

FALSE ALLEGATIONS OF RAPE

FACT SHEET

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Mythology: It is widely believed – erroneously – that false rape allegations are a common occurrence. This misconception is one of the core elements of the mythology of rape that is pervasive in our society, a mythology that distorts the criminal justice system by influencing all those who participate in its functioning.

Reality: False allegations of rape are rare. The best estimates, drawn from careful analyses of police reports, indicate that **between 2 and 10 percent** of rapes reported to police are false allegations.

Research: Before summarizing the research, here are some key definitions:

False Report: The International Association of Chiefs of Police uses the following definition of a false rape report: *“The determination that a report of sexual assault is false can be made only if the evidence establishes that no crime was committed or attempted. This determination can be made only after a thorough investigation.”*¹

Unfounded Report: The FBI’s Uniform Crime Reports defines as “unfounded” a rape report that is either false, or that is “baseless.” The category “baseless” includes reports that are truthful, but which do not meet the legal definition of rape.²

The Data: A recent literature review lists 20 published studies that provide data on the prevalence of false rape allegations.³ However, most of the studies are so profoundly flawed that the data provided are not credible. For example, many studies rely entirely on unscrutinized police data, despite the fact that police classifications of rape reports have been repeatedly shown to be heavily influenced by stereotypes and marred by misuse of categories.³ Other studies amount to nothing more than the personal estimates of individuals involved in the criminal justice system. Others still rely on deeply flawed samples.

A small number of studies are methodologically rigorous enough to provide credible estimates:

Clark and Lewis (1977): Analyzed 116 rapes investigated by the Metropolitan Toronto police department in 1970. In 12 cases (10.3%) there appeared to be evidence that a rape did not occur. Of those 12 cases, only seven (6%) were false reports actually made by alleged victims themselves; the other five were filed by someone other than the victim.⁴

Grace, Lloyd and Smith (1992): Analyzed all rape cases reported to law enforcement departments in England and Wales during the first three months of 1985. Of 302 cases, 8.3% were false allegations.⁵

Harris and Grace (1999): Of 483 cases from police departments in England and Wales, 53 (10.9%) were categorized as false allegations.⁶

Kelly, Lovett & Regan (2005): The largest and most comprehensive study available to date. Applying police classification rules, the researchers found that of 2,643 rape cases reported to the police, 67 (2.5%) could be classified as false allegations.⁷

Heenan & Murray (2006): Of 812 cases reported in the state of Victoria, Australia, 17 (2.1%) cases were classified by the police as false reports.⁸

Lisak et al., (in press): Analyzed all 136 sexual assaults reported to the police of a major university over a 10 year period. Eight cases (5.9%) met the IACP criteria and were classified as false reports.⁹

References

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- ⁴ Clark, L. & Lewis, D. (1977). *Rape: The price of coercive sexuality*. Toronto: The Women's Press.
- ⁵ Grace, S., Lloyd, C. & Smith, L.J.F. (1992). Rape: From recording to conviction. *Research and Planning Unit Paper 71*. London: Home Office.
- ⁶ Harris, J. & Grace, S. (1999). *A question of Evidence? Investigating and prosecuting rape in the 1990s*. Home Office Research Study 196. London.
- ⁷ Kelly, L., Lovett, J. & Regan, L. (2005). A gap or chasm? Attrition in reported rape cases. *Home Office Research Study 293*, Home Office Research, Development and Statistics Directorate.
- ⁸ Heenan, M. & Murray, S. (2006). Study of reported rapes in Victoria, 2000-2003. Office of Women's Policy, Department for Victorian Communities, Melbourne, Australia.
- ⁹ Lisak, D., Gardinier, L., Cope, S. & Cote, A.M. (in press). False Allegations of Sexual Assault: A Ten Year Analysis of Reported Cases. Manuscript submitted for publication. *Violence Against Women*.