoided directly holding the police responsible for flaws in the system. Instead, participants blamed the negative perceptions they held on flaws within the entire criminal justice system. Some of these perceptions included beliefs that the perpetrator would not be punished, that they would be held responsible for their assault; or that the matter would be reduced to a battle of “he said versus she said.” All survivors indicated they believed the entire process would be a lengthy emotional ordeal, which would result in little or no justice being served.

As Darcy notes, her decision not to report stemmed from her belief that due to the nature of our criminal justice system, she would not have enough evidence to corroborate her side of the story. As she explains “What real evidence did I have other than semen? It would still be my word against his.” Darcy goes on to express her belief that sexual assaults are not treated with the same type of concern as physical assaults. These concerns echo those noted by others, suggesting that most survivors are under the impression that they will not be believed, or treated as credible complainants.

Like Darcy, Polly also believes that she would not have received fair treatment if she had reported her assault. However, her worries were primarily with the legal system. When asked what her initial concerns were with reporting, she gave the following response: “That I would have to be tried by a courtroom full of men who would decide

whether I was lying or telling the truth. Because I felt that it was my word against his.” The issue of “he said versus she said” was mentioned as a common fear amongst all survivors, who believed that they would be held responsible for their assaults. This perception of “my word versus his” also deals with a general fear of judgement which was expressed by all participants. Their desire to avoid being judged negatively by police and others is also noted as a primary concern for all participants. For example, Rebecca mentioned that one of her main concerns with reporting would be that her assailant would deny what had happened. Realizing this, she believed the legal struggle would not be worth the “light” punishment he would receive.

The unreasonable sentence Lisa’s father received following the sexual assaults he committed against her is a primary example of this leniency inherent in the current criminal justice system. After sexually assaulting her for years, Lisa’s father was only sentenced to two months in jail. Lisa, however, still has lasting emotional trauma from these assaults. At the time, she also had to endure being put on the stand and made to feel responsible. She explains:

They put a little 8 year old on the stand, and asked did you lead him on? When they asked me these questions my mom was not allowed to be in the courtroom, and my dad was. His lawyer got up and made me, a little 8 year old girl, feel like a slut.

Lisa’s experiences with the criminal justice system have deeply affected her. Her treatment in court as well as the sentence her father received, have led Lisa to believe that in her case justice was not served. She describes her opinions on this subject: “It’s just horrible. It’s definitely horrible, the way he just got off [her father]. If it happened again I couldn’t tell you if I would report it. I honestly couldn’t tell you what I would do,” she says.

During her second assault, Susan also did not want to involve the police as a result of her experiences the first time. She remarks that while the police were friendly and generally fairly helpful, she was still not entirely happy with the way her case was handled. For instance, because she waited roughly 5 years before reporting her assault, her case was no longer recent and therefore it was not considered a priority. Although she understood the reasons for this, it was still very difficult for her to accept that her case would not be dealt with immediately. Additionally, this meant that the duration Susan had to wait for an investigation to take place was much longer than she had expected. She explains:

It wasn't easy what I had to go through...but I feel that they [police] did the best they could within their limitations. But it did bother me because he had to put mine [case] on the backburner. I can understand, but it was frustrating. It ended up taking two years before everything was finalized.

In the end, Susan's case did not progress to court as a result of a fellow classmate who made up a lie and testified against Susan's accounts. Saddened by the outcome, Susan's decision not to report her second assault was directly impacted by her initial experience with the Canadian criminal justice system. She describes her thought processes following her second attack: "When I was 16, I knew the person; I was conscious. But in this case, it was a totally different thing. I went to the hospital right away, but I didn't want to go to the police again."

The first hand exposure Lisa and Susan experienced with the criminal justice system and their ensuing struggles, points to many of the barriers that survivors perceive during their struggle for justice. As a result of these barriers, the lasting impression which persists in the minds of the participants regarding the police and criminal justice system is one of injustice. Overall, survivors are not content with how the system operates, and

consequently some are choosing to avoid involvement altogether by choosing not to report their assaults.

Participant Suggestions to Improve the System

The final question posed to survivors during the interviews concerned the changes they would make to the criminal justice system in order to provide a better sense of justice. The results of their responses suggest that overall all participants believe there are vast improvements which need to be made.

All survivors were very forthcoming and excited to respond to this question. Notably, several survivors believed that presently there is not enough information or resources available to survivors and the public at large. Several participants concluded that there is a definite need for more education. For example, Susan put forth the suggestion that sexual assault needs to be discussed with children from an early age. Making the comparison to anti-drug campaigns, she believes discussions about sexual assault need to be placed on the educational agenda in order to allow youth to be aware of their rights, and understand that they are not alone in their struggles. Susan suggests that presently the words *rape* and *sexual assault* are very “hush-hush” and associated with a tremendous amount of negative stigma. Overall, she says, no one wants to talk about it. She furthers this point: “When you are a teenager you feel like nothing bad is going to happen to you. You come from a middle class family, you are popular, and then you realize...it can happen to anyone.” Susan believes that by adding a section on sexual assault, alongside sex education in schools, could encourage more youth to talk about their experiences. Additionally, she also suggests having group discussions with boys

about treating women with respect. “The biggest thing that people don’t understand is that it has nothing to do with sex. It’s completely a power thing,” she adds.

Emily echoes Susan’s suggestions by indicating that the current atmosphere surrounding rape and sexual assault fosters myths and stigma which leave survivors feeling shamed and confused about how to proceed afterwards. As she explains:

I think that people are so uncomfortable by it (rape) that they refuse to accept in their minds that it happens. Instead, they say “you f****d this guy.” And I mean it’s worse. Especially if you aren’t bleeding and don’t come to them in tears, right after the fact.

This explanation highlights much of the confusion which surrounds sexual assaults as a result of the way in which these assaults are understood by adults and youth within our society.

While Susan and Emily believe education is a way to improve the system, Melissa, Polly, Rebecca, Darcy, and Catherine believe that placing more rights on the side of the victim and administering harsher punishments for offenders would encourage more survivors to report their sexual assaults. As Polly explains, for her, changing the system is the first step towards allowing justice to be served for survivors of sexual assault. As she remarks:

I think that taking some of the emphasis off the victim to have to prove themselves is an important part. Um, perhaps having more scrutiny being placed on the accused, and perhaps not making the victim have to discuss it in court.

Rebecca makes similar suggestions as Polly. She believes there should be a minimum sentence for all sex offenders, which cannot be pled down to make their charge less serious. She also notes the inability the criminal justice system has to address the emotional trauma suffered by survivors as a result of their assaults. She notes that, “When someone is sentenced for a sex crime, they get counselling, but there is nothing for the

victim.” Rebecca’s suggestion is that the justice system also offers free counselling for the survivors of sexual assault.

Catherine’s perspective is slightly different than other participants. Her job as a police officer has allowed her to pin-point areas which she feels need to be improved in police services when dealing with sexual assault victims. Specifically, she believes one solution would be to improve training for detectives and officers who deal with sexual assault survivors. She explains that currently the training officers receive is completely inadequate. Having worked at sexual assault centers as a volunteer, she believes the sensitivity training they administer for their staff would be the type of training police should have to complete. Catherine also suggests that there could be other professionals (such as psychologists or psychiatrists who have extensive training) who would be more equipped to question victims, and that this is one avenue which should be explored by police. She explains:

We need to prosecute criminals, but we also have to understand that victims do not need to be heroes. They are in no way, shape, or form there to appease the justice system. That’s not their job. Any information they can provide is good, but they shouldn’t be getting interviewed by 30 people. They should be dealing and getting healed themselves. Police should be privy to the information victims have, but it should not to be used against them.

These possible improvements expressed by participants suggest a number of ways in which our Criminal justice system could be improved. Although the responses of these survivors could differ from the suggestions of others, their concerns *do* need to be reflected within our criminal justice system. As it stands now, all participants suggest that currently their needs are not being represented within the Canadian criminal justice system. For as Lisa explains: “This [rape] is something that we are going to have to deal

with for the rest of our lives. It's never 100 percent going to go away. It's always going to be there in the back of our minds and it sucks. Something needs to change.”

Chapter Summary

This chapter explored the results of the semi-structured interviews conducted with the participants for this study. The results revealed a number of patterns, themes and sub-themes. Firstly, the common patterns amongst participants were discussed: socio-demographic information, age during the assault, whether the assault was the survivors' first sexual encounter, whether participants were assaulted by men who were older than them, the extent to which they understood the criminal justice system, and the kind and degree of trauma incurred following their assaults. The overarching theme of the fear of being discredited was also revealed to be rooted in the responses of all 11 participants. Within this theme, the sub-themes of self blame and guilt, previous sexual history, understanding of police investigation, and distrust of the Canadian criminal justice system were discussed. The chapter concluded by examining survivor suggestions for ways in which they believe the criminal justice system should be improved in order to create a better sense of justice for all survivors of sexual assault.

In the chapter which follows, a discussion will take place on these results and their analysis using Anthony Giddens' theory of structuration in conjunction with the findings of studies which have previously been conducted on the subject of under-reporting of sexual assault. While doing so, the research questions posed in chapter two will be discussed.

Chapter Five: Discussion

Although the findings of this study have uncovered a number of patterns and themes relating to participant responses and their perceptions of police investigations into sexual assault cases, they must also be examined in the greater context in which they were uncovered. To this end, this chapter highlights the problems identified by participant perceptions within the structural organization of the Canadian criminal justice system and the factors which contributed to their under-reporting of sexual assault. Additionally, the results of these interviews are discussed through the lens of Anthony Giddens' theory of structuration in order to understand survivor perceptions of police investigations into sexual assault cases, and their reasons for choosing not to report their assaults to police in the greater context in which they occurred; in this particular case, the Canadian society.

The research questions for this study asked about sexual assault survivors' perceptions of police investigations and their reasons for not reporting their assaults. While some findings resonate with the findings in existing literature, a number of the responses from the participants provide unique insights into understanding female survivors' perceptions of police investigations, and the underreporting of these crimes in Canada.

Upon reflection of the responses provided by the 11 female survivors of sexual assault, it is clear that participants' overarching concerns with reporting their assaults to police stemmed from their deep seated fear of being discredited. These fears were manifested in four facets which included: self blame and guilt, previous sexual history,

lack of understanding of police procedure and police investigations into sexual assault cases, and distrust of the criminal justice system.

While some participants expressed a direct fear that police would not be sympathetic and/or considerate, others claimed that their feelings of guilt and shame influenced their decisions to remain silent. In many cases, however, survivors explained that their lack of awareness and understanding of the criminal justice system left them scrambling to determine how they should proceed. Additionally, many participants claimed to have been influenced by friends, family, and the media in their decision not to report their sexual assault to police. In many cases, the opinions they formed due to these influences resulted in an overwhelming distrust with the entire Canadian criminal justice system.

Questions from the interview guide which pertained directly to participants' perceptions of police investigations into sexual assault cases took a similar tone. Many participants added that at the time of their assault, they believed that if they *had* reported their assault they might a) not be treated fairly, and b) be called a liar. They also thought that if their case did go to trial the perpetrator would only receive a very lenient sentence. Additionally, many survivors stated that they held the perception that their previous sexual history would be used against them. These negative perceptions of police investigation and the criminal justice system deeply impacted survivors' decisions to remain silent. In addition, many survivors also expressed their belief that the police were not properly trained or educated on how to deal with female survivors of sexual assault. Overall, survivors also claimed that the ordeal would be lengthy, invasive, and not worth the effort and trauma they would undergo if they had come forward and reported their

assault. Many survivors also stated that they did not fully comprehend the nature of police procedures in sexual assault cases, a factor which also impacted their decision making processes of not reporting.

Two participants (Lisa and Susan), who chose to report their initial sexual assaults to police, formed their perceptions of police investigation based on interactions they had with the police (in the past) during their respective police investigations. Since Susan's case did not proceed to trial and Lisa's father received only a minimal punishment, they both believe that the Canadian criminal justice system would not provide justice for survivors of sexual assault. As a result, when these two participants were sexually assaulted again, they chose not to report their second assault to police.

While all survivors described the impact of hearsay on their decisions not to report their assault, they also mentioned that their emotions also had an impact on these decisions. Since the majority of participants were assaulted during their youth, all expressed shock, confusion, and fear following their assaults. These emotional responses were exacerbated by the fact that the sexual assaults suffered by most participants were their first sexual encounters. In circumstances where participants were repeatedly sexually abused by a family member, the difficulty in determining how to cope with this abuse added yet another degree of turmoil. Consequently, each survivor indicated that the emotional responses and trauma caused by their assaults also deeply affected their decision-making processes (when choosing whether or not to report their assaults to police).

In many cases, survivors expressed high degrees of guilt and self-blame following their assaults, to such an extent that they were truly convinced that they were responsible

for causing their assaults. Some participants were so ashamed that they could hardly admit to themselves what had happened, let alone report the distressing details to police. Still others maintained that they had no idea who they could talk to, or where to go for help to deal with their assaults. In many cases, when participants were asked if they attended a sexual assault facility, many expressed regret that they had not—citing that they were too young and unaware of such services.

While the sexual assaults (and ensuing traumas) endured by the participants in this study are unfortunate occurrences, it should be noted that participant perceptions and responses revealed in this study can be used to work towards gaining clearer insights into the experiences of sexual assault survivors in Canada. Additionally, by examining these responses and suggestions, which were born out of the unique experiences of the participants in this study, the factors which influenced participants' decisions to not report their assaults to police can be further understood. However, in order to situate these responses with the trend of the underreporting of sexual assault in Canada, they must be examined alongside the prevalence and high occurrence of sexual assault within the context of Canadian society as a whole. Anthony Giddens' social theory of structuration can be employed in order to understand survivor's perceptions of police investigations into sexual assault cases, as well as their reasons for choosing not to report their assaults to police.

Juxtaposing Anthony Giddens' Theory of Structuration with Participant Responses

While it has been noted in this study that the overarching theme of fear of being discredited has impacted participants' decisions not to report their sexual assaults to police, it is important to examine this prevalence within the greater social and cultural

context in which it was fostered. Anthony Giddens' (1982) theory of structuration, which explores the tensions between structure and action will be used to facilitate a better understanding of these responses. For instance, Giddens' (1979) concept of the dialect of control (control exerted by actors or groups who have the ability to influence the circumstances of others) signifies the potential for societal change to occur. As Giddens (1979) described, although the dialect of control always operates, it is a matter of how agents in subordinate positions utilize the resources available to them to effect change. Accordingly, Giddens' theory of structuration highlights the agency that women possess and the subsequent importance of reporting their sexual assaults to police. More specifically his ideas on action, structure and power will be examined in order to understand survivor responses and their decisions not to report their sexual assaults to police.

Giddens on Motivation

Giddens' theory of structuration connects agency, motivation, and the routinization of daily life. The role of action within structuration theory provides a lens to better understand participant responses in this study because it refers to routinized practices within our society that contribute to the reproduction of institutionalized behaviours (Giddens, 1982). For the purpose of this study, both the occurrence of sexual assault and its subsequent under-reporting illustrate the role of action and routinized practices. In an effort to understand participant responses, the role of action within structuration theory will be explored further.

Giddens believes that every individual has a conscious and unconscious awareness of their daily activities while they are performing them. Giddens describes this

conscious awareness (or intentionality) as being directly linked to agency. This reflexive capacity is useful to understanding the motivations and agency of the survivors of sexual assault who were participants in this study. Giddens asserts that although every human being has unconscious motivations in their conduct, individuals are not often able to report discursively on their motivations in the same. This common difficulty to understand motivation also extends to the realm of human agency and the misconceptions that surround it. For instance, Giddens (1984) discusses the ways in which human agency is defined solely in terms of intention. Giddens' conception of action and agency offers important insights into the under-reporting of sexual assault by the participants in this study.

For instance, when the participants expressed their stated intent to see improvements made to the Canadian criminal justice system, overall a general sense of pessimism about the possibility of affecting change was evident: in tone, word choice, and the overall *meaning* conveyed through their responses. An examination of the conscious and unconscious motivations of these participants makes it clear that while all participants consciously expressed a desire to see justice served and their perpetrators punished, they also professed the belief that in our current criminal justice system this was not possible.

None of these participants acknowledged that rape and sexual violence against women could be eliminated altogether. Kathy's interview responses, for instance, demonstrate that at the time her assault occurred, she was under the impression that rape was commonplace; an act that men routinely carried out. She explains her thought processes following her first sexual assault: "I didn't even know that people reported

these things. At the time, I just thought that I was at the wrong place, at the wrong time, and that's *just* what guys did [rape]." Lisa's interview responses echoed Kathy's; she, too, exhibited a similar belief by describing her difficulty in imagining a changed system where women's credibility was not scrutinized. She explains: "Something needs to change. It's not fair to anybody but especially a child. Being raped is not your fault." As a young mother, Lisa went on to describe her persistent fear that her daughter will also become the victim of sexual assault. Her fears suggest that she continues to believe women will not be free from sexual violence. This is evident in the following statement that Lisa makes: "It happens again, and again and that person who did it to me could go and do it to someone else. But I don't report because I'm afraid."

The beliefs described by these participants illustrate the difficulty many survivors have in imagining a world where sexual violence against women does not exist. Additionally, this perception reveals the lingering pessimism amongst Canadian women, despite the series of legal amendments and social/societal changes which have occurred within Canada since the 1980's. It could be argued that much of this doubt is the result of the current social status of women in Canadian society. Although today's women have gained considerable ground towards achieving equality, the fact remains that on many levels Canadian women continue to suffer from oppression (e.g., wage disparity and under representation in parliament/government). For instance, as Gotell's (2006) research on the application of sexual history legislation in Canadian sexual assault cases reveals few, if any, lower court judges have taken into account the gender inequalities and prejudices involved in sexual history legislation. Comack et al. (2006) explain in response to Gotell's research, "Judges have permitted sexual history evidence in 53

percent of the cases in which defence counsel sought it, belying the Court's prediction in *Seaboyer* that the evidence would only be admitted in exceptional cases" (p. 276). This example illustrates that despite many positive changes that women have effected in the process of improving equality with men; many of these changes are still circumvented or altogether ignored. Consequently, many barriers continue to prevent society from viewing women as equal to men. This example of the changes made to Canadian legislation to deny the use of sexual history in sexual assault cases is just one example of inequalities that continue to persist.

Additionally, many ideologies and narratives that position women unequally to men continue to persist within Canadian and North American societies. For instance, as Bern and Bern (1970) note:

We are like the fish who is unaware that his environment is wet. After all, what else could it be? Such is the nature of all nonconscious ideologies. Such is the nature of North America's ideology about women (p.11).

Frieze et al. (1978) further this assertion by suggesting that a nonconscious ideology is a belief or stereotype which the public is unaware of, because they are unable to envision any other alternative. Although these examples are dated by 30 years, it is interesting to note that on a myriad of fronts, these unconscious ideologies continue to persist.

Additionally, on many fronts changes to the status of women in Canada has halted. This is evident, for instance, upon an examination of the types of jobs that women presently hold. A 2004 Statistics Canada study on the Status of Women in Canada indicates that women are more commonly represented in lower-level positions as opposed to men who obtain more senior level jobs. Canadian women also continue to

hold “stereotypical female” jobs; having very few female employees working in professional careers in natural sciences, engineering and mathematics.

Another factor which denotes a woman’s sustained societal inequality to men can be found by comparing salaries based on gendered earning. As Statistics Canada (2004) highlights:

The average earnings of employed women are still substantially lower than those of men. For example, women who were working full time had average earnings of \$36,500, which works out to be roughly only 71 per cent of what men who worked full time for a year made (p.21).

Since the participants in this study were raised in a Canadian society where these nonconscious ideologies are present, it could be argued that they, too, have unconsciously internalized these negative messages about women. To this effect, it could explain why the participants in this study expressed pessimism towards the prospect that any real changes could be made to improve the Canadian criminal justice system. As Frieze et al. (1978) argue, “according to the beliefs or stereotypes held by most people in our society, the average woman is passive, dependent, quiet, gentle, unintelligent, and generally inferior to the average man” (p. 11). Unfortunately, as more recent examples indicate, many of these stereotypes continue to be embedded within the minds of many, whether they are covert or overt. The result is that many women feel discouraged to stand up for themselves, believing instead that change is not possible. Against such a backdrop, Giddens’ theory of structuration would contradict the pessimism exhibited by the participants in this study, by way of the duality of structure. Within the “dialect of control” notions of power operate and are made visible. The nature of power, for Giddens’, indicates that power is a social system and as a result can be treated as producing and reproducing relations of the dialect of control. This aspect of his theory

suggests that individuals are responsible for the reproduction of institutionalized practices.

As a result, the duality of structure would suggest that despite the fact that the female survivors of sexual assault in this study feel constrained by the current structures within the criminal justice system (such as the nature of police investigations, perceived inequalities within sexual assault laws, and imbalances in court proceedings), women have the ability to change these structures if they change their actions, a decision that would allow them to utilize their agency to effect changes to their inequalities.

The issue of knowledgeability is also a fundamental component of structuration theory, and Giddens (1984) posits that humans are knowledgeable agents. Additionally, this knowledgeability extends to the realm of agents' day to day actions, which means that agents possess the ability to describe and discuss what they do and how they do it. Yet, for Giddens, this knowledgeability is referred to as practical consciousness. According to Giddens (1979), practical consciousness is distinguished from discursive consciousness and the unconscious in that it pertains to what agents know and believe about social conditions and the conditions of their own actions.

Giddens describes discursive consciousness, practical consciousness, and the unconscious as the stratification model; which he utilizes to interpret the layers of cognition and motivation of human agents. The reflexive monitoring of action is one of the key components within Giddens stratification model of the agent. Giddens (1982) explains how the stratification model operates: "...the acting self involves treating the reflexive monitoring, rationalization and motivation of action as embedded sets of processes" (p. 3). In other words, this model combines the rationalization of action, in

conjunction with the diversity of circumstances which are involved in each interaction. Giddens expresses his belief that within each interaction a mutual knowledge is incorporated into the encounter. This mutual knowledge also fits into the stratification model. Within reflexive monitoring of action, the actors continuously monitor their own actions and in turn expect others to do the same. Additionally, actors also regularly monitor their actions in relation to their social and physical context. In terms of rationalization of action, Giddens (1982) explains that “actors maintain a continuing theoretical understanding of the grounds of their activity” (p. 5). However, if we examine this mutual knowledge in the context of the results of this study, it is clear that all participants indicated that they did not possess a mutual knowledge on the topic of the police and police investigations into sexual assault cases. Since most participants were very young when their assaults occurred, they did not possess the resources of knowledgabililty to understand the complexity of the police system, and the criminal justice system at large. Arguably, survivors’ lack of awareness of police investigations into sexual assault cases acted as a barrier that contributed to their decisions not to report their assaults to police.

Giddens’ stratification model can be used to explain the complexity of the knowledgability of agents. Specifically, this knowledgability is two-fold in that it is partially unconscious. At the same time, it is the product of unacknowledged conditions and unintended consequences of action. On the topic of action, Giddens’ indicates that action is referred to as capability and knowledgability. It is at the level of knowledgability and accountability that the issue of the underreporting of sexual assault can be addressed. For instance, Giddens states that this inherent ability which governs all

agents in their actions dictates that they also have the ability to make the choice to act differently, which relates specifically to their agency.

In other words, this discussion on agents and the weight of their actions is also furthered in what Giddens' describes as the unanticipated conclusion and unintended consequences of every action. As the survivors within this study indicated that their feelings of guilt and shame following their assaults impacted their decisions not to report, many may not have accounted for the unintended consequences of their actions. For instance, while many survivors suggested that they wished for changes to occur within the Canadian criminal justice system, their decision not to raise these concerns with police indicates that they did not recognize they possessed the agency to do so. Additionally, survivors expressed the belief that they were not capable of effecting positive changes to the criminal justice system. It is clear that participants perceived a lack of justice for female survivors of sexual assault within the Canadian criminal justice system, and consequently their decisions not to report their assaults were contingent on their belief that they could not effect positive change to the criminal justice system.

Giddens on Action

Giddens ideas on action are also directly related to the routines and rituals that members of society perform. By further examining his thoughts on this issue a deeper understanding of participant responses with regard to their fear of being discredited can be understood.

For instance, Giddens' (1982) claims that routine involves actions that are done habitually. Giddens explains that routinization stretches across time and space, and as a result of the duality of structure these activities are constantly recreated out of the very

resources that constitute them. Additionally, Giddens (1982) believes that “routinization is essential to psychological mechanisms of the sense of trust and security to be understood in daily life” (p. 3). He states, that the importance of routinization in our daily lives is that it enables us to cut the unconscious tensions, which would otherwise preoccupy us. Similarly, he asserts that our motivations develop in relation to routinization and the unconscious. For instance, if the routinized practice within our society involves repetitive sexually coercive behaviours and ideologies, then eventually it could be argued that these daily practices will be embedded within our culture. Even if these daily practices are not directly motivated, they could become aspects which agents unconsciously carry-out in routine fashions. For instance, some of the unconscious ideologies upheld by both men and women about the inequality of women within our culture reflect the unconscious daily practices which are carried out in routine activities.

A 1995 study conducted by Joseph Harry on sport ideology and attitudes towards women reveals how the role of sport within our culture allows for negative unconscious ideologies about women to exist. For instance, the study describes how the institution of sport is one area within North American culture where gender-traditional social arrangements promote sexism and patriarchy. Harry states that sport breeds an environment that views men as superior to women in their strength, assertiveness, and competitiveness, aspects that sport celebrates (Pronger, 1990). Harry’s (1995) study suggests that because women now participate in professional sports, they are challenging this male domain and are thus perceived as a threat to patriarchy. He remarks: “The entry of women into sport has been repeatedly challenged and resisted either by claiming that sports participation is unfeminine or by marginalizing that participation” (p. 2). This

example illustrates how despite the changes made to sport by allowing women to participate, the routinized tradition and ideology that relegates the domain of sport exclusively for men, persists. Although the lingering resistance to accept women within the male dominated domain of sport is only one example, it is effective in illustrating how the ideologies become unconscious daily practices which are carried out in routine practices.

These ideologies and practices are also confounded by the fact that routine practices are responsible for the duality of structure and the continuity of social life. For Giddens (1984) the duality of structure refers to the structural properties of social systems (such as the rules and resources), and as a result, they do not exist outside of action and are habitually implicit within structural production and reproduction. As Cox (2006) remarks: "It is the structural properties of social systems which mediate human action and, at the same time, are reaffirmed through human use. In other words, institutional properties are both the medium and the outcome of interaction" (p. 3). Likewise, it is through routines and the continuation of them that agents gain and sustain a sense of ontological security. This ontological security provides agents with the ability to gain confidence and trust within their natural and social worlds. Additionally, if the routinized practice has been that women are victims of (sexual) violence, and societal norms have placed the blame on women for causing this violence, it will not be unreasonable to assume that women may end up believing this norm on some level (whether consciously or unconsciously).

The results of this study show that many participants have internalized many of these routinized societal practices of blaming women for causing their sexual assaults.

For example, many participants in this study indicated that they felt guilty and blamed themselves for causing their assault. Despite the fact that these women in no way perpetuated their sexual victimizations, they still held the perception (as espoused by routinization within society) that they were to blame for causing their assaults. As a result, these participants did not break with this routine and remained silent (demonstrating guilt and self blame) and instead chose not to report their assault, an action that has become a routinized practice allowing men to continue to victimize women without consequences. Notably, all participants indicated while describing their perceptions of the Canadian criminal justice system, not only are women victimized by the men who have sexually assaulted them, but they also *perceive* that they would have been victimized *again* by the criminal justice system.

Giddens on the Role of Power

Giddens (1982) stresses that the concept of power is not in itself a resource. However, he views power as a social system that produces and reproduces the dialect of control; ultimately he suggests that power has transformative capabilities. However, his understanding of the concept of power can be extended to analyze the topic of sexual assault and the findings of this study. Giddens asserts that action is logically linked to power. In view of the fact that power and action are linked, they are pertinent to the issue of under-reporting of sexual assault. As Du Mont and Parnis (2003) argue, many victims following assault feel powerless and shy away from reporting their crime for fear of losing control/power to the police during the investigation. The responses of the participants in the current study show that these women also shared similar fears, and noted them as contributing factors in their decisions not to report their assaults to police.

In his discussion on the nature of power, Giddens' also indicates that power is a social system and, as a result, can be treated as producing and reproducing relations of the dialect of control. Within this "dialect of control," these notions of power are visible. As Giddens' (1984) describes, "this changing power the dialect of control: the two-way character of alternating power used to control the flow of interaction, which is signified by autonomy-dependency; a tension that is fluctuating from one moment to the next" (p. 14). For instance, while the participants within this study wished to use their autonomy to report their assaults, their perceptions that police investigations would discredit them led participants to rely on sexist stereotypes which functioned as barriers for them to assert their agency. As a result, their motivations (or how their actions were facilitated) were based on their fears. Given that social actors must consciously and unconsciously be aware of the circumstances of their actions, whatever action they chose to perform relates directly to power and domination. For instance, all survivors expressed the belief that their credibility would have been questioned to some degree on issues of previous sexual history, relationship to the perpetrator, and their actions had they chosen to report their sexual assault to the police. Therefore, the issues of power and domination are at play. Additionally, respondents suggested that because both the police and the criminal justice system were founded by men and continue to be predominantly run by men (who are the primary perpetrators of violence against women) survivors acknowledged that they didn't believe they would be treated justly. Amongst participants there was an overwhelming consensus that men should not be the ones to deal directly with female victims of sexual assault, and consequently, that women should be included when drafting the laws on sexual assault in Canada.

Giddens on the role of Structure

Giddens (1976) indicates that we must first cease to view *structure* and *agency* as opposite terms in order to fully understand the role of structure. He asserts that structure and agency are both mutually constitutive, and agents play an active role in the social production of structure. Structures are produced and reproduced based on the everyday actions of agents who form these structures (Lacombe, 1998). As Giddens (1976) indicates, “agency therefore may initiate change by altering that structure at the same time as it produces it” (p. 128). Thus, structure does not solely dictate action, but instead can be viewed as both enabling and constraining (Giddens, 1976). Although the participants in this study did not recognize their agency at the time of their assaults, Giddens’ theory illustrates that these women and all women do possess the agency and power to create changes to the criminal justice system. The work carried out by countless women’s groups who lobby for changes in legislation, improved social services, and women’s overall social standing illustrates the ability that women *do* possess power to effect change. However, as Naomi Klein (2008) argues, women need to *recognize* their power to make change:

We continue to underestimate our ability to make change. We are too often apathetic rather than ensuring we are doing all we can to change things. Women are the voting majority: in an article in the Toronto Star, the Liberal government tossed out a “warning” to the current Tory government that they’d better start kissing up to women. Voting strategically is a prime example of taking this form of power into our hands. (p.31)

These examples, along with countless others from our history, are reminders that we as a society need to recognize in order to continue to progress further on the path towards equality.

The importance of conceptuality and context of interaction within social reproduction is also essential to the theory of structuration. Giddens posits that conceptuality can be reproduced without the inherent knowledge of context. He notes that context is important within the realms of time-space distancing, the co-presence of actions, and the awareness and use of these phenomena, reflexively to influence or control the flow of the interaction. Social positioning within time and space are important aspects to consider in the formation and maintenance of social identities. Social positioning refers to an individual's position in a given culture and society. Social positioning also refers directly to social status. By referring to Irving Goffman's (1959) theories on social positioning, and co-presence, Giddens describes the importance of the standardized markers, which are embedded within our societies and structures. He discusses age, gender, and the attributes associated with these, as the essential markers within all societies. The concept of social positioning can be applied to the issue of the under-reporting of sexual assault within Canada, as a result of participant responses. Participants expressed the belief that their social position as women would hinder their chances of receiving just treatment equal to that of men from police and the Canadian criminal justice system. Although these responses are based solely on survivor perceptions in this study, this feeling of female inferiority to men has also been documented in several other studies. For instance, according to the *rule of law* everyone is to be treated in the same way, as legal equals (Comack et al. 2006). As Comack suggests "In both its form and its method, then, the law promotes an image of itself as fair, dispassionate, disinterested, and—above all—as *just*" (p. 22). However, as Ngaire Naffine (1990) indicates, legal claims to "impartiality," "neutrality," and "objectivity"

create a situation where individuals are not recognized for their differences (gender, ethnicity etc.) but instead, each individual is treated as a ‘legal subject’”(p. 52). Naffine (1990) states that difficulties lie within the law’s inability to “examine the merits of individual cases,” and as a result the law promotes a “preferred person,” who is usually male, educated, autonomous, competitive in market society, and as a result removed from their particular context (p.52). This preferred person fails to account for the distinctions existing between individuals, since we are all not afforded the same privileges. Instead, inadequate attempts to treat “all” individuals as equal before the law, fail to acknowledge the privileges and social positioning (status) awarded to those members of society who hold more power than others. For instance, as Comack et al. (1998) notes:

The elimination of obvious gender differences in the law has fallen short of creating equality in women’s lives because many laws, policies, procedures, and legislative gaps though neutral on their face, have disparate or adverse effects on women. (p. 322)

Giddens (1984) also mentions that the term *society* is often misunderstood and misinterpreted by many. Yet, for his purposes, he understands society as having a double meaning in that it signifies a bounded system as well as a social association in general. Giddens examines structuration theory and structural features of overall societies in three major types of societies in human history: tribal culture, class divided societies, and modern nation states, which are described with the use of industrial capital. Within each of these societies, Giddens views structure as being conceptualized in two distinct aspects. Accordingly, Giddens (1982) asserts that “structure can be conceptualized as two aspects of rules, which are normative elements and codes of signification,” (p. xxxi). These two aspects of rules are important in order to understand the operation of society. Specifically, understanding the normative elements and codes of signification are useful

to know in order to gauge how these rules and codes of conduct can be violated. The high occurrence of sexual assault within North America illustrates how these normative elements and codes of signification are embedded and disrupted through what has become “normalized” acts of violence against women.

Based on the reasons provided by participants, it seems that in order to improve survivor reporting rates a vast number of changes need to be made to the Canadian criminal justice system. We, as a society, a culture, and a nation, do not want to openly address the issue of sexual violence against women. Although sexual assaults are occurrences that only some women experience, we are all affected by them. The systematic rape and abuse of women by men has become routine and will continue to do so, unless we take action and think seriously about placing sexual assault prevention on the public agenda. Although the results of this study trace the experiences and thought processes of some women in Canada, the actions of participants following their assault addresses the larger problem of women being treated unequally to men which is deeply embedded in our current system. It is very apparent that the needs of sexual assault survivors in Canada are not being addressed and reflected within our laws. Our criminal justice system does not take into account the often severe and lasting emotional trauma suffered by sexual assault survivors. While our current system can be effective at providing justice for those survivors whose experiences *fit* within the narrow realms of classic rape myths (or simple rapes), other women are left without the opportunity for justice. Their realities go unheard in a system that relies on physical evidence, corroboration, and consent beyond a reasonable doubt: factors that are next to impossible to prove in a court of law.

The flaws within our system, which have been identified in this study, are not easily rectified. Nor is the lack of motivation for survivors to come forward and report their sexual assaults. The problem is rooted much deeper in the narratives and beliefs which our society has constructed around women and sexual assault. Although the work of feminist groups in Canada has effected change to varying degrees within the criminal justice system, these changes have yet to be reflected in the daily narratives of our society as a whole. Additionally, although the legislative amendments which were made to Bill C-127 (as well as amendments made in 1985, 1992 criminal amendment Bill C-49, and Bill C-46) have recognized the need for improved treatment and representation of the effects of violence against women in Canada, these changes to the legal system still fail to account for the realities of all women in Canada.

Chapter Summary

This chapter traced participant responses and positioned them by examining their context within Canadian society. The context for these responses was studied by using Anthony Giddens' theory of structuration. Specifically, Giddens' concerns with motivation, action, power, and structure were applied to identify the themes which were uncovered amongst participant responses (self-blame and guilt, previous sexual history, lack of information on police procedure and police investigations into sexual assault cases, and distrust of the criminal justice system). Overall, the resounding theme of fear of being discredited (had they chosen to report their assault), was analyzed using Giddens' theory of structuration. This analysis indicated that many survivors may not have recognized the agency they possessed to impact changes. The role of nonconscious ideologies and stereotypes regarding the inequality of women in Canada could be

partially responsible for participant fear and pessimistic belief system. Giddens' theory offers hope for survivors. While the current structures within the criminal justice system which are in place are constraints, Giddens' theory of structuration suggests that all individuals possess the agency to effect change.

The concluding chapter will provide a summary of the findings of this study, the limitations, and suggestions for future research. Additionally, the chapter will conclude with a personal reflection on this study.

Conclusion

The above study has examined female sexual assault survivor perceptions of police investigations into sexual assault cases in Canada. Semi-structured in-depth qualitative interviews were employed with N=11 female sexual assault survivors for in order to understand their perceptions of police investigations into sexual assault cases. The aim of this study was to understand how the perceptions of female sexual assault survivors impacted their decisions to report their assaults to police.

The findings of this study show that despite the series of legal reforms to the Canadian criminal justice system (such as amendments made in 1983, 1985, and 1992 criminal amendment Bill- C127, Bill C-49, and Bill C-46, which aimed to protect survivors from undue bias and trauma and increased their overall rights) and the improved funding and training for police, survivors *still* perceive that had they chosen to report their assaults to police they would not have received fair treatment. Although many survivors acknowledged that police and police investigations into sexual assault cases were not the sole problem with the Canadian criminal justice system, they did say that their perceptions of police investigations impacted their decisions not to report.

Participants' decisions not to report their assaults to police were also contingent on a number of other aspects. Specifically, participant responses revealed a number of themes and sub-themes which influenced their decisions not to report their assaults. The overarching theme of fear of being discredited was revealed to be a concern in the responses of all participants. Within this theme the sub-themes of self blame and guilt, previous sexual history, lack of understanding of police investigation, and distrust of the Canadian criminal justice system also impacted participants' decision making processes.

Relationships were discovered between participants' demographic information, age during the assault, the assault being the survivors' first sexual encounter, the fact that all participants were assaulted by men who were older than they were, their lack of understanding of the criminal justice system, trauma incurred following their assaults and survivors' decisions not to report their assaults to police.

Limitations and Scope for Future Research

This study is not beyond limitations. For instance, a small sample (N = 11) of survivors who had not reported their sexual assaults who were 18 years or older, and Anglophone were consulted for this study. These specific criteria contributed to a non random sample of individuals, who may not represent all Canadians in their views and experiences. Additionally, the majority of women who participated in this study were white women who have obtained university degrees and are situated at a middle class income. These women in general are from a privileged class, a fact that makes this sample not representative of all women in Canada. If more time was allotted for this study, I would be interested to consult a sufficiently larger a sample of more culturally diverse population of women, as well as to examine the impact of under-reporting

amongst men who are survivors of sexual assault. I believe by interviewing men who are survivors of sexual assault in Canada, a more accurate image of the severity of the under-reporting of sexual assault in the country could be revealed.

Real World Implications

The findings of this study are significant, as they mirror the myriad barriers that survivors still perceive to be embedded within our criminal justice system. An examination of past and present biases rooted within the laws on sexual assault reflects, the deeper inequalities, which continue to affect Canadian women. Although this study examined the perceptions of a select group of survivors, their experiences and perceptions mimic the larger social problem of sexual assault in Canada and its subsequent underreporting. In order to address the issue of the under-reporting of sexual assault, we *need* to seek out survivors such as the women interviewed for this study and use their feedback to work towards eliminating the barriers they perceive within our current system. Some of these barriers include a lack of visibility and accessibility to social services for sexual assault survivors, decreased funding for sexual assault and rape crisis centres, the use of stereotypes or rape myths that frame women with prior sexual history, superficial understandings of police investigations and the Canadian legal system, as well as a lack of education for youth on what to do and where to go as a survivor of sexual assault.

Reflections

Over the course of this study I have undergone a vast amount of personal growth, learning, and understanding. While working on this thesis for the past year, I feel as though I have gained a greater level of insight and understanding into the hardships and

challenges posed to female survivors of sexual assault in Canada. I have also come to understand more clearly the reasons behind survivor decisions not to report their sexual assaults to police.

While my personal experiences led me to research this topic, the knowledge and insight I have gained throughout the course of this study have convinced me that more work is needed in order to improve the laws, services, and education that is currently being offered to sexual assault survivors in Canada.

As a survivor of sexual assault myself, I was afforded a very unique opportunity as a researcher. Specifically, the experience of my own assault led me to attend a variety of rape crisis and women's centres, allowing me to connect and foster relationships with other female survivors. From a research standpoint, this personal network granted me access to a group of individuals who would otherwise have been very difficult to reach.

During the formative stages of my thesis proposal, I approached several individuals from my personal network and asked them to participate in this study. During these early stages of the recruitment process, approximately 18 participants expressed a desire to share their experiences with me. However, when it came time to actually conduct the interviews for this study, I discovered that fewer women were prepared to participate than had initially agreed. I learned that survivors, who had initially been very candid with me about their experiences, were hesitant or refused to discuss their situation with me for the purposes of this study. Even when I explained to participants that their anonymity would be ensured, and they would not be questioned on the specific details of their assaults, many individuals still chose not to participate. Confused by this refusal to participate, I initially struggled to understand what was causing some participants who

had just spent time describing the severity of their assaults, to then turn around and claim not to be comfortable taking part in my study. I found this aspect of conducting the research very difficult. However, as more and more individuals described in detail why they did not want to participate, I began to understand their situation. Specifically, many survivors were feeling tremendous amounts of guilt, shame, and fear as a result of their victimizations. Many individuals explained that they had not told a single person about their assault before speaking with me. I discovered that, overall, many women were fearful of being labelled "rape victims" for fear that they would be blamed, stigmatized, or viewed as "tarnished" or "damaged goods." After further reading of previous studies conducted on sexual assault and deeper reflection on the difficulties I experienced in recruiting participants; I now understand that some survivors' refusal to participate in this study also reflects the much deeper societal problem of the stigmatization that many women feel because they were sexually assaulted.

Overall, I have found the practice of writing this thesis such a deeply personal and emotional topic to have been very cathartic. Although I was initially hesitant to delve into such an abhorrent social malice, I have now discovered that beneath the pain experienced by these survivors, rays of light *do* exist. I witnessed first hand the exquisite strength and unwavering courage of the human spirit. With each story of trauma and suffering shared by participant accounts, I found myself marvelling at the resilience of women who faced and survived such soul crushing experiences. Instead of encountering "broken" "damaged," or "tarnished" women, I met brave fearless women who refused to be beaten by the violence they had endured.

The intimacy of the relationships I built with the participants in this study was also very mutually empowering. After many of the interviews were finished, some participants asked me about my own assault, and we shared discussions on coping mechanisms and our lingering traumas. Many participants told me that they had shared with me aspects about their assaults that they had never told anyone before. Some told me they would not have opened up to me if I had not been a survivor myself. I found the entire experience to be very emotionally rewarding and enriching. While I was often moved to tears by some of the sordid details disclosed from participants' respective experiences, it was also humbling to know that all participants had undergone similar thought processes following their assaults as I had. Yet I think one of the most profound aspects of this research experience, which has resonated with me, was the sense of enduring desire for changes to be made. Underneath the threads of doubt and pessimism regarding our current criminal justice system, some participants described the desire to see the system improve, while others expressed hope that improvements can be achieved. Although the results of this study indicate that much more work still needs to be done in order to meet the needs of survivors of sexual assault, the message of optimism that women can work to make changes to our criminal justice system lives on.

As Eleanor Roosevelt (1960) once said:

You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I have lived through this horror. I can take the next thing that comes along. 'You must do the thing you think you cannot do (p. 59).

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Appendix A

RESEARCH PROPOSAL

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May 1st, 2008

Title: Understanding Low Reporting Rates of Sexual Assault and Survivor Perceptions of Police Investigation into Sexual Assault Cases

2. Objectives of the Study

The main objective of this study is to understand the underreporting of sexual assault in Canada by examining sexual assault survivor's perceptions of police investigation into sexual assault cases. In addition, this study aims to determine whether survivors' perceptions of police investigation leads to low reporting rates. More specifically, the study will seek to answer the following research questions:

RQ 1: How do survivors of sexual assault describe their perceptions of police?

RQ 2: What are the reasons survivors of sexual assault provide for choosing not to report their assaults?

3. Rationale for the Study

Since the 1980's the topic of sexual assault (rape) has been increasingly debated amongst the Canadian public. After mounting pressure was put on the Canadian Criminal Justice System for the creation of laws which would reflect the true nature of the crime of sexual assault Bill C-127 was introduced (Gunn and Linden, 1997). Under the Bill "rape" was replaced by the term "sexual assault" which is used to refer to criminal acts which range from any unwanted sexual touching to forced intercourse (Department of Justice Canada, 1992). Bill C-127 also established the "rape shield law" which meant defence counsel were no longer able to use the complainant's previous sexual history as a means for discounting his or her credibility (except in certain circumstances if it was proven to be necessary) (Department of Justice Canada, 1992). The goal of Bill C-127 was to redefine sexual assault as a crime of violence rather than a sexual act, which would ultimately reduce degradation and harassment of sexual assault survivors by the justice system. Similarly, proponents of Bill C-127 believed that the bill would encourage more victims to report their sexual assaults, ensure victims were treated fairly, and increase the conviction rate of sexual assaults which would function as a deterrent (Gunn and Linden, 1997). However, today incidents of sexual assault continue to remain the least reported crime. Although much has been written on the issue of underreporting in Canada, little

attention has been paid to survivor's perceptions of police investigation into sexual assault cases. Against such a backdrop, the proposed study intends to understand the under-reporting of sexual assault in Canada. To this end, I will use Anthony Giddens' social theory of structuration as a theoretical framework.

4. Background of the Study

In Canada, since the 1980's concerted efforts have been made to improve services for survivors of sexual assault. Specifically, police developed specialized sexual assault units, established mandatory sexual assault training, and greater attempts were made to revamp their overall image. Similarly, the Canadian justice system made changes by enacting a series of legal reforms aimed to protect survivors from undue trauma as a result of the court procedures, and increase their overall rights. However, despite these reforms as statistics Canada 2005 indicates, "sexual assault is the least likely offence to be reported: only 8 per cent of complainants contact the police (Statistics Canada 1). Due to the staggering level of underreporting of this crime, the question arises: what is deterring individuals from seeking justice for their assaults?"

Much research has been conducted on "rape" myths which impact the perception of the criminal act of rape both publicly and legally. Specifically, as Karen Busby (2006) states in her article "Not a Victim until A Conviction is Entered: Sexual Violence Prosecutions and Legal 'Truth,'" many of the laws within the Canadian legal justice system were founded on "rape myths" (p. 274). Additionally, several studies indicate these myths reflect our society's belief system which supports and promotes rape in many ways (Burgess, 1983; Du Mont, Miller, Myhr and Terri, 2003; Hazelwood and Wolbert, 1995). The prevalence of rape myths has also been extended to the realm of gender roles and how they impact society's propensity towards violence (Signe Howell & Roy Willis, 1991). For example literature indicates that a majority of incidents of rape and sexual coercion are not motivated by sexual desire but instead by the urge for power, domination, violence and the urge to degrade and humiliate (Busby, 2006).

For a survivor of sexual assault, a police officer is often the first person who validates their victimization (Hazelwood and Wolbert, 1995). As a result, police are often attributed with the ability to exercise greater judicial discretion over cases than judges (Hazelwood and Wolbert, 1995). It is for this reason that police are often blamed for contributing to re-victimization and added trauma. Much of the literature which has analyzed the role of police procedures and protocol in sexual assault cases has addressed the issue of police in determining whether an assault is "founded" or "unfounded" and if the case can be legally prosecuted. As Jan Jordan (2004) indicates, the impacts of communication and miscommunication by police often have significant affects on survivors of sexual assault. For instance, Jordan's study which is derived from detailed police rape and sexual assault files, analyzes the role of police perceptions of sexual assault survivors. The author notes how biases regarding survivor demeanour, intoxication and reticence are utilized as corroborating evidence against the survivor. As police are faced with the task of determining whether or not a sexual assault has occurred, Jordan indicates that a thorough, bias-free investigation should be completed.

4. Methodology

Building on the perspectives of sexual assault survivors in Ottawa gathered through qualitative inquiry methods, the proposed study will employ an inductive method to understand participants' perceptions of police investigations into sexual assault cases. Secondly, participants' perceptions will be utilized in order to determine whether perceptions' of police investigations into sexual assault cases leads to underreporting of sexual assault.

Participants: With the intent to focus on the perceptions of sexual assault survivors regarding their decisions not to report their assault to the police, I will invite (N=15-20) to participate in the study. I will use a combination of a personal network, purposive sampling method and snowball sampling method to recruit prospective participants.

Procedures: This study will draw on in-depth interviews (30-60 minutes in length) of the participants and field notes taken during my interactions with them. Upon Research Ethics Board (REB) approval, I will use informed consent forms to obtain my permission from the participants to record the interviews.

Data Collection: I plan to collect data using qualitative interviews. The interviews will take place at the convenience of the participants, during a given time period. These interviews will be semi-structured with a focus on the participants' perceptions of police investigations into sexual assault cases. I will explain to the participants that the purpose of the interview is to learn about their view points with regard to their perceptions of police investigations (whether this contributes to low sexual assault reporting rates).

Data Analysis: The recorded interviews will be transcribed verbatim. I will keep the participants' identities private and I will use pseudonyms in all reporting of the study. I will utilize member checks in order to maintain a balanced study. I aim to do this by obtaining feedback from the participants while interviewing them. During the interview I will use the participants' feedback to make a transition to the next questions. The use of "member checks" can improve reporting of genuine material from the participants perspectives.

Appendix B

Interview Guide for Qualitative Interviews on Understanding Low Sexual Assault Survivor Reporting Rates May 1st, 2008

Hello, I would like to discuss with you your decision not to report your sexual assault to the police. I am very interested in learning about your perceptions of police, and police procedures following your assault. I will be collecting this information in order to understand the relationship between perceptions of police investigation and low sexual assault survivor reporting rates from the perspective of sexual assault survivors in Canada. With your permission, I would like to take notes and record our conversation. After the interview is transcribed, I will send you the transcript to review.

1. Socio-demographic information (participant's age, racial background, family status, level of education, yearly household income).
2. Can you please tell me when your assault occurred?
3. What were your primary concerns with reporting the assault?
4. What were your previous perceptions of the role of police investigations into sexual assault cases?
5. What are your current perceptions of the role of police procedures and investigations into sexual assault cases?
6. How did these perceptions change as a result of the assault?
7. Did you attend any Sexual Assault treatment centers/units following your assault for examination?
8. a) If yes, did SANE's (Sexual Assault Nurse Examiners) impact your decision to report? What if any role did they play in assisting you following your assault?
b) If no, why not?
9. Did prior experience with police, or hearsay from others impact your decision not to report?
10. Were you concerned that police would be insensitive or question your credibility?
11. Were you concerned your previous sexual history would be used against you?
12. Did you sustain any sever or visible injuries during your assault?
13. In your opinion what changes to the criminal justice system might provide a better sense of justice?
14. Is there anything else you would like to share with me about anything we have talked about?

Thank you very much for talking to me today. I have learned a lot from your experiences.

Appendix C

Recruitment Text

Dear [Insert Name],

This is Andrea, [Insert Name], a friend/sexual assault survivor/ masters student in the Department of Communication at University of Ottawa. I got your e-mail address from [Insert Name]. She/he talked to you about the study I am conducting on understanding the underreporting of sexual assault in Canada by examining sexual assault survivor's perceptions of police investigation into sexual assault cases. By participating in this study, you can make a contribution to remove barriers which deter other survivors from reporting their assaults.

Can I kindly request you to allow me to interview you? If you agree, it will take between 30-60 minutes (maximum) of your time. I just want to chat with you and learn about your perceptions of police investigations of sexual assault cases and understand your reasons for not reporting you assault.

Please let me know what you think. Also, if you agree let me know when is a good time to meet.

I look forward to hearing from you soon.

Thanks very much in anticipation of your cooperation.

Andrea Ruttan
Graduate Student
Department of Communication
University of Ottawa

Appendix D

Informed Consent Form

Title of the Study: Understanding Low Reporting Rates of Sexual Assault and Survivor Perceptions of Police Investigation into Sexual Assault Cases

Supervisor: Dr. Rukhsana Ahmed
Department of Communications
558 King Edward Avenue,
Ottawa, ON K1N 6N5, Canada
E-Mail: rahmed@uottawa.ca

Graduate Student: Andrea Ruttan
Department of Communications
University of Ottawa
Email: rahmed@uottawa.ca

Invitation to Participate: I am invited to participate in the aforementioned research study conducted by Andrea Ruttan. This project is being completed under the supervision of Professor Ahmed.

Purpose of the Study: The purpose of the study is to understand sexual assault survivor's perceptions of police investigation into sexual assault cases, and the resultant impact on underreporting rates of sexual assault.

Participation: My participation will consist of sharing my perceptions in a 30-60 minute interview. This interview will take place at my convenience and can be recorded with my consent (see bottom of form).

Risks: I understand that my participation in this study implies that I will share my perceptions. I have received assurance from the researcher that there may be some emotional discomforts to the study. I am assured that involvement in the study is strictly voluntary and that I may decline participation at any point. If the interview has evoked emotional responses I am aware that I will be provided (by Ms. Ruttan) with a list of resources for survivors of sexual assault. All participants will receive a copy of resources regardless of whether or not they show emotional distress.

Benefits: I will receive no direct benefit from participation. However, the information that I will share can contribute to an increased understanding behind the under reporting rates of sexual assault in Canada.

Confidentiality and Anonymity: I have received assurance from the researcher that the information I will share with her will remain strictly confidential. I understand that the interview will be recorded and transcribed and that all transcripts will be compiled in a manner that ensures the confidentiality through the use of pseudonyms. I am aware that the recorded interviews will be transcribed verbatim. I am also aware that the researcher will ask me for feedback in order to maintain a balanced study. The information (collected during the interview) will be carefully and completely protected (kept in a

secure location until 2018, when it will be destroyed). The researcher will keep the participants' identities private, and will use pseudonyms in all reports of the study. Pseudonyms will be determined prior to interview, and these names will appear on the audio recording of the interview. All records will only be accessed by the primary investigator and the supervisor and the records will be kept in a secure location until 2018, when they will then be destroyed.

Conservation of Data: The data collected (audio recordings of interviews) will be stored (i.e. locked file cabinet in the researcher's supervisor's office) and conserved for a period of 10 years until the year 2018).

Voluntary Participation: I am under no obligation to participate and if I choose to participate, I can withdraw from the study at any time and/or refuse to answer any question, without suffering any negative consequences. If I choose to withdraw from the study, all data pertaining to me will immediately be erased.

Audio Recording (please indicate your selection by marking the box with an X):

- I consent to audio recording.
- I do not consent to audio recording.

Acceptance: I, _____ (*name of participant*), agree to participate in the above research study conducted by Andrea Ruttan, graduate student in the Department of Communication of the Faculty of Arts at the University of Ottawa.

For any additional information regarding this study, I may contact the researcher.

If I have any questions regarding the ethical conduct of this study, I may contact the Protocol Officer for Ethics in Research, University of Ottawa, Tabaret Hall, 550 Cumberland Street, Room 159, Ottawa, ON K1N 6N5
Tel.: (613) 562-5841
Email: ethics@uottawa.ca

There are two copies of the consent form, one of which is for my own records.

Participants signature: _____ Date: _____

Researcher's signature: _____ Date: _____

Witness (*needed in the case where a participant is illiterate, blind etc.*):

Signature: _____ Date: _____

Appendix E

Debriefing Form

Thank you for participating in the research study titled “Understanding Low Reporting Rates of Sexual Assault and Survivor Perceptions of Police Investigation into Sexual Assault Cases.” Through participation you have allowed the researcher to use your interview responses as data. Your participation also permits the researcher to use your answers to help in determining effective strategies to improve reporting rates of sexual assault to police. Your responses may be presented in conferences and/or published in journal articles. Your identity, however, will remain confidential and your answers will be published in aggregate form only.

By participating in the study you have made a significant contribution to understanding the relationship between survivor perceptions of police investigation into sexual assault cases and low survivor reporting rates. Although there are no immediate benefits for you, your participation in the research has allowed for an examination of the reasons behind under reporting of sexual assault. The results of the interview can help further research on understanding how to improve the reporting rate of sexual assault to police.