



# A Comparison of American Rape Law to English and Welsh Rape Law



## Why reformation of rape law is necessary :

- striving for gender equality
- the idea that men can be raped
- prevent toxic masculinity from inhibiting progress

## Purpose for choosing the aforementioned countries :

- currently residing and studying in one of the countries
- the philosophy of the other country differs greatly
- similar justice systems for ease of comparison

## Defining the law of rape in the United States of America :

- ‘penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim’
- the Cierra Ross case in Chicago
- FBI definition is universal as supported by the Supreme Court

## Defining the law of rape in England and Wales :

- ‘a person (A) commits an offence if (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, (b) B does not consent to the penetration, and (c) A does reasonably believe that B consents’
- DPP v K & Another [1997]
- Only an individual with a penis can be charged with rape

## Analysis of individual rape statistics :

USA : female-on-male 5.9%  
 male-on female 20%  
 male-on-male 4.8%

E + W : female-on-male 3.2%  
 male-on-female 25%  
 male-on-male 4%

Reference : Statista

## Issues of reporting :

- men are much less likely to report a rape
- the stigma attached to reporting
- the lack of belief in survivors
- homophobia