



Birkbeck
UNIVERSITY OF LONDON



PSYCHIATRIC EVIDENCE IN COURT PROCEEDINGS FOR SEXUAL VIOLENCE SURVIVORS: A QUALITATIVE STUDY OF PRACTICE IN ENGLAND AND WALES

**DEPARTMENT OF HISTORY, CLASSICS AND
ARCHAEOLOGY
BIRKBECK, UNIVERSITY OF LONDON**

DEFEND THE
POOR & PUNISH

SEXUAL HARMS + MEDICAL ENCOUNTERS

About Us

Sexual Harms and Medical Encounters (SHaME) is a research project exploring the role of medicine and psychiatry in sexual violence. We aim to move beyond shame to address this global health crisis. The project is funded by the Wellcome Trust and led by historian Joanna Bourke.

Our Research

Sexual violence is one of the most serious problems in the contemporary world. Our interdisciplinary project seeks to understand the role played by medical professionals, including psychiatrists, in understanding and dealing with sexual harms.

Instead of shame, we advocate for empowerment and knowledge.

Psychiatric evidence in court proceedings for sexual violence survivors: a qualitative study of policy and practice in England and Wales

Emma Yapp's project investigates how psychiatric evidence about complainants of sexual violence is used in court proceedings in England and Wales.

Throughout history, complainants of sexual violence have faced evidence that is intended to undermine their credibility during court proceedings. Evidentiary rules or procedures ("rape shield laws") intended to restrict the introduction of evidence about

complainants' sexual history have therefore been implemented in Canada, the UK, the US, New Zealand, and Australia.

Research in Canada and Australia suggests that such rules have led to an increase in the use of psychiatric evidence to undermine complainants' credibility. Conditions for the admission of psychiatric evidence in sexual violence cases have therefore been developed in some US States.

Currently, England and Wales lack clear governing principles for when and how psychiatric evidence should be deemed relevant to complainants' credibility. Research is therefore required to examine the legal doctrine, current practice, and professional and survivor perspectives on this topic. This project seeks to address these gaps with respect to England and Wales, and to make recommendations for policy and practice.

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