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Registered Charity No. 1089547 – Company Registration No. 3869893

Honorary Patrons – Lord Cotter, Liz Lynne MEP, Ian McNicholl, John Penrose MP and Erin Pizzey

Rt. Hon Kenneth Clarke QC MP,
Lord Chancellor and Secretary of State for Justice,
Ministry of Justice,
102 Petty France,
London,
SW1H 9AJ.

CC: Mr Crispin Blunt MP, Parliamentary Under Secretary of State

17th June 2010

Dear Rt. Hon Kenneth Clarke QC MP

Ref: Support for extending anonymity in rape cases to defendants.

- (1) On behalf of the ManKind Initiative, a charity that supports male victims of domestic abuse, I am urging you to stand firm on the welcome proposal made by the Coalition Government on extending anonymity in rape cases to defendants.
- (2) We felt the need to contact you because the public debate on this issue has become very one-sided.
- (3) The charity would like to make clear that all cases of rape are wrong and any of the comments we make in no way belittle the traumatic experiences that female victims suffer.
- (4) We believe the Coalition Government's proposals strike the right balance without compromising justice for rape victims. This is due to the experiences of the charity over nearly ten years in dealing with men who have said they have been victims of false allegations within a domestic environment, plus, the continuing high profile reporting of allegations made against men when charges have been made.
- (5) The charity supports such a proposal because of the damage that false allegations made against defendants (mainly men) both psychologically and reputationally.
- (6) Our experience in listening to male victims of domestic abuse across the country for nearly ten years has shown that false allegations of domestic abuse (of which rape is a

severe form of domestic abuse if there is a relationship between the two adults) is a serious problem and there is no legal protection for the victim of the allegation once it has been made.

- (7) As there is no legal protection, this has heightened the power of the false allegation as one of the weapons used by female perpetrators of domestic violence. This is not just in actually falsely reporting to the police but also in threatening to do so.
- (8) Our last caller survey (2009) showed that 56% men contacting us about the domestic abuse they had been suffering had been threatened by the female perpetrator that she would make a false allegation to the police if his suffering was ever revealed. In addition, of those cases where the police have been involved 67% of male victims stated that false allegations or counter allegations had been made against them. The false allegation is where a man has contacted the police but the female perpetrator has then claimed he was the perpetrator and she the victim.
- (9) By extending anonymity in rape cases to defendants it will significantly reduce the power of the false accusation as a weapon of domestic abuse.
- (10) In addition to the evidence that the charity has experienced of false allegations, the charity has also noted an increase in publicised cases of false allegations being made. Some have been in a domestic relationship and some have not. A list of recent cases is set out in Appendix A and this clearly shows the effects on the men concerned both psychologically and in terms of reputation.
- (11) On the psychological issue, the naming of the accused has led to suicides. Other men never recover their self-esteem and confidence.
- (12) On the reputation issue, once the accused has been named their reputation is forever stained (“no smoke without fire” or “if it is thrown mud sticks”) and because of the permanency of the internet, information will always be easily available. Such is the awfulness of rape as a crime, being named will affect their employment prospects and future relationships with women.
- (13) In addition, as men and women do not live in isolation, a false rape allegation does not just affect the man concerned it also affects those who know him and his direct family who also include women. Some cases of false allegations have been made against married men and this has been devastating for their wife.
- (14) The Stern Review on Rape (page 42) also outlined a number of the issues raised in this letter including the point made by a legal practitioner that newspapers give full

coverage to the case and the allegations made against the accused but then publish little, if anything at all, about the acquittal.

- (15) In addition, the Stern Review (page 41) highlighted that some research suggests that between eight to ten percent of cases could be false which if true is a significantly high figure. The charity would welcome further research on this issue.
- (16) Those lobbying for the Coalition Government to change its mind have not given any consideration of the effect on those found not guilty or falsely accused. In fact, after listening to the Adjournment Debate in the House of Commons on Monday 7th June 2010 and reading related media articles, the impression is given that some of those who oppose the Coalition Government's plans view those who are falsely accused as collateral damage without adequate recognition to their distress as individuals.
- (17) The view that keeping the names of the defendants secret will either deter other women from coming forward or that it would reinforce the view that female rape victims were lying is not backed by any concrete evidence.
- (18) In conclusion, the charity urges the Coalition Government to stand firm and push through its proposals for anonymity to be extended in rape cases to defendants. This will reduce the power of the false allegation as a weapon of domestic abuse.

Yours sincerely

Mark Brooks
Chairman
The ManKind Initiative

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Appendix A: Recent cases of false allegation or not guilty cases

Below is listed a number of recent examples of false allegations with a link to a related newspaper article (the date alludes to the date of the coverage).

25th May 2010 - Olumide Fadayomi, Sheffield Crown Court
<http://www.thesun.co.uk/sol/homepage/news/2985512/Womans-rape-lie-led-to-suicide.html>

12th February 2010 Raymond Sutherland
<http://www.pendletoday.co.uk/nelsonnews/Nelson-mum-stabs-boyfriend-and.6068637.jp>

17th December 2009 – Desmond Uttley
http://news.bbc.co.uk/1/hi/scotland/edinburgh_and_east/8418369.stm

10th December 2009 – Bryan Davies

<http://www.dailymail.co.uk/news/article-1234783/Innocent-man-accused-paedophile-hounded-death-vigilantes.html>

26th August 2009 - Lewis Linford

<http://news.bbc.co.uk/1/hi/england/humber/8222388.stm>

14th August 2009 - Grant Bowers

<http://www.dailymail.co.uk/news/article-1206325/Woman-rape-allegation-faces-jail.html>

4th August 2009 - Shane Chetwood

<http://www.shropshirestar.com/latest/2009/08/04/mother-spared-jail-in-false-rape-claim/>

5th August 2009 - Angus Reid

<http://www.eveningexpress.co.uk/Article.aspx/1338737?UserKey=>

21st July 2009 –Andrew Saxby

http://www.thurrockgazette.co.uk/news/4505024.False_rape_claim_woman_is_jailed/

15th May 2009 - Graham Smith

<http://www.sunderlandecho.com/news/Man39s-car-damaged-by-partner.5272301.jp>

13th May 2009 - Clive Bishop

<http://news.bbc.co.uk/1/hi/england/somerset/8048252.stm>

30th March 2009 - Darren Ball

<http://news.bbc.co.uk/1/hi/england/northamptonshire/7972627.stm>

26th March 2009 – Peter Bacon

<http://www.timesonline.co.uk/tol/news/uk/article5982638.ece>

On 3rd November 2009, the BBC reported Mr Bacon had had to leave the country

<http://news.bbc.co.uk/1/hi/uk/8338554.stm>

5th March 2009 – John Chalmers

<http://news.scotsman.com/scotland/Businessman-suffers-brain-damage-after.5040199.jp>

17th September 2008 - Terry Harrison

<http://www.dailymail.co.uk/news/article-1056570/My-rape-hell-Wrongly-accused-man-tells-11-month-nightmare.html>

29th July 2008 - Richard Peacock and Ian Frasier

<http://www.dailymail.co.uk/news/article-1039281/Wicked-woman-ruined-marriage-crying-rape-jailed-months.html>

21st March 2008 – Ian Adams

<http://www.dailymail.co.uk/news/article-541189/Man-hangs-falsely-accused-raping-women-children.html>

24th April 2007 – Aftab Ahmed

<http://business.timesonline.co.uk/tol/business/law/article1701337.ece>

19th November 2006 - Warren Blackwell

<http://www.timesonline.co.uk/tol/news/article641324.ece>