

THE COURTS, THE HOME OFFICE AND RAPE

On the 12th November, the Home Secretary made the following statement on the impending strike of firemen. "There may well be people who will die, who would not have died. Even if it is only one person, that would concern me."

WE THE UNDERSIGNED DEMAND THAT MR. MERLYN REES, THE HOME SECRETARY, MAKE PUBLIC WHETHER HE IS CONCERNED ABOUT THE DANGER POSED TO WOMEN'S LIFE AND LIBERTY BY RAPE AND BY RECENT COURT DECISIONS SUPPORTING RAPE.

This is the first strike of firemen in over 50 years. Rape has always been with us, and if Mr. Rees is genuinely concerned with loss of life and liberty, he will speak out now about this massive daily threat to women.

In June of this year three Appeal Court Judges let Guardsman Thomas Holdsworth go free after brutally raping a 17-year-old woman. The judges said they were acting in the interests of the rapist's "promising career in the army". Carol Maggs, the raped woman, expressed the facts to the press, and millions of women all over the country and in other parts of the world protested this decision which gave men in uniform - and therefore all men - license to rape.

But on October 20th, in Snaresbrook Crown Court, this license was renewed. Judge Peter Mason sentenced Royal Navy Engineer Maurice Markham to six months imprisonment after he had pleaded guilty to attempted rape and causing actual bodily harm. Judge Mason was quoted as saying, "It would be a shame if the country loses your services." He sent a statement to the naval authorities asking for Markham to be reinstated.

Judge Mason must have been aware of the Holdsworth decision and the anger that followed it. His decision can only be seen as a counterattack against the mounting pretest, a further attack on Carol Maggs and on all the women who supported her, and a further rape of Markham's victim.

More and more, women are asking, is license to rape a "perk" to supplement low pay in the armed forces? Are women expected to "serve their country" by peacefully allowing themselves to be raped by anyone in uniform? Is the ancient tradition of rape by occupying troops to be perpetuated (for example in Northern Ireland) and be extended into Britain itself? Are the defence forces there to defend us or attack us? Are the armed forces immune from what little of the law protects us from rape?

More and longer prison sentences will not in themselves stop rape. But the sentences we are seeing now, and the accompanying comments from judges are nothing short of support for the rapist from those in authority, and a green light to all potential rapists.

Every woman, young, old or still a child, married or single, lesbian or heterosexual, and whatever her race or class, is forced to live with the fear of rape. The government spends a defence budget of at least £4,000m. to "protect the population" but saves pennies by refusing to light dark streets.

Rape in marriage is not even illegal in Britain, and many women are forced to submit to rape and battering because the government has not recognised their right to financial independence - the key to being able to walk out on a violent husband.

One argument against demanding that individual judges' decisions be censured is the "independence of the judiciary". In fact judges who condone rape often also dismiss the raped woman with comments such as "no permanent harm was done" and "you will forget it". In both the Holdsworth and the Markham cases, the fact that the defendants were servicemen was the main factor in their release. Since this is the case, we are determined that judges be made to understand that the judiciary must be independent from the armed forces and that a place on the Bench cannot guarantee to any judge his right to punish the victim and support the criminal. Justice must be done and must be seen to be done, if not by judges then by those who have ultimate responsibility for the courts.

The scandal over British justice is mounting, here and in other countries, where the news has been spread by women in Britain and Northern Ireland, and published in the press all over the world. We cannot allow the Home Secretary to pretend nothing is happening. So long as he stays silent, he is in effect condoning what police, courts and other state authorities are doing. Rape cannot be a matter for a gentleman's agreement behind the scenes.

WE DEMAND IMMEDIATELY A PUBLIC STATEMENT FROM THE HOME SECRETARY. The Home Secretary must know what is happening. Is he for rape or against it? If he does not come out publicly against it, we will be forced to assume he is for it.

SIGNED (individuals)
(official title
if any)

ON BEHALF OF (GROUPS OR ORGANISATIONS WHERE APPLICABLE)
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Please return to Women Against Rape
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