

<p><b>Institution: Liverpool John Moores University</b></p>
<p><b>Unit of Assessment: UOA20, Law</b></p>
<p><b>Title of case study: Developing a Sexual Consent Campaign to Raise Awareness and Educate Young Men on Sexual Activity, Consent, Intoxication and the Law of Rape</b></p>
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)</p> <p>The findings of this research project directly led to the formation of a Liverpool city wide campaign which ran in 2012. The findings highlighted the prevalence of alcohol related sexual assault amongst the student population in the Merseyside region, along with misunderstandings regarding the relevant legal provisions and the presence of victim blaming attitudes amongst the lay population. Following consultation with Dr Gunby (formerly LJMU), the Council decided to develop a campaign focused on raising awareness and educating young men (aged 18-24) on the issue of intoxication, consent and the law of rape. This is a much called for and significant change, as rape campaigns have almost exclusively focused on the behaviour of young women, which tends to problematically reinforce rape myths. To this end, Dr Gunby worked closely with Liverpool Citysafe Crime Reduction Partnership on the compilation of the campaign. The main beneficiaries of this research are Liverpool City Council, the National Union of Students (NUS) and the student population within Merseyside.</p> <p><b>2. Underpinning research</b> (indicative maximum 500 words)</p> <p>It is well documented that young people, including students, are high consumers of alcohol and that they frequently use alcohol to facilitate sexual encounters, including increasing their confidence to approach members of the opposite sex. Research also indicates that this association between alcohol and sexual outcomes inevitably serves to influence judgments around the consensual nature of alcohol involved intercourse. There is also a well established association between alcohol and sexual offences, with England’s Alcohol Harm Reduction strategy in 2004 highlighting that there are approximately 19,000 alcohol related assaults each year. Research also shows that in 56% of reported rape cases the complainant had consumed alcohol. However, whilst the association between consuming alcohol and experiencing non-consensual sex is now largely established, especially amongst student populations, little research had previously addressed English students’ experiences of non-consensual sex when intoxicated. Or the alcohol related strategies used to procure intercourse (e.g. targeting extremely drunk women), with most research involving American students. Furthermore, major changes to the law of rape occurred in 2003 and little research had been conducted examining the impacts of these reforms on rape and sexual assault cases.</p> <p>Given the paucity of research in England and Wales, the aim of the research was to explore the experiences of, and perspectives towards, alcohol intoxication and non-consensual sexual activity amongst students. The research also generated original knowledge from legal practitioners regarding the law’s treatment of intoxicated rape complainants. The research involved an interdisciplinary project undertaken by Dr Anna Carline (Senior Lecturer in Law), Dr Caryl Beynon (Reader in Epidemiology) and Dr Clare Gunby (Lecturer, January 2012 to June 2013).</p> <p>The research encompassed three studies: an online survey of university students aged 18-24 to ascertain their experiences of, and understandings around, alcohol involved non-consensual sex and the law of rape; semi-structured interviews with barristers who prosecuted and defended rape cases; and focus groups with students to examine attitudes and understandings in relation to alcohol consumption and non-consensual sex. Findings indicated that 33 per cent of women and 21 per cent of male students sampled had experienced some form of alcohol involved non-consensual sexual activity (although women experienced more “serious” levels of assault involving penetration) and women were frequently targeted when they were too drunk to consent to intercourse. The research also identified that women were more likely to be blamed by lay persons for being assaulted if they were drunk at the time, compared to women who had not been drinking alcohol. A drinking double standard was also identified: whilst women were blamed more for their assault as their level of intoxication increased, increased intoxication in men resulted in a reduction of their responsibility for perpetrating a sexual offence. In addition, the findings highlighted a lack of understanding and confusion amongst students regarding the law of rape and the meaning of consent, particularly in cases involving intoxication. Barristers also identified that alcohol consumption disproportionately impacted on the credibility of the victim at trial, rather than the culpability of the defendant, despite significant changes in the law which attempted to focus more on the behaviour of alleged perpetrators.</p>

The research recommended that future messages must emphasise the responsibility placed on alleged perpetrators of assault to take proactive steps in ensuring consent and highlight that sex with a person who is too intoxicated to consent is rape. Rape campaign materials frequently and problematically focus on altering the behaviour of young women, by educating them on how to avoid being assaulted, as opposed to challenging the actions of potential perpetrators, and also educating the public on the law of rape. Messages which have been echoed in the Stern Review (2010) and the Government's Action Plan to end violence against women and girls (2012). The research findings have been disseminated via a range of outputs, including a presentation to stakeholders and practitioners at the Experiencing the Law Conference, Institute of Advance Legal Studies, organised by SOLON, in December 2010.

### 3. References to the research (indicative maximum of six references)

- **Gunby Clare, Carline Anna and Beynon Caryl** (2012) Regretting It After? Perspectives on Alcohol, Non-Consensual Sex and False Rape Reports *Social and Legal Studies: An International Journal* 1-12. International journal, which employs a double-blind peer review procedure. Impact factor: 0.531. Since publication, this article has remained in the top 50 most read articles in the journal. March 2013.
- **Carline Anna and Gunby Clare** (2012) "How an Ordinary Jury Makes Sense of it is a Mystery": Barristers' Perspectives on Rape, Consent, and the Sexual Offences Act 2003 *Liverpool Law Review* (2011) 32(3): 237. International peer reviewed journal, which employs a double-blind peer review procedure.
- **Gunby Clare, Carline Anna, Bellis Mark and Beynon Caryl** (2012) Gender differences in alcohol-related non-consensual sex; cross-sectional analysis of a student population *BMC: Public Health* 12:216. International peer reviewed journal, which employs a double-blind peer review procedure. Impact factor: 2. Number of times accessed: 2355.
- **Gunby Clare, Carline Anna and Beynon Caryl** (2010) Alcohol-related Rape Cases: Barristers' Perspectives on the Sexual Offences Act 2003 and its Impact on Practice *Journal of Criminal Law* 74(6): 579. International peer reviewed journal, which employs a double-blind peer review procedure.

### 4. Details of the impact (indicative maximum 750 words)

In terms of primary impact, the research findings directly led to the development of Liverpool City Council's media campaign (detailed below) which aimed at raising awareness around alcohol involved sexual assault. Moreover, the research was also the primary driver in both the decision to focus the messages on potential male perpetrators and educating young men, as opposed to potential victims. Due to existing contacts between the Council and LJMU Centre for Public Health (Dr Karen Hughes), in July 2011 Dr Gunby was invited to present a paper on the underpinning research to the Liverpool Student Safety Group (comprised of Student Union representatives from Liverpool John Moores, Liverpool Hope and Liverpool University, along with representatives from the police, Liverpool Licensing, Sexual Assault Referral Centres, Domestic Violence Team, Fire Service and Liverpool City Council). Following the presentation, Dr Gunby was invited in August 2011 to work with Liverpool City Council to develop a campaign. Clare met twice with Citysafe and corresponded via email throughout the development phase (August-December 2011). The campaign ran in Liverpool city centre from January to March 2012, and was co-funded by the Liverpool City Council Community Safety and Cohesion Team and the Liverpool Primary Care Trust. Other stakeholders involved in the consultation process included the City Council's Youth Services team, the BRM Domestic Violence Group, lead officers from SAFE Place Merseyside (Sexual Assault Referral Centre) and RASA Centre (Rape and Sexual Assault).

The key aims of the campaign were:

- To clarify that in England and Wales engaging in sexual activity with someone unable to consent, due to voluntary or involuntary intoxication, is rape,
- To reduce and prevent the offences of rape and sexual assault, and
- To raise awareness of the impact of non consensual sex against young women and girls using the night time economy (Nowak 2012: 2).

The campaign was aimed at men aged between 18-24, specifically students and night time economy users, and involved the distribution of posters, beer mats and mirror stickers, which depicted a drunk woman along with the phrase 'can't talk, can't consent' and the message 'sex without consent is rape'. These were distributed across Liverpool - in the Students' Unions, around the Liverpool Universities campuses, and in City Centre pubs and bars.

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The campaign was also supported by information posted on various websites, including Student Safety, Citysafe, PCT, Merseyside Fire and Rescue/Merseyside Police, a facebook advert and a webpage link, in addition to adverts in newspapers and on the radio. Accordingly, the messages promoted in the posters were supported by a range of communication channels. Analysis has indicated that the campaign was effective in reaching a significant audience. The facebook page generated 6,506 clicks from over 27 million impressions. Nowak has commented that 'as a passive form of advertising, the number of clicks is very encouraging for the campaign, whilst the exposure gained from the activity will have had a significant impact on the campaign's awareness' (2012: 5). The campaign materials also included a link to the Citysafe Community Safety Webpage which contained details to services providing support to those who have been victims of sexual violence. Over the campaign period 4,670 unique views were generated to this page (including another 190 in the month post campaign). A number of positive 'tweets' citing the advert were also identified on twitter, commenting in particular on how it was important that the campaign was aimed at men, as opposed to women as potential victims.

In terms of secondary impact, quantitative and qualitative evaluation demonstrates that the campaign was effective in educating and raising the awareness of young men. A street based survey, organised by Liverpool City Council, found that from a sample of 275 males, 92% agreed that the campaign raised an important issue, 73% agreed that the images and information made men think about their behaviour and 78% agreed that the campaign made it clear that if someone is so drunk they are unable to meaningfully respond, then having sex with them would be a criminal offence (Nowak, 2012: 17). Findings from six focus groups with a total of 41 male students, organised by Dr Carline and Dr Gunby, also support the finding that the campaign effectively conveyed the message that having sex with someone who is exceptionally intoxicated amounts to rape. Respondents also thought it was positive that the campaign informed the public that the majority of sexual assaults are committed by someone known to the victim and in a domestic setting.

Accordingly, it can be seen that the research had a direct impact on the Liverpool City Council, the NUS and the student population. This is because the findings informed the Council's decision to develop a media campaign that was intended to focus on potential perpetrators, as opposed to victims. The impact upon the NUS occurs due to their involvement in the campaign, in particular the placement of posters around campus, and in turn this impacts upon the student population as they are the recipients of the campaign message.

**5. Sources to corroborate the impact** (indicative maximum of 10 references)

- Nowak, Vicky (2012) Consent Campaign Consultation Evaluation: Research Report 2012 *Liverpool City Council*. This document outlines the key findings from the quantitative study along with the Council's evaluation of the media campaign.
- Community Safety Officer, Liverpool City Council. She is the main contact within Liverpool City Council and has worked alongside the researchers in the development and evaluation of the media campaign.
- Liverpool Guild of Students, *Link between alcohol and non-consensual sex*, 5 August 2011, at [http://www.lgos.org/news/index.php?page=article&news\\_id=267193](http://www.lgos.org/news/index.php?page=article&news_id=267193) (accessed 4 October 2012). This news story refers to the presentation made by Dr Gunby, which outlined the findings contained in the quantitative study and the need for increased awareness surrounding intoxication, sexual assault, and the law.