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FALSE RAPE REPORTS TO POLICE FORM A VERY LARGE PROPORTION OF CASES, AND THIS IS AMPLY EXPLAINED

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ABSTRACT

Contra ideologically-driven, thereby scientifically-compromised claims through misrepresenting data, rape reports to police in large proportion are false, as shown by: survey findings that one-in-fourteen women admit falsely alleging male assault, 40% thus anticipating; great excess of police-recorded over crime-surveyed totals; robust studies (all reports comprehensively investigated, any found false intensively further checked) revealing rates of 30%-50%; similar estimation by best placed observers -- police investigators -- notwithstanding rape myth training. Principally for emotional gain, in often trivial circumstances, motivation varies. False (including non-deliberate) reporting is underpinned by victimhood conferring female sexual attractiveness, male consent-seeking being a turn-off, females providing only non-verbal hard-to-interpret consent cues, and female erotic self-focus (projecting female-perpetrated sexual coercion, found at male-equivalent levels).

Keywords: confabulation, emotional gain, erotic self-focus, false accusations, rape myth acceptance, sexual assault







INTRODUCTION

Notwithstanding its being long recognised and accepted that a high proportion of rape incidents go unreported, the received opinion that false reporting of rape to police is rare continues, as ever, to be contradicted by those in the best position of all to assess: the very people engaged in the investigation and trying of rape cases -- police officers & the judiciary (as raised, e.g., by McMillan, 2018, and pointedly discussed by Saunders, 2012). All lines of evidence, as herein put forward and discussed, converge to support their position.

There is nothing mutually exclusive to a low level of reporting actual incidents of a crime type and a high level of its false reporting, but with the latter found to be of a low incidence in most crime types it is assumed (or, rather, insisted) this applies also to rape, and any evidence to the contrary is not merely ignored but fiercely resisted (as outlined below). The *false rape is rare* trope is a corollary of the ideological notion that rape is a major social problem impacting a large proportion of women, and even that it is ubiquitous as *rape culture*: see, for example, *Why Rape Culture is a Dangerous Myth* (Gittos, 2015). The mindset of the received opinion that rape is everywhere cannot countenance that false rape reporting exists, either at all or of no more than a tiny percentage of the whole caseload.

By any reliable measure, reasonable definition, common understanding or social experience, the notion of *rape culture* does not reflect reality. That rape is not and never has been (throughout evolutionary history) a particularly salient threat to females is revealed by the absence of violent males in female persecutory delusional ideation. Instead, familiar females are what feature as the ogres in both the persecutory delusions of women mental health patients (Walston, David and Charlton, 1998) and in female nightmares (Schredl, 2010). [Dreaming, according to control-mastery theory (e.g., Gazzillo et al., 2020), is a mechanism to rehearse dealing with ever-salient major threats.] Note, therefore, that an exaggerated fear of rape is very unlikely to drive its false reporting.

The false rape is rare trope would appear to serve an ideological imperative of demonstrating supposed generic oppression of females by males - that also is absent any scientific basis; only evidence against, as in the ubiquity of positive attitudes towards females and negative towards males (Moxon, 2018). With the conceptualisation not being robust to evidence and logical argument, there is refusal to discuss, and instead further entrenchment, in the fertile ground provided by the implicit negative attitudes towards males through evolved policing of male sexual access. Having been repeated so incessantly, the falsehood has grown to the extent that in elite discourse it is difficult to gain the perspective to see around. It has come to be believed, and over time the hegemonic elite view, that has been institutionalised. Rape complainants are deemed victims by the Ministry of Justice in England & Wales, notwithstanding this explicitly contravenes the basis of jurisprudence of innocence until proven guilt. Likewise, the foundation of science in objectivity, yet victim instead of complainant (or putative victim) is ubiquitous in the field of psychology, as O'Donohue & Fisher (2023) complain in a whole paper, Accusation is not proof: procedural justice in psychology. By complete contrast, the popular understanding, being based in social reality and outside of institutional ideological capture, remains more in line with that unofficially of the police and judiciary.

The following evidential lines, all providing data converging on the conclusion that false reporting of rape is commonplace, constituting a large proportion of rape reports to police, will be considered in turn and in this order:







- Major female propensity to falsely allege assault against a male is found in new research.
- Motivation to make a false report essentially is *emotional gain*, through evoking male protectiveness or sexual interest.
- Estimates of the very high incidence of false reporting by police rape investigators -- those best placed to make them -- are from experience, not bias.
- The large excess of police-recorded annual rape totals over those estimated from crime survey samples indicates false rape reporting.
- The few robust false rape report studies -- those where all cases are comprehensively investigated, with all those found to be false further checked -- similarly show very high rates.
- Inherent difficulty for males to ascertain consent provides a background for honest but false rape reporting (confusing female consent protocols, stemming from female disdain for male overt consent-seeking and non-verbal female modes of communicating and interpreting consent).
- Female erotic self-focus erases objectivity and consideration for the male's perspective on consent.

MAJOR FEMALE PROPENSITY TO FALSELY ALLEGE ASSAULT AGAINST A MALE FOUND IN NEW RESEARCH

The line of evidence of most obvious relevance yet not first investigated until 2021 is of female propensity (willingness in principle) to target a male with a false allegation. Bertsch & Matthews asked women in anonymous survey if they could imagine in the future falsely alleging assault against a male. Of their half community half college student sample, 39.6% answered positively to varying degree, 31% stating they knew another woman who had made such a false claim, with significant minorities claiming to know two, or three or more such others. Seven per cent admitted to already having made a false allegation; with two of this seven per cent doing so directly to an authority figure. Note these percentages likely would rise considerably should the whole sample be followed-up in longitudinal study, given that much of it is of young females, for whom the combination of predilective and situational factors that may precipitate a false allegation as yet would have had only a small portion of their lives to manifest. Note also that respondents hardly would be unaware that disclosure to any third party is highly likely to lead to a report to police, either on their behalf or through persuasion to report directly.

The authors point out that their data likely considerably understates the reality, given the wide variability in scores on the post-survey questionnaire about the degree of honesty in the answers supplied. This disparity is to be expected as anonymity cannot remove all responder reticence in a survey of what after all is criminal intent, with individuals implicitly cognising question-and-answer as a social scenario, notwithstanding interaction not being face-to-face. Furthermore, the officiousness of survey protocol evokes wariness of sanction from authorities







for any disclosure, albeit it also likely prompts implicit deontic cognition: an onus to act responsibly. Answering the questions about honesty of reply in the terminal checking questionnaire serves as an indirect and thereby what may feel a *safer* means of disclosing what was avoided in responding to the direct questions in the survey's main body. The upshot is that the finding of the best part of half of women envisaging falsely alleging assault by a male likely would increase to a majority should the additional findings regarding honesty of reply be factored in, suggesting female false allegation against males may be a generic predilection.

That the phenomenon cannot be regarded as being confined to women in some way abnormal is confirmed by the psychopathy, narcissism and Machiavellianism scores across the whole sample accounting for only a small amount of the variation in responses. Excepted are the women of the 7% subset (those who said they had already made a false allegation against a male of assault). These scored highly in psychopathy, over-sensitivity and entitlement, and were strong believers that women are highly sensitive to things men say or do, and deserved special treatment. These measures appear to be facets of narcissism, which is considered a continuum (as in the long and commonly used Narcissistic Personality Inventory) rather than as either within the normal range or a personality disorder. Seven percent is anyway a high proportion to warrant the label abnormal. Moreover, as afore-mentioned, the seven percent is despite at least half the sample being of student-age women, who as yet have had little time to experience the combination of factors that could give rise to making a false allegation. As for their individual motives – what precipitated their predilection to make a false allegation into actually making one -- embarrassment was the most common, then revenge, followed by excitement, with fear the least common. This is in line with the research into the motives of those found to have lodged a false rape report, as herein outlined.

The likely level of reporting to police the study results suggest outstrips the estimated 0.6% of adult females (aged 16 and over) in England & Wales who say they have ever made a complaint of rape or attempted rape to police. [The Office of National Statistics (ONS) in 2023 state 4.1% of adults since age 16 claim to have been raped (including attempts), that minus the 9% of this total who are male leaves 3.7%, of which only 16% reported to police.] Furthermore, this 0.6% datum is likely a large over-estimate (as discussed below). So there would appear to be a substantial disparity between this and the results of the Bertsch & Matthews study, that would amply account for false rape reporting even if this constituted not just a substantial proportion but a majority of rape reports. A high proportion at least should be expected.

Note that a caveat of the study is that although the authors introduce and discuss their research in terms of rape, this is not specified to participants, who were not asked what they were envisaging in their responses. This would be for the good reason that not spelling out (nor asking to be spelt out) what respondents are being asked to admit imagining themselves doing serves to reduce the demand characteristics of the survey, thereby to some degree counteracting response reticence. In making salient the male-on-female nature of assault, participants thereby were prompted to envisage rape, as this is the obvious and damaging form of male to female assault, that women implicitly anticipate easily attracting third party support (male protectiveness) in respect of what would constitute reproductive usurpation; the prevention of this being the very deep basis of social *policing* of males. The seriousness with which rape is seen and the ease with which it evokes support serve to reduce the threshold of believability, facilitating false complaint. Conceivably, participants instead may have envisaged partner violence as the form of male assault, though it would be intuited as less believable and more difficult to allege, given the need to display physical injury and the common intuition that males







hold back from physical violence specifically if a female would be the target (confirmed by Cross, Tee & Campbell, 2011), leaving male perpetration aberrational, as all lines of evidence in respect of partner violence reveal (Moxon, 2020).

MOTIVATION TO REPORT FALSELY IS FOR EMOTIONAL GAIN, BY EVOKING MALE PROTECTIVENESS OR SEXUAL INTEREST

The embarrassment, revenge and excitement motives identified by Bertsch & Matthews are echoed in research both old and new into the basis of false rape reporting. In what remain (along with their replication by others) the most comprehensive studies of false rape reporting (as herein discussed in detail, countering routinely repeated falsehoods about them), Kanin (1994) found between a quarter and a half of cases are trivial and spiteful revenge against a rejecting or non-reciprocating male, the best part of a further half serving to cover embarrassment by providing an alibi to cover some suddenly foreseen consequence of an illicit sexual encounter (often the fear of pregnancy -- presumably in that it would give it away). Up to a fifth are complete inventions with no cited perpetrator, simply to gain attention or sympathy. Revenge or anger, avoiding trouble/providing an alibi, and attention-seeking are similarly found in analysing cases deemed unfounded that had been reported to the Los Angeles Police Department, in a study by O'Neal, Spohn, Tellis & White (2014), with the addition of two further categories: mental illness and guilt/remorse. These five are found to be overlapping categories, so that in general motivation is "varied and complex, often resulting from a need to alleviate social and personal distress". This resonates with the very recent invocation of the psychological mechanism of (salving) cognitive dissonance to explain the long-recognised circumstance underpinning false rape reports to police of regretted sexual intercourse producing in effect retroactive withdrawal of consent. Demarchi, Tomas & Fanton (2021) describe "the reduction of a state of cognitive dissonance induced by the gap between social norms and the shamefully perceived behavior".

A strong echo of this is apparent in the most comprehensive of the recent research, by De Zutter, Horselenberg & Van Koppen (2018), showing that the major motivation is "emotional gain", and who cite the list of motivations put forward by Kanin as being confirmed as valid by their own work, though insufficient without their expansion of them. They propose that: "gain is the predominant factor. In the proposed list, complainants file a false allegation out of material gain, emotional gain, or a disturbed mental state. The list can be subdivided into eight different categories: material gain, alibi, revenge, sympathy, attention, a disturbed mental state, re-labelling, or regret". To test the validity of this typology, proven-false rape reports to the Dutch National Police were analysed. "Complainants were primarily motivated by emotional gain. Most false allegations were used to cover up other behavior such as adultery or skipping school. Some complainants, however, reported more than one motive. A large proportion, 20% of complainants, said that they did not know why they filed a false allegation". This last observation indicates an implicit, deep-seated basis of some or much of what drives false rape reporting, that together with the apparent triviality of the precipitating circumstances suggests an easy readiness to have recourse to the ploy without giving much thought to the possible consequences, as if it were generally acceptable and usual behaviour. Hence the more expansive, partly derivative list of motivations that Savino & Turvey (2011) distil from the experience of police rape investigators, in their Rape Investigation Handbook: revenge, need for attention, profit, explanation for pregnancy or sexually transmitted disease, alibi for inappropriate absence, (attempt to get) new housing, (contest over) child custody, attempt to veil a recurrence of drug or alcohol use, and change of heart after a sexual encounter.







It may not be immediately clear as to what is the basis of a female expectation that falsely alleging rape could facilitate emotional gain, until is realised the fact of and implicit understanding by women and girls that female vulnerability is sexually attractive (Goetz, Easton, Lewis & Buss, 2012; Rainville & Gallagher, 1990). Indicating own vulnerability may be a signal of infancy, akin to babyface (baby-like facial features), which is thought to be an evolved borrowing of infant signals by women to confer sexual attraction (Wilson & McLaughlin, 2000). Attention seems, however, to be evoked less through sexual interest per se than deep-seated, seemingly evolved male protectiveness. Evident from very earliest ages is the human seemingly implicit cognition that the male must protect the female (Euverman, 2009). That this is extremely deep-seated (in our evolutionary history) is shown by the parallel in chimpanzee males' protectiveness towards females: readily risking their own lives to defend them (Sagan & Druyan, 1993) as do human males. Boys and girls play games about boys protecting girls (Best, 1983; Kinney, 1999). Boys as young as four frequently say boys protect girls (Kagan, 2001). In mixed adult focus groups discussing violence, "the single most frequent (>30%) type of comment involved men's protecting women. In contrast, women were never discussed as protectors of men" (Hollander, 2001, p 92). An evolved origin appears well-evidenced. Even where either sex could be victim or perpetrator, as in partner violence, there is both more concern for female victims and greater denigration of male perpetrators (Hammock, Richardson & Lamm, 2017). Many studies old and new show males are viewed as culpable, irrespective of circumstances, even when exclusively the victims.

Damsel in distress behaviour is ideal for use in evoking third-party male female-protective behaviour as instrumental to relieving or distracting from a specific problem within a set of circumstances in which a female finds herself. In also co-opting male sexual interest, the appeal to male protectiveness is made considerably stronger still. Additionally, or alternatively, it would be ideal as itself proceptive behaviour, to selectively draw the sexual attention of a male in whom the female has a particular interest, or to engender the sexual interest of males generically, encouraging their approach and rivalry between prospective suitors, enabling the female to make a more informed choice between them.

A rape report is the perfect prompt to evoke male protectiveness, given the evolutionarybiological / psychological understanding that the basis of the evolved in-group policing of males is so as to ensure differential allocation of sexual access accords with mate value (as indicated by rank in the male hierarchy). Any attempt by a male to circumvent this policing by direct sexual co-option of a female -- as most severely in rape -- is likely to be met with the greatest sanction. Consequently, a female (who, necessarily, will have evolved to know this implicitly) has no better ploy to distract attention away from circumstances in which she finds herself suffering some embarrassment. It's worth trying even if the potential adverse impact is trivial, given there is so little risk of it boomeranging back on herself, such is the exclusive focus she displaces on to the putative male perpetrator in respect of any wrongdoing. Indeed, it has utility simply to gain attention per se, even when no cover is required for past behaviour, whether or not the added dimension of proceptivity has become a primary motivation. Almost whatever the circumstances it is a win-win scenario for the female false accuser, as females surely intuit. Only the seeming unnatural imposition of dispassionate supra-authoritative institutional rape investigation poses any threat to impunity, but women are unlikely to intuitively anticipate such a threat, as it has no antecedent in the evolutionary past, and, therefore, there has been no selection for a cognitive adaptation to deal with it.







POLICE RAPE INVESTIGATORS' ESTIMATES OF THE VERY HIGH INCIDENCE OF FALSE REPORTING IS FROM EXPERIENCE, NOT BIAS

A line of evidence of most obvious importance, with a research history, though, with no good reason, often relegated in importance, is how rape reports are viewed by the best placed third parties: police rape investigators. That their estimates of the proportion of rape reports that are false -- those deliberately false, at least -- are more likely to be accurate than not, is shown by the research into the ability of police to detect deception. In a meta-analytic review, Wright & Wheatcroft (2017) point out that "consistent findings suggest that police officers are able to detect high-stakes deception; this implies that, at least in some contexts, police officers utilise reliable cues to deception". With cues discriminating between lying and truth-telling here being reliably detected by large majorities of policemen, it seems they do not rely on inaccurate stereotypes. Officers are found to make very good use of cues that *indirectly* detect deception (Vrij, Edward & Bull, 2001). In separating truth from lies in videotaped police interviews, police officer "accuracy rates were higher than those typically found in deception research and reached levels similar to those obtained by specialized lie detectors in previous research" (Mann, Vrij & Bull, 2004).

Of an un-named English county police force's officers with recent experience of dealing with rape cases, on average they estimate 53% of rape reports as being false (McMillan, 2018). Very similar data is obtained in the USA: the modal estimate is 50%, median 30%, and mean 36% (Venema, 2018). A mere 6% give a percentage not above the upper bound of what is often cited as the supposed actual range of false rape reporting of 2%-8%. This is an echo of Mennicke et al.'s (2014) finding that 81% give an estimate well over this low range. Police officer estimates of high levels have always been the case: a range of 50% to 70% (Metropolitan Police – London – back in 1985, Blair), and 60% (US police and judges in 1980, Feldman-Summers & Palmer).

These high rates, as estimated by both police and the judiciary, have been ascribed by Saunders (2012) to conflation of false rape reports with "false rape accounts" (reports containing discrepancies though not necessarily false as a whole); but, this questionable distinction aside, Saunders' research is completely invalid in being not of female rape victims: "The analysis draws on original qualitative data produced in the course of a separate empirical research project examining prosecution decision-making in male-on-male rape cases". Not only can it not be assumed but it would not be expected that males behave akin to females in respect of making false rape reports, because of the obvious lack of empathy for male rape victims corresponding to that for females (e.g., Osman, 2011); this presumably rooted in there being no risk of usurping reproductive choice in the case of male victims. Furthermore, Saunders states: "It is important to emphasize that the male rape study did not set out to examine false allegations of rape, either quantitatively or qualitatively, and was not designed to that end". In any case, Saunders' distinction between a false account and a false report, quite apart from the interchangeability of her terminology in normal usage, is to ignore the basis of investigation and due process. Discrepancies in the investigation of crime of any type are highly significant as indicators of the reliability of the testimony of the putative victim; this being crucial specifically in rape cases, given the putative victim is almost invariably the sole witness other than the accused, and usually there is no possible corroborating evidence. Discrepancies are key to the determination that what occurred was either a rape or not non-consensual sex, and that the scenario is consistent with the identification of the individual accused (or group of potential perpetrators to sift for the culprit). If discrepancies lead to an investigatory process ending with the rape complaint being deemed false, there is little basis on which to overturn this conclusion without







a comprehensive review, including not least re-interviewing the putative victim: an effort beyond the scope of a desk-based reassessment by a criminology academic.

The 2%-8% range, supposedly, of the actual rate of false rape reporting is spurious, as explained here in due course, but is the basis of claims that police officers greatly over-estimate, with the disparity presumed to be due to officers' negative attitudes to complainants. This would seem an unwarranted, indeed pejorative assumption, not resembling police attitudes. Officers will tend actually to favour the putative victim and reserve negative attitude for the putative perpetrator, as they have actively chosen first to join the police -- a decision surely bound up with a decision to fight crime and support victims of crime -- then to be a part of a rape investigation team, from which they have full freedom to transfer. Inasmuch as they may not favour the putative victim, officers are abiding by their training. The job of police fundamentally is to be impartial, in being fully mindful of the possibility of innocence as well as guilt of those accused of a crime. It is contrary to their role to believe the complainant and dub her the victim, as they are politically pressured to do, before investigation can determine if victimhood actually is the case. Nevertheless, the police approach to dealing with rape complainants, as pioneered several decades ago by the FBI in the USA, has long been to be supportive and sympathetic, irrespective of the incident being substantive or otherwise, as experience has proved that false complainants have to be given the space to allow free admission. Confrontation is known to produce stubborn adherence to the false report. Consequently, police have every good reason to adhere to protocols, notwithstanding any jadedness in dealing with rape complaints. There is little reason to suppose (and no evidence of) any motivation other than both to bring perpetrators to justice and assist rape victims.

Yet a sub-meme of overall ideology regarding rape is that police investigators are hidebound by what is judgementally, and highly inappropriately dubbed *rape myth acceptance*. The same has been presumed of juries, who are blamed for a supposedly low conviction rate, but this is an extreme misrepresentation of data. In England & Wales the conviction rate in respect of adult female complainants is 67%, which is extremely high; higher indeed than for other crimes. To arrive at the oft-cited figure of 5%, data instead is taken from early in the police & judicial process, before the overwhelming majority of cases fall in the usual stages of attrition that occurs with crime of all types. This is then inappropriately compared to the post-attrition data (the courtroom outcomes) re other crimes. This sleight of hand is based on an unstated false assumption that attrition is unique to rape cases. The claimed evidence for jury bias is shown to be anything but by Waiton (2024), who points to major methodological flaws – not least the use of mock juries where any of the attributes of real juries (notably any element of deliberation) are absent – fatal problems with the measurement scale (see below), and profoundly one-sided interpretation (in particular, no recognition of bias in the other direction: *in favour* of the complainant and/or against the defendant).

In being comprised of individuals randomly selected from the general population, and who, therefore, are highly unlikely to have gained any kind of overview of rape cases, jurors would be considered more likely than police rape investigating officers to be biased against rape complainants. Yet in a study of juries trying rape trials over a 15-year period to 2021, Thomas (2023) found no evidence at all of *rape myth acceptance*. With this being the case for these ordinary members of the public in a public duty setting, it is far less likely still that police officers would be otherwise, given their far greater familiarity with rape cases. Thomas tellingly finds that rape conviction rates are significantly lower when the complainant is male, undermining







any notion that sexism towards females is at play when the complainant is female; so there is no basis for the supposed *rape myths*.

There is a large academic literature of this ideological construct, but it is absent the validity and reliability necessary for it to be considered at all scientific, with claims to the contrary being just the sort of transparent circularity paralleled in the scientifically invalid construct of sexism (Moxon, 2018). The empty circularity is highlighted by Waiton (2024) in an excoriation of the *rape myth* construct. In her paper, *Rape Myths: Is Elite Opinion Right and Popular Opinion Wrong?*, Reece (2013) writes:

The claim that rape myths are widespread may be challenged on three grounds: first, some of the attitudes are not myths; secondly, not all the myths are about rape; thirdly, there is little evidence that the rape myths are widespread. To a troubling extent, we are in the process of creating myths about myths.

In the short form of the usually employed *Illinois Rape Myth Acceptance Scale* (IRMA), the supposed myths are that it's not rape if there's no fighting back, or no threat with a weapon, or if drunk; that rape is caused by an ambiguous no, dressing provocatively, teasing or leading a man on, by men getting carried away or through a male's sex drive being out of control; that rape is secretly desired, is a turn on, is no big deal if the woman had wanted to make out, and it's impact is exaggerated; also, that rape accusation is to get back at a man. These supposed rape myths self-evidently are often pejorative assumptions about and tendentious interpretations of popular understanding and/or what actually are at least partially accurate, as in being a contributory factor (if they were to be expressed with more nuance), if not in some instances hardly myths at all; interspersed with inversions of extreme ideological notions about rape that truly are themselves outlandish myths about rape. What is deemed a rape myth is a belief antithetical to being instrumental to upholding extreme ideological notions about rape, that would fail to uphold extreme ideology of supposed male oppression of the female; notwithstanding that it may be a correction of a truth inversion. Rape myth acceptance scales actually measure not the degree of belief in myths about rape but the degree of lack of adherence to ideology about rape and the wider hegemonic ideology regarding men-women - a point strongly made by Waiton (2024). The key supposed rape myth acceptance that is of concern to ideologues is that women lie about rape.

With the concept of *rape myth* being so empty, it is no surprise the evidence is that training to counteract *rape myth acceptance* has no impact at all on police rape investigators. Ostrander (2018) finds no association at all (to a high level of significance), and in a recent review of both specialist training programmes and specific interventions to address police attitudes in respect of rape, Hine & Murphy (2019) conclude "neither are currently effective at changing officers' attitudes". According to Sleath & Bull (2012), whether or not police have had special training has no effect on (what the researchers pejoratively interpret as) "victim blaming" in rape cases. In another review, Parratt & Pina (2017) conclude that "studies indicated that sexual assault training was related to possibly some variety of benefits for officers' skills but not rape beliefs, including rape myths and victim blaming" (p. 48) Detectives specialising in sexual assault cases acknowledge in assessments that *rape myths* are false yet still hold their belief in a high rate of false rape reporting (Schwartz, 2010). It is likely that officers answer in the way they are politically required to do, but the attempt at indoctrination continues to fail. This is true of police officers generally. US police patrol first responders estimate 33% of all reported rape cases are false, despite giving answers that on a *rape myth* scale show no *rape myth acceptance* (ibid).







Even a force as relentlessly subject to pressure to conform to the hegemonic ideology as is the Metropolitan Police (London) confounds expectations of the efficacy of training, and this is in the midst of the most concerted effort to date to 'reform' its rape policing, the current *Operation Soteria*. In a new review of the attitudes of Met officers it is found that "only 26% agreed with the statement that 'very few reports of rape are false'" (Casey, 2023, p. 164). There is nothing published other than this headline statistic in a single sentence, and the researchers refuse to discuss it (even in informal email exchange), suggesting that breakdowns of the data would further point up the complete failure of *rape myth acceptance* training. Police officers are found actually to score lower on the IRMA Scale even than psychology and law students, with the sole exception of scores on the *she lied* sub-scale (Sleath & Bull, 2015). Similarly, Gekoski et al. (2023) revealed police officer awareness of *rape myths*, but they purport nevertheless *rape myths* were employed, chiefly "victim fabrication" (an oxymoron revealing the bias of the researchers); that is, "women lied".

It becomes clear, and is the overall conclusion of Ostrander (2018), that it is not their attitudes towards rape or rape complainants but professional experience of dealing with rape cases that leads police officers to estimate high rates of false rape reports are common. If there is any negative attitude toward rape complainants – and given the bogus, ideological rather than scientific construct of *rape myth acceptance*, any finding of such is likely spurious – this then would stem from the experience-based conclusion that many or even most complainants are not in fact rape victims. Researchers appear to have (wilfully) misconstrued the direction of causality here, inasmuch as the research is other than worthless bar the findings of police officer estimates of high rates of false rape reporting.

THE LARGE EXCESS OF POLICE-RECORDED OVER CRIME-SURVEYED RAPE IS A MEASURE OF FALSE REPORTING

An estimate of the rate of false rape reporting can be obtained by comparing two independent, different types of national datasets attempting to measure rape in England & Wales: police recorded crime (PRC) and the Crime Survey of England and Wales (CSEW). With seemingly little or nothing to be gained in making a deliberately false claim of rape in an anonymous self-completion survey, the CSEW provides the best available baseline. Follow-up questioning as to whether the incident was reported to police then provides a basis to calculate a total to directly compare with the total that police actually recorded.

The comparison would appear to be bedevilled in that the CSEW concerns prevalence whereas the PRC incidence, but the PRC counting rules changed in 2016 so that there is just one record for each *victim-offender relationship*, irrespective of how many instances of rape occurred. Consequently, both datasets essentially are of prevalence. Although there is multiple-perpetrator rape, which in adding to the number of *victim-offender relationships* despite no increase in the number of complainants would over-state the total in its being taken as a measure of rape complainant prevalence, it is generally thought to be a tiny percentage of rape -- such that, as the ONS and Police confirm, there is no attempt to record it and hence no statistics.

The only big adjustment needed to ensure the two datasets are roughly comparable is to remove from the PRC total those reports that are historical (occurring more than one year previously), given that the CSEW data is in respect only of rapes taking place within the previous year.







This checking against each other of two very differently produced datasets on rape has been carried out previously by Collins (2019), with the data revisited by Bradford (2022), who find a very large disparity indicating false rape reporting: very roughly 60%, varying from 50% on 2015 data, to 80% on data from 2019. With annual datasets now resuming after the suspension of the CSEW in the COVID hiatus, now is an opportune time to repeat and update the exercise.

From the Office of National statistics' (ONS) Crime in England & Wales Annual Supplementary Tables year ending March 2023, table S42a contains the percentage of the female population aged 16-59 who responded in the survey to state that within the past year they were raped: 0.5%. Bear in mind, however, that this is considerably if not greatly inflated, for two major reasons. First, there is no way to assess the male party's honest belief or otherwise in consent, nor anything of the particular circumstances (which might be a commonplace of foreplay or longstanding interaction within a sexual relationship that no reasonable person or jury would consider rape). A retrospective claim by the penetrated (or allegedly penetrated) party that consent was absent in no way is sufficient to amount to rape. Second, the questions within the CSEW do not ask about rape per se, instead about various forms of penetrative behaviours -vaginal, anal, oral; penile or using an object -- most of which pertain to a newer definition of rape wider than the legal one. Instead of the respondent determining whether behaviour and circumstance amounts to rape, coders are employed to judge if a respondent's answers warrant such classification, when this may be more in accord with a wider definition and would not be agreed by the respondent herself or a jury. These are serious caveats rendering the 0.5% datum highly suspect if not meaningless, but in being likely far larger than the reality, the results of comparing with police-recorded totals will be a conservative estimate of false rape reporting. It entails considerably understating the disparity between CSEW and PRC annual rape totals, thereby underlining the size of any false rape reporting rate found in the comparison.

To obtain an estimate of an annual total, the most up-to-date population of England & Wales (the ONS figure for mid-2021 of 59,642,000) has to be multiplied by the percentage of the population that is female and aged 16-59 (29.5% is the mean across local authority areas, according to LG Inform -- the Local Government Association), giving 17,594,390; 0.5% of which being 87,972.

Of those who indicate they have been raped, only 16% then answer that they reported to police, so to be comparable to the PRC statistic, 87,972 becomes 14,075. (Note, presumably in order to increase the reliability of the statistic about reporting to police, the effective sample size is increased by asking about the most recent rape, irrespective of whether this was within the previous year. This potentially introduces error through change over time in the willingness to report to police, but being very similarly 15% back in 2013, evidently it is stable.)

Turning now to the police-recorded data, for the year ending March 2023 police across England & Wales recorded a total of 45,966 rapes of females aged over 16. (ONS Table A4a line 68) As this is only about 1% more than for the previous year, it appears not to be a volatile measure. Of these, 24% are "non-recent," that is, before the 2022-2023 year. (ONS Other Related Tables, Table F15 line 16) So to be comparable to the CSEW dataset the 45,966 total has to be reduced accordingly, to 34,934. Note, of course, that a sub-set of the 24% that are "non-recent" additionally will be false rape reporting, as addressed below.

The CSEW-estimated 14,075 is just 40% of the police-recorded total of 34,934, with the disparity of 60% indicating false rape reporting -- fully in line with the findings of Collins (2019)







and Bradford (2022). Furthermore, this is likely a considerable under-statement of the problem, given the afore-explained strong suspicion of CSEW large over-estimate. As for PRC, this is incessantly complained of as *under*-recording rape. So the main errors in the CSEW and PRC are in opposite directions serving to increase the disparity, leaving 60% a likely *under*-estimate. There is the caveat that the CSEW data, generated from a relatively small sample size, as the ONS concedes, has a "large margin of error". Another potential source of error is failure to weight towards lower SES individuals to reflect what might be suspected is the more common milieu of rape. However, these errors are fairly small, so hardly likely to cancel out the CSEW over-estimation, let alone reduce the estimated rate of false rape reporting to 50% or less, to be more in line with that found in other lines of evidence.

In respect of the historical cases excluded from the comparison (24% of police-recorded rape of female over-16s), there is the likelihood that many of these also are false reports. False memory (e.g., Loftus & Pickrell, 1995) is necessarily a major problem here, with there being no time limit at all on how long ago was a rape incident at last for it to be reported. A science literature too large to briefly review here attests to not just the extreme fallibility of memory even over short time-scales, but that memory is not retrieval of some neurally encrypted copy of the event but a new construction using separately stored generic facets or elements implicitly to serve current perspective. Confabulation is how memory always works, not an aberration. Therefore, accurate memory is unlikely if not impossible, and is not to be relied upon. Memory of events many years ago would be surprising if it were not a distortion or even completely invented when this is of significant instrumental benefit in becoming a complainant. Specifically with respect to sexual misconduct allegations, Miller, London & Loftus (2023) emphasise this "reconstruction": that "as time passes, one's susceptibility to misinformation and false memory production increase alongside natural processes of memory deterioration". Greenwood (2024) concludes that the delay in historical sexual abuse cases should be considered to be an abuse of process.

Historical rape reports in particular are likely to be driven by Criminal Injuries Compensation (CIC) (as it is termed in England & Wales), as the normal time limit for claiming of two years after a crime is waived specifically in the case of sex crime. The two-year time limit instead runs from the date of belated complaint to police. Compensation is paid with no requirement of proof that a rape occurred, and even if the report is shown to be false there is no requirement to return compensation. Furthermore, there are no means of challenging a claim for psychiatric injury, which is worth up to £27,000. This is notwithstanding there being no psychiatric sequelae diagnostic of rape: the concept of *rape trauma syndrome* has no validity. O'Donohue, Carlson, Benuto & Bennett (2014) point out:

there have been several critiques of RTS and empirical evidence exists that RTS is not generally accepted by the relevant scientific community", (so we) "comprehensively evaluated RTS and determined that it is vague and imprecise, its evidential status is questionable, it is inconsistent with the most common sequelae of trauma, it ignores important mediating variables and it may not be culturally sensitive. In light of these critiques, we recommend no further use of this model in courts or in clinical practice.







THE FEW ROBUST FALSE RAPE REPORT STUDIES SIMILARLY SHOW VERY HIGH RATES

Studies of rape reporting to police are liable to severe compromise through the lack of comprehensive investigation and proper recording of cases. The most exhaustive investigation is required not or not so much to *detect* a false rape report -- rape investigators point out that for many or most cases this is quick and easy -- but subsequently to fully establish falsity, with no possibility of being actually genuine. Without this, cases are simply left as recorded rapes even when police have firmly concluded they are not genuine. This is the reality for deliberately false rape reports. Instances of honest-but-false reporting, which could arise for a variety of reasons, including, in extremis, false memory construction or mental illness (see, for example, Goodyear-Smith, 2022), are more likely not even to be discovered; as is reporting that may be neither honest-but-false nor deliberate fabrication but somewhere in-between, being reckless or tendentious in relating the circumstances and regarding issues of consent.

Universal and rigorous investigation obviously is impossible in the vast majority of police departments given inundation with crime reports, lack of resources, and an aversion to diverting what limited resources there may be, given often no return on invested time and resources in trying to solve rape cases with the all-too-well-known especial difficulties they entail. Most importantly there is the necessarily strict criteria to clearly establish deliberate falsity that err very much on the side of avoiding the inclusion of false positives (cases not actually false). The greatest problem is that now longstanding police crime recording protocols specifically for reported rape incidents have become so stringent as to make it almost impossible for police to record an outcome indicating a false report.

In the wake of changes in UK police crime recording practices, a joint Home Office and Ministry of Justice report (George & Ferguson, 2021) find:

Police focus group participants reported ... a more automatic recording of all suggestions of a rape offence prior to any kind of exploration or investigation. Some investigator survey participants discussed how this resulted in rape cases being over-recorded, with the perception that cases were officially recorded as rapes *too easily*. ... they also thought this new approach meant they were unable to cancel the crime report for cases that turned out not to be rape offences. ... Police survey and interview participants suggested the need for changes to crime recording practices to allow for offences to more easily change to a *no-crime* when information emerges to suggest a legally defined rape did not occur. Some also suggested allowing time to assess the validity of the crime before officially recording so that recorded offences are based on evidence.

From a new independent report under the auspices of the Home Office (Stanko, 2023), the imposition of new measures by HM Inspectorate of Constabulary:

... has made force crime registrars highly risk averse and consequently reluctant to authorise *no crime* decisions. Qualitative interviews with police officers, crime management teams and Force Crime Registrars indicated that the bar is set too high for *no criming*. Investigators report that they often do not bother requesting *no crime* decisions as the process is so onerous and unlikely to be authorised. ... The bar for *no criming* is now that beyond reasonable doubt a crime did not happen, that is to say







evidence is required that proves a crime did not happen – the same as for a conviction. ... In-depth case file analysis and interviews found examples of investigating officers stating explicitly that offences were being recorded for 'Home Office reporting rules only'.

The consequence of this is that now a large proportion (19% in 2021-2022) of rape cases in England & Wales that previously would have been categorised *no-crime* simply remain as *rape incidents* (as necessarily all reports are initially recorded ahead of usual subsequent recategorisation as rape *crime*). *No-criming* has simply been re-badged in the police recording procedure in a default mechanism designed to misrepresent the absence of a crime incident as instead being one.

The near impossibility of recording a reported rape as not actually being rape is mirrored in the USA and other countries. Consequently, studies of false rape reporting yield very low levels that are an artefact of police investigating & recording protocols, radically understating the rate of false rape reporting as a whole, and almost all studies severely or radically understate specifically the rate of deliberate false reporting. A case in point is the most cited recent review paper on "false rape"; that of Lisak et al. (2010), who find an unsurprisingly low rate of 6% given all evidence is from "intermediaries" whose "summaries varied in detail, depending on the extent of the investigation that was pursued". Lisak et al. thereby invalidate their own review. With a false allegation by Lisak's own appropriate definition one that has to have been very heavily scrutinised, then all of the cases not well investigated necessarily would escape categorisation as false, irrespective of their nature, not least even those so obviously false to be thus determined by police with minimal investigation required. The same fatal flaw is behind the 5% rates found in a review of recent US data by De Zutter, Horselenberg & van Koppen (2017) and in a meta-analysis of some US studies by Ferguson and Malouff (2016). These are in the wake of the introduction of much more stringent US criteria to determine false or unfounded (baseless) rape, that, given the great majority of rape reports in almost all police areas will not be comprehensively investigated, guarantees only a very low percentage of false rape reports recorded as such, notwithstanding many more will have been detected. Consequently, the 5% supposed rates will be but a small fraction of the actual rates. De Zutter et al. indeed do point out that 5% is a conservative rate (and even then is five times the rate of false allegation of other crimes). Through the less strict recording criteria formerly pertaining, previous studies (e.g., Greenfield, 1997; MacDonald, 1973) showed considerably higher rates, of the order of 20%, but necessarily these too are serious under-estimates given investigative shortfalls. Again, the rates found are artefacts of police investigating & recording protocols.

By contrast, a very few studies avoid this problem by researching outcomes only from a police force with a strict protocol of the most thorough investigation possible of all rapes without exception, irrespective of merit: the one by Kennedy & Witkowski (2001) – in Michigan City, Detroit (a false rape report rate of 32% of the total caseload) – which is a replication of the two by Kanin (1994) – in the US Midwest (a rate of 41%), and also at a pair of Midwestern universities (a rate of 50%). Prior to Kanin's, and clearly his model, in the early 1980s there were the unpublished studies by McDowell, belatedly published by Gross (2009) – US Air Force bases globally (a rate of 45%) and a major US mid-western city and a city in the south-west (a rate of 60%).

These studies were all done in police jurisdictions that are not busy, so unusually are not inundated with cases, and the full necessary resources are available and properly allocated. The







studies used not samples but the complete set of all rape reports over a number of years; that is, reports of completed, not attempted rape - and Kennedy & Witkowski also removed those initially lacking prima facie credence and retracted by the complainant before a fuller investigation ensued. Each and every case file was checked by the study researchers. For both the Kennedy & Witkowski and Kanin research the criteria for a false report for the police and the study authors alike was not just full admission of falsity (and of what was central to the allegation, not something peripheral to it) rather than mere retraction, but additionally confirmed as genuinely false and not retracted for some other reason, by following-up in further investigation to whatever extent necessary until its basis was fully uncovered and then confirmed by the complainant. This even included checking that the revised account of events by the complainant matched that of the accused. Furthermore, in all instances of recantation the complainant would be told that she is to be charged with making a false complaint, and that this carries a sanction of both a jail term and a heavy fine. Yet, despite this, no complainant retracted her recantation. With this exhaustive documented investigatory process in place there was no scope for short-circuiting a finding of a false report. Even if an investigator might imagine somehow circumventing the rigour and cross-checking, they would be deterred by the self-incriminating paper trail they would leave. The prior McDowell investigations were not quite this rigorous in respect of inconclusive cases, but not far short in their having to be reevaluated by three independent reviewers, all of whom had to agree for the case to be recategorised as false.

These studies by Kennedy & Witkowski and Kanin, and also by McDowell, are the gold standard in research to ascertain the rate of false rape reporting, being the closest possible design to something akin to a laboratory experiment, with the only flaw that which is unavoidably common to all this kind of research, of small sample size. Unwarranted criticism nevertheless has been plentiful, seemingly so as to try to uphold the ideological line, though whether more through self-unaware implicit gross bias than absence of good faith it is not possible to distinguish. De Zutter (2017) falsely states (page 1) that Kanin makes the "extreme claim ... that all allegations are false" (Kanin makes no such claim, stating that a 50% rate was found in his follow-up studies, 41% in the earlier studies, and that caution should be exercised in seeing these percentages as fully representative across the USA); that "Kanin's figure has not been replicated" (yet this is explicitly what Kennedy & Witkowski did in 2001, yielding a percentage comparable to Kanin's, of barely significant difference); and that this "will probably be a consequence of methodological flaws" (without any indication of what any such could be). Huntington, Berkowitz & Orchowskic (2022) actually do cite a supposed methodological flaw, but it's a false claim that Kanin relies on a definition of a false report as simply recantation. Recantation was followed-up exhaustively in Kanin's studies (and in their replication) to ensure there was no possible case of false confession, thereby addressing the very flaw in methodology that relying merely on recantation would introduce. Chancellor (2001) makes exactly the same entirely misplaced criticism.

Lisak's (2007) critique is not only entirely empty but actually the very shortcomings of his own research: that Kanin supposedly did not either scrutinise the police's processes or employ independent checkers. On the very contrary, notwithstanding the inherent rigour of internally cross-checked police procedures, Kanin examined the case notes in each case, and, if there were any need for supplementary information, this was requested and granted, including even if required from the complainants themselves. By contrast, Lisak (2010) failed to examine police documentation, instead relying on "summaries" provided by "intermediaries", with (as







Chancellor, 2001, points out) a significant percentage of rape reports not even coded, and almost half were not properly investigated. Lisak even makes a beside-the-point complaint that Kanin did not independently define a false report, when he could not have bettered the police's definition, which was as exacting as it is possible for it to be, and clearly the one to be used to maximise the rigour of any study. Lisak also took unwarranted issue with the police department's use of a polygraph (lie detector) on the complainant, failing to note that this was not only voluntary but offered to both the defendant and the complainant – and anyway this was not police policy at the two universities studied in Kanin's follow-up studies. To claim there was a special intimidation of the complainant is particularly false, as the defendant was the party more likely to be intimidated. Indeed, the complainant was well supported in being given the opportunity to have presented her own polygraph data vis-a-vis that of the defendant. Notwithstanding that polygraphs are far from error-free (for which reason their use today is discouraged), results with caveats can be usefully indicative, so the offer of voluntary use to both parties did not detract from but instead added to the strength of the police's investigatory process.

Rumney (2006), in the other oft-cited review – a meta-analysis showing the findings of false rape reporting range from 1.5% to 90% – at first makes a similar unwarranted criticism of Kanin regarding checking police procedure, but then corrects himself in pointing out that in the police recording the details and circumstances of the false reports Kanin's findings can be considered "particularly reliable". Indeed, Rumney states that Kanin's 41% statistic is surely an under-estimate given the highly restrictive definition of a false report. It is of course a lower bound in the broader consideration of cases to additionally encompass those that are false not deliberately but honestly if mistakenly reported; a point made by Bradford (2022) and Collins (2019).

INHERENT DIFFICULTIES MADE FOR MALES TO ASCERTAIN CONSENT

Providing a basis or the background for even honest but false rape reports (and perhaps those that could be said to be recklessly or gratuitously made rather than deliberately false) is inadvertent failure in communication regarding consent or non-consent. A major problem here is that women impose costs on men for overt consent-seeking. From the statements by women in a focus group, Graham et al. (2004) conclude that "a partner verbally 'asking' for sex was widely regarded as a turn-off" (page 19). This was particularly true of the younger participants, who are variously quoted: "the asking is . . . the biggest turn-off ever"; "I wish [he] wouldn't ask. That's a turn-off"; "It's not something that's a turn-on". Conversely, "being 'surprised' or 'overpowered' by a partner was described as arousing". This is very well attested elsewhere and long familiar, and just the sort of standard sexual interaction falsely dubbed a *rape myth*. The very behaviour that risks being misconstrued and labelled *rape* is just that which is a female preference and which females place on males as an expectation.

Not just a "turn-off", overt consent-seeking behaviour evokes disdain for the male, as is often remarked upon in on-line discussion: that a male who verbally requests permission for sex is seen as overly polite and unattractive. Brady (2022), in analysing comments by predominantly female adolescents on a website, also concludes that participants see "verbal sexual consent negotiations as awkward and a 'turn-off'." Using focus groups, this time of both sexes, Shumlich & Fisher (2020) find that "the majority of participants agreed that affirmative consent kills the mood and that they will be negatively perceived by a partner as inexperienced or only interested in sex". It would seem that females as well as males do see the problem, likely in the way it







reflects back upon them, even if the main or direct impact is on the male, given the major sex difference found was that females were anyway much less likely to say they would straight-out ask for sex -- just as would be expected with initiation seen to be the prerogative of the male, leaving the onus on the male to ensure consent. It's not just that for the male an opportunity for sex may be lost, but the absence of behaviour that is the very antithesis of seeking verbal consent is a risk for males of profoundly negative assessment and sexual rejection, destroying future opportunity for sex, and not only with the one individual but generically, inasmuch as reputational damage is caused (loss of status -- mate value). Negative female responses aside, trying to obtain affirmative consent anyway is an obvious major risk in inviting overt rejection in so clearly setting oneself up for a fall, as voluminous on-line discussion attests.

The problem is much deeper than simply preferences for mode of negotiating consent, as this is not naturally overt (by verbal means). Shumlich & Fisher (2018) find "... direct discussion of sexual consent was exceedingly rare and that most sexual interactions included indirect, veiled, and coded behaviours that require inference of sexual consent or non-consent." Only 13% of people said they would be likely to discuss issues of consent with a partner, according to research by the Family Planning Association (2018). Hardesty et al. (2022) go so far as to conclude that sexual behaviour and affirmative consent "are at odds because they are logically incompatible", with consent being the result of "an accumulation of gestures exchanged over time". This is fully in line with what Willis & Jozkowski (2022) find, using vignettes:

... participants perceived the targets as more likely to be willing to engage in sexual activity as consent cues -- communicative and contextual -- accumulated. ... This finding is consistent with several qualitative studies that have indicated people perceive consent communication as a process comprising multiple cues (Beres, 2010; Humphreys, 2004; Jozkowski et al., 2018). Our study helps verify this qualitative work and suggests that an accumulation of subtle cues may be perceived by people as indicating consent in the absence of an explicit affirmative communication of consent.

It is not only that women preferentially use non-verbal cues and very much so in comparison to men, but they also better perceive and interpret male non-verbal cues – as would be expected given the evolutionary-biological imperative for females to be extremely competent in sexual encounters so as to effect the right mate choice and not to risk conception with either a low-mate-value male or a male not willing to pair-bond. Indeed, issuing subtle consent cues may be part of how females assess males. Willis & Marcantonio (2023) state:

[in] extending previous evidence that women more commonly than men use non-verbal cues to communicate their sexual consent or interpret that of others (Hirsch, Khan, Wamboldt & Mellins, 2019; Humphreys, 2007), we found that women were also more likely to report that they can infer somebody's willingness based on non-verbal cues like eye contact and facial expressions. Men's diminished endorsement of these types of communication may result from being less familiar with using such implicit cues themselves

The problems all this causes for establishing consent is neatly encapsulated by Righi, Bogen, Kuo & Orchowski (2021):







Specifically, whereas consent was *defined* as a verbal provision of affirmative consent, both male and female adolescents believed girls typically *conveyed* consent non-verbally in sexual encounters. Adolescent girls indicated that they would convey sexual refusal through non-verbal cues, whereas adolescent boys reported they would proceed with sexual activity until they heard the verbal expression of 'no'. Regardless of gender, participants shared the perception that adolescents who previously engaged in sexual activity can expect that sexual activity will happen again without the need for verbal consent, particularly within established relationships.

The upshot is potentially wide scope for either maliciously, frivolously, recklessly or honestly-if-misguidedly contesting that consent pertained. The basis of much disputed consent to sex is likely to be *inherent* male lack of facility to communicate or interpret consent/nonconsent in non-verbal terms, just as should be expected in that this appears to be a female strength, if not essentially a female mode of communication here. It's likely an evolved mechanism to set a test for males to detect subtle consent cues, whilst being able to detect cues from males that the males themselves may not even be aware of emitting. The dynamics of the interactions surrounding consent serve the evolved female sexual gate-keeping function, necessary for females as the gestating sex and, therefore, the limiting factor in reproduction.

All in all, there would appear hardly male fault here. The problems males have are compounded by the risk of rejection in the overt, verbal consent-seeking required to try to circumvent their difficulty with non-verbal cues, making them reluctant to employ it. Worse still, the risk of rejection is increased by the crudeness of the attempt (in comparison to the competent use of non-verbal cues), rendering the male unattractive, and potentially so not just to the particular female but females generically inasmuch as there is also entailed loss of status (mate value). Consent seems to be a minefield for the male because of how the male has evolved to function: unlike the female, the male seemingly is not in control or perhaps even aware of the fine-scale dynamics of courtship. Yet despite being the disadvantaged party in this mechanism, the male is expected to take sole responsibility if and when it goes awry.

FEMALE EROTIC SELF-FOCUS ERASES OBJECTIVITY AND CONSIDERATION FOR THE MALE'S PERSPECTIVE ON CONSENT

Further fertile soil for false allegation of rape against a male is the predominantly *non*-relational nature of women's sexuality in what is termed *erotic self-focus* (Fertel, 2021, 2015; Meana, 2010), that is found to be ubiquitous for women and far greater than it is for men (with large effect sizes); this being readily recognised by women and men both. The phenomenon is the internalisation of oneself as the object of desire in a sexual encounter: a woman is in substantial part her own erotic subject, as she focuses on her own desirability without consideration for the experience or even the attributes of the partner (Zurbriggen & Yost, 2004; Bogaert, Visser & Pozzebon, 2015; Lehmiller, 2018). For men, consideration of a partner's mood is important in their own sexual arousal (Janssen et al., 2008), but no factors concerning the partner were found to be important to female sexual arousal (Graham et al., 2004). Indeed, according to Prekatsounaki, Janssen & Enzlin (2019), "the affirmation of one's sexual desirability is the most important correlate of sexual desire in women."

With such deep narcissism and irrelevance of partner in the context of sexual intercourse, it hardly would be surprising if female consideration for any perspective on the issue of consent were restricted to that of the female party herself. That is, as to whether or not







the male party attempts to or obtains consent may not be expected to register in the female party's mind; only her own subjective understanding of the situation, notwithstanding its being dynamic and interactive.

What may be related to *erotic self-focus* are women's sexual fantasies, which concern receiving pleasure rather than giving it (Leitenberg and Henning, 1995), and their own responses and how their imagined partners respond to them (Ellis and Symons, 1990). As is well known, *rape fantasy* is a common fantasy experienced by women. According to Bivona & Critelli (2009), in a review combined with their own research, previous estimates of the proportion of women who have ever had a rape fantasy (a median across nine studies of 42%) are under-estimates through methodological flaws; likewise, the estimates of the percentages of women who have them frequently or are their preferred form of sexual fantasy (a median across eight studies of 14%). They themselves find fully 62% of women have had rape fantasies, and that these "exist on an erotic-aversive continuum, with only 9% completely aversive, 45% completely erotic, and 46% both erotic and aversive". In respect of the erotic category, "in a large majority of these fantasies, the non-consent was feigned or token (85%); and in over three-fourths, the self-character's level of consent changed during the fantasy from resistant to willing (77%)." (p. 41) With the erotic-aversive fantasies, the fantasiser "initially consented and seemed to enjoy the sexual interaction". (p. 41)

These findings suggest the phenomenon may reflect or key into adaptive cognition regarding courtship by the female party, that entails suspending consent in coyness for a period in order to assess the male's mate value (genomic integrity) and/or ardour (as further indication of mate-value but also reliability as a prospective pair-bond partner). Females crucially need a period of time to evaluate suitors to then decide whether to accept or reject them, being well aware that they may mistakenly reject an actually high-mate-value male or, conversely, mistakenly accept an actually low-mate-value male. The assessment has to be dynamic, with initial or early assessment always liable to reversal, just as in much rape fantasising. In this process, no means provisionally no, as might be some early form of yes, and if sex takes place consent is not unlikely to be ambiguous. It may even be withheld to test if the male has the persistence and spirit to overcome, as it were, the female, with this itself being further evaluation of mate value.

It is surprising that this obvious evolutionary-biological/psychological understanding previously has not been put forward to account for female rape fantasies, especially given the ambiguous results of research, that thus far has left no hypothesis hitherto proposed as preeminent (Bivona, Critelli & Clark, 2012). An explanation of avoiding blame for sexual behaviour is not supported. Instead, there is some evidence for openness to sexual experience, and moderately so for sexual desirability -- the theory considered the most plausible, that the female fantasises about a male finding her irresistible. This spread of findings is congruent with an evolutionary explanation of dynamic potential mate assessment. Inasmuch as this indicates important female psychology, which it appears to do, there is a basis here of female (mis)construal as non-consensual what is an ambiguity as to consent emanating from the female herself. The female, in being internally conflicted, may be blind-sided to consent she is giving.

The most problematic manifestation of women's narcissism with respect to sexual interaction is female-perpetrated sexual coercion, which, along with deficits in emotion regulation, narcissism is found to underlie (Escarguel, Benbouriche, Tibbels & Przygodzki-Lionet, 2023; Lyons, Houghton, Brewer & O'Brien, 2022) -- in contrast to men, for whom it's the







other two dark triad personality traits, of machiavellanism and psychopathy. Research in recent decades into its extent has been ignored, but there is renewed interest in the topic. Madjlessi & Loughnan (2024) find that of a sample of UK men "39.80% experienced attempted or completed forced vaginal/anal penetration" (overwhelmingly by women). New analysis of US data shows female perpetration of sexual coercion is at similar levels to that by males. DiMarco & Savitz (2023) conclude: "The 12-month data of the CDC (Centers for Disease Control and Prevention) reports of 2010, 2011, 2012 and 2015 indicate that men are 'forced to penetrate' at rates similar to the rates women are 'raped' (using CDC definitions). And the lifetime data indicates about 80% of these forced-to-penetrates are done by women", and point out (2024) that "... worldwide, approximately 17% of heterosexual women have sexually coerced a man sometime during their lifetime." Examining self-report of victimisation and perpetration, and for the first time of large datasets of representative samples (US national), Stemple, Flores & Meyer (2017) analysed four surveys conducted independently by the CDC and the Bureau of Justice Statistics (BJS) from 2008 to 2013: "Taken as a whole, the reports we examine document surprisingly significant prevalence of female-perpetrated sexual victimization, mostly against men and occasionally against women. The findings are sufficiently robust so as to compel a rethinking of long-held stereotypes about sexual victimization and gender" (p. 1). Even more surprising, of the male victims, "57.6% reported that the incident involved an attack, meaning the offender hit, knocked down, or otherwise attacked the victim. Of those who were attacked, 95.7% reported that they were injured in the incident "(p. 4). Note this is in marked contrast to rape of females, which usually is non-injurious. Indeed, it has long been well-known that rape of a female rarely entails injury. Slotboom, Hendricks, & Verbruggen (2011) find no significant difference in the rates of male and female adolescent sexual aggression in self-reports (10% of males and 8% of females). Similarly, Ybarra & Mitchell (2013) find that female 18 & 19-year-olds self-report perpetration of attempted or completed rape almost as much (48% of the total) as do males, with half saying that the victim was completely responsible.

The combination of levels of sexual coercion by females at similar levels to that by men and very high rate of *victim blaming* by females amounts to a complete refutation of received opinion in respect of false allegation of rape; if not, indeed, an inversion of it. The data suggest that the erasure of female objectivity and consideration of male perspective through female erotic self-focus facilitates women projecting their own sexually coercive behaviour on to the male partner, either simply in expression of extreme narcissism or instrumentally as cover for own perpetration, in making a false rape report to police.

CONCLUSION

With converging multiple independent lines of evidence it is clear that there is not inconsiderable measure and ample motivational & situational basis of a very high incidence of female false rape reporting. A large, indeed very large proportion of rape cases recorded by police would be expected to be false, and even a majority or an overwhelming proportion may not be unlikely. Albeit quantification is extremely problematic, it is untenable to maintain that the incidence is similar to most other crime types, nor that it is substantially more but <10%. Even \approx 30% would be conservative, being more like the lower band of a range, that might be 30%-60%. A best-informed estimate expressed as a single percentage rather than a range would be 45% or 40%. Not the majority of rape reporting but well over a third, approaching half of the caseload.







IMPLICATION

It is or should be impossible to ignore that how police and the judiciary in England & Wales, as in the USA and elsewhere, have been mandated to treat rape cases is profoundly and dangerously unfair to defendants, actively supporting those who are not rape victims but instead malicious, reckless or hapless perpetrators of what is a particularly serious false allegation. One not just potentially but usually leading to the destruction of an innocent male's life, whether convicted or not. Simply *the process* of being interviewed, charged, arraigned and tried for rape is far more damaging than is being convicted of most other crimes types. Most concerning of all is the effective inversion of the burden of proof from the prosecution on to the defence, as in England & Wales where in law the onus is on the defendant to show he had taken steps to ascertain consent. The measures in law and guidance that try to engineer more rape convictions would need to be reversed if there is to be at least some degree of fairness to defendants in rape trials, thereby to reduce what must be suspected is an alarming rate of wrongful or unsafe conviction as well as unwarranted trials, charging and arrests on the basis of no or insufficient prima facie evidence.

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