The Effectiveness of Denial of the Victim and Denial of Responsibility on Influencing Perceptions of Guilt and Empathy in the Context of Sexual Assault

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29th of June 2021

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Abstract

Sexual assault has the lowest rates of conviction compared to other crimes; therefore, well-conducted investigative police interviews are important for the criminal justice outcome. However, suspects can mislead the interviewer by using specific behaviours. Thus, this study explored the two suspect behaviours: denial of the victim and denial of responsibility and their effectiveness in altering perceptions of empathy and guilt. Both behaviours justify the suspect's actions by either implying that the victim deserved it or by blaming external factors, such as alcohol intoxication. Since rape myth beliefs are similar to the suspect's justification techniques, as they try to justify the suspect's actions in an alike way, it was also investigated if rape myth acceptance can interact with the behaviours to make them more powerful. Ninety-seven participants were recruited via convenience sampling. They first had to read a case scenario, before they were randomly allocated to read one of three police interview transcripts: denial of the victim, denial of responsibility or no comment, as a control condition. For data analysis, a one-way ANOVA and simple planned contrasts were conducted as well as a general linear model to examine any interaction effect of rape myth acceptance. The results suggest that there is a potential effect of denial of responsibility in increasing individuals' empathy for the suspect and decreasing their perceptions of guilt. No significant effect was found for denial of the victim on the perceptions of empathy or guilt. It was also found that empathy and guilt are associated. No relationship was found between rape myth acceptance and the suspect behaviours, but rape myth acceptance had a direct influence on both empathy and guilt.

Introduction

In 2015, 215,000 sexual crimes were recorded by the police in the EU (Beswick, 2017). In 2018, Germany recorded at least 29,691 female and 4,616 male victims, while France recorded around 25,358 female and 4,527 male victims (Eurostat, 2021). Especially on college campuses, sexual crimes occur at high rates. A study by Cantor et al. (2017) showed that 13% of all students experience sexual assault in the US. Male college students are approximately 78% more likely to be a victim of sexual assault than non-students and female college students are 20% more likely than non-students (Cantor et al., 2017). Sexual assault cases at American universities have received more awareness over the last years, but the topic raised also awareness on European campuses, for example, in the UK (Camp, Sherlock-Smith, & Davies, 2018). In Germany, sexual assault is defined as sexual actions that happen against the victim's will. Sexual assault is a crime against one's sexual self-determination and the defenceless state of the victim can be used to commit sexual attacks (Bohlander & Reusch, 2019). The UK on the other hand characterises an offence as the intentional sexual touching of another person, without their approval and without the offender reasonably believing that the other person consents to sexual touching (Smith & Carr, 2004).

Sexual assault has the lowest rates of conviction compared to other crimes (Taylor, 2007). The problem of the large number of cases reported compared to the tiny number which results in a guilty finding can be found all around the Western world (Temkin & Krahé, 2008). Moreover, the lack of a guilty finding in sexual assault cases is so severe that the UK even established a term for it, namely 'the justice gap' (Temkin & Krahé, 2008). In fact, sexual assault is seen to be one of the most challenging types of investigation to conduct, due to lack of eyewitnesses or physical evidence. Therefore, well-conducted interviews are especially

important for achieving the optimal criminal justice outcome (Ali, Westera, Zajac, & Powell, 2019).

  Interviews are complex and require a lot of training as well as practice to achieve a high level of competence to maximise the likelihood of successfully eliciting information from suspects in sexual assault cases. Even for professionals, it is quite challenging to identify deceivers and make accurate veracity judgements (College of Policing, 2020; Dando, Bull, Ormerod, & Sandham, 2013). Additionally, interviewees can make use of their right to stay silent. That is, stating nothing or using the term 'no comment'. This strategy is justified as a protection from self-incrimination as well as protecting the suspect from fraud by the police (Hocking & Manville, 2001; Allison et al., 2014). Another point that makes interviews so complex is that suspects often withhold information or use specific behaviours to mislead the interviewer and manipulate the outcome (Vrij, Hope & Fisher, 2014). Notably, most research analyses the interviewers' behaviour and its outcome on the interview process and only a few studies focus on the suspect's behaviour so far (Watson, Luther, Jackson, Taylor, & Alison, 2018).

  A recent study by Watson et al. (2018) analysed 29 interviews of coercive control crimes to establish a framework for understanding suspect influencing behaviours. Eighteen unique suspect behaviours were found through a qualitative analysis and are demonstrated on two dimensions: power and interpersonal framing. The power dimension shows how much a behaviour is either alleviating pressure or asserting authority. The interpersonal framing dimension indicates how much this behaviour then directly address the evidence or seeks to shift the interviewer's perceptions of the suspect, victim or other involved individuals. All behaviours fall along these two dimensions and are divided into categories. One of these categories is justification, in which the suspect attempts to minimize their negative attributions (Watson et al., 2018). Justification is based on the neutralisation theory by Sykes and Matza (1957).

Sykes and Matza (1957) hypothesised that people's moral responsibility after committing a crime can be reduced by proving the absence of their criminal intent. Thus, they argue that suspects feel the need to justify their criminal behaviour to neutralise this moral responsibility or guilt. Suspects want to create a favourable picture of themselves and with that protect themselves from self-blame or the blame of others (Sykes & Matza, 1957). As an example, one of the most used justification techniques in Watson et al. study (2018) was *denial of the victim*.

Denial of the victim is characterised by the suspect claiming that their actions were rightful and can be seen as a retaliation or punishment for the victim's wrongdoing. To put it simpler, the suspect implies that their victim deserved it due to their negative behaviour (Sykes & Matza, 1957; Watson et al., 2018). Hipp et al. (2017) indicated that male respondents justified their behaviour by blaming the victim's negative behaviour of drinking too much or even by not saying 'no' loud enough. A consequence of such arguments is that it may reduce one's empathy for the victim, and so make it less likely that the suspect is seen as being worthy of punishment. To elaborate, Shen (2010) identified state empathy as "a process where the perception of the characters' state automatically activates the recipient's vicarious experience of their state, situation, and object, which automatically primes and generates the associated automatic and somatic responses that precede persuasion outcomes". The concept of state empathy can be divided into three key dimensions: affective, cognitive and associative empathy. Affective empathy in the case of an interview with a suspect of a sexual assault can be understood as understanding and sharing the suspect's or the victim's feelings. Next, cognitive empathy refers to taking or recognising the suspect's or the victim's point of view. Associative empathy can be seen as the identification with the suspect or the victim. This dimension makes social bonding and relationship development possible (Shen, 2010). Thus, empathy can have an influence on one's perceptions about the suspect or the victim and therefore act as an important predictor of one's attitude towards the victim and the

decision-making process (Deitz, Blackwell, Daley, & Bentley, 1982). In fact, it has been long recognised that empathy has an impact on a trial outcome and can predict jurors' ratings of the suspect's guilt (Linder, 1996; Deitz et al. 1982). In this sense, suspects that use *denial of the victim* as a justification technique seek to make the victim less empathic for the interviewer to influence the case outcome.

Another justification technique is *denial of responsibility*, which blames external factors for the negative behaviour of the suspect. The suspect neutralises their behaviour by claiming that their acts were due to forces outside and beyond their control. Such external factors can be mental health problems, the influence of others or the use of alcohol (Watson et al, 2018; Sykes & Matza, 1957). The latter especially can have a significant effect on reducing or even excluding suspects' responsibility in courtrooms (Montada, 2001). Different to *denial of the victim*, *denial of responsibility* does not seek to make the victim less empathic and deserving of punishment, but rather provides an external explanatory factor as the reason for the crime, presenting the suspect as more empathic. Notably, empathy in the context of law and justice is stressed by people's distress, thus judges or police officers may feel more empathy towards a person when they sense injustice (Coplan & Goldie, 2011). In this sense, *denial of responsibility* stresses the suspect's distress. As the suspect reasons that their actions were out of their control, a feeling of injustice in police officers may occur and thus they may empathise with the situation of the suspect. Consequently, this can influence the ratings of the suspect's guilt by the jury (Linder, 1996), but it may also lead a police officer to make a no further action decision, meaning that they are less likely to follow up on a case.

As emphasised above, the two suspect behaviours *denial of the victim* and *denial of responsibility* are aimed to affect perceptions of empathy towards the suspect and the victim and thus could influence the decision if a suspect is seen as guilty or not. However, the decision of a guilty verdict can also be influenced by other factors. In fact, jurors' judgements can be affected by certain attitudes towards specific aspects of the case (Willmott, 2016).

Especially for sexual assault cases, one of those attitudes can be the perception of the victim, as it was found that it affects the judgement process (Franiuk, Luca, & Robinson, 2019). Similarly, one's attitude about alcohol intoxication can also influence the case outcome, a study by Wall and Schuller (2000) identified that suspects were judged less harshly when they were intoxicated compared to when they were sober. Notable, such attitudes that deny or justify the suspect's sexual actions are widespread among the general public and are most commonly known as rape myths (Venema, 2018).

Rape myths refer to the idea that people compare alleged rapes with their stereotype of a 'classic' rape and thus define whether alleged rapes are real by comparing the story given to the stereotypical case. This classic rape is seen as a rape committed at night and outside by a stranger. Moreover, it entails a lot of violence and resistance by the victim and is therefore associated with a lot of wounds and signs of struggles afterwards. Nevertheless, it has to be noted that most rapes occur indoors and by a known person, with just minor bruises that can be seen afterwards (Burt, 1980). As the description of sexual assault is likely to be similar to the description of rape, it is assumed that people that endorse rape myths are also likely to use similar reasoning to interpret sexual assault. Gerger, Kley, Bohner and Siebler (2007) adopted the term Rape Myth Acceptance. It can be understood as beliefs regarding sexual assault that are descriptive or prescriptive and serve to reject, downplay or defend sexually actions by men toward women (Gerger et al., 2007). Schuller, McKimmie, Masser and Klippenstine (2010) discovered that the validity of a sexual assault claim is indeed questioned if it does not match people's stereotypical expectations of the event. Additionally, the endorsement of rape myths was also found to influence police officers' assumptions and actions regarding sexual assault cases (Shaw, Campbell, Cain, & Feeney, 2017). Therefore, rape myth acceptance is expected to interact with the suspect behaviours and make them more powerful in influencing perceptions of empathy and guilt. To further elaborate, the suspect behaviours are aimed to justify the suspect's actions by either implying that the victim deserved it or by blaming

external factors. Likewise, rape myth acceptance is also directed to justify or downplay the suspect's actions, by for example believing that it was the victim's fault or that the suspect's actions were out of their control (McMahon & Farmer, 2011). Hence, individuals with higher rape myth acceptance could be easier influenced by the suspect behaviours than individuals with lower rape myth acceptance as the suspect's arguments correspond with their belief system.

All in all, the low rate of proven guilt in sexual assault crimes as well as well-known terms like the 'justice gap' show a problem in this area. As explained earlier, manipulation by suspects through suspect influencing behaviours in investigative interviews may also contribute to this issue. Hence, further research is needed to investigate the effect of suspect influence behaviours in regard to sexual assault crimes, as well as to see how rape myth acceptance may also interfere in the judgement process. Thus, the following hypotheses have been established:

H1: *Denial of the victim* and *denial of responsibility* will reduce guilt perceptions for the suspect.

H2: *Denial of responsibility* will increase empathy for the suspect and thus reduce guilt perceptions for the suspect.

H3: *Denial of the victim* will reduce empathy for the victim and thus reduce guilt perceptions for the suspect.

H4: Rape Myth Acceptance will increase the effectiveness of *denial of the victim* and *denial of responsibility* on guilt judgements and perceptions of empathy for the suspect and the victim.

Methods

Design

A between-participants design was employed. There was one independent variable (Suspect Behaviour) with three levels (Denial of the Victim, Denial of Responsibility and No Comment).

The No Comment condition is implemented as a control condition. In which the suspect responds to each question with "no comment". In the Denial of the Victim condition, the suspect justifies his actions by blaming the victim and stating that they are deserving of any negative behaviours enacted by the suspect. In Denial of Responsibility the suspect blames external factors for his actions, in this study these arguments center on reduced responsibility due to alcohol intoxication as well as the influence of others at the party.

There are two dependent variables in this study, namely perception of Guilt and perception of Empathy, which is divided into Empathy for the Suspect and Empathy for the Victim. Further, Rape Myth Acceptance is implemented as a moderator.

Participants

Participants were recruited via a convenience sample, by using the SONA-system of the University of Twente. The platform offers the opportunity to share as well as to take part in research projects from students and university staff. Moreover, additional convenience sampling was used through our own personal network. In total 97 participants took part in the study (75 female; 22 male; Mage = 22; SDage = 3.69). The age ranged from 18 to 45. Most participants were German (N=47), followed by Italian (N=26), other nationality (N=13), Dutch (N=10) and one preferred not to say. In addition, most participants were students (N=83), few participants were working (N=8), unemployed (N=4), or chose other (N=2). Bachelor's degree as an obtained or current degree was selected most by participants (N=44),

followed by high-school degree (N=43), Master's degree (N=7), prefer not to say (N=2) and PhD (N=1).

Materials

Case scenarios

All participants are presented with the same case scenario. It contains a brief description of what had happened according to the victim (Appendix C). More precisely, Ms. Clark (the victim) calls the police after she has been to a party. She reports a university friend of hers (Mr. Shelby) to the police, because she alleges that he kissed and inappropriately touched her intimate body parts without her consent at that party. She states that she was able to push him off her and immediately left the party.

Fictional investigative interviews

Three fictional investigative interviews were used, one for each level of the Suspect Behaviour condition. In all of the interviews a police officer questions Mr. Shelby (the suspect) about Ms. Clarks' allegations of sexual assault. In the No Comment condition, the suspect answers each question about the allegations with "no comment" (Appendix D). In contrast, in the Denial of the Victim condition the suspect answers the questions by attacking the victim's character and by blaming her for the suspect's actions. It is in the suspect's interest to make the victim seem unworthy of protection and make her less convincing of even being a victim (Appendix D). For example, "I was having a good time until Sarah kicked off. I don't get what she's complaining about. She shows up in this low-cut dress with a tiny skirt, dances all night grinding against me then complains when I reciprocate later on.". In the Denial of Responsibility condition, the suspect's answers are aimed to blame alcohol intoxication as well as the influence of others for his actions (Appendix D). For example, "She must have been upset by what happened, but like I say I don't really think I'm

responsible for any of this. If my friends hadn't got me drunk and been pushing us together at the party nothing would even have happened".

Measures

The questionnaire consists of four different scales and is hosted via Qualtrics. The first scale that measures Rape Myth Acceptance is presented prior to the experiment. The other two scales, that measure Empathy and Guilt follow after the experiment. All questionnaires can be found in Appendix E.

Rape Myth Acceptance

To estimate Rape Myth Acceptance, an updated version of the Illinois Rape Myth Acceptance Scale by McMahon and Farmer (2011) was used. However, only the first two subscales were implemented in the study, because they were most relevant for the Suspect Behaviours: Denial of the Victim and Denial of Responsibility. The two subscales are: (1) She Asked for It and (2) He Didn't Mean to. Those two subscales involve 12 items and showed a good reliability in the sample (α=.70). Further, they relate to rape myths that blame either the victim for her assault or excuse the suspect. The first subscale She Asked for It reflects the belief that the victim's actions encouraged sexual assault. An example for this category is "If a girl goes to a room alone with a guy at a party, it is her own fault if she is raped". The second subscale He Didn't Mean To expresses the belief that the suspect did not intend to rape. For example, "It shouldn't be considered rape if a guy is drunk and didn't realize what he was doing". All items were answered via a 5-point Likert scale (1= strongly disagree; 5= strongly agree).

Empathy

Empathy towards the suspect as well as towards the victim was assessed by using two versions of the validated State Empathy Scale by Shen (2010). Both scales include 12-items and consist of 3 subscales: (1) Affective Empathy, (2) Cognitive Empathy, and (3) Associative

Empathy. The scales are identical, only the word suspect or victim is substituted, with the empathy for the suspect scale showing good reliability in the sample ($\alpha = .89$) and the empathy for the victim scale shows it as well ($\alpha = .92$). The first subscale contains items that measure how much participants emotionally empathise with the suspect or the victim. An example item of the suspect scale is "I experienced the same emotions as the suspect when reading this case" and of the victim scale is "The victim's emotions are genuine.". The second subscale measures how well participants can put themselves into the suspect's or the victim's perspective, with items such as "I can see the suspect's point of view", or "I recognise the victim's situation". The last Empathy subscale refers to participants' identification with the suspect or the victim. For example, "I can identify with the suspect in this case" or "I can relate to what the victim was going through in this case". Both scales were answered via a 5-point Likert scale (1= strongly disagree; 5= strongly agree).

Guilt

A 5-point Likert scale (1= very unlikely; 5= very likely) assessed participants' perception of Guilt. One item was used: "Based on all you have read about the case; how likely do you think is Mr. Shelby guilty of sexual assault?"

Procedure

Participants were first given information about the study then they were asked to complete an online consent form, with which they either agreed or denied their voluntary participation in the study (Appendix A). Contact details of the researchers were given, to ensure that participants had a contact person for questions. Next to that, support hotlines for sexual assault victims were also given for the Netherlands, Germany, Italy, to ensure the well-being of the participants. These countries were chosen to reflect the likely demographics of most participants. Participants are expected to be mostly Dutch or German due to the study

being conducted at a University in the Netherlands near the German border, but as one researcher is Italian it was also assumed that some participants would be Italian. Subsequently, participants were asked to state their age, gender, nationality and occupation. Before the start of the experiment, they were asked to fill out a questionnaire on Rape Myth Acceptance. Participants first had to read the case scenario, before they were randomly allocated to be presented with one of the three transcripts: Denial of the Victim, Denial of Responsibility or No Comment. Afterwards, the participants were asked to fill out a post experiment questionnaire on perceived Guilt and Empathy. A debriefing form followed with the aim of the study and participants were thanked for their participation. In case participants felt affected by the topic, three (Netherlands, Germany, Italy) support hotlines were again listed at the end of the study. Lastly, participants were given a final opportunity to withdraw their data from the study after having been given the online debrief information.

Data analysis

SPSS version 24 is used for analysis. Pearson and Spearman correlations were performed to examine the relationships of the dependent variables and the moderator. A one-way ANOVA is conducted on the dependent variables' perception of Empathy and Guilt. Also, a simple planned contrast is performed with No Comment as the reference group and X and Y as comparison groups. In addition, Tukey post hoc tests are run to follow up any significant main effects. Further, a general linear model is conducted to examine any interaction Rape Myth Acceptance have with Suspect Behaviour on any of the dependent variables.

Results

Descriptive Statistics

      The means for each dependent variable can be found in Table 1. The highest mean score was found for Guilt ($M = 4.51$, $SD = .77$, $N = 97$). The variable was non-normally distributed, with skewness of -1.76, $SE = .25$. Empathy was measured for both the suspect and the victim, as the mean score for Empathy for the Victim was higher ($M = 4.04$, $SD = .75$, $N = 97$) than it was for Empathy for the Suspect ($M = 2.19$, $SD = .85$, $N = 97$), it can be said that participants had greater empathy towards the victim, $t(95) = 14.19$, $p < .001$. The Empathy for the Suspect variable was also non-normally distributed, with skewness of 1.13, $SE = .25$. Likewise, Empathy for the Victim was also non-normally distributed, with skewness of -.81, $SE = .25$. Before analysis Log Transformation with the three variables was performed to compensate for their skew.

Table 1

Descriptive statistics for Empathy for the Suspect, Empathy for the Victim and Guilt

	Minimum	Maximum	Mean	Std. Deviation
Empathy Suspect	1.00	4.92	2.19	.85
Empathy Victim	1.67	5.00	4.04	.75
Guilt	2	5	4.51	.77

For all comparisons N = 97

Correlations

      Pearson's correlations were performed to identify possible relationships between the two Empathy variables and Rape Myth Acceptance. A positive significant correlation was

found between Rape Myth Acceptance and Empathy for the Suspect, r (95) = .22, p < .033, indicating that an increase in Rape Myth Acceptance was associated with the increase in Empathy for the Suspect. Further, two negative significant correlations were found between Empathy for the Suspect and Empathy for the Victim, r (95) = -.29, p < .005, and between Rape Myth Acceptance and Empathy for the Victim, r (95) = -.49, p < .001. To indicate, here an increase in one construct was associated with a decrease in the other.

A spearman correlation was performed to identify a possible relationship between Guilt, the two Empathy variables and Rape Myth Acceptance. There was a significant positive association between Guilt and Empathy for the Victim, rs (95) = .42, p < .001. Two negative significant correlations were found between Guilt and Empathy for the Suspect, rs (95) = -.36, p < .001, and between Guilt and Rape Myth Acceptance, rs (95) = -.21, p < .042.

Judgement of Guilt

A one-way ANOVA was conducted to compare the effect of Suspect Behaviour on Guilt in the Denial of the Victim, Denial of Responsibility, and No Comment conditions. The results show a statistically significant effect of Suspect Behaviour on Guilt, F (2, 94) = 4.06, p = .020. Tukey post-hoc test indicated that there was a statistically significant difference in guilt judgements based on Suspect Behaviours between the Denial of Responsibility and No Comment condition, p = .016. Likewise, a simple planned contrast revealed that participants in the Denial of Responsibility condition (M = 4.22, SD = .94) judged the suspect as less guilty compared to the No Comment condition (M = 4.73, SD = .57, p = .006). However, Tukey post-hoc showed no difference between Denial of the Victim and No Comment, p = .526. Similarly, simple planned contrast revealed no significant difference between No Comment and Denial of the Victim (M = 4.56, SD = .67, p = .28).

To conclude, Tukey post-hoc test and planned contrasts found no significant effect for Denial of the Victim and Guilt but identified a significant effect for Denial of Responsibility

and Guilt.

Empathy

Empathy for the Suspect

To compare the effect of Suspect Behaviour on Empathy for the Suspect another one-way ANOVA was conducted. The results show a non-statistically significant effect of Suspect Behaviour on the Empathy for the Suspect, $F(2, 94) = 2.42$, $p = .094$. Nonetheless, simple planned contrasts indicated that there was a statistically significant difference between the Denial of Responsibility and No Comment conditions, $p = .03$, with Empathy being higher in the Denial of Responsibility condition ($M = 2.43$, $SD = .91$) than in the Denial of the Victim condition ($M = 2.13$, $SD = .73$). However, the difference between the Denial of the Victim condition and the No Comment condition was not significant ($M = 2.03$, $SD = .86$, $p = .39$).

Empathy for the Victim

A third one-way ANOVA was conducted to compare the effect of Suspect Behaviour on Empathy for the Victim, the results show a non-statistically significant effect of Suspect Behaviour, $F(2, 94) = .36$, $p = .697$. A planned contrast confirmed that there was no significant difference between No Comment as the reference group ($M = 4.09$, $SD = .70$) and Denial of the Victim ($M = 3.93$, $SD = .84$, $p = .48$) and Denial of Responsibility ($M = 4.11$, $SD = .72$, $p = .94$).

Influence of Rape Myth Acceptance

A General Linear Model was performed to compare the main effects of Rape Myth Acceptance and the Suspect Behaviours and the interactions effect between the Suspect Behaviours and Rape Myth Acceptance on Guilt, Empathy for the Suspect and Empathy for the Victim.

There was no statistically significant difference in Guilt between the Suspect Behaviours, $p = .703$, but there was a statistically significant effect of Rape Myth Acceptance, $p = .032$. The correlation found between Guilt and Rape Myth Acceptance indicates a negative relationship between the two variables, meaning that an increase in one construct was associated with a decrease in the other. The interaction between Rape Myth Acceptance and Suspect Behaviour for Guilt was not significant, $F (2, 91) = .51, p = .604$.

Similarly, there was no statistically significant difference in Empathy for the Suspect between the Suspect Behaviours, $p = .380$. A statistically significant association with Rape Myth Acceptance was found, $p = .022$. The correlation found between Empathy for the Suspect and Rape Myth Acceptance, shows a positive relationship between the two variables. However, no significant interaction between Rape Myth Acceptance and Suspect Behaviour was found, $F (2, 91) = 1.36, p = .261$.

For Empathy for the Victim no statistically significant difference between the Suspect Behaviours was found, $p = 975$. Nonetheless, there was a statistically significant effect with Rape Myth Acceptance, $p = < .001$. The correlation found between Rape Myth Acceptance and Empathy for the Victim shows a negative relationship between the two variables. The interaction between Rape Myth Acceptance and Suspect Behaviour was also not significant, $F (2, 91) = .02, p = .986$. All effects can be found in Table 2.

To conclude, no significant main effects as well as interaction effects were found between Rape Myth Acceptance and the Suspect Behaviours, but Rape Myth Acceptance was significantly associated with Guilt, Empathy for the Suspect and Empathy for the Victim.

Table 2

Main and Interaction Effects for Guilt, Empathy for the Suspect and Empathy for the Victim

Dependent Variable	Predictor Variable	df	F	p
Guilt	Suspect Behaviour	2	.35	.703
	Rape Myth Acceptance	1	4.73	.032
	Suspect Behaviour*Rape Myth Acceptance	2	.51	.604
Empathy Suspect	Suspect Behaviour	2	.98	.380
	Rape Myth Acceptance	1	5.45	.022
	Suspect Behaviour*Rape Myth Acceptance	2	1.36	.261
Empathy Victim	Suspect Behaviour	2	.03	.975
	Rape Myth Acceptance	1	21.90	< .001
	Suspect Behaviour*Rape Myth Acceptance	2	.02	.986

Discussion

This study was aimed to investigate the effect of the behaviour's denial of the victim and denial of responsibility within investigative interviews with suspects on perceived guilt and empathy in an alleged college sexual assault, compared to using no comment responses. Further, it was tested if rape myth acceptance influenced the judgement process.

For denial of the victim ANOVAs and simple planned contrasts showed no significant effects for guilt, empathy for the suspect and empathy for the victim. For denial of responsibility simple planned contrasts showed significant effects for guilt and empathy for the suspect. A General Linear Model indicated no significant main effects and interaction effects between rape myth acceptance and the suspect behaviours, but significant associations

were found between rape myth acceptance and guilt, empathy for the suspect and empathy for the victim. Further, two negative correlations were found between empathy for the suspect and empathy for the victim and between guilt and empathy for the suspect. Additionally, a positive correlation was found between guilt and empathy for the victim.

Effectiveness of the Suspect Behaviours on Guilt Judgements

For guilt, it was found that participants perceived the suspect as less guilty when being exposed to denial of responsibility arguments compared to when suspects only responded with "no comment". Denial of responsibility blames external factors for the negative behaviour of the suspect, arguments in this study were centred on reduced responsibility due to alcohol intoxication and the influence of others at the party. As previous literature indicates, especially alcohol intoxication can influence guilt judgements, with the outcome that drunk suspects were judged less harshly than sober ones (Montada, 2011; Wall, & Schuller, 2000). Thus, suspect arguments that blame the use of alcohol could have been the reason why participants judged the suspect as less guilty. In fact, participants may have perceived the suspect's actions as out of his control due to his intoxicated state. Alcohol has been shown to reduce one's self-awareness that is needed to monitor one's actions (Baumeister, & Alghamdi, 2015). Therefore, it may be seen that the suspect lacked criminal intent, and it was not his purpose to harm someone, with the outcome that he did not deserve to be judged as guilty.

The association between intoxication and criminal responsibility is a well-known problem in the criminal justice system (Fischer & Rehm, 1998). In fact, between 1819-1920 the English common law rule that drunkenness was not an excuse for any crime was established (Handler, 2013). Additionally, §323a of the German penal code states that suspects that intentionally put themselves in a state of intoxication and commit a crime that cannot be punished because of their lack of criminal responsibility will incur a fine or a

penalty of imprisonment for a term not exceeding five years (Bohlander & Reusch, 2019). From a public point of view, Foley (2001) indicated that if the justice system would let an intoxicated suspect go free but punish a sober one the criminal justice system would be failing. However, even though certain laws have been established to prevent reduced liability for intoxicated suspects, legal theory differs from its practice (Fischer & Rehm, 1998). Further, the involvement of alcohol in regard to victim intoxication was also seen to have an influence on how courts handle a case outcome, and the public also gives the victim less credibility if it was intoxicated (Goodman-Delahunty & Graham, 2010). To mitigate the effect of alcohol intoxication in sexual assault cases judicial guidance is suggested as well as judicial training every three years, thereby judges remain qualified to deal with cases where alcohol is involved (Clough, 2019). In addition, further training for police officers should also be taken into account to enhance victim's credibility as well as to punish intoxicated suspects the same way as sober ones.

Denial of the victim on the other hand had no significant effect on guilt judgements. While denial of responsibility is aimed at blaming external factors as the reason for the crime, denial of the victim claims that the suspect's actions were rightful and that the victim deserved it, because of the victim's negative behaviour (Sykes & Matza, 1957; Watson et al., 2018). Due to the different nature of those suspect behaviours, participants may have sensed a lack of criminal intent when the suspect blamed external factors but not when the suspect implied that his victim deserved it. In fact, denial of responsibility arguments were aimed to reduce the suspect's intent, by for example stating: "I might have gone a bit further than I normally would because I was so drunk and because everyone had been pushing us together all night, but I was just caught up in the moment. I'm not the sort of person that would attack someone.". In contrast, the suspect's denial of the victim arguments did not necessarily reduce intent but rather made it the victim's fault: "I'm not going to get punished because of her deciding she didn't want to sleep with someone for once.". Further, denial of the victim

arguments also rather highlight that the suspect did it on purpose because the victim provoked him: "She can't be complaining about me touching her when she spends all night and the weeks before asking for me to do it.".

Effectiveness of the Suspect Behaviours on Empathy

A simple planned contrast showed a significant effect whereby it was shown that participants in the denial of responsibility condition had higher empathy for the suspect compared to the no comment condition. For the denial of responsibility behaviour, the suspect presented a narrative focused on the suspect's experiences and feelings that have an external cause for their negative behaviour. To understand and process the suspect's narrative, state empathy is important. State empathy was divided into three dimensions: affective, cognitive and associative (Shen, 2010). The first dimension focuses on understanding and sharing the suspect's feelings, the second on recognizing the suspect's point of view and the last on identifying with the suspect (Shen, 2010). Thus, empathy develops if one understands and shares a person's feelings, recognises their point of view and identifies with them. In this sense, the narrative of the suspect could have encouraged participants to understand and share the suspect's feelings as well as to recognise his point of view. Therefore, identification was possible.

No significant effect was found for denial of responsibility on perceived empathy for the victim. The behaviour is aimed to explain the suspect's perspective and justify his actions, but it does not address the victim's point of view. To elaborate, participants could have identified with the suspect because they were able to follow their feelings and recognise their point of view due to the suspect's narrative. However, it was harder to emphasise with the victim because there was no victim's narrative. Hence, the victim's feelings and her point of view could only be imagined.

For denial of the victim, it seems that the suspect narrative of implying that it was the

victim's fault and making it worthy of punishment did not influence perceptions of empathy for either the suspect or the victim, as no significant effect was found. Different to denial of responsibility that aims to influence perceptions of empathy for the suspect, denial of the victim is intended to change perceptions of empathy for the victim. To present the victim in a more negative light, sentences like: "Everyone knows she likes to sleep around, and she knew what she wanted from me that night as soon as she showed up in that dress.", were used. Nonetheless, denial of the victim did not affect perceptions of empathy for the victim.

Empathy for the Suspect and Guilt

Empathy was proposed as a mechanism for how denial of responsibility might reduce guilt perceptions and the results of this study support this proposal. It was found that denial of responsibility increased empathy. Denial of responsibility is aimed to present the suspect as more empathic, by providing an external explanatory factor as the reason for the crime. When taking into account that empathy in the context of the law is stressed by people's distress (Coplan & Goldie, 2011), it is reasonable that participants emphasised with the suspect because they felt injustice that the suspect might be punished for actions that were out of his control. Likewise, it was found that denial of responsibility reduced guilt perceptions. Combining these two findings, it can be said that participants may have judged the suspect as less guilty due to emphasising with the narrative of the suspect. The negative correlation that was found between empathy and guilt supports this. It shows that if empathy increased guilt judgement decreased. Therefore, the hypothesised mechanism that denial of responsibility reduces guilt perceptions by increasing one's empathy for the suspect works and should thus be considered as a priority for future research.

Empathy for the Victim and Guilt

For denial of the victim, it was proposed that it might reduce guilt perceptions by

decreasing participants' empathy for the victim. A positive correlation was found between guilt and empathy for the victim, indicating that if one construct increased or decreased the other did as well. This supports that empathy is associated with guilt and can predict the case outcome. However, denial of the victim does not seem to be effective in reducing the amount of empathy people felt for the victim, as no significant effect was found. Similarly, denial of the victim did also not affect guilt judgements, which implies that the behaviour is also not effective in reducing guilt perceptions via an alternate mechanism. Thus, the hypothesised mechanism that denial of the victim reduces guilt perceptions by decreasing one's empathy for the victim does not work. Denial of the victim did not affect guilt judgements and even if it would, it would not be via empathy.

The Role of Rape Myth Acceptance on Empathy and Guilt

Another aim of this study was to identify interaction effects between rape myth acceptance and the suspect behaviours for the perception of empathy as well as guilt. No significant interaction effect was found, yet the main effects show that rape myth acceptance did influence guilt, empathy for the suspect and empathy for the victim. Thus, rape myth acceptance seems to act as a predictor of perceptions of guilt and empathy for the suspect and the victim, meaning that the effect of rape myth acceptance seems to be the same regardless of the suspect behaviour.

Analysis revealed that rape myth acceptance is associated with participants' guilt judgments. A negative correlation between rape myth acceptance and guilt showed that the greater participants rape myth acceptance was the less they perceived the suspect as guilty. Rape myth acceptance is based on descriptive or prescriptive beliefs regarding sexual assault that can reject or downplay sexually actions (Gerger et al., 2007). Thus, it can be argued that participants with greater rape myth acceptance presumably questioned the validity of the sexual assault claim due to it not matching with their stereotypical expectations, with the

outcome that they judged the suspect as less guilty. Venema (2018) indicated that rape myth acceptance in police officers can impact case progression in criminal justice and legal systems. Therefore, case attrition may occur even before a jury or judge can run a verdict. As findings in this study support that rape myth acceptance can influence guilt judgement, it is advised that more awareness should be raised particularly in the criminal justice system, as they will decide the case outcome. Police officers for example could receive further training, that focuses on mitigating the effect of rape myth acceptance.

Similarly, rape myth acceptance is also associated with empathy for the victim and a negative correlation showed that the greater participants' rape myth acceptance the lower their empathy for the victim. Likewise, Buddie and Miller (2001) found that lower levels of empathy for the victim were associated with more acceptance of rape myths and more negative attitudes towards the victim. Since rape myth acceptance also blames the victim by enhancing beliefs like: "When girls go to parties wearing slutty clothes, they are asking for trouble." (McMahon & Farmer, 2011), it is reasonable that participants scoring high in rape myth did not emphasise with the victim. In fact, it seems that participants may have thought that it was the victim's fault that she ended up in this situation and thus could not identify with her. Notable, Sleath and Bull (2012) found that if police officers perceive the victim as no 'ideal victim' of a sexual assault they doubt their credibility. In addition, rape myth acceptance can also shape the victims' views of themselves (Venema, 2018), therefore even hindering victims to report a crime, leaving the suspect without punishment.

Empathy for the suspect was also associated with rape myth acceptance and a correlation indicates that the higher participants rape myth acceptance the higher their empathy for the suspect. It is assumed that the validity of the crime has been questioned by participants with a high rape myth acceptance and that empathy in the context of the law is stressed by the people's distress. Therefore, participants that endorse rape myth acceptance may have thought that it is unjust to accuse the suspect of a crime that is not a crime in their

eyes and thus emphasised with the suspect because they identified with their distress.

Limitations and Future Research

An important limitation of the current study that needs to be considered is that participants could have been biased due to the crime of sexual assault. To elaborate, the study was published in April 2021 which was sexual assault awareness month. The month is aimed to prevent sexual assault by creating awareness of the topic (NSVRC, n.d.). It was observed by the researcher that a lot of awareness posts were circulating on social media at this time, and since the study was also posted on Instagram to gain more participants, the awareness month could have skewed participants' responses. This may partially explain why guilt and both victim and suspect empathy variables were highly skewed. It seems that participants formed a very strong first impression that was resistant to change, and because of the skew there was not much variance for perceptions of empathy and guilt for the ANOVA to identify. A t-test supports that the crime scenario may have suggested too strongly that the suspect was very likely guilty, alongside the skewed distributions, as it showed that overall participants had greater empathy for the victim than for the suspect. Thus, it would be useful to conduct the study another time and incorporate the effectiveness of awareness campaigns directly into the experiment, to see if it does influence participants' perceptions of the crime scenario. Notably, this could also examine if awareness training with police officers can reduce the influence of suspect behaviours in investigative interviews.

It also has to be noted that participants were lay people that are not experienced with investigative interviews. Taking this into account and also that the study was based on mock interviews it is not sure of how much the findings of this study can be applicable to a real-life setting, for example, the jurors' rating of the suspect's guilt in a trial outcome, as they have a lot more information than just the interviews. For the future, it would be useful to carry out the study with participants that work in the criminal justice system, to make the findings more

applicable for real-life investigation or real-life courtroom judgement. In addition, especially the arguments for the suspect behaviour denial of the victim could not be as strongly worded as it is often the case in genuine interviews, due to the fact that participants could get disturbed as they are not used to working with it. This softening of wording may have reduced the size of any effect of the denial of the victim arguments, more prominent arguments may influence a police investigator's decision to for example proceed with the case or not differently.

Further, a mistake was made regarding the rape myth acceptance scale. In the study set up, it was decided to only focus on the first two subscales as they were most relevant for the two suspect behaviours. However, two items of the third subscale were mistakenly included into the study but were excluded from analysis. As the items are closely linked to female victim blame, they could therefore have biased participants' empathy for the victim. However, as it was found that in general participants emphasised more with the victim than with the suspect and the two items were not relevant for the suspect behaviours, it can be concluded that the items probably did not change the outcome of the results. To be certain, it is advised to conduct the study again and exclude the two items.

Another point that needs to be considered is that the interviews were presented in a written form. Thus, including the interviews as videos and examining if they will differ one's judgement process would also be advisable for the future. In fact, impressions are also formed on non-verbal cues that cannot be witnessed when reading statements of the suspect or the victim. For this reason, more accurate ratings may be found as participants may find it easier to emphasise with the suspect or the victim if they can see their face. In the current study, it may have been hard for them because they had to imagine it. In fact, Cole (2001) highlighted that empathy indeed needs a face.

Conclusion

By analysing the suspect behaviour denial of the victim and denial of responsibility, this thesis has shown that perceptions of empathy for the suspect work as a mechanism of how denial of responsibility reduces guilt perceptions. This highlights the important manipulation denial of responsibility could have on investigative interviews and a possible cause of the low conviction rates for sexual assault crimes. However, denial of the victim is not effective in reducing guilt perceptions via empathy for the victim. While the sexual awareness month could have formed strong first impressions of the case scenario that were resistant to change, it provides new insight into how awareness training could be used to reduce the influence of suspect behaviours in investigative interviews. Additionally, this research illustrated that rape myth acceptance did not increase the effectiveness of the two suspect behaviours, but high rape myth acceptance was associated with high empathy for the suspect, low empathy for the victim and with a tendency to believe the suspect was not guilty. This reveals that rape myth acceptance acts as a predictor on its own regardless of the suspect's behaviour and thus needs more consideration to alleviate its possible effect on case attrition for sexual assault crimes in the future.

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Appendix

Appendix A: Information Sheet and Informed consent

CONTENT WARNING:

Before proceeding with the following study, please be aware that the topic of this survey is sexual assault. In case you do not want to be confronted with such a topic please feel free to withdraw from the study.

Information Sheet

Thank you for responding to this invitation to take part in this study! Please read the following information carefully.

Purpose of the study: This study is conducted by Maira De Simone and Samira Kommander. Both researchers are undergraduate Psychology students at the University of Twente and are supervised by Dr. Steven Watson. The outcome of this study will be used for our Bachelor Thesis and may also be used for research purposes. This may include a presentation at an academic conference or publication in an academic journal.

What is your task: As a participant, you will be asked to read information about an accusation regarding the crime of sexual assault. You will be given a description of the allegations by reading a scenario. After that, you will be asked to read an interview between the police interviewer and the suspect of the crime. Next, you will be asked to fill out a questionnaire regarding your judgment of the crime and the suspect.

Who can take part: Anyone over the age of 18 can take part. Nevertheless, you should not take part if you think you are likely to be distressed by a fictional description of a sexual assault. In addition, you should be aware that all materials are presented in English.

Risks of taking part: The interview transcripts will describe details of accusations of sexual assault. If you feel that this subject is likely to cause you distress you should not take part in this study. We have provided details of local helplines that you can contact for support at the bottom of this introduction. We will repeat these details at the end of the experiment. You can also contact our supervisor via email to ask any questions before taking part if you are unsure if you should take part: (s.j.watson@utwente.nl) You will be able to ask us any questions and discuss any concerns with us if needed. You will find our contact details below.

How you can withdraw: You can withdraw from the study without explaining the reason and without any penalty. You can withdraw by closing your browser or tab at any time. However, once the study is complete, we are unable to remove any of your data as we are unable to identify participants because all data is entirely anonymous.

Data storage and security: If you are taking part in this research, you consent that the Researchers are allowed to collect and keep your data anonymously (without sufficient detail for personal identification) according to the data policy of the BMS faculty at the University

of Twente. Anonymous data may be made available to the scientific community by being hosted on the open science framework (https://osf.io/), however, we reiterate that you will not in any way be personally identifiable.

Benefits of participating in our study: If you are a student at Twente University then you will be credited 0.25 SONA-points for taking part in this study. Otherwise, there are no benefits to taking part but we hope you find the experience interesting.

Contact details:
Maira De Simone: m.desimone@student.utwente.nl
Samira Kommander: s.kommander@student.utwente.nl

In case you feel distressed before or after taking the survey, there is Dutch, German and Italian hotline specified for Sexual assaults which has a 24hours service.

Netherlands: 0800-0188
Germany: 08000 116 016
Italy: 06 3751 8282

Further, students of the University of Twente can get in contact with their study related study advisor if they need someone to talk to.

Contact Information for Questions about Your Rights as a Research Participant
If you have questions about your rights as a research participant, or wish to obtain information, ask questions, or discuss any concerns about this study with someone other than the researcher(s), please contact the supervisor of this project by s.j.watson@utwente.nl.

Consent Form for suspect influence behaviour in sexual assault crimes

Taking part in the study

- I have read and understood the information sheet. I have been able to ask questions about the study and my questions have been answered to my satisfaction.

- I consent voluntarily to be a participant in this study and understand that I have the right to withdraw from the study at any time, without having to give a reason.

-I understand that I can withdraw at any time by simply closing my web browser at any point before the end of the study.

- I understand that taking part in the study involves reading a fictional representation of a sexual assault case and filling out a questionnaire regarding my perceptions of the crime.

Use of the information in the study

- I understand that the information I provide will be used only for the purpose of this study and will be kept in an anonymised form.

Future use and reuse of the information by others

- I give permission for the data that I provide to be stored by the researchers for a minimum of 10 years, in line with the BMS data policy.

By selecting "I agree", you are consenting to the conditions described above.

Appendix B: Debriefing given to participants at the end of the survey

This study investigates the ways in which suspects try to influence police officers' opinions in investigative interviews.

In particular, in this study we compared the effectiveness of two of these behaviours, namely denial of the victim (claiming that the victim directly provoked any negative actions on behalf of the suspect, and so is not worthy of protection) and denial of responsibility (shifting the blame from factors internal to the suspect such as their personality, to external factors such as the environment the suspect finds themselves in), against an interview where the suspect provides no information by responding only with "no comment".

We wanted to know how these different behaviours affected whether people think the suspect is guilty of the crime, who or what people blame for the events surrounding the event occurring, who people empathise with in the narrative, and finally how seriously the crime is perceived to be.
We are also investigating whether there are differences in the effectiveness of denial of responsibility and denial of the victim strategies depending on beliefs about gender roles.
Now that you have been informed about the intent of the study we want to give you a final opportunity to withdraw your data. After you leave the study your data will be anonymous so we will not be able to identify your data to withdraw it later.

If you are happy to take part, you can simply close your browser OR select "I still agree on my participation in the study" below.

If you wish to withdraw please select the "I wish to withdraw from the study" option.

In case that you have found this study upsetting, or you have been a victim of sexual assault yourself, please do not hestitate to use the contact information for the support service below:

Sexual assault center Netherlands: 0800-0188 (24 hours)
Hilfetelefon (Germany): 08000 116 016 (24 hours)
Telefono Rosa (Italy): 06 3751 8282 (24 hours)

Appendix C: The Case Scenario

Below you will see a summary of the allegations made by Ms Clark. Ms. Clark alleges that she was sexually assaulted at a party. After reading the allegations you will be provided with an interview transcript with the suspect, Mr. Shelby.

Please read her allegations carefully so that you understand the allegations against the suspect.

Scenario
Name of the suspect: Mr. Shelby
Name of the complainant: Ms. Clark

On the night of the 10th of March 2021, Ms. Clark called the police station of her town. Below are a list of her allegations against Mr. Shelby:

- She alleges that she was sexually assaulted by a friend of hers, a student named Mr. Shelby, who also studies the same university subject as her.
- She said she had spent some time with Mr Shelby that evening and danced a bit with him, but no more than with others that were there.
- She said she had been dancing with him when she started to feel ill after having too much to drink. She said she told him she needed to go to the bathroom.
- She alleges that she was in the bathroom to get a moment to herself and see if she could feel better when Mr. Shelby entered the room after her.
- She alleges that he started questioning why she was there, she said she started to explain that she was not feeling good and wanted to go home.
- Ms. Clark alleges that at this point Mr. Shelby pressured her verbally to stay at the party and kept coming physically closer to her.
- Ms. Clark says she asserted that she did not feel well and wanted to leave. She states that Mr. Shelby started to yell at her for wanting to leave.
- She then states that when she tried to walk past him he grabbed her and started to kiss her.
- She further accuses him of pushing her into the bathroom wall and putting his hands under her dress.
- According to Ms. Clark, Mr. Shelby started to touch her breast with one hand while touching her intimate parts with the other.
- Ms. Clark stated that she was able to push him off her and immediately left the party without
speaking to anyone.
- Ms. Clark called the police after she had left the party.

On the next page, you will read a transcript of the interview between the man accused of sexually assaulting Ms. Clark. Please read it very carefully because we will ask you some questions about it on the following pages.

Appendix D: Fictional Interviews with the Suspect using No Comment, Denial of the Victim, and Denial of Responsibility

No Comment

Police Interviewer: I am inspector White and today is 11th of March 2021. The time is 11:26 am. Can you state your name for the record?

Mr. Shelby: My name is Jack Shelby.

Police Interviewer: And for the record, are you speaking to me voluntarily?

Mr. Shelby: Yes, I am.

Police Interviewer: Good. Thank you, Mr. Shelby. Just so you know, you don't have to necessarily answer the questions. Anything you do say, may be given in evidence. Is that clear?

Mr. Shelby: Yes.

Police Interviewer: Perfect. So, Mr. Shelby, the reason why you're here is because of some accusations from Ms. Clark, from last night on the 10th of March 2021. She claims to have been sexually assaulted by you, so what we're going to do right now is ask you some questions about that night. Is that fine for you?

Mr. Shelby: Sure, go ahead.

Police Interviewer: Alright, good. You were seen to be at the party the night of the 10th. Can you describe to me that night until you went back home?

Mr. Shelby: No comment.

Police Interviewer: I see. Did you have a close relationship with Ms. Clark?

Mr. Shelby: No comment.

Police Interviewer: Do you agree that you entered the bathroom while Ms. Clark was there as well?

Mr. Shelby: No comment.

Police Interviewer: Were you aware of her physical condition that night? She claimed that she was not doing that well and that's why she went into the bathroom. Apparently, she drank too much, so she wanted to go home. Did you know that?

Mr. Shelby: No comment.

Police Interviewer: She told us that you yelled at her aggressively, wanting her to stay. When Ms. Clark wanted to leave the bathroom, you grabbed her and kissed her. Then, according to her, you pushed her to the wall and started to touch her body parts such as her breasts and intimate parts. Is that correct?

Mr. Shelby: No comment.

Police Interviewer: While you were kissing Ms. Clark did you notice her complaining about your actions or wanting to get away?

Mr. Shelby: No comment.

Police Interviewer: I see. Can you tell me why you think Ms. Clark called the police that night?

Mr. Shelby: No comment.

Police Interviewer: Alright, Mr. Shelby. I have no further questions. Closing the interview at 11:40 am.

Denial of the Victim

Police Interviewer: I am inspector White and today is 11th of March 2021. The time is 11:26 am. Can you state your name for the record?

Mr. Shelby: My name is Jack Shelby.

Police Interviewer: And for the record, are you speaking to me voluntarily?

Mr. Shelby: Yes, I am.

Police Interviewer: Good. Thank you, Mr. Shelby. Just so you know, you don't have to necessarily answer the questions. Anything you do say, may be given in evidence. Is that clear?

Mr. Shelby: Yes.

Police Interviewer: Perfect. So, Mr. Shelby, the reason why you're here is because of some accusations from Ms. Clark, from last night on the 10th of March 2021. She claims to have been sexually assaulted by you, so what we're going to do right now is ask you some questions about that night. Is that fine for you?

Mr. Shelby: Sure, go ahead.

Police Interviewer: Alright, good. You were seen to be at the party the night of the 10th. Can you describe to me that night until you went back home?

Mr. Shelby: I was having a good time until Sarah kicked off. I don't get what she's complaining about. She shows up in this low cut dress with a tiny skirt, dances all night

grinding against me then complains when I reciprocate later on. Then, you know we just danced and drank, played games until the party got kinda dead and I left.

Police Interviewer: I see. Did you have a good relationship with Ms. Clark?

Mr. Shelby: Yeah we get on great. We have a few courses together and she's always making sure she's in my study group and flirting on with me. She was the same that night coming on to me. She can't be complaining about me touching her when she spends all night and the weeks before asking for me to do it.

Police Interviewer: Do you agree that you entered the bathroom while Ms. Clark was there as well?

Mr. Shelby: Ah yeah, the bathroom? Yeah, she basically invited me to join her. We'd been dancing and she said she said she was going to the bathroom. Why bother to tell me if she didn't want me there?

Police Interviewer: Were you aware of her physical condition that night? She claimed that she was not doing well and that's why she went into the bathroom. Apparently, she drank too much, so she wanted to go home. Did you know that?

Mr. Shelby: She's always drunk, but she knew what she was doing to me. Flirting with me and dancing. It's not like she was being subtle. She's not a shy girl you know. Everyone knows she likes to sleep around and she knew what she wanted from me that night as soon as she showed up in that dress. You can't dress up like that, flirt with a guy, then complain if he makes a move on you.

Police Interviewer: She told us that you yelled at her aggressively, wanting her to stay. When Ms. Clark wanted to leave the bathroom, you grabbed her and kissed her. Then, according to her, you pushed her to the wall and started to touch her body parts such as her breasts and intimate parts. Is that correct?

Mr. Shelby: Well, you don't know how Sarah is like. She's always flirting with different guys and that includes me. The last couple of weeks she's always been in my study groups and making sure she's near to me. What am I meant to think? She sleeps around and then starts paying attention to me, and after she invites me into the bathroom suddenly she doesn't want it? Of course I was angry but I didn't do anything she didn't want then she just runs off? She's just acting crazy, as usual.

Police Interviewer: While you were kissing Ms. Clark did you notice her complaining about your actions or wanting to get away?

Mr. Shelby: Yeah, but she only starts to complain after we're already into it doesn't she. Leads me on all night and before, invites me in the bathroom, then randomly decides to change her mind once we start getting into it. What am I meant to think? I'm not going to get punished because of her deciding she didn't want to sleep with someone for once.

 Police Interviewer: I see. Can you tell me why you think Ms. Clark called the police that night?
Mr. Shelby: No clue. She leads me on, then walks off and she thinks she's the one that should be angry? I just left the party not long after her since I was starting to get bored anyway. It's

ridiculous she's complaining about this. Anyone would have done what I did if they were with a girl acting like she was.

Police Interviewer: Alright, Mr. Shelby. I have no further questions. Closing the interview at 11:45 am.

Denial of Responsibility

Police Interviewer: I am inspector White and today is 11th of March 2021. The time is 11:26 am. Can you state your name for the record?

Mr. Shelby: My name is Jack Shelby.

Police Interviewer: And for the record, are you speaking to me voluntarily?

Mr. Shelby: Yes, I am.

Police Interviewer: Good. Thank you, Mr. Shelby. Just so you know, you don't have to necessarily answer the questions. Anything you do say, may be given in evidence. Is that clear?

Mr. Shelby: Yes.

Police Interviewer: Perfect. So, Mr. Shelby, the reason why you're here is because of some accusations from Ms. Clark, from last night on the 10th of March 2021. She claims to have been sexually assaulted by you, so what we're going to do right now is ask you some questions about that night. Is that fine for you?

Mr. Shelby: Sure, go ahead.

Police Interviewer: Alright, good. You were seen to be at the party the night of the 10th. Can you describe to me that night until you went back home?

Mr. Shelby: Oh, yeah. I was basically dragged to this house party by my friends and as soon as we got in, they started playing drinking games and made me drink a lot. So, as you can imagine, I was pretty drunk since the beginning of the party and didn't really realise what was going on around me. And they got me dancing with Sarah, that's Ms. Clark. Basically pushed me into her arms.

Police Interviewer: I see. Did you have a close relationship with Ms. Clark?

Mr. Shelby: Yeah we get on great. We have a few courses together and we often end up in the same study group. It's almost like something wants us to be hanging out! It was the same that night with our friends pushing us together and getting us drunk. It's not like I was out looking to cause her trouble. It just seemed like everyone wanted us together and we were both pretty drunk.

Police Interviewer: Do you agree that you entered the bathroom while Ms. Clark was there as well?

Mr. Shelby: Yeah, I followed her but I was so drunk that anything around me stopped making sense, so when I saw that she was going away, I thought about following her don't really know why, but the others said I should go and check on her? I don't know, it's not the sort of thing I'd normally do, especially if I wasn't so drunk.

Police Interviewer: Were you aware of her physical condition that night? She claimed that she was not doing that well and that's why she went into the bathroom. Apparently, she drank too much, so she wanted to go home. Did you know that?

Mr. Shelby: Yeah, but she wasn't any more drunk than I was. It's not that I wasn't having fun, but I can't say that I noticed she was feeling that bad. If she was so ill why would everyone encourage me to go in and see her?

Police Interviewer: She told us that you yelled at her aggressively, wanting her to stay. When Ms. Clark wanted to leave the bathroom, you grabbed her and kissed her. Then, according to her, you pushed her to the wall and started to touch her body parts such as her breasts and intimate parts. Is that correct?

Mr. Shelby: Uhm, yeah, I guess that we kissed and stuff, but to be honest I was too drunk to process what was happening. Also, the bathroom was really tiny for two people to be in, so I got closer to her because I didn't have space. I might have gone a bit further than I normally would because I was so drunk and because everyone had been pushing us together all night, but I was just caught up in the moment. I'm not the sort of person that would attack someone.

Police Interviewer: While you were kissing Ms. Clark did you notice her complaining about your actions or wanting to get away?

Mr. Shelby: Not really, to be honest. Like I say, I was drunk so I didn't really notice anything wrong with how she responded, until she left. I didn't understand why everyone had encouraged me if she wasn't really into me, I wouldn't have even been in the room if it wasn't for them. I don't think I should be getting in trouble when everyone was telling me to go in after her.

Police Interviewer: I see. Can you tell me why you think Ms. Clark called the police that night?

Mr. Shelby: She must have been upset by what happened, but like I say I don't really think I'm responsible for any of this. If my friends hadn't got me drunk and been pushing us together at the party nothing would even have happened.

Police Interviewer: Alright, Mr. Shelby. I have no further questions. Closing the interview at 11:45 am.

Appendix E: Questionnaires Provided to the Participants

Rape Myth Acceptance

	Strongly Disagree (1)	Somewhat Disagree (2)	Neither Agree nor Disagree (3)	Somewhat Agree (4)	Strongly Agree (5)
If a girl is raped while she is drunk, she is at least somewhat responsible for letting things get out of control. (1)	◯	◯	◯	◯	◯
When girls go to parties wearing slutty clothes, they are asking for trouble. (2)	◯	◯	◯	◯	◯
If a girl goes to a room alone with a guy at a party, it is her own fault if she is raped. (3)	◯	◯	◯	◯	◯
If a girl acts like a slut, eventually she is going to get into trouble. (4)	◯	◯	◯	◯	◯
When girls are raped, it's often because the way they said "no" was unclear. (5)	◯	◯	◯	◯	◯
If a girl initiates kissing or hooking up, she should not be surprised if a guy assumes, she wants to have sex. (6)	◯	◯	◯	◯	◯
When guys rape, it is usually because of their strong desire for sex. (7)	◯	◯	◯	◯	◯
Guys don't usually intend to force sex on a girl, but sometimes they get too sexually carried away. (8)	◯	◯	◯	◯	◯
Rape happens when a guy's sex drive gets out of control. (9)	◯	◯	◯	◯	◯
If a guy is drunk, he might rape someone unintentionally. (10)	◯	◯	◯	◯	◯
It shouldn't be considered rape if a guy is drunk and didn't realize what he was doing. (11)	◯	◯	◯	◯	◯
If both people are drunk, it can't be rape. (12)	◯	◯	◯	◯	◯
If a girl doesn't physically resist sex—even if protesting verbally—it can't be considered rape. (13)	◯	◯	◯	◯	◯

If a girl doesn't physically fight back, you can't really say it was rape. (14)

○　　○　　○　　○　　○

Empathy for the Suspect

	Strongly Disagree (1)	Somewhat Disagree (2)	Neither Agree nor Disagree (3)	Somewhat Agree (4)	Strongly Agree (5)
The suspect's emotions are genuine. (1)	○	○	○	○	○
I experienced the same emotions as the suspect when reading this case. (2)	○	○	○	○	○
I was in a similar emotional state as the suspect when reading this case. (3)	○	○	○	○	○
I can feel the suspect's emotions. (4)	○	○	○	○	○
I can see the suspect's point of view. (5)	○	○	○	○	○
I recognise the suspect's situation. (6)	○	○	○	○	○
I can understand what the suspect was going through in this case. (7)	○	○	○	○	○
The suspect's reactions to the situation are understandable. (8)	○	○	○	○	○
When reading this case, I was fully absorbed. (9)	○	○	○	○	○
I can relate to what the suspect was going through in this case. (10)	○	○	○	○	○
I can identify with the situation described in this case. (11)	○	○	○	○	○
I can identify with the suspect in this case. (12)	○	○	○	○	○

Empathy for the Victim

	Strongly Disagree (1)	Somewhat Disagree (2)	Neither Agree nor Disagree (3)	Somewhat Agree (4)	Strongly Agree (5)
The victim's emotions are genuine. (1)	○	○	○	○	○
I experienced the same emotions as the victim when reading this case. 2)	○	○	○	○	○
I was in a similar emotional state as the victim when reading this case. (3)	○	○	○	○	○
I can feel the victim's emotions. (4)	○	○	○	○	○
I can see the victim's point of view. (5)	○	○	○	○	○
I recognise the victim's situation. (6)	○	○	○	○	○
I can understand what the victim was going through in this case. (7)	○	○	○	○	○
The victim's reactions to the situation are understandable. (8)	○	○	○	○	○
When reading this case, I was fully absorbed. (9)	○	○	○	○	○
I can relate to what the victim was going through in this case. (10)	○	○	○	○	○
I can identify with the situation described in this case. (11)	○	○	○	○	○
I can identify with the victim in this case. (12)	○	○	○	○	○

Guilt

Based on all you have read about this case; how likely do you think is Mr. Shelby guilty of sexual assault?

o Extremely likely (1)

o Moderately likely (2)

o Neither likely nor unlikely (3)

o Moderately unlikely (4)

o Extremely unlikely (5)