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**WITH** reference to "[Former NS coach's rape conviction overturned](#)" (Oct 28), All Women's Action Society (Awam) is alarmed by statements made by the judge in making the decision to set aside the rape conviction, which perpetuate certain myths about rape.

First, the judge said that the delay in the survivor's lodging police report was "not a reasonable excuse". We reiterate that only one out of ten rapes are reported, and of those who do report it, only a minority report it promptly. In a 1999 Awam study, it was found that the average time that a survivor takes to lodge a report is 46.4 days. In short, the notion that if a woman was raped she would report it immediately is a fallacy.

There are many reasons why a woman chooses to delay reporting, including being incapacitated by the ordeal and not wanting to recount the trauma to medical officers, the police, etc, the fear of retribution by the perpetrator, the stigma of being a rape victim, the loss of privacy, and many more. The delay in reporting does not mean that a rape did not occur.

However, courts often infer the latter, as in this particular case as the judge's statement would indicate.

In fact, the survivor had cited fear of tarnishing her family's reputation as a reason for not reporting, which the judge found "unacceptable".

Second, the judge stated that the lack of bruising or scratches on her body further damaged her credibility. Again, it is a myth that all rape victims must suffer from external injuries. In reality, the circumstances of rape are incredibly varied. Rapists can scare survivors into compliance through use of weapons or threats, or survivors have been so terrified as to completely freeze during the rape which would result in lack of visible injuries. In any case, the length of time between the rape and the reporting often results in these injuries healing.

Given Awam does not have the facts of the case, we are not here to contest the guilt of the alleged perpetrator. What concerns us are the underlying assumptions of the judge which perpetuate misconceptions around rape and rape survivors so entrenched in the legal system. This is one of the reasons why the number of rape cases brought to trial are so few, never mind conviction rates which are even lower. As long as these myths and fallacies continue, justice for many rape survivors will not be served.

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