

[00:00:00.150] - Amanda Stanley

Hello, it's me, Amanda Stanley, producer of On the Engender, and I'm here to offer a quick note that this week we are excited to be lending our podcast platform to host a brilliant podcast from our friends, at Gender Equal Media Scotland. The episode discusses responsible reporting of sexual assault trials and is hosted by our very own Alys Mumford. You can find out more about the work of Gender Equal Media Scotland by heading to their website genderequalmedia.scot or find them on Twitter, @EqualMediaScot

[00:00:29.610] - Alys Mumford

Hello. Thank you for joining us. I'm Alys Mumford from Engender, Scotland's feminist policy and advocacy organisation. And I'm here hosting this podcast on behalf of Gender Equal Media Scotland. And I'm delighted to be joined by an amazing panel of women. And first up, we have a Dani Garavelli, Dani's a freelance journalist and columnist for Scotland on Sunday. She's won feature writer of the year at the Scottish Press Awards for two years in a row now, as well as being a regular finalist and winner at the Write to End Violence Against Women Awards.

[00:00:57.000] - Alys Mumford

Hi, Dani.

[00:00:57.720] - Dani Garavelli

Hi there. Hello.

[00:00:59.700] - Alys Mumford

We've also got Professor Karen Boyle, who's the director of gender studies at Strathclyde University, and she's written extensively about issues of feminism and the media. Last year she authored #MeToo, Weinstein and Feminism, providing a much needed feminist analysis of the #MeToo movement and sexual assault allegations against high profile men. Hi, Karen.

[00:01:17.940] - Karen Boyle

Hi, Alys.

[00:01:19.560] - Alys Mumford

And last but not least, we have Brenna Jessie, the Press and Campaigns Officer at Rape Crisis Scotland, the national organisation working to end sexual violence. Brenna has campaigned on responsible media for much of her life, including with the No More Page Three campaign, and on highlighting inaccurate and sensationalist reporting of violence against women. Hi, Brenna.

[00:01:36.318] - Brenna Jessie

Hello.

[00:01:37.230] - Alys Mumford

Today we're going to be talking about the coverage of violence against women, and wanting to get your observations on this. Karen, you're a professor of feminist media studies, so I'm going to call on you to please just give us a brief overview of some of the issues around this.

[00:01:51.600] - Karen Boyle

Thanks. Well, I think it depends what kind of violence against women we're talking about. And I think one of the things that's really noticeable is how infrequently the gendered nature of this violence is actually made visible. And by that I mean that we talk about violence against women as though our focus is on women. But we're not - there's much less tendency to name men in particular as perpetrators. So actually, we don't see the phrase men's violence against women, very often, even when that is actually what we're talking about.

[00:02:25.110] - Karen Boyle

So although there's been some really important shifts, I think, in media coverage over the last 10, 20 years and phrases used by the UN and other organisations like gender based violence or violence against women are used more routinely. I think there's still a real stickiness about actually naming

what's the problem here and linking this to a genuine analysis of gender. So I suppose that's the first point. In terms of reporting on violence against women, news reporting. I think one of the big challenges and it would be interesting to sort of hear Dani's reflections on this, because one of the big challenges is that we know that much of this violence is very everyday, is quite mundane.

[00:03:14.370] - Karen Boyle

And what I mean by that is it's not newsworthy. So actually, reporting on individual cases can be quite tricky because they don't have that newsworthy element unless we can bring in something sensational about it. So the involvement of celebrities being one obvious example, or cases that feature more extreme physical violence, and or that end up in court. And I think we'll talk quite a bit today about the fact that actually a tiny minority of cases, whether we're talking about rape and sexual assault specifically, or whether we're thinking about other forms of violence against women and men, violence against women, particularly a tiny proportion of those ever end up in court.

[00:03:56.550] - Alys Mumford

So already, by definition, we've got a picture where the news does not tell us about sort of women's routine, everyday experiences. And a lot of that work takes place in other kinds of reporting. So not always to do with, for instance, the emphasis on criminality in the courts, which can be quite distorting. Then I suppose the last thing I'd say just on this as well is which kinds of victims are deemed to be newsworthy. And decades of research in this field has shown consistently that certain kinds of victims are not deemed newsworthy, and violence against them is massively underreported.

[00:04:37.320] - Karen Boyle

And that would include, for instance, violence against Black, Minority Ethnic and refugee or asylum seeking women. The flip side to that is that certain kinds of perpetrators, the accused perpetrators, often those from those same communities, are actually more likely to be reported on. So we're encountering all kinds of biases in the way that we encounter these stories in the first place.

[00:05:02.200] - Alys Mumford

Absolutely. Thank you. You talk there about naming the problem. So Brenna, can you just give us a bit of background context from a Rape Crisis Scotland perspective about what that problem is about violence against women?

[00:05:15.100] - Brenna Jessie

Sure. So, we understand and recognise sexual violence as being an issue that's rooted in the inequality that exists between the genders in Scotland, but also across the world. So we know that violence against women is rooted in inequality. And if there were gender equality, then we understand that that violence would not look the same. And I think as well, when we're talking about sexual violence, we hear quite a lot at Rape Crisis that people don't necessarily consider or see their experiences as sexual violence, because we still have this really deeply embedded misconception that sexual violence - and it's understandable in some respects because of the language that we use - but we only really understand it through the lens of physical violence.

[00:06:02.770] - Brenna Jessie

And I think that picks up as well on what Karen was saying around the newsworthiness. So when we see sexual violence reported ordinarily that is because there has been some sort of extreme physical violence and in reality, in domestic abuse and in sexual violence, there is actually no necessity for that physical element and that physical brutality and all of that. And yet there's a really disproportionate focus on that within the media.

[00:06:30.140] - Brenna Jessie

And there's also a tendency to minimise and trivialise these issues and to pin them down and to try and attach them to one specific thing. So there was an article not that long ago where I believe it was around the sentencing of a perpetrator of abuse, and it was pinned down to the fact that the woman who he'd assaulted hadn't paired the socks right, or something like that. It was attached to a very one-off incident.

[00:07:00.310] - Brenna Jessie

And what people fail to recognise and what the media fails to establish is that link, both in terms of this violence very often as being an ongoing and a pattern of events, rather than an isolated incident, but also in terms of it being rooted in that power inequality. And so we don't talk about gender. We don't talk about all of those factors around that. And what we also see is a real overreliance, a desire to attach violence against women to justice, which from our point of view, at Rape Crisis, you know, rape and attempted rape are the lowest convicted crime types of any in Scotland.

[00:07:41.110] - Brenna Jessie

And yet often, and most of the time when we hear about them, that is through the lens, of courts, or something along those lines, police. And that really feeds into this idea that, you know, it has to be reported for it to be valid. And all of this. And we know that actually half of those people who come into contact with Rape Crisis centres never report.

[00:08:03.820] - Alys Mumford

Absolutely. And can you just say a little bit there about about why that is? Why we see these these tiny numbers?

[00:08:11.620] - Brenna Jessie

Sure, yeah. I mean, I think it's interesting, actually, in particular, looking at the context that we're in in Scotland just now. The idea of reporting sexual crime is very often terrifying, its very, very hostile. We understand the justice system does not function as it should. We understand that the majority of survivors feel let down by the justice system and also that some have described the process and particularly court, although that is only the minority of cases that get to court.

[00:08:45.640] - Brenna Jessie

They describe that as worse than the assault itself. And I think that that is genuinely horrendous. And I don't think we should ever stop feeling horrified by that, because it really is indicative of how a country values people who have experienced something terrible and who are vulnerable, that that is the sort of feedback that we're getting. And I think it should be a reminder to everyone actually to redouble our efforts in trying to address that. But we know that most survivors fear not being believed, that is a really horrifying, terrifying and scary thing.

[00:09:27.640] - Brenna Jessie

And we live in a culture where disbelieving survivors, blaming survivors is also really, really prevalent. So actually, that is the status quo. The status quo is to ask what she did to put herself in that position rather than to ask, OK, why are men perpetrating these crimes very often with impunity? So that fear of not being believed, the fear of not being - the fear of the system itself, the fear of not being able to secure justice and the many other barriers that exist to reporting sexual crimes.

[00:10:05.100] - Alys Mumford

I think one thing we're going to be talking through a lot today will be the links between some of the things you're talking about there. So the perception of women, how that plays into trial, how that plays in the media. And Dani, I'm wondering if you've got anything to add to what Karen and Brenna have said about the perspective - from the perspective of writing about sexual violence, violence against women, and the challenge of covering an everyday issue versus the sort of high profile cases Karen talked about?

[00:10:31.560] - Dani Garavelli

Yeah, I mean, I absolutely agree with what Karen and Brenna have said about the sensationalism aspect to it. I think that news still functions in that old way that people talked about it. It's not - dog bites man is not a story. Man bites dog is a story. And therefore, you're always looking for the thing that's exceptional rather than the thing that is run of the mill. And unfortunately, just because of the way society functions, violence against women is an everyday occurrence.

[00:10:59.640] - Dani Garavelli

So there is a tendency to look for what's different in a case. I do think that there's an added thing

that's about finding a peg. So it's not just about sensationalism. It's about the need, the constant need to find some reason for writing about something this week rather than last week or the next week. And I think you have to make a distinction between news reporting, and features, and opinion, because it's a lot easier to write and I don't news really very much anymore.

[00:11:24.990] - Dani Garavelli

So it's a lot easier for me to write a feature which isn't taking a particular sensational case, but you still need a peg. So, I mean, I think Brenna was talking about how we only - well I think both of you were talking about - how we only look at violence against women when it's physical violence. But if you look around the time of the domestic abuse bill, and the issues around coercive control, there was quite a lot written then about coercive control. Explicitly looking at how it didn't have to involve physical violence, but that's because there was a peg for it and that made it an easier thing to do.

[00:12:01.260] - Dani Garavelli

I think there's also a problem with the whole print and broadcast media versus digital because there is this constant need for clicks. And no matter what editors - and my editor, my own editor is very, very good at giving me free reign to write whatever I like. But, there is another aspect of stuff that's going online from a digital perspective, which is absolutely dependent on clicks.

[00:12:23.880] - Dani Garavelli

And you can see that in those columns that we all loathe every week. And there is a real problem about knowing how to address that, because the second you start talking about it, you amplify it. Instead, you know, I think there needs to be a really big conversation around that. But I don't think individual journalists can do an awful lot to tackle it.

[00:12:41.790] - Alys Mumford

That's really interesting. Yeah, and I think thinking about, you know, the difference between news and feature is really interesting there. And of course, Dani is one of the - Scotland's sort of leading writers on these issues. And we all love her dearly in the women's sector. But of course, for every brilliant feature, there are lots that display pretty wild misunderstanding of these issues.

[00:13:04.590] - Dani Garavelli

Well, of course, I didn't say - the media is still very much male dominated and most editors are still male. So it really depends on the understanding of individuals in those positions of power, and they're not all conversant in feminist rhetoric or with any understanding of, you know, probably we could talk more about that when we get to talking about the trial and the way there is a division between the female reporters and the male reporters and how that plays out.

[00:13:37.830] - Alys Mumford

So that is - thank you Dani - that is a perfect segue way into talking about our next section. So we've talked there about some of the sort of general but major challenges that already exist, in reporting on violence against women. But when we then talk about a justice system, there are additional and further complexities. So for those listeners that don't know, in March, a jury found the former first minister, Alex Salmond, not guilty on 12 charges of sexual assault with one charge of sexual assault being found not proven.

[00:14:06.360] - Alys Mumford

The trial took two weeks. And both during that trial and in the weeks and months surrounding it, we saw huge discussion and coverage, both in traditional media and online, bringing with it more issues around responsible reporting of court cases in general, and sexual assault cases specifically. So for folk who aren't regularly reading their contempt of court guidance, Dani, can you just talk us through some of the stuff that comes up when trial reporting in Scotland that you had to be mindful of?

[00:14:33.510] - Dani Garavelli

Yes, I mean, this is probably for every reporter that covered it was probably the most complex in terms of contempt of court. So I think most people are under the misapprehension that anonymity is guaranteed for complainants in sexual offence cases in Scotland. That's not true. It's true in England.

Up here, you need a contempt of court order. And at the beginning of the Alex Salmond trial, there was no contempt of court order. So up until the point where the first journalist inadvertently identified a complainant in a tweet, that's the point at which the contempt of court order was placed. That journalist could not therefore be - have been pursued for contempt of court.

[00:15:13.630] - Dani Garavelli

But he was told to stop live tweeting and from there on in, the contempt of court order applied. Before that, though, it's conventional for journalists to guarantee anonymity. And I think most journalists probably believe it's the law. So there was an awful lot of discussion beforehand as to how it could be managed. I think outsiders sometimes think that people - that journalists don't care. But I mean, they actually fell over themselves trying to make sure that we didn't jigsaw identify.

[00:15:44.230] - Dani Garavelli

So I'll just explain what that is. So if you've got two reporters who are doing their best to to abide by that convention, they might still inadvertently - one of them might use one piece of information about a complainant that wouldn't identify. And then another journalist might use another piece of information about a complainant that might identify, and by using those two reports together, you would be able to piece together the identity. So before the trial started, there was a whole discussion over descriptors for every single complainant in order to make sure every journalist complied.

[00:16:17.830] - Dani Garavelli

Then on top of that, they had a BBC lawyer in the court, giving advice at every single stage. So, I mean, I've never seen anything like that before. Every time the court stopped for a while, there would be wee huddle around her so that everybody was on the same page and making sure that they were all using the same kind of descriptors. And that they were all discussing what information that almost seemed tangential, but then in a certain context might not be, wasn't being used.

[00:16:43.300] - Dani Garavelli

And then, of course, every single person's piece would be legalised after it was written and before publication. So, but the problem with that is I think that contempt laws were only devised really for the newspapers and broadcast media in mind. They weren't devised with the thought that people might then go to the Internet and Google things or that there might be malign influences that are trying to point people in the direction of how you might work out to identify somebody from specific pieces of information.

[00:17:12.940] - Dani Garavelli

And I think that that's going to be problematic in the future and probably needs addressed.

[00:17:17.440] - Alys Mumford

Absolutely. There seem to be some pretty major misunderstandings going on, as you said, both among journalists in some cases, but certainly among the wider public in Scotland, who have probably seen more US trials in pop culture and think that's the way it works. Has anyone else got any thoughts on that in terms of the wider public discussion about that and what some of the challenges were?

[00:17:42.640] - Brenna Jessie

I think just to say that the obviously Dani is right in terms of its convention rather than law, but I think that has been, in my experience, like very, very tightly stuck to. I think there's been some instances, where identification has become an issue, but from what I've seen, that's more often come about from local media and things. Where there's obviously additional challenges actually, if you're reporting any sort of sexual crime, because if you live in a tiny rural Scottish village where everyone knows everyone's business, trying to maintain that anonymity, if the local press is reporting, is a real challenge.

[00:18:23.290] - Brenna Jessie

But that convention is one that has been rigidly stuck to. And I find many a flaw with reporting of sexual crimes very, very often. But what I would say is that that has really been stuck to, and I think

that there was a lot of people who were actually surprised, like you say Dani, to learn that actually that is convention, rather than law. But obviously in this case, it became through that order, it became law. So -

[00:18:50.750] - Dani Garavelli

I mean think, I'll just add to that if I may that, I think one of the other real challenges in this respect, which I think you've already alluded to, Alys, but is the fact that, you know, in the UK we are increasingly getting a lot of news about trials taking place in other jurisdictions, including other parts of the UK, to be fair, in Scotland, where actually the process might be different or what's allowed in terms of media reporting, might be rather different. Both in terms of what detail reporters are allowed to give about the charges, for instance, or a detailed reporters are allowed to give about the person charged, and their behaviour more broadly without being seen as being in contempt.

[00:19:35.110] - Dani Garavelli

And obviously you know, in the current context, we're sort of two and a half years now, since sort of #MeToo went viral. And obviously that has posed huge challenges for mainstream media reporters who are often having to reflect on discussions that are taking place in different jurisdictions. That will be subject to different legal requirements and even something like the Weinstein case was interesting in that respect, the trial, because a number of UK outlets made the decision not to name one of the women testifying against Weinstein in his New York trial, because she had not indicated whether or not she wanted to be named.

[00:20:23.610] - Dani Garavelli

But her name was, of course, all over the Internet and you could access it through reading reporting from the US. So you know, there's some odd disparities in that, that come out as a result of that context, I think.

[00:20:38.760] - Alys Mumford

And what's very interesting there is, in both of the trials you mentioned there, the commonality is that it's a high profile man and therefore a very high profile trial. And so presumably much more resource being poured into both, I guess, sort of mental resource among journalists. But, you know, Dani talked about pieces being legalised, all these sorts of things. You know, when we're talking about the trial of Alex Salmond, that was the biggest court case that Scotland's seen in many years.

[00:21:11.190] - Alys Mumford

So that was in many ways the sort of best practice of reporting, and as Brenna says, many people were surprised at people sort of sticking to the rules so much. But that's not the case for many trials in Scotland, where there isn't the same scrutiny and care and attention paid. I'm keen to sort of pick up on what you've all mentioned about, the online discourse around it and people without a BBC lawyer to consult with and just some of the I suppose the misconceptions we've seen around the justice system, around violence against women.

[00:21:44.760] - Dani Garavelli

Well, I suppose that the most pernicious one is the idea that because a defendant is found not guilty on charges that the complainants are, ergo, they must be liars. And that seems to be quite widely held. Clearly, if that was the case, people would be being pursued for perjury all the time. It isn't the case because our standard of proof in courts is extremely - in criminal courts is extremely high beyond reasonable doubt. And the whole right and the duty of the defence is to try and create that doubt. And therefore, all it means when a verdict has returned is that the jury don't believe it has been proved to that standard, it says nothing about the veracity of the women's statements. And I think that the misunderstanding of that's probably quite wilful. I think people probably do know that. But it suits agendas to pretend that we don't.

[00:22:38.220] - Brenna Jessie

Absolutely. And I think that's one of the really terrifying developments, actually. I think from our point of view, when we consider going back to what I was saying previously around the barriers that exist, to reporting the barriers that exist, to even disclosing and seeking support. The idea of engaging in a

in a legal process anyway in the justice system anyway is genuinely terrifying.

[00:23:04.860] - Brenna Jessie

And that is why you see so few people doing it, comparative to the prevalence of sexual violence in Scotland. And so this idea then of making that more intimidating, of making the stakes that much higher by saying that because this idea of perjury, that as though a woman should be pursued if the case is not found, if there's not that conviction, if there's not that reasonable doubt, it's genuinely really, really, really terrifying and not something that we should be entertaining at all.

[00:23:42.720] - Alys Mumford

And I think it's often talked about, as you said Dani, as a sort of binary, you know, a man being found not guilty is not the same as a woman being found guilty of lying. And that the terrifying nature you talked about, Brenna Jessie, is often flipped in myths around false accusations. And you see it with the Stanford case, you see it with Belfast. You know, the stories of the impact on men, again, making a male-focused story rather than the impact on women.

[00:24:11.670] - Alys Mumford

One thing I wanted to just come back to briefly was Karen mentioned the sort of different legal systems across the UK, and one thing that Scotland has uniquely used and not-proven guilty. And as I mentioned, former First Minister Alex Salmond was found not-proven on one charge of sexual assault.

[00:24:26.790] - Alys Mumford

Brenna, could you just explain what not-proven means?

[00:24:30.180] - Brenna Jessie

Sure. I mean, I say sure, but actually no, because it is Scotland's third verdict, which is a complete anomaly. It is an acquittal. It amounts to the exact same as a not-guilty, but it's used disproportionately in cases where there are sexual crimes, leading to fears that it's being used in some way as a bit of a get-out verdict. Because I think very often we understand that there's a reluctance amongst juries convict, to reach a decision beyond all reasonable doubt.

[00:25:03.240] - Brenna Jessie

And sometimes the way in which not-proven is used is as some sort of token for the complainer to say, you know, we believe you a bit. It's seen as a sort of compromise sometimes. But what we actually know from speaking with complainers who have received that verdict, is that that's not actually how it's experienced. So I think sometimes it's used to give some sort of commiseration. But actually, it's - one of the most powerful ways I heard it described was as a comma, not full stop.

[00:25:39.300] - Brenna Jessie

And there's a real lack of closure with it. And at Rape Crisis Scotland, we've worked alongside Miss M, to call for an end to this verdict. Primarily due to its overuse, and its disproportionate use, in rape and sexual assault cases.

[00:25:53.910] - Alys Mumford

Does anyone else want to say anything else about the sort of the public conversation around the trial of Alex Salmond? We've talked about misunderstandings in the legal system. Is there anything else people want to bring in here?

[00:26:07.620] - Dani Garavelli

Well, I suppose there's also the conversation around whether the case should have been brought, just because, you know, there seemed to be, again, a misconception that because of the case doesn't succeed, there should be a huge inquiry into why it was brought in the first place. Whereas many, many cases do not succeed. It's the Crown Office's role to decide whether there's sufficient evidence to proceed. And then it's the jury's role to decide whether there's sufficient evidence to convict, and I think it's a real worry that will start to - you know there were 10 complainants in this and 14 charges at the outset. The idea that that's not enough to bring a case on, is really quite worrying, isn't it?

[00:26:46.800] - Brenna Jessie

Absolutely. And I think there's also for me, what I've seen is just a real misunderstanding of what the court process is, what the jury are there to decide.

[00:26:59.190] - Brenna Jessie

So, we saw a lot in this recent case where, again, coming back to that media coverage of the sort of hand-on-knee type thing. And there was a lot of conversation about really, is that sexual assault? Is it sexual assault? And unequivocally, yes. Like the jury were not there to decide whether these acts constituted sexual assault. They were there to decide whether these acts happened beyond reasonable doubt and whether it was the accused who was responsible.

[00:27:34.440] - Brenna Jessie

And that is a real misunderstanding. And again, I think potentially wilful misinterpretation that really does set us back, in terms of that conversation about sexual violence more broadly.

[00:27:47.310] - Dani Garavelli

There was a deliberate attempt, I think, within the trial as well, not just in the public conversation afterwards to separate sex and power. So you say, was it a hand on a bottom - f it took place at all? Was that sexual or was it about power? Well, there is no difference. And most people who are conversant in the politics of sex and power, and particularly in the workplace, understand that.

[00:28:13.560] - Brenna Jessie

Absolutely.

[00:28:14.490] - Alys Mumford

I think that touches on the point that's I think, been in the minds of lots of people working for women's equality, for an end to violence against women. Is the feed-in between perceptions going into trial, and what's said about a trial, reflecting again back on the wider world and the impact of people reading these opinions outside of the specific case. It has led to commentary that, yes, well hand on a bottom isn't sexual assault - is just, you know, women complaining about nothing. Even if it happened, it's no big deal.

[00:28:50.190] - Alys Mumford

And the impact on that on those women who have experienced workplace harassment, you know, and had to fight with those conceptions, that it's not a big deal for many years. I don't know if anyone's got any thoughts on the sort of, how we talk about one trial, but being aware of the sort of wider context?

[00:29:11.250] - Brenna Jessie

I think that's just such an important point. And for me, it really is this need to step back. Look at this conversation, because I think that people have become so very entrenched and because there's political forces, it's become about sides and allegiances and all of this and from our point of view it is very much about stepping back and looking and imagining that if you were someone who has experienced sexual violence, of any kind, whether that is sexual harassment or whether that is rape, or anything, and to step back and imagine how it might feel to see all of these people who are ordinary people, there the folk that we know they're our fellow citizens.

[00:29:59.640] - Brenna Jessie

To see them blaming women, shaming women, minimising these acts and really deriding anyone for having had the audacity to report, whilst simultaneously saying why don't women report more? And saying that this is - in bringing this case and it not being successful, we've seen a lot of people say that these individuals have set back the conversation around sexual violence and have damaged that for, in inverted commas, "real victims". And I think that's really, really harmful, too, because we know that the conviction rates are so tiny.

[00:30:42.030] - Brenna Jessie

And the idea that by bringing a case and it not being successful, you're in some way accountable, just

adds to the complexities and difficulties that already exist in reporting, make the stakes so much higher and so much more challenging. And I think there's a lack of compassion throughout all of this and just a lack of decency and respect in how we're responding to this situation. And I think for anyone who has experienced crimes of this nature, it makes it a really terrifying landscape to even consider telling someone else, let alone the justice system. And let alone reporting to the police, to even tell someone when you know that they harbour beliefs that women are likely to lie, make this up, conspire. And that's a really difficult situation to be in.

[00:31:36.420] - Brenna Jessie

And that's part of the reason why so often there is a big delay in reporting. People have this idea that if it was real, that you'd report straight away and that you'd tell someone. But sexual violence is trauma and a natural response to trauma looks different for lots of different people. And delayed reporting is incredibly common because it's a really hard thing to come to terms with.

[00:32:01.200] - Karen Boyle

I think one of the things that's cutting across what a lot of us are saying here really, is the problematic way in which reporting on sexual violence in particular has become a story about women and women's choices and women's decisions.

[00:32:19.140] - Karen Boyle

And a few years ago, I did some research looking at coverage of the reporting of sexual assault cases, not necessarily criminal cases, but all sexual assault cases that were reported in one British newspaper. And one of the things that I found, was that even when everything was in place, for the feature usually, to be very sympathetic towards the victim. So even when they'd been recognised as a victim, either through a legal case or indeed where the women had been murdered or had taken her own life. That even then the story was told in such a way that we were asked to focus on what the woman did on the day the crime took place.

[00:33:01.410] - Karen Boyle

So we were asked to think about - one that really, really sticks in my mind was a story about an elderly woman who had been raped in a churchyard at night, taking a shortcut home from visiting a friend. And everything in the story was really sympathetic towards her, excepted that this was her experience. There was no doubt that it was her experience.

[00:33:24.090] - Karen Boyle

But the story was told in such a way that we were invited to think all the way along - oh but if only she'd taken the other road, or if only she hadn't gone to return this to her friend, or if only she'd left 10 minutes earlier. And of course, what that does, what that kind of thinking does is it places the responsibility on the victim. But the other thing that it does is that it stops us thinking about men's behaviour. So, yes, had she taken another route home that may not have been done to her, but it may have been done to someone else instead.

[00:33:57.350] - Karen Boyle

And because we're not actually tackling men's behaviour, we're not - it's because of the way we tell the story. Now, obviously, I'm talking there about extreme cases, and cases where the press had accepted or the court had accepted that this had actually happened to this woman. But if we think about how a lot of recent cases have been reported, I think one of the things we're seeing in terms of the backlash that's going on at the moment, and I'm not talking about Scotland specifically here, I'm talking about the wider conversation about sexual assault reporting, is that we're seeing a lot this idea that the pendulum has swung so far the other way, that now this is all about women telling our stories.

[00:34:41.310] - Karen Boyle

It's all about women dominating the conversation. And again, if we come back to the research here, that really doesn't show that. Global research, which looks at who gets to tell the stories in the news in terms, of both journalists, but also who are the experts, who are the eyewitnesses, who are the spokespeople that are called upon to tell these stories consistently and universally across the globe

show that women remain massively underrepresented in all kinds of reporting. And so this idea that it's swung so far the other way is a fiction.

[00:35:18.710] - Karen Boyle

I mean, the most recent research shows that women make up something like 24% of sources in global news coverage. And whilst that does vary across different kinds of stories, you know it doesn't vary dramatically. And the other thing, just in terms of thinking about the Scottish context specifically and how we've seen that narrative recently, obviously that's to do with the reporting of a sexual assault trial, but it's also to do with the reporting of politics. And I think one of the things we've seen in the backlash is this sense that women are dominating the political landscape.

[00:35:53.700] - Karen Boyle

And again, the research on Scottish news does not show that women's voices dominate the political landscape. And that's despite the fact we have a female First Minister and many other prominent female politicians. The news discourse around politics is still massively dominated by male voices. So I think it's really important to challenge that idea because, again, one of the things that research in this area often finds is that because we are so used to women being underrepresented in news, when women do speak, their voices are heard more loudly, if you like.

[00:36:29.930] - Karen Boyle

So people's perceptions are often that, yes, there's at least 50% of women in these stories. And actually it's entirely dominated by women. When you do the rigorous research, when you actually count, who gets to speak in news stories, be they on television, radio and in the press. Actually, the research just doesn't bear out that perception.

[00:36:50.990] - Alys Mumford

Absolutely. And I think that's really fascinating research. And we'll we'll link to some of that in the show notes. I think it's both the volume of, you know, volume of voices that we're hearing and whose voices are put in centre stage, but also what they're allowed to talk about. I mean, Karen, I know you've spoken really interestingly about where some of the stories we've seen, particularly looking internationally, looking at US news. These haven't been seen as news, but they've been seen as gossip because violence against women is framed as a women's issue, not a men's issue, or not a global issue, that it's sort of trivialised. I don't know if you've got anything to add on that, anyone?

[00:37:28.760] - Brenna Jessie

I just think it's really interesting that we, in so much of our public conversations about sexual violence, we accept men's behaviour as inevitable. Like we just like - and so that then does default, as Karen was saying, to trying to figure out what women could have done differently, should have done differently.

[00:37:47.030] - Brenna Jessie

And yeah, and that sort of surreptitiously become the norm, or has been the norm for a really, really long time. Where we just accept that this is just something that's going to happen. So it's on women to change it. And there's just such a lack of accountability and visibility and questioning as to why are men doing this?

[00:38:12.150] - Karen Boyle

I'd add to that Brenna, if I may, that emphasis on what women could have done differently. I think over the last few years we've seen that extended not only to women who have themselves experienced harassment, abuse and so on, but actually also to women who may have been bystanders, or who may have witnessed, or who may have known. So in a lot of high profile cases in recent years, there has been a real focus on what women knew, and what women could have done differently.

[00:38:43.040] - Karen Boyle

And often this is in the context, I'm thinking here of the work I did in the Jimmy Savile case, or indeed the reporting of the Jimmy Savile case or the reporting of the Harvey Weinstein case. And what I saw in both cases was that kind of emphasis on who knew and who could have done something, as

though that in some ways, you know almost as a diversionary tactic from what had actually happened here, who had done it and who was actually responsible for that.

[00:39:10.220] - Karen Boyle

And I'm not saying there that those two cases didn't raise broader questions about institutional complicity. Clearly they did. But I think the way that women were often singled out, as - did she know? What did she know? What did she know? I think was really, really problematic.

[00:39:28.250] - Alys Mumford

I mean, Dani, do you want to come in here? We talked about the huge male dominance of politics, of the judiciary, and of the media in Scotland. So I know you've had some thoughts on that in the Scottish context.

[00:39:42.920] - Dani Garavelli

Yeah, first of all, to go back to what Karen was saying earlier about the male domination. You definitely saw that within the reporting of the trial. And one of the reasons that I - of the Alex Salmond trial - and one of the reasons I was absolutely determined to do it, because it's not really my kind of - it's not normally what I would do in the normal run of things. Was that I knew in advance that it would be completely male dominated, and it was. There was probably less than a fifth of the people covering it were women, maybe even less than that?

[00:40:11.570] - Dani Garavelli

There was there was a definite feeling of coming together with the women, because even with the guys who were very right-on, who think they would be - who would call themselves feminists, have a very different take on these things. So, you would see everybody talking about it, because that's what journalists do - what is the line today? And all of that kind of thing. And sometimes the women just rolling their eyes, too. So, that's that part of it. So, I think that, you know, those stories are not being told that way, there's a group-think that goes on.

[00:40:44.360] - Dani Garavelli

And if all the people that are involved in the group-think are men, then that's the story you're going to get. And there's really no way round that. The thing about what women knew, I think is really - has a lot of relevance here as well. The way that it's always turned back on the women. And you see that both with the reporting on Alex Salmond, but also on the reporting of what happened with Derek Mackay, and Mark McDonald.

[00:41:05.540] - Dani Garavelli

It's almost immediately - oh well, what did Nicola Sturgeon know? Well can we get a scalp here? There's a kind of aggressive male thing about who can we bring down in this? And it's even more heightened when the person that they might be able to bring down is a woman. And I think that, of course, there are questions that will have to be asked a parliamentary inquiry later on, about the whole thing was handled. But I think that the immediate turning on, what does Nicola Sturgeon know, is part of in-built misogyny.

[00:41:38.690] - Dani Garavelli

I think that there were a lot of men who knew about allegations being made earlier on, who did nothing. I don't see their names anywhere. And I find that is very telling. And while there are no comparisons to be made directly between the Alex Salmond trial and the Weinstein one, you know, the kind of law conversations that go around them, there are quite a lot of parallels. And I'm sorry just one last thing, is that one of the reasons it's been so depressing here - that the public conversation seems so retrogressive, is that although there were many problems with the Weinstein trial and the way it was reported and all of that. In the end, the complainants in the Weinstein trial were not ideal complainants in the sense that one might say, in the sense that they had complicated relationships with him, and they might not have been what people would normally judge as being ideal victims. However, the convictions were still - there were still convictions in that case.

[00:42:39.560] - Alys Mumford

Before we sort of move and take a wider view on this, I just want to talk about one aspect of the trial of Alex Salmond, which I think played in very much to the point Brenna made about, you know, women are - women can't win. So women should report, but if they do report, they're making a big deal of something. If they don't report, they're anti-women, all of these sorts of things.

[00:43:03.090] - Alys Mumford

I mean, that's on the issue of collusion, which, again, I think is something that was misunderstood quite a lot during the court case, both in terms of what it meant, and in terms of the impact it may have had. Does anyone to jump in on collusion?

[00:43:19.860] - Dani Garavelli

Well, just to say that I still don't, despite it being bandied around all the time as a phrase in connection with the trial, I still don't really understand what it means. And the context of MeToo, that was what the entire campaign was about, women giving each other solidarity, sharing experiences and then finding the strength to come forward. And if that's not possible, if women talking to each other before bringing complaints is going to be in some way judged to discredit them, then I don't see what the point of the MeToo movement was.

[00:43:51.120] - Dani Garavelli

And I think that we need to have, you know, being on a WhatsApp group with other people that you know, and chatting about what has or hasn't happened to you, to me is the only way to move forward. How on earth will women ever gain the strength to report unless they can talk to each other? So, yeah, I think there needs to be more conversation around that.

[00:44:12.910] - Alys Mumford

Brenna, do you have anything to come in there, with?

[00:44:15.190] - Brenna Jessie

I just wanted to highlight, there's been a lot of criticism and a lot of people saying that, you know, that's it - we just shouldn't talk about this anymore because he's been found not guilty. And I just think it's really important to highlight that whilst Alex Salmond has absolutely been found not guilty by majority verdict, and obviously not proven on one count. I think that it would be an absolute travesty not to have a conversation right now, like sexual assault and sexual crimes have never, in Scotland, have never been this widely discussed.

[00:44:51.940] - Brenna Jessie

And I think the idea that because there was a not guilty verdict that that then means that we just shouldn't be having a discussion, is really, really misleading and really problematic. Because actually one can respect the court verdict, whilst also highlight the public conversation. And I think that a lot of this is really about the public conversation, the way in which this whole issue has been discussed. Like there's a lot in that. And I don't accept that that's just - shouldn't be talked about now.

[00:45:24.850] - Dani Garavelli

I guess it's just that there's no distinction being made between what's criminal, and what's immoral. I mean, you know, the idea that if somebody's cleared of criminality that their behaviour is therefore acceptable. That's been put forward as the line, whereas his defence and he himself admitted to the behaviour that he was involved in, was not appropriate and was less than moral. So, you know, there's that.

[00:45:51.550] - Brenna Jessie

Absolutely. And I think calls for him to return to politics as an upstanding member when in his own words, and in his defence QC's own words, there were admissions of seriously inappropriate behaviour, that didn't meet the threshold of criminality. There were admissions of inappropriate behaviour. And I think that we really, really need to reflect on whether that is something that in this day and age, we are just going to accept. Because what message does that send?

[00:46:26.500] - Brenna Jessie

Like what message does that send to people who have experienced inappropriate behaviour? What message does that send to young women looking at politics as a potential vehicle for change? That that sort of behaviour that was admitted to, is going to be given a free pass. And I think far too often when there are men who are popular or who do something that other people consider to be worthwhile. There's too many free passes given and we're willing to forgive too much on the basis that there's a broader aim.

[00:47:06.370] - Brenna Jessie

And what happens there is that women are just consistently side-lined, and marginalised, and alienated. And I think that's reflected in our politics today in terms of, who's making these decisions? Who are the decision-makers at the table?

[00:47:25.260] - Karen Boyle

Think all I'd add to that, is just that sense that any high profile reporting on any kind of alleged sexual assault is part of a broader conversation. And what we're really trying to unpick here, is what is that conversation? Who gets to be at the table? What are the kinds of stories that we're used to hearing about sexual assault, about sexual assault trials, about who are credible victims of sexual assault and how they should behave. And likewise, who makes a credible perpetrator of sexual assault and how they should behave.

[00:48:07.270] - Karen Boyle

And I think any high profile case, whether that results in a criminal trial or not and whether if it does result in a criminal trial, regardless of the verdict, I think we have to understand that these cases are part of our public conversation about what sexual assault is, how it happens, who does it, who experiences it, and what the remedy should be. And so these are really important cultural conversations, but also the way these stories are being told are shaping the questions we're asking in the first place. And I think that's one of the really challenging things about this area.

[00:48:47.400] - Alys Mumford

Absolutely. And obviously, we've focused a lot on that specific trial because it's just happened and because there are certain idiosyncrasies of the Scottish court system that needed explaining, but obviously what we're trying to do here is, as Karen says, dig into those stories that are being told. Looking just internationally now, do people think that shift is happening? Is anywhere doing it right? Are we making progress in how we talk about violence against women?

[00:49:14.010] - Karen Boyle

So to start with a positive, one thing I've been really encouraged by over the last six months, and it's by no means uniform, but increasingly I think I'm - well, increasingly I'm seeing in reporting, not just on sexual violence, but in other forms of men's violence against women. That there is an acknowledgement that there are survivors in the audience, and that one aspect of responsible reporting is to include helpline information for those survivors to seek support should they need to. And I think when we're talking about high profile cases and again, that's true regardless of what the outcome is of a criminal case or even whether it gets to that stage. That the way these issues are reported massively impact, as Brenna has been has already told us, on survivors' own help seeking or support seeking, or their willingness to speak to others about the case.

[00:50:11.610] - Karen Boyle

So that, seeing where helplines are given, I think is really valuable. The two places I've seen it in recent times have been one in reporting on the Weinstein trial, The Guardian in the UK almost routinely included helpline information, which was the first time I've seen that in a sexual assault trial. And more recently during Covid-19 the fact that there is an upsurge in reporting, by reporting I mean press reporting or media reporting, of cases of domestic abuse and indeed domestic homicide.

[00:50:50.910] - Karen Boyle

And the fact that that's often tied to increases in the number of calls to helplines, for instance, has prompted many news outlets to start including information for domestic abuse, support organisations, and helplines. So that's two areas where that's happened. And given it's happened in

those two areas, it's something I'd like to see happen much, much more routinely. And how we encourage that, I'm not sure. And it would be great to hear from Dani, what's the best way to encourage that to become more routine in reporting?

[00:51:27.510] - Karen Boyle

And I do understand that that's not always possible in news reporting, but I would think it's something we might be able to push for more in relation to opinion or features reporting. And that would be a really positive development.

[00:51:42.330] - Dani Garavelli

Yes, I mean, I think it would be a positive development. I think that there were problems in attaching it to reporting on the trial, on the Alex Salmond trial, simply because some people still feel that by attaching the helpline, it is implying that there are victims in the case and therefore you're pre-empting a jury's decision. I don't agree with that. I can totally see the argument that, you know, that this will be triggering for people.

[00:52:08.970] - Dani Garavelli

No matter what the outcome of whether he's guilty or not guilty, it will be triggering for people who are watching it unfold. I don't know how you get round that, I don't know whether lawyers were involved in that decision or not, Brenna might know more about that than me?

[00:52:24.330] - Brenna Jessie

Yeah, there were lawyers that were involved in that decision.

[00:52:26.970] - Dani Garavelli

There were? Yeah.

[00:52:26.970] - Brenna Jessie

Yeah.

[00:52:28.770] - Dani Garavelli

So, but in terms of features and opinion, I probably don't myself, think enough about carrying it on opinion pieces. If I said to my editor, can I carry this at the bottom of it? They'd probably say yes. So it's maybe just a question of keeping on at journalists and reminding them of the importance of it, particularly ones that you think will be friendly to it in the first place.

[00:52:50.250] - Karen Boyle

I have to say, when I did an opinion piece in the aftermath of the Weinstein verdict, and just included the helpline and it was published, which I was really, really pleased to see. And I think, again, that's the kind of thing that, you know, it's great if we can make that more routine and having a boilerplate statement. I mean, that's what I said, I do appreciate it might be something that's challenging in certain kinds of news reporting.

[00:53:15.480] - Karen Boyle

I think it depends what we think the helpline is for. To me, the helpline is for victims and survivors and an audience that doesn't make any judgement about the story itself. But I can understand why lawyers might get twitchy about that. But opinions, feature writing, and also cases where things are more clear cut, where it is really clear cut that there was a victim. I'm thinking, for instance, of the reporting of sexual murder or domestic homicide. Even if we're not assuming the guilt of the person on trial in those cases, it's quite clear there was a victim. And that actually providing that helpline information could be a vital lifeline to someone in the audience in a similar position.

[00:54:02.430] - Brenna Jessie

I think it's also just about creating a shift to an ethical model, like what we see very often where there are domestic homicides is, and in the instances where perpetrator will kill a woman and then kill themselves. And very often what we see is that the Samaritans helpline is featured there, but the domestic abuse one is not. And that's in part because Samaritans have done a huge amount of work

around reporting and have had and been able to, as I understand consider, like dedicate a fair amount of resource to that.

[00:54:39.780] - Brenna Jessie

Which I think is just not always possible, when you are in a smaller organisation. But I think there does need to be a shift, in the way that we have seen around reporting of suicide, is that it's just an obvious thing that you put the helpline there. Of course you will, because you understand that that could bring stuff up for some people, whether that's because they themselves have experienced suicidal thoughts or ideation, or whether that's because someone they know has. And there's needs to just be that shift.

[00:55:13.980] - Brenna Jessie

And I agree with Dani that a lot of that can come about by, sort of, approaching individual journalists and things. But I think that does sort of need to be an industry response at this point, where that moves to being the norm because the stakes are just so high. Like, why would you make it more difficult, I think, for people who need to talk about something, to find the right place to talk to. And when you consider just how hard it is to pick up the phone to a helpline, we should be making that as streamlined, as easy, as possible.

[00:55:47.310] - Brenna Jessie

We should be making people aware that support is available, that they are not alone and encouraging and making it acceptable to call, because I think sometimes there's stigma around phoning helplines. But I think also there's just a lot of fear around that. And I don't think we should underestimate that, this would be such an important shift, and an important move, because, as I was saying, the stakes are high. So if someone doesn't get through first time, if they end up, for example, phoning in Scotland, phoning a helpline that's actually in England. Each time that happens, you reduce the likelihood of them phoning back and actually accessing the right support. So it is critical.

[00:56:32.040] - Dani Garavelli

I think is just thoughtlessness. I think I don't think there's any particular resistance to it, I just think if a campaign was launched to make that more visible and to put the pressure on newspapers, they probably would respond to it.

[00:56:43.320] - Karen Boyle

That's really encouraging.

[00:56:44.790] - Brenna Jessie

There was a campaign launch down, there was a petition that went round, in England and I'm sure it was on change.org . And the resistance I've experienced has primarily been around print people, just there being a reluctance to print the helplines, whereas very often in the online copy they will put it in. But it's the attitudes that I encounter when I do it, is when I ask people to include it, is very much as though it's sort of an inconvenience or just sort of a bit, yeah, I think there is actually more of a reluctance than maybe I'd anticipated around, and including that. I think that there's a lack of understanding of how necessary it is.

[00:57:28.390] - Karen Boyle

But I'd just add to that again, I've being a bit Pollyanna here, but I'm going to do the good news bit. I'd just add to that, that actually because we are now in a context where we're all content producers, you know, we're on social media, we are all re-tweeting say these stories, or sharing them on Facebook or whatever we're doing. That we're all in a position to share those helpline numbers, even if the the news agencies don't.

[00:57:53.380] - Karen Boyle

And again, that's something just about making that visible and making it visible that it's OK to call these helplines. And also tagging the news agencies in those so that it's an encouragement, look you could include this information too. This is easily accessible information. I think following that model of the Samaritans and the way that they've managed to embed the inclusion of helplines, I mean when I say embedded, it's not routine in every newspaper, in every kind of story. But it's much, much more

routine than what we're talking about here. So it would be great to see that shift.

[00:58:28.870] - Alys Mumford

And for listeners, there are lots of resources, including one made by Zero Tolerance and Scottish Women's Aid to help with responsible reporting of these issues. So you can check them out on genderequalmedia.scot

[00:58:42.880] - Alys Mumford

I'm going to close this up by just asking quickly, and Karen if you can go first -

[00:58:46.750] - Karen Boyle

Yep.

[00:58:47.680] - Alys Mumford

What you hope that will change - like what's your hope for the future of reporting of violence against women?

[00:58:54.220] - Karen Boyle

I think already in the last three years, we've seen massive, massive, massive shifts. And that has largely come about as a result of incredibly brave women being willing to speak out. So I'm thinking of the whole shift that started around the Me Too Movement and that really has shifted the public conversation about sexual assault.

[00:59:16.690] - Karen Boyle

Has it shifted it far enough? No. Has there been a backlash? Absolutely. But we're having conversations we wouldn't have been having three years ago, in spaces that wouldn't have been interested in publishing them or giving airtime to those kind of conversations. So we should never lose sight of that. At the same point in time, the flip side, the cautious aspect to that is that survivors don't owe us their stories. And it is not incumbent on survivors to continually speak out and continually have to tell their stories to the media.

[00:59:49.510] - Karen Boyle

This is a story whether or not a survivor speaks out. What we know about the prevalence and incidence of men's violence against women globally, is a story. And we need to tell that story without always relying on survivors being the ones to do the work. And we need to therefore draw in the incredible expertise amongst feminist organisations like Rape Crisis, who have been working on these issues in Scotland for over 40 years. There's a wealth of knowledge to be drawn on there. And also the expertise of feminist researchers. We need to be drawing on the expertise to help tell these stories, without always assuming it has to be incumbent on survivors to continually speak and relive and rehearse their trauma in media contexts.

[01:00:43.510] - Alys Mumford

Thank you very much. Brenna? Dani? Do you want to chuck us your hopes for the future?

[01:00:49.510] - Brenna Jessie

I just want to hard agree with everything that Karen has just said. Also, yeah I think in our experience so often I get asked like, oh, can we just have a case study? Can we just have a case study to just relive this very specific experience, for us? And it is so rarely connected to the broader power dynamics, and the broader picture, it feels more like a desire just for content.

[01:01:13.720] - Brenna Jessie

And so I think and there's a huge and extraordinary amount of power in stories, and I'd like to see greater diversity in the stories being told. But also echoing everything that Karen's just said, just in the sense that they shouldn't be tokenistic and they shouldn't be - survivors cannot be expected to consistently relive their trauma in the hope of achieving change. Because I think that actually very often, in terms of many decision makers relying on the expertise of organisations like Rape Crisis, that it's already very clear what needs to change.

[01:01:57.250] - Brenna Jessie

Like I've already mentioned studies that have shown that court cases are, you know, the court is very often considered to be worse than the assault itself. And so a change that values those stories. Greater diversity in those stories. But also a connection to the landscape that is still so, so unequal.

[01:02:22.850] - Alys Mumford

Great. Thank you. And Dani do you want to close us off?

[01:02:25.660] - Dani Garavelli

I'm glad that we have people like Brenna and Karen raising these issues all the time. Particularly, obviously, you can't help but see things from a journalistic perspective if you are a journalist. And I think it helps to have your preconceptions challenged constantly. It's definitely shifted the way I write. And I do think that there is probably still a need for some, well I would never call them case studies because it reduces people, but for actual voices and sometimes that empowers people as well as disempowers them.

[01:02:58.630] - Dani Garavelli

But I do understand that they shouldn't have to be - that there's no incumbency on people to relive their stories. And I think that it's great that there's more conversation around that, to be positive, I do think that is more conversation around that than there used to be.

[01:03:11.440] - Alys Mumford

Fantastic. Thank you all so much.

[01:03:14.890] - Alys Mumford

I hope that's been an interesting listen for folk. If you have been affected by any of the things we've talked about today, you can call Rape Crisis Scotland on 08088 01 03 02

[01:03:28.390] - Alys Mumford

And you can also contact the Scottish Women's Rights Centre if you're not sure what your rights are, they're at scottishwomensrightscentre.org.uk

[01:03:36.670] - Alys Mumford

As I mentioned, there is lots of information and resources available at genderequalmedia.scot and follow us at @EqualMediaScot