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Violent and victimised bodies

Sexual violence policy in England and Wales

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This paper uses the notion of the body to frame an archaeology (Foucault, 1972) of sexual violence policy in England and Wales, applying and developing Pillow's (2003) ideas. It argues that the dominant construction is of sexual violence as an individualised crime, with the solution being for a survivor to report, and with support often instrumentalised in relation to criminal justice objectives. However, criminal justice proceedings can intensify or create further trauma for sexual violence survivors. Furthermore, in addition to criminalising the violent body and supporting the victimised one, there is a need for policy to produce alternative types of bodies through preventative interventions. Much sexual violence is situated within (hetero)sexual dynamics constructing a masculine aggressor and a feminine body which eventually yields. Prevention must therefore focus on developing embodied boundaries, and narratives at the margins of policy could underpin such efforts.

Key words: criminal justice, gender, rape, assault, sex education

This paper uses the notion of the body as an analytical tool to examine sexual violence[1] policy in England and Wales. The aim is to apply and develop Pillow's (2003) ideas about embodied policy analysis, focusing on the gendered, 'raced' and classed body as addressed in or absent from policy narratives. I will also argue that the body should provide the conceptual foundations of interventions around sexual violence, in particular preventative programmes. Sexual violence is an inherently embodied phenomenon, which makes an explicit focus on the body especially appropriate in this case. Such an analysis could also be

applied to other aspects of violence against women, which should be conceptualised as a continuum (Kelly 1988), as well as policy arenas such as family planning/reproduction, sex work, health and employment. In addition, although this paper is set in the UK context, embodied policy analysis could translate to other national settings or to research in an international frame.

Since male-on-female sexual violence is by far the most common configuration, gender issues will be central to this discussion. Therefore, it can also be located in the discipline of feminist critical policy analysis, which positions gender as a key social category and uses data on women's experiences and needs to challenge the discursive narratives embedded in policies (Sevenhuijsen, 2000: 12; Shaw, 2004: 59). The feminist emphasis on experience is brought together in this paper with the concept of embodiment; the process by which social structures and power relations are written into identities and bodily repertoires and thus *shape* experience (Cahill, 2001). This process is multidimensional: differences of 'race', class and sexual orientation must be taken into account, as well as the messiness of individual biographies. This raises important questions about the social construction of sexual violence perpetration and 'victimhood', shifting impacts of policy narratives and statutory services on survivors, and the principles which should underpin interventions.

Context

During the past thirty years, there has been little change in the prevalence of sexual violence in England and Wales (Walklate, 2008: 40). In 2006/07, there were 43,755 reported incidents of serious sexual crime (encompassing rape, sexual assault, and sexual activity with children). This represented a slight fall, of 7 percent, from 47,163 in 2005/06 (Nicholas, Kershaw & Walker, 2007: 13). However, this remains an extremely high rate of prevalence, and it should also be noted that only a fifth of all such crimes are reported (Myhill and Allen, 2002: 48). An opinion poll conducted in 2005 on a sample of 1,095 adults across England and Wales found that up to 30 percent of respondents believed a raped woman was partially or totally responsible if she was wearing revealing clothing, had had many sexual partners or was drunk (ICM, 2005), showing that rape-supportive attitudes persist and perhaps highlighting one of the reasons why the conviction rate for sex crimes is less than 6 percent (Walklate, 2008: 45).

The profile of violence against women within criminal justice policy in England and Wales was raised in the early 2000s, for instance through various Home Office initiatives, dedicated domestic violence courts and Operation Sapphire at the Metropolitan Police Service, which involves specialist detectives and constables investigating sexual offences and supporting survivors and witnesses (Metropolitan Police Service, 2008). In April 2008, the Crown Prosecution Service became the first Whitehall Department to publish its Violence Against Women Strategy and Action Plans (Crown Prosecution Service, 2008). This was undoubtedly a positive development, recognised by individuals and organisations working in this area (End Violence Against Women, 2005; Walklate, 2008: 46). However, the practice of criminalisation is underpinned by the principles of rights and retributive justice. In contrast, focusing on the body poses alternative questions around how trauma can be assuaged or aggravated through engagement with state apparatuses.

This paper starts from the assumption that policy is both about and for bodies. It can be seen as a nexus at which anatamo-politics and bio-politics (Foucault, 1976) are delineated: macro- and micro-level practices of regulation which are localised in a variety of contexts and which can have a profound impact on individuals and groups. Policies are also concerned with representing bodies, and in the process (re)producing social norms through which experiences and subjectivities are filtered (Pillow, 2003: 146-8). Policy narratives delimit the kinds of interventions perceived to be possible: they become received political wisdom and constitute languages which voluntary sector groups, even radical ones, must mobilise (Phipps, 2007). In these ways and others, policy documents can be seen as social actors in themselves (Hunter, 2008).

Methodology

This paper attempts an embodied approach to policy analysis, drawing on and developing Wanda Pillow's (2003) article 'Bodies are dangerous: using feminist genealogy as policy studies methodology'. Pillow uses the notion of the body to interrogate US policy around teen pregnancy, arguing that the pregnant teenage body is a site of state regulation and a locus for the reassertion of social norms, morals and values around issues such as women's sexuality, parenting, welfare and reproductive rights (Pillow, 2003: 149). Therefore, Pillow argues, interventions which proceed from such policy narratives are concerned with the management of these social Others rather than with the needs of the body 'that swells,

changes, stretches, grows, lactates, cramps, leaks, bleeds' and which is located along gendered and 'raced' lines of disadvantage (Pillow, 2003: 152).

Despite this, Pillow (2003: 153) contends, policy analysis has traditionally taken a neutral and objective position which is more apparent than real. Such technical-rational approaches do not leave room for considering the embodied constructions mobilised in policy creation and the needs and experiences of those at whom policy is directed. There have been many similar critiques of 'policy science' as untheoretical and concerned with improving the performance of existing policies (Ball, 1990; Ozga, 2000). Feminist critics have also positioned it as positivist, and therefore masculinist and blind to gender issues (Marshall, 1999: 63-64; Shaw, 2004). For Bensimon and Marshall (2003), policy science can never uncover power dynamics or the gendered, classed, and 'raced' impact of supposedly neutral policies. Furthermore, Hunter (2003) argues, there is a need to focus on the identities and social locations of policymakers alongside the subjects/objects of policy.

This paper aims to move away from the abstractions of identity into the domain of *materiality*, interrogating policy via its relationship to the sphere of experiences, needs, and subjectivities. Policy research, Pillow (2003) argues, should explore how bodies are represented and narrated, but should also consider the possible material effects of interventions, inserting the 'messiness' of the body (Pillow, 2003: 156) into policy talk and action. Pillow's analysis focuses largely upon gender and 'race': it is also necessary to consider the intersections with class, particularly pertinent in the British context and a hitherto neglected category in research and theorising about sexual violence (Phipps, 2009). Pillow terms her approach feminist genealogy, encompassing Foucauldian analysis of the context of policy production (Foucault 1994) and a feminist emphasis on agency (Pillow, 2003: 150-1). This paper will shift the focus from concerns with the social and political struggles of policy formation and take an archaeological slant, examining the assumptions underpinning policy narratives and their conditions of existence while also concentrating on their potential material effects (Foucault 1972; Gale, 2001). This could be termed a critical 'storying' (Gale, 2001: 384) of the chosen moment in sexual violence policy.

The evidence for this paper comes from quantitative and qualitative analysis of a sample of recent sexual violence (and related) policy documentation, an in-depth empirical application which goes beyond the mainly theoretical reflections of Pillow's original article. The 2007

Cross-Government Action Plan on Sexual Violence and Abuse was central, and from this starting point a variety of other documents were collected and studied. The aim was to examine recent formal policy pronouncements alongside communications aimed at the general public, in order to achieve a broad representation of policy narrative. To this end, the Action Plan, alongside key contemporary reports, press releases, speeches and webpages, was coded using NVIVO™ software. Secondary documents were consulted, such as implementation guidance for the Action Plan[2] and information on initiatives described within it, earlier documentation on sexual violence, and general material on violent crime. 17 documents were coded, and a further 17 were consulted.[3] Table 1 details these by type of analysis.[4]

Table 1. Documents and type of analysis

Type	Title		Author(s)	Date	Analysis
Press release	1.	Tackling Sexual Violence - Giving Victims More Support	Home Office	2007	Coded
	2.	Supporting Adult Survivors of Sexual Violence		2005	
	3.	Tough Campaign to Tackle Rape		2006	
Report	4.	Cross-Government Action Plan on Sexual Violence and Abuse	Inter-departmental Ministerial Group on Sexual Offending	2007	Coded
	5.	Sexual Violence and Abuse Action Plan Implementation Guide		2007	Consulted
	6.	Tackling Sexual Violence: Guidance for Local Partnerships	Home Office	2006	
	7.	Rape Action Plan		2002	
	8.	An Action Plan for Tackling Violence 2008-11		2008	
	9.	Sexual Assault Referral Centres – Getting Started Guide	Association of Chief Police Officers	2005	
	10.	Provision of Therapy for Vulnerable or Intimidated Adult Witnesses Prior to a Criminal Trial: practice guidance	Crown Prosecution Service	2002	
	11.	Excellence and Enjoyment: social and emotional aspects of learning	Department for Education and Skills	2005	
	12.	PSHE Education: guidance for schools	Department for Children, Schools and Families	2008	
	13.	Sex and Relationship Education guidance	Department for Education and Employment	2000	
	14.	Drug Facilitated Sexual Assault	Advisory Council on the Misuse of Drugs	2007	Coded
	15.	Government response to Advisory Council on Misuse of Drugs report on Drug Facilitated Sexual Assault	Home Office plus other government departments	2007	
Speech	16.	Home Office launches new booklet 'Coping with Sexual	Vernon Coaker, Home Office Minister	2008	Coded

Type	Title	Author(s)	Date	Analysis
	Assault: a Guide for Young People'			
	17. How Government is addressing sexual violence and abuse		2008	
	18. Responding to Rape	Alan Campbell, Parliamentary Under-Secretary of State at the Home Office	2008	
	19. Violence Against Women	Harriet Harman, Deputy Labour Party Leader	2008	
	20. Speech to Crown Prosecution Service	Harriet Harman, Solicitor General	2004	Consulted
Webpage	21. Sexual Offences Mini-Site	Home Office	2008	Coded
	22. Victims Care		2008	
	23. The Sexual offences Act		2008	
	24. Raising Awareness about Sexual Violence and Abuse		2008	
	25. Investigation and Prosecution		2008	
	26. Drugs and Alcohol		2008	
	27. Sexual assault referral centres		2008	
	28. Independent Sexual Violence Advisors		2008	
	29. Sexual offences		2008	
	30. Healthy Schools	Department for Children, Schools and Families/National Health Service	2008	Consulted
	31. RUThinking	Teenage Pregnancy Unit, Department for Children, Schools and Families	2008	
Leaflet	32. Adults: Safer from Sexual Crime	Home Office	2004	Consulted
Poster	33. If you don't get a 'yes' before sex, who'll be your next sleeping partner?	Home Office	2006	Consulted
	34. Have sex with someone who hasn't said yes to it, and the next place you enter could be prison		2006	

NVIVO™ allows text-based data to be coded according to an infinite number of researcher-defined themes (Bringer, Johnston and Brackenridge, 2006). Statements made in documents can be assigned to one or more of these, and in keeping with the idea that research should involve a dialectical relationship between theory and data, a tree of themes and sub-themes can be developed during the process. In this analysis, broad themes were defined in advance in order to try to encompass major possible lines of investigation: the conceptualisation of the problem of sexual violence, the characterisation of complainants, the nature of the solutions offered, and the general political narrative. Sub-themes were allowed to emerge during coding.

3. Discussion

788 statements were coded in total: Table 2 shows the occurrence of themes and sub-themes in the coded documents, presented in descending order of frequency. These were echoed in the sources which were consulted.

Table 2. Occurrence of themes and sub-themes

Theme	Sub-theme	Occurrences	
Nature of problem	Individual	146 references	*(in 14 sources)*
	Social	69 references	*(in 7 sources)*
Concept of complainant	Victim	128 references	*(in 14 sources)*
	Partially culpable	13 references	*(in 5 sources)*
	Survivor	8 references	*(in 5 sources)*
Solutions	Criminal justice	98 references	*(in 14 sources)*
	Support	91 references	*(in 13 sources)*
	Prevention	61 references	*(in 9 sources)*
Political narrative	Crime	81 references	*(in 10 sources)*
	Social decline	28 references	*(in 6 sources)*
	Public health	28 references	*(in 5 sources)*
	Gender	14 references	*(in 1 source)*
	Consent	9 references	*(in 5 sources)*
	Rights	8 references	*(in 4 sources)*
	Bodily integrity	6 references	*(in 2 sources)*

The quantitative analysis revealed sexual violence to be a highly individualised construction, with complainants positioned as victims rather than survivors (and occasionally as partly culpable for their own victimisation). The solutions presented favoured criminal justice, followed closely by supporting survivors (although it will be argued later that this support often functions as a means to an end). Despite rhetoric about criminal justice, support and prevention being equal strategic strands, there were significantly fewer references to prevention compared to the other approaches. The overall political narrative was dominated by a criminological discourse; next to this in frequency were ideas about sexual violence as a symptom/cause of social decline, and a public health issue (often, as a drain on health service resources). However, these were far less prevalent than the crime narrative, and others were more marginal still: consent and rights, bodily integrity, and surprisingly, gender equality.

Criminalisation and support: instrumentalising the survivor

The main theme emerging from this analysis is the construction of sexual violence as first and foremost a criminal justice issue. At the time of writing, sexual violence policy was largely being developed and delivered by the Home Office[5] rather than the Department of Health or the Department for Children, Schools and Families, despite the fact that intimate relationships are the most common settings for sexual assault and rape (Myhill and Allen, 2002: 30). Delivery partners included the police, the Crown Prosecution Service, the courts, the National Offender Management Service, local Crime and Disorder Reduction Partnerships[6] and Criminal Justice Boards, and the judiciary. This shaped an orientation largely focused on retributive justice: Home Office Minister Vernon Coaker, in a speech delivered in May 2008 (Table 1 item 16), stated that his main interest was 'to improve conviction rates for [sexual] offences', adding: 'one of the key ways we will do this is by supporting victims' and thus positioning support as instrumental to the effective punishment of crime. In a speech delivered earlier that year (Table 1 item 17), Coaker had set out a raft of national measures reflecting this aim, including training and guidance for police forces, the Crown Prosecution Service and barristers engaged in prosecuting serious sexual offences. There was also a move to provide support for police forces in developing sexual violence policy, and the establishment of a Rape Prosecutions Delivery Unit within the Crown Prosecution Service and a Rape Performance Group for oversight at local level.

The parallel focus on criminalisation and support distinguishes England and Wales from countries such as Canada, where state policy has tended to neglect the survivor and focus largely on the perpetrator (Morrow, Hankivsky and Varcoe, 2004: 363). However, support was frequently positioned as a means by which to achieve criminal justice objectives: 53 of the 91 references coded under support were also coded under criminal justice. An example is taken from page 10 of the Action Plan (Table 1 item 4):

> Providing support to victims is vital in terms of reducing the overall cost of sexual crime for society, and keeping victims in the criminal justice process in order to bring more offences to justice.

This situates support as a means by which to avoid attrition, constructing the victim as the weak link despite the fact that this is more often due to prejudice within the police and legal professions (Lea, Lanvers and Shaw, 2003; Brown, Hamilton and O'Neill, 2007; Temkin and

Krahe, 2008). It also locates support as a means to reduce the social costs of sexual violence. Earlier in the Action Plan (piii), these social costs are described as

> …lost output and costs to the health service resulting from long term health issues faced by victims. Addressing problems early should help to prevent these long-term costs.

Costs to society, in this formulation, derive from (a) survivors' loss of productivity, and (b) their needs for long-term health support. This reflects a neoliberal emphasis on economic output, seen as the primary obligation of modern Western citizenship (Sevenhuijsen, 2000: 14; Lister, 2002: 520-521). It also evokes the Third Way/New Labour focus on responsibilities rather than rights (Sevenjuijsen, 2000; Such and Walker, 2005), with the civic duty of avoiding excessive welfare dependency (Lister, 2001) at odds with the process of recovery from a traumatic experience. It shows a misunderstanding of this process, which can often be lifelong (Sarkar and Sarkar, 2005: 407) and which cannot necessarily be expedited by more rapid/effective forms of support. Indeed, for many survivors the trauma itself may not emerge until a significant amount of time has passed (Littleton, Rhatigan and Axsom, 2007), and intervention may not be helpful or appropriate until they are ready (McNally, Bryant and Ehlers, 2003). Discussion of reducing health service expenditure on sexual violence survivors is inapt in light of this complex and deeply personal journey (Kelly, 1988; Smith and Kelly, 2001).

The Sexual Assault Referral Centre (SARC) is the principal initiative linking support with criminal justice in the Action Plan: the 2005 guidance on these centres (Table 1 item 9, p3) stated that their first major function was to facilitate forensic examination, with the second being support in the immediate aftermath of an assault. At the time of writing, there were 22 SARCs operating across England and Wales, with £1.6 million of funding available for new and existing SARCs in 2008/09. This was seen by women's groups as a shift away from the tried and tested model of Rape Crisis, which offered broad and long-term counselling and advocacy, towards short-term forensic and emergency medical concerns (May, 2008; Jones and Cook, 2008).[7] It also underlined the instrumentalisation of support, since the pre-trial therapy policy under which the Centres operated (Table 1 item 10) advised that evidence from vulnerable witnesses should be collected before any psychological intervention commenced (thus taking precedence over, and potentially delaying, the recovery process),

and that recounting the sexual assault or rape experience, usually a key therapeutic exercise (Moor, 2007: 24), could be perceived as 'coaching.'

Although it clearly has a role to play, there have been many challenges to the criminal justice system as the sole solution to violence against women. In addition to complaints about criminalisation being moralist and individualist (Morrow et al, 2004: 371), an analysis which speaks to the embodied needs of survivors can highlight further limitations: criminal justice proceedings can rekindle existing or create new trauma for women who have been sexually assaulted or raped. For instance, for women in abusive relationships, the violence often worsens if and when a convicted perpetrator is released, occasionally to the point at which the revictimised woman is killed (Richards, 2003: 11; Walklate, 2008: 41). Criminalising domestic violence can disrupt the lives of children (Fine and Weis, 2000: 1144) and potentially cause conflict between the survivor and other family members, and/or the local community. This highlights the fact that policy constructed according to abstract principles in decontexualised settings can become impotent at the threshold of the private sphere of relationships, bodies and emotions (Grunell, 1999: 343).

Furthermore, sexual violence survivors can experience a 'second rape' in the criminal justice system, through blaming attitudes and behaviours, no-criming by police or dismissal in court, and/or not being advised about pregnancy and STI risk (Campbell et al, 2001: 1240, Yamawaki et al 2007). Women from minority ethnic groups and survivors of non-stranger rape are particularly likely to be on the receiving end of this (Campbell et al, 2001: 1253), and it is probable that working-class women are similarly treated (Phipps, 2009). Although services provided to survivors have many positive effects (Wasco et al, 2004) and it is important not to simplistically conflate bureaucracy and control (Hunter, 2008), 'helping' professionals such as health and social workers and psychiatrists can pathologise survivors and construct them as passive receivers of services, through which they may be subject to direct or indirect disciplinary practices (Foucault, 1977; Westlund, 1999: 1046; Mardorossian, 2002). Funding regimes, professionalisation and the imposition of new managerial structures in both public and voluntary sectors (Fine & Weis, 2000: 1143-1144; Walklate, 2008: 43; Westlund, 1999: 1061) can all shift the focus away from survivors' experiences and needs towards abstract (and masculinist) government priorities (Connell, 1990; Waylen, 1998).

As in Pillow's (2003: 148) analysis, the sexual violence survivor can be seen as both silenced and over-produced in the policy documentation examined here, with much discussion of support and a barrage of 'helping' interventions, but a conspicuous absence of survivor voice. As a frontline service provider interviewed by *End Violence Against Women* in 2005 (pi) stated:

> We are asked about everything – from health and safety to data fields – but no one ever asks questions about the direct experience of women and girls that use our service.

An embodied analysis encourages us to foreground the emotions, social locations and needs of survivors in sexual violence policy. This may directly conflict with state agendas: for instance, the aversion of a survivor to being touched may inhibit the collection of forensic evidence, and the need to be unconditionally believed, particularly considering the pervasiveness of self-blame (Schwartz and Leggett, 1999: 266), may make it unlikely that a survivor will wish to pursue a prosecution which will inevitably involve intensive critical appraisal of her experience.

A rare refusal to instrumentalise support can be seen in a 2008 speech given by Alan Campbell, Parliamentary Under-Secretary of State at the Home Office, in which he constructed the survivor's experience of the criminal justice system as an end in itself (Table 1 item 18):

> It is incredibly important to remember that providing a good service to victims can mean that a victim feels supported by the criminal justice system even in the absence of a conviction. The victim experience of the process is just as important as the conviction rate.

However, it is interesting to note Campbell's position at the bottom of the ministerial hierarchy (such that he was not a co-author of the 2007 Action Plan). His statement can be contrasted with those of more senior Minster Vernon Coaker (presented above), and with speeches given by Harriet Harman in 2004 (Table 1 item 20) and 2008 (item 19), in which support was clearly conceptualised as a means to an end. For instance, in 2004 Harman stated that special measures for survivors in court (e.g. giving evidence behind a screen or on video) 'can help sustain cases which would otherwise stand no chance', but cautioned against these measures being taken if 'not necessary', due to the risk of cases being dismissed. Special measures, in this formulation, improved the odds of conviction rather than being for the benefit of the survivor. In her 2008 speech, Harman '[paid] tribute' to

voluntary sector organisations such as Rape Crisis, 'which provide the specialist support and counselling often needed to help victims step forward', running counter to the position of the federation as independent of the criminal justice system and its understanding of reporting as a deeply personal decision (Rape Crisis, 2009).

It was argued at the beginning of this paper that an embodied analysis of sexual violence policy demands attention to how gender intersects with other social categories such as class, 'race', sexual orientation, disability and age. Such an embodied politics is in operation in terms of who is most at risk of sexual violence and how violations occur, how survivors react and how they are perceived and treated by statutory and other services (Humphreys, 2007; Phipps, 2009). The fact that social positioning may mediate survivors' experience of the criminal justice and statutory sectors was not directly addressed in the policy documentation analysed for this paper: although the Action Plan mentioned groups such as black and minority ethnic women and women with disabilities, it did not specify targeted interventions. The criminalisation of sexual violence has also been situated within a disciplinary politics focused on regulating men from working class and minority ethnic groups through prosecution and incarceration (Bumiller, 2008; Walklate, 2008: 40).[8] The historical oppression of these social Others has made way for surveillance and (self-)restraint (Foucault, 1997), exemplified in the class and ethnic profiling of criminality. This facilitates direct control over those accused and convicted of crimes, and also creates self-regulating behaviours and subjectivities among those who may merely fit the criminological profile. These intersections with class and 'race' must be taken into account in any discussion of the criminalisation of sexual violence.

Embodied (hetero)sexual dynamics: principles for prevention

The 2007 Action Plan positioned criminal justice, support and prevention as equal strands, and in fact stated that reducing the prevalence of sexual violence was the ultimate aim of government policy around this issue (Table 1 item 4, piv). However, this analysis revealed that there were significantly fewer references to prevention (61) than criminal justice (98) and support (91) in the coded documents, and that plans for prevention initiatives were thin, especially when compared to the scale of criminal justice interventions. Three ambitious tiers of preventative work were sketched out in the Action Plan – at the general societal level, with those at risk of offending and victimisation, and with existing perpetrators and survivors. However, many of the initiatives mentioned focused on

managing and treating existing offenders or on particular actions such as vetting those working with children, rather than on broader projects designed to address the social causes of sexual violence and abuse.

In their review of a number of prevention programmes implemented in the US, Yeater and O'Donohue (1999) argue that few use a theoretical model to guide their content and approach, which hinders effectiveness and yields scant grounds for evaluation. They state that the exact causes of sexual violence have not yet been identified: however, outside their purely psychological frame, there is a strong body of sociological and social-psychological work on the dynamics of embodied (hetero)sexuality (see for example Ramazanoglu, 1993; MacKinnon, 1997) and how this might shape the occurrence of sexual assault and rape.[9] Feminist researchers argue that sexual violations can result from the operation of embodied masculinities and femininities within strict sexual scripts and double standards. In this framework, men push sexual boundaries while women slowly cede bodily territory: ultimately, femininity is equated with submission (Holland et al, 1998: 132; Grunell 1999: 351), meaning that a woman's sexual consent is at best ambiguous and at worst meaningless (MacKinnon, 1997; Zeegers, 2002).

Statistics confirm that rape is rarely a violent crime committed by a stranger (Myhill and Allen, 2002), and the idea that sexual violence can be the unfortunate yet routine product of embodied (hetero)sexual dynamics is supported empirically by studies in the fields of health and social work (see for example Fenton et al, 2001; Kirby et al, 2007). A study of adolescents published in 2008 (Hayter and Harrison, 2008) found that young men used language related to conquest and violence and made references to sexual 'tactics', but differentiated between pressured sex and 'proper rape' (Hayter and Harrison, 2008: 2968), suggesting a normalisation of sexual coercion. In a survey of 674 teenage girls conducted in 2006 by the NSPCC and Sugar Magazine, nearly half had been touched sexually against their will, half of these by boys known to them who made use of verbal pressure rather than violence (NSPCC, 2006). In more extreme cases, even 'proper rape' is not seen as problematic: for instance, by the teenage gang convicted of raping a 14-year-old girl in London in 2007 (Williams, 2008). An embodied approach to sexual violence prevention would involve working on these (hetero)sexual dynamics and expectations: however, the policy documents analysed here lacked such a conceptual framework.

For instance, a key action detailed in the Action Plan was raising public awareness through communications campaigns around consent and alcohol/safety. A campaign was delivered in 2006 through men's magazines, posters and radio adverts, using the slogans: 'If you don't get a 'yes' before sex, who'll be your next sleeping partner?' and 'Have sex with someone who hasn't said yes to it, and the next place you enter could be prison' (Table 1, items 33, 34). The idea of obtaining explicit consent to sex reflected New Labour attempts to broaden the legal framework to include submission created by threat or fear (Zeegers, 2002: 448, 454-5) and to exclude the 'Morgan defence' by which defendants could argue that they believed the complainant was consenting. The Action Plan (p40) reported that almost 70 percent of men surveyed as part of a tracking programme stated that their attitudes had shifted as a result of the consent campaign. This is undeniably positive, and as recently as the 1990s such government actions were rare throughout Europe (Grunell, 1999), with rape prevention principally focused on limiting women's autonomy through curfews, restricting geographical mobility and policing dress (Schewe and O'Donohue, 1993: 667).

However, consent was constructed in the campaign slogans as a verbal event – the act of saying 'yes' – in her 2008 speech Harriet Harman echoed this, stating: 'Tackling rape means constantly having to challenge the view that "when a woman *says* no she might mean yes" [emphasis added]'. It is necessary to bring the body into this equation: consent (and more importantly, non-consent) can also reside in cues such as facial expressions and body language, within a complex array of reactions to unwanted sexual attention (Mardorossian, 2002; Ullman, 2007). Obtaining consent, in other words, is a continuing process of negotiation which requires sensitivity to a number of different signals. The law is a blunt instrument in this regard, although the government's campaign was firmly located in a criminalistic narrative: awareness of such complex embodied dynamics could only be inculcated through educational interventions (which could potentially take a variety of different forms).

A key government action at the societal level was working with schools on sexual and mental health, through the social and emotional literacy curriculum, the Healthy Schools initiative, Sex and Relationship Education (SRE), and training teachers and community nurses. However, the Social and Emotional Aspects of Learning programme, with strands on self-awareness, managing feelings, empathy and relationships, incorporated little content on sexuality or gender. Although the 2005 guidance (Table 1 item 11) situated emotional

literacy as 'an important part of successful social interaction' (p60) and placed the programme within the broad goal of increased social cohesion (p8), its recommendations were narrowly focused. In particular, the block on emotional expression concentrated only on cultural differences, when gender awareness is also central to emotional literacy (Sevenhuijsen, 2000: 17-18). A companion website mentioned in the Action Plan contained a section detailing the law but no specific information on negotiating sexual boundaries (Table 1 item 31).

The Healthy Schools programme, as detailed in the 2008 guidance, focused on four core themes: two of the four were healthy eating and physical activity and a third was emotional health and wellbeing. Within this theme there were several criteria relevant to sexual violence: however, this issue was conspicuously absent (Table 1 item 30). For instance, schools were required to identify vulnerable individuals and groups and establish suitable support, but possible risks and threats were unspecified. They were also compelled to deal appropriately with crises, but the focus was bereavement as the most likely possible tragedy. There was also reference to tackling bullying, but none to sexual bullying, despite this being a serious problem in the education sector (Department for Children, Schools and Families, 2007; Shepherd 2009).

The fourth theme in the Healthy Schools guidance was Personal, Social & Health Education (PSHE), which included Sex and Relationships Education (SRE). At the time of writing PSHE education guidelines were non-statutory, although SRE was to be made compulsory in primary and secondary schools in 2010 (Curtis, 2008). Issues around sexual health were specifically mentioned in relation to this theme, but sexual violence was not. The requirement that schools support national policy priorities did not include sexual violence among the collection of issues which encompassed reducing teenage pregnancies, sexually transmitted infections and drug/alcohol misuse (Table 1 item 30). One of the stated aims of SRE was helping young people respect themselves and others, which included learning how to recognise and avoid exploitation and abuse, resisting pressure to have sex and understanding the law. However, the guidance (Table 1 item 13) emphasised delaying sexual activity, rather than appropriate conduct in sexual encounters.

Taken together, these limitations reveal the references to education in the Action Plan to be largely symbolic. The lack of explicit guidance on negotiating sexual boundaries is

particularly problematic considering the fact that many teachers have not been adequately trained to deliver SRE (Moore, Graham and Diamond, 2003: 677). Although it is likely that individuals develop good practice, the rising problem of sexual bullying, even in primary schools (Shepherd, 2009) indicates that this is the exception, not the rule. While it is true that sex education can be seen as a normalising technique (Thorogood, 2000) it is also a crucial tool in preventing sexual violence, and an embodied approach demands that this curriculum address the dynamics of (hetero)sexuality. A starting point at least can be found in the Action Plan (p3), which states that 'safe, consenting sexual relationships should embody the principles of sexual autonomy, respect, gender equality and health'. In contrast and in the absence of appropriate SRE, lack of experience may make young people dependent on dominant and oppressive sexual scripts (Grunell, 1999: 351).

The previous section discussed the violent and victimised bodies produced in policy narratives. Conversely, good SRE should aim to produce bodies which are neither potential/actual perpetrators of sex crimes nor potential/actual victims. Such a curriculum would be underpinned by an awareness of the gendered power relations which shape (hetero)sexual engagements and roles, but would also pay attention to differences such as class, 'race' and sexual orientation in sexual encounters and bodily performances. This would involve fostering active sexual subjectivities among *all* young people, so they are able to make and communicate decisions and feel empowered to change their minds. It would also focus on creating sensitivity and consideration: an understanding of the complexities of sexual negotiation and consent, and an ability to recognise embodied cues. Ideally, this would comprise part of a sexual violence strategy focused on producing different bodily norms and dynamics through a variety of preventative initiatives, placing as secondary the punishment of transgressions.

Within the existing sexual violence strategy, there are several marginal discursive frameworks which could form the basis of such an approach. For instance, in statements such as the following, taken from the Action Plan (p2):

> [Sex] crimes violate the basic right of women, men and children to be treated with dignity and respect, to have control over their bodies and to live without fear of sexual violence and childhood sexual abuse.

This evokes the idea of bodily integrity as a basic right, and refers to the significance of the *fear* of sexual violence (particularly relevant in terms of feminine subjectivity and bodily

practice). Such notions could be expanded, moving from the abstractions of rights discourse to the more experiential notion of embodiment and shaping a notion of sexual violence as an assault on a person's sexual, physical and emotional boundaries. Learning to respect another's bodily integrity in this broader sense could be a key theme in preventative interventions, and the idea that sexual violence shatters this integrity could inform the development of services for survivors. The emergent gender framework evident in the Action Plan, situating sexual violence as both a cause and consequence of gender inequality and violence against women as a continuum (cf Kelly, 1988), could provide a broad theoretical and political model.[10]

Conclusion

This paper has examined sexual violence policy in England and Wales through a sample of documentary evidence, using the body as a conceptual tool. Such an approach could be applied in other policy arenas, most obviously around other forms of violence against women and issues such as reproduction, sex work and health, but also perhaps in employment (a deeply embodied phenomenon). It has been argued that within the policy narratives, sexual violence was predominantly constructed as an individualised crime, with the solution being for a survivor to report it to appropriate authorities. The issue of support was addressed, but often insofar as it advanced criminal justice objectives. Clearly, there is an important place for the criminal justice system in tackling sexual violence, particularly from the perspectives of rights and retributive justice. However, this embodied analysis has revealed that criminal justice proceedings can intensify or create additional trauma for survivors, through the dangers of official involvement in domestic/community incidents and/or through the 'second rape' often experienced at the hands of police and other 'helping' professionals, particularly by women from working class and minority ethnic backgrounds. Technical-rational policy formulations focused on improving conviction rates and statutory service use do not take this into account.

The sexual violence policy framework explored here largely concentrated on criminalising the violent body and supporting the victimised one. It was argued that there is also a need for policy interventions to produce alternative types of bodies, through preventative work on a broad social scale.[11] Theoretical and empirical research suggests that much sexual violence is produced through boundary violations built into embodied (hetero)sexual dynamics, which construct a masculine sexual aggressor and a feminine body which

eventually yields. Prevention work must therefore focus on developing boundaried bodies able to exercise consideration and respect and make active sexual choices. Taking into account the fact that sexual violence is not exclusive to heterosexuality, such work should be undertaken across the board, with appropriate attention also paid to classed and 'raced' differences in bodily repertoires and sexual scripts. There were discursive frameworks evident in the documentation, albeit on the margins, which could provide a basis for this.

There is a need to bring the body back in to both policy research and feminist intellectual work around sexual violence (Cahill 2001; Pillow 2003). This embodied policy analysis has highlighted some of the reasons why, uncovering silences around the (hetero)sexual relations which construct sexual violations, and a crime-focused orientation which can disregard survivors' needs. There is an argument for developing more sophisticated conceptual frameworks, and also a need to include survivors from a variety of social groups in policymaking, in order that embodied experiences of sexual violence – its causes and its aftermath – are more appropriately addressed.

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[1] Referring to acts ranging from sexual harassment to sexual assault, rape and sexualised murder (Kelly, 1988).
[2] This was not formally coded since it was largely technical, and the narrative content duplicated that presented in the Action Plan.
[3] It is important to acknowledge that conducting interviews with key policy actors and practitioners would have provided additional insights into the process of policy formation, interpretation and implementation. It would also have facilitated a more even analysis of the role of social categories/identities in social policy through focusing on the location of the policymaker in addition to the subjects/objects of policy (see Hunter, 2003). It is also necessary to recognise that this paper engages with possible material effects of policies as suggested by the body of empirical research around sexual violence, but that focused empirical research on the effects of the particular policies explored here should eventually be conducted. However, such analyses could provide more than enough material for several future papers, and the significance of documentary analysis should not be downplayed, since policy documents can be seen as social actors in themselves (Hunter, 2008).
[4] These primary sources do not appear in the bibliography.
[5] Which has responsibility for the police service in England and Wales, UK immigration, drugs policy and counter-terrorism.
[6] Including the police, the Primary Care Trusts delivering local health services, local government authorities and fire and rescue authorities, and collaborating with other bodies such as education authorities, probation services, and private, voluntary and community groups.
[7] The number of Rape Crisis centres in England and Wales halved between 1984 and 2008, from 68 to 38. At the time of writing almost half the remainder were struggling to stay open, despite an emergency government grant of £1 million (Fawcett Society, 2007; Davies, 2008; May, 2008).
[8] It is also interesting to note that the pervasiveness of sexual abuse within prisons is given little attention (Bumiller, 2008: 162).
[9] Obviously there is also a need to engage with same-sex sexual violence and sexual violence perpetrated by women upon men: phenomena to which these feminist frameworks have some (but not sufficient) applicability.
[10] The (albeit marginal) gender dimension evident in the Action Plan could perhaps reflect the involvement of groups such as Rape Crisis and The Women's National Commission Sexual Violence Sub-group in developing the Action Plan.
[11] Historically, prevention work has also been lacking (Radford and Tsutsumi, 2004; Coy, Lovett and Kelly, 2008).