

# Institute of Criminal Justice Research Seminar

**‘His bizarre defence won the backing of an expert’: Ambiguity in the media reporting of sexsomnia defences**

**Dr Gethin Rees (Criminology, University of Southampton) and John Rumbold (Keele University)**

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Building 54, Room 10037 (10<sup>th</sup> Floor)

The use of the sleepwalking defence in rape and sexual assault cases has increased dramatically since 2005, and media interest has increased alongside it. However, this media interest results in newspaper reports that are often contradictory, incorrect and uncertain about knowing how best to represent the sleepwalking/sexsomnia defence. Drawing on a study of 117 newspaper reports produced between 2005 and 2013, we will argue that while sexsomnia cases often fit so many of the narratives that the media prefer to represent (e.g. sexual assaults as well as 'bizarre' defences) there is ambiguity around the ways the media present these cases, resulting upon a reliance of court-reporting over investigative journalism. Moreover, the timing of many of the first reports of these cases, often after judgement has been passed, helps the media construct the offender as either a sympathetic victim of a medical condition or a manipulative liar. As a result, there is little coherence across the sample as to the media's attitude to the defence. In this paper we will demonstrate this coherence, not only by focusing upon the ways the media represent the defence, but also the offenders and victims in cases where sexsomnia is employed as a defence.

## Speaker Information:



**Gethin Rees** (left) is a Lecturer in Criminology at the University of Southampton with research interests in the production and use of expert evidence in criminal justice and the treatment of the victims of crime. He has previously been awarded research grants by the Economic and Social Research Councils in order to study the work of Forensic Medical and Forensic Nurse Examiners in England, Ontario and Scotland, and is presently funded by the Social and Legal Studies Association in order to conduct research on forensic sleep medicine in sexsomnia defence cases.

**John Rumbold** (right) is a post-graduate researcher in neurolaw. His thesis is on the provision of expert evidence to refute or support the sleepwalking defence. He has several publications and presentations on medico-legal subjects as sole author or with collaborators. His other research interests also relate to the intersection of law and biomedical science, including mental condition defences, neurolaw, behavioural genetics, patient safety, medical negligence reform and patient activist groups.