

Guilty or Not Guilty? Examining the Role of Demographics, Attitudes towards Violence, Pre-Trial Attitudes and Victimisation on Trial Verdict Outcomes

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Abstract

The acceptance of modern rape myths surrounding sexual aggression can often be easily identified simply through the endorsement and day to day use of such, however when it appears that the influence of such acceptance is apparent in a court of law the ability to ensure these beliefs don't implicate a real criminal trial becomes an issue. Subsequently potential vetting procedures that could help to reduce such bias may become a necessity for members of the jury. This research aimed to investigate the potential relationship between demographic information (age, gender and ethnicity) and the acceptance of modern rape myths whilst also examining the level of influence the six subscales of the Pre-Trial Juror Attitudes Questionnaire (PJAQ) - racial bias, social justice, innate criminality, cynicism towards the defence, system confidence and conviction proneness - may have. Data was collected from a large cross-sectional sample ($N = 266$) of males and females. Results suggested that gender, racial bias, cynicism towards the defence and social justice were all significant indicators of being accepting of modern rape myths. Practical implications and the direction of future research is discussed.

Key Words: *Sexual aggression, Acceptance of modern rape myths, Pre-trial juror attitudes questionnaire, Gender, age, Ethnicity, Legal attitudes*

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1. Introduction

1.1. Prevalence of Sexual Violence

Sexual violence is a profound problem on a global scale, with World Health Organisation [WHO] outlining the significance of such a pervasive violation and the impact it afflicts on victims' health, both physically and psychologically (WHO, 2013). A myriad of research reiterates concern around victim's long-term mental health including depression and post-traumatic stress disorder as well as chronic pain and insomnia (Oshodi et al., 2020; Mgoqi-Mbalo et al., 2017; Basile et al., 2020; Willmott, Boduszek & Robinson, 2018). Although all genders can be subject to sexual violence, in England and Wales statistics revealed 85,000 females were sexually victimised in comparison to 12,000 males (Ministry of Justice [MOJ], 2013). According to Crime Survey for England and Wales [CSEW] recent statistics combined from March 2017-2020 present astronomical figures, with an estimated 1.6 million individuals from ages 16-74 having been the victim of sexual assault (for a review see Willmott et al., 2021).

Despite a multitude of victims stating they had experienced this crime, 16% of individuals surveyed had reported the offence to police (Office for National Statistics [ONS], 2021). Evidently, there is a worry around attrition for rape cases within the criminal justice system as Crown Prosecution Service (CPS) data demonstrates a drop in conviction rates in the year March 2019-2020. Only 1,439 convictions were made in comparison to 1,929 convictions in the previous year March 2018-2019 (CPS, 2020). Therefore, this reduction poses the question as to why so few perpetrators are convicted of such a heinous crime? and whether there is a wider problem that needs to be addressed.

1.2. Jury Decision Making in Rape Cases

Due to the nature of rape cases often consisting of differing versions of events particularly, in domestic rape cases it can be challenging for the prosecution to convince a jury that the defendant is guilty of the offence. Significantly, jury conviction rates for rape in 2006 and 2009 were as low as 47% (MOJ, 2013). Statistics also indicate a depletion over time from 41% rape convictions in 2012 to 36% in 2017 (ONS, 2018). Uncertainty remains around jurors' reluctance to convict perpetrators of rape, as jurors base their decisions on more than just trial evidence (Bornstein and Greene, 2011). As a result, this has led to the examination of other factors by many researchers, such as rape myths and the role these misconceptions play in jury decision making during rape trials (for a review see Willmott et al., 2021).

Pennington and Hastie's (1992) Story Model aims to theoretically underpin jury decision making and offers insight into the influence of juror biases. The model proposes jurors are actively engaged through collecting evidentiary information and organising it into a coherent series of events effectively, producing a "story" alongside juror's current world knowledge and preconceived attitudes which enables interpretations of the event. Juror's judgements involve biases when segments of the stories are not supported by evidence (Pennington and Hastie, 1988). As a result, trials that present insufficient evidence heighten the risk of juror's prejudicial beliefs (Willmott et al., 2018).

1.3. Attitudes Towards Sexual Violence and Jury Decision Making

Rape myths refer to a set of prejudicial and often false beliefs surrounding victims and perpetrators of sexual violence and the offence itself (Burt, 1980) and serve to undermine the severity of the experience or justify sexually aggressive behaviour (Temkin, 2010). Two common beliefs individuals hold is the act of rape must involve physical coercion and be of an

aggressive nature through the use of weapons or physical marks also, women who are the victim of sexual assault whilst under the influence of alcohol hold a sense of responsibility for the perpetrator's actions (Peterson and Muehlenhard, 2004). Ultimately, creating a culture that perpetuates sexual violence and denies its existence (Silver and Hovick, 2018).

There is apprehension that individuals who hold misconceptions regarding rape and endorse them as jurors, affect assessment of trial evidence and determination of verdict outcome (Conaghan and Russell, 2014). Klement et al (2019) adopted a mock jury study using a vignette to explore whether rape myth acceptance is predictive of judgements around accusers and perpetrators of rape. Results indicated a significant relationship between higher rape myth acceptance scores and lower accused perpetrator guilt. Dinos et al (2015) mirrored previous findings and conducted a systematic review of jurors' assessment of rape victims and concluded jurors who hold stereotypical views on sexual violence are more likely to view the defendant as guilty. Despite studies highlighting the strong influence rape myths have on jury decision making, the majority of methodologies used in mock jury studies rely on vignettes to elicit the victim and defendants' perceptions of the event in question. This should be taken into account as vignettes have been referred to as simplistic and lack realistic stimuli for participants (Ellison and Munro, 2010).

1.4. Demographic Characteristics and Jury Decision Making

Age

It is common knowledge that individuals' experiences, attitudes and interpretations are likely to differ across age groups, suggesting jurors age could potentially influence comprehension of trial evidence. However, age is a factor which appears to vary in literature and there is weak evidence on its impact. Mossiere and Dalby (2008) explored the influence of age in mock jury-decision making, participants were provided with a vignette of a defendant allegedly

committing manslaughter and were instructed to reach a verdict. The study revealed the younger the mock juror the more likely they were to choose a guilty verdict in comparison to older mock jurors.

On the other hand, Higgins et al (2007) demonstrated conflicting findings, older jurors perceived the defendant as more responsible for the offence as opposed to younger jurors. Despite, research on mock juror's age presenting an effect on jury decision making, it is apparent there is insufficient research on this demographic and is largely ignored in modern literature (Mossiere and Dalby, 2008). Therefore, this initiates further investigation into its significance in the context of a rape trial, as the decision-making process involves juror's interpretations of the event through formation of 'stories' (Pennington and Hastie, 1992) and previous research in this area is predominantly based on murder offences, findings may differ using a case involving sexual violence.

Gender

Over time, gender appears to be extensively explored in relation to jury decision making and the extent to which it influences verdict outcomes. Consistently, early mock jury research into gender differences has revealed females are much more likely to find defendants in trials relating to sexual violence guilty, in comparison to males (Brekke and Borgida, 1988; McNamara et al., 1993). More recently, Bottoms et al (2014) conducted a study aiming to explore gender differences in jurors' responses to child sexual assault cases. Findings mirrored earlier research, as significantly fewer men voted guilty (46%) than women (60%). Interestingly, women were also found to be more empathetic towards the victim than men, suggesting women had pro-victim judgements. This indicates gender differences play a notable role in the decision-making process. Despite an array of research indicating males to be more conviction-prone towards defendants, Sealey and Cornish (1973) argue the reverse

effect through mock trial simulation studies. Evidence portrayed an insignificant association between gender and its role in mock jury decision making specifically, verdict outcomes. Therefore, conflicting outcomes question the direct relationship between gender and verdict decisions.

Ethnicity

The role of ethnicity remains a controversial topic in relation to jury decision making (Sommers, 2007). A vast amount research has explored the impact of defendant and victim race on mock juror's decision making. Hunt (2017) examined extra-legal biases such as defendant ethnicity and discovered that jurors presented harsher judgements towards defendants from alternate ethnic backgrounds. Similarly, Maeder and Burdett (2013) also concluded jurors were more likely to convict defendants who were Black in comparison to White defendants. However, Pica et al (2017) found no effect of defendant ethnicity on mock jury decision making surprisingly, Black defendants were less likely to be convicted as opposed to White defendants. Presence of conflicting findings and scant contemporary research focusing on the influence of mock juror's ethnicity and how this may interfere with reaching an overall verdict, undoubtably is an opportunity for further exploration to investigate whether juror's ethnicity has a similar impact on trial outcome or not.

Education

Minimal research exists on the relationship between mock juror's decision making and education level, although one may argue intelligence could play a role in assessment of evidence and decisions made in accordance with legal principles. Eisenberg et al (2005) found a direct association between intelligence and jurors' verdict decisions. Specifically, Reed (1965) reported a positive relationship between higher educational attainment in juror's and guilty verdict preferences. As opposed to this finding Sealy and Cornish (1973) investigated

effects of educational level, occupation and socio-economic status (SES) upon real juror verdicts in UK criminal trials and found low skilled workers were most likely to return guilty verdicts. Therefore, researchers indicated a negative relationship between education and conviction proneness.

1.5. Victimisation and Jury Decision Making

There is also little obtainable evidence on the extent to which juror's sexual victimisation experiences are predictive of verdict outcomes. Although, contemporary research conducted a meta-analyses of mock jury studies exploring the effects of jurors' sexual abuse experiences on child victim empathy. Findings divulged mock jurors with prior experience of abuse, including themselves or knew other victims, were predictive of higher levels of child empathy and higher levels of credibility towards the victim thus, assigning more guilt to the defendants in comparison to the remaining sample of no prior victimisation (Boduszek et al., 2017; Jones et al., 2020). Contrastingly, more specific to context of an adult rape trial, Willmott (2018) found personal sexual victimisation to have an insignificant influence upon verdict outcomes. Consequently, this emphasises the need for additional research on prior sexual victimisation in the context of rape trials to come to a complete conclusion.

1.6. Pre-Trial Attitudes and Jury Decision Making

The influence of pre-trial biases on jury decision making has been widely researched in literature (Sommer et al, 2016; Lundrigan et al., 2016). The presence of biases interferes with the evaluation of evidence and amplifies the effect (Pennington and Hastie, 1988) and as a result, information of an ambiguous nature could be interpreted according to one's current beliefs (Carlson and Russo, 2001).

System Confidence

The Just-World hypothesis offers insight into jurors' confidence in the system. Lerner (1980) proposed individuals view the world as a good or bad place, good actions are rewarded, and wrongful actions are eventually punished. Endorsing Just-World beliefs assume others have caused the problem and attribute responsibility to victims (Hafer and Begue, 2005). Jurors who endorse such beliefs in rape cases reduce defendant's responsibility and increase the victims (Wyer et al., 1985). However, recent research found no effect of mock jurors' belief in a just world on attributions of responsibility in a rape scenario (Hammond et al., 2011).

Conviction Proneness

Research into personality constructs such as authoritarianism (Jensen, 1957) has proven successful at identifying jurors who are inclined to voting for harsher punishments (Smith and Bull, 2012). Bray and Noble (1978) explored the construct of authoritarianism and study findings indicated jurors high in authoritarianism were more likely to reach guilty verdicts frequently. Effectively, this suggests mock jurors who display high conviction proneness are more inclined to perceive the defendant as guilty.

Cynicism Towards Defence

The attitude of being cynical involves scepticism of others' intentions. Therefore, it could be suggested this attitudinal bias is likely to play a role in jury decision making and impact verdict outcomes. Evidence into effects of cynicism on mock jury decision making revealed a positive association with severity of verdict decisions. However, overall, it was determined cynical views were insignificantly related to decision-making (Hunter, 2003).

Racial Bias

Research exploring defendant race and juror verdicts has revealed mock jurors are more likely to assign harsher sentences and guilty verdicts to Black defendants in a sexual assault case

(Wuensch et al., 2002). Similarly, a meta-analysis of racial bias in mock jury decision-making concluded a significant effect of racial bias on both verdict and sentencing outcome. However, the effect of racial bias on guilt judgement's may be less apparent when following procedures of a low-ecological validity compared to those in real life (Pfeifer and Ogloff, 1991).

Social Justice

The attitudinal bias of social justice can be examined through SES. Research has found jurors from low SES backgrounds are more likely to reduce defendant's responsibility and return verdicts in the perpetrators favour (Bornstein and Rajki, 1994). However, there is a lack of research on whether similar findings would be produced in a rape case.

Innate Criminality

Research on the effect of defendant's prior criminal history on juror's judgements is weak. Despite this an early study found mock jurors were more likely to convict a defendant when they were aware of a previous conviction in comparison to a defendant with no criminal history (Greene and Dodge, 1995). A study exploring public perceptions on sex offenders revealed individuals estimated sex offender recidivism rates to be around 75% and the sample perceived them as the type of criminals most likely to reoffend (Levenson et al., 2007). Thus, mock jurors who believe criminality is a trait and part of the individual hold's significance in relation to their guilt judgements as this creates implications such as the likelihood of a defendant's recidivism (Lecci and Myers, 2008).

1.7. Self-Esteem and Jury Decision Making

Self-esteem is arguably a fundamental aspect of human psychology (Hewitt, 2020). Despite this research into its interaction with jury decision making in rape trials and the impact upon verdict outcomes is relatively weak. Mead (2007) explored the potential influence of mock jurors' self-esteem on judgements of defendants. Although results differed between participant

gender, females with low self-esteem were more likely to hold negative views towards the defendant and higher self-esteem was associated with positive judgements. Influence of male's self-esteem produced inconclusive results. Gender had a mediating effect on participants self-esteem in the study therefore, further investigation into whether this construct is directly linked to verdict outcome should be conducted in order to determine its significance in a rape trial.

1.8. The Current Study

Although previous research demonstrates associations between each of the determinants: attitudes towards sexual violence, demographics, education, prior sexual victimisation, pretrial attitudes, self-esteem and the process of jury-decision making, it is apparent there are weaknesses to be explored. A considerable amount of mock jury research adopts similar methodologies that have raised concerns with ecological validity. The use of written vignettes to communicate versions of events and case facts in hypothetical rape trials, has been previously noted to lack realism in comparison to the use of video and audio-scripted simulations (Ellison and Munroe, 2010; Bornstein et al., 2017; Willmott, Boduszek & Booth, 2017).

Therefore, the current study adopts a mock trial video simulation to give participants a more naturalistic experience, despite it being far removed from a real-life courtroom. Ultimately, this should increase ecological validity as opposed to a written summary. Additionally, although research attempted to explore the influence of conviction proneness, system confidence, cynicism towards defence, racial bias, social justice and innate criminality on jury decision making, the majority of the constructs were not directly investigated as authoritarianism was explored in relation to conviction proneness. Therefore, outdated measurement scales were used such as F Scale (Byrne, 1974) to test high or low levels of the personality construct. Consequently, the current study implemented the Pretrial Attitude Questionnaire (Lecci and

Myers, 2008) as a measurement for all constructs as it has been found to produce superior predictive validity. Also, there is no evidence of a study that has explored all of the variables in the present study collectively.

Based on the inconsistent existing body of literature and developed rationale the following hypotheses were constructed:

- 1) Participants with higher Rape Myth, Racial Bias and Innate Criminality scores will be significantly more likely to find defendants not guilty than low scoring counterparts.
- 2) Participants with higher System Confidence, Conviction Proneness, Social Justice and Cynicism toward Defence scores will be significantly more likely to find defendants guilty than low scoring counterparts.
- 3) Gender will be significantly related to verdict decisions with men being more likely to return not guilty verdicts than female mock jurors.
- 4) No priori hypothesis surrounding age, ethnicity, victimisation, education or self-esteem is put forward given the scant or contradictory of research evidence.

2. Method

2.1. Sample

Greens (1991) sample size calculation equation, $50 + (8 \times 12)$ suggested a minimum of 146 participants would be required for the study. An initial sample of 699 was obtained however, participant missing information was removed. A final sample of 534 participants surpassed this requirement and were recruited through opportunity sampling. Participants completed the online questionnaire through the Manchester Metropolitan University SONA system and the questionnaire link was made available on social media in appropriate Facebook groups.

Age of participants ranged from 18 to 69 years old ($M = 34.63$, $S.D = 10.79$). Within the sample, 496 (92.9%) of the participants identified as female and 38 (7.1%) identified as male. Participant's ethnicities varied as, 501 (93.8%) were Caucasian and 33 (6.2%) identified themselves as part of the Black Asian Ethnic Minority (BAME) group. Participant's demographics were further categorised into their level of education, 270 (50.6%) participants reported their highest qualification as being below a University degree and the remaining 264 (49.4%) of the sample were currently studying for a degree or had obtained above a University degree. Furthermore, 170 (31.8%) of participants reported being a victim of a serious sexual crime such as rape and 364 (68.2%) of the cohort had not experienced victimisation.

2.2. Measures

2.2.1. Demographics (Appendix D)

Firstly, participants demographic information was recorded at the beginning of the survey as they responded to a range of questions (e.g., "What is your age?", "What gender do you identify as?", "*What is your ethnicity?*", "*What is your highest form of education?*" and "*Have you ever been a victim of a serious sexual crime such as rape?*"). All of the variables were binary coded on SPSS as the following: Female (1), Male (0); White (1), BAME (0); currently studying for a university degree or above (1), below a university degree (0); victimisation - no (1), yes (0). Next, the psychometric scales used will be described and these are validated using psychometric testing such as factor analysis (e.g. see Woodfield et al., 2019; Sherretts & Willmott, 2016).

2.2.2 Acceptance of Modern Myths about Sexual Aggression [AMMSA] (Appendix E)

The AMMSA scale (Gerger et al., 2007) was implemented to assess participants endorsement of contemporary myths regarding sexual aggression and rape. The self-report scale includes 30 items which are measured on a seven-point Likert scale to assess the extent to which participants accept or oppose statements (1 = “completely disagree” 7 = “completely agree”). AMMSA items include item 2 *“Once a man and a woman have started "making out", a woman's misgivings against sex will automatically disappear,”* and item 21 *“A man's sexuality functions like a steam boiler – when the pressure gets too high, he has to "let off steam"”*. Participants scores from each item are calculated to form a cumulative score ranging from 30 to 210, the higher the questionnaire score, the greater acceptance of rape myths.

2.2.3. Pre-trial Juror Attitude Questionnaire [PJAQ] (Appendix F)

The PJAQ (Lecci and Myers., 2008) was designed to assess individual differences in attitudes: System Confidence (CON), Conviction Proneness (CP), Cynicism towards Defence (CYN), Racial Bias (RB), Social Justice (SJ) and INNCR (Innate Criminality). The questionnaire consisted of 29 items and a range of which assessed each of the six sub-scales (e.g., Item 7 *“Defence lawyers don't really care about guilt or innocence; they are just in business to make money”*, and (Item 21 *“Minorities use the “race issue” only when they are guilty”*). Participants were asked to respond using a five-point Likert scale ranging from (1 = “strongly disagree” 5 = “strongly agree”) and items 10 and 12 were reverse scored.

2.2.4. Rosenberg Self-Esteem Scale [RSES] (Appendix G)

RSES (Rosenberg, 1965) was carried out to assess participants level of self-esteem by introducing statements surrounding general feelings about oneself. The 10-item questionnaire

was measured on a 4-point Likert scale (1 = “strongly disagree” 4 = “strongly agree”). The psychological construct is examined using items such as: item 2 “*At times, I think I am no good at all*” and item 9 “*All in all, I am inclined to feel that I am a failure*”. Items 5, 6, 8 and 10 were reverse scored.

2.2.5. Verdict (Appendix H)

Finally, participants were individually asked based on the case facts presented in the mock video trial “*How do you find the defendant on the charge of rape in this case?*” and responses were either “*Guilty*” or “*Not Guilty*”.

2.3. Procedure

A quantitative methodology was approached by adopting an online experimental design all participants completed the same online survey. All of the materials were combined to produce the online questionnaire which was inputted manually via the Qualtrics. Prior to commencing with data collection ethical considerations were controlled for due to the sensitive nature of the content surrounding sexual aggression and rape. Initially, participants were provided with an information sheet (Appendix B) outlining the aims of the study which included information on the study procedure and what participants would be asked to do, the risks, participants right to withdraw from the study and their data and contact details for any queries or support. Following on from this, participants were then presented with a consent form (Appendix C) that addressed anonymity, right to withdraw and required participants to give their official consent before completing the study. Then participants completed a range of questions within the online study which included details regarding their demographics; age, gender, ethnicity, level of education and victimisation and involved responding to attitudinal, psychological items on different Likert scales and returned their verdict decision.

Moreover, participants were presented with a mock trial video of a hypothetical allegation of rape and provided their verdict decision upon watching each clip. After the final measure of the questionnaire, participants were provided with a study debrief (Appendix I) which entails details of the overall study and ensures they are aware of their right to withdraw up until 31/03/2021 also, contact information for the project supervisor was provided alongside, several support services if distress had been caused. Data collection was initiated on 14/01/2021 and was completed on 14/03/2021. Upon completion, all of the data was converted from Qualtrics into a Statistical Package for Social Science (SPSS) data file in preparation for data analysis.

2.4. Analytic Procedure

Data analysis was conducted using version 24 of SPSS. The analytical procedure commenced with re-coding demographic variables, ensuring certain items in PJAQ and RSES were reverse scored as well as calculating accumulative scores for CON, CP, CYN, RB, SJ, INNCR and AMMSA subscales. Finally, binary logistic regression was conducted for the analysis to examine whether mock juror's demographics, attitudes towards sexual violence, pretrial attitudes, sexual victimisation and self-esteem were predictive of individual juror preferences.

3. Results

3.1. Descriptive Statistics and Correlations

Descriptive statistics including the means (M) and standard deviations (SD) for the continuous variables in the study are presented in Table 1 below (Appendix J). Frequency distributions and percentiles for all categorical variables in the study are presented in Table 2 (Appendix K).

The demographic profile of the participant sample is also presented. The final sample were predominantly Caucasian participants (93.8%) and identified as female (92.9%). The majority of the sample had an education level below a university degree (50.6%), had experienced no prior sexual victimisation (68.2%) and returned guilty verdicts (76.22%).

Table 1. *Descriptive statistics of all continuous study variables.*

Scale	N	Minimum	Maximum	Mean	Std. Deviation
Age	534	18	69	34.63	10.79
AMMSA	534	30.00	146.00	79.51	21.94
CON	534	6.00	27.00	16.12	3.25
CP	534	5.00	23.00	14.94	3.27
CYN	534	7.00	33.00	21.92	4.17
RB	534	4.00	17.00	9.76	2.38
SJ	534	7.00	20.00	13.59	2.21
INNCR	534	4.00	18.00	8.80	2.30
RSES	534	10.00	40.00	27.50	5.41

Note. AMMSA = Acceptance of Modern Myths about Sexual Aggression; CON = System Confidence; CP = Conviction Proneness; CYN = Cynicism towards Defence; RB = Racial Bias; SJ = Social Justice; INNCR = Innate Criminality; RSES = Rosenberg Self-Esteem Scale.

Table 2. *Frequency distributions and percentiles of all categorical study variables.*

Variable	Frequency (%)
Gender	
Male	38 (7.1%)
Female	496 (92.9%)
Ethnicity	
White	501 (93.8%)
BAME	33 (6.2%)
Education Level	
Below a university degree	270 (50.6%)
Current student or above degree	264 (49.4%)
Sexual Victimisation	
Yes	170 (31.8%)
No	364 (68.2%)
Verdict Decision	
Guilty	407 (76.22%)
Not Guilty	127 (23.78%)

Note. BAME = Black, Asian and Minority Ethnic; Current student or Above Degree = participants who are currently working towards a university degree or have already achieved a degree; Sexual Victimisation = participants who had previously been a victim of sexual violence.

Table 3 presents correlations between all of the predictor variables (age, gender, ethnicity, education level, sexual victimisation, CON, CP, INNCR, CYN, RB SJ and self-esteem) to be weak to strong (Appendix L). The weakest correlation emerged between several variables; gender and ethnicity ($r = .01, p < .001$); CON and age ($r = .01, p < .001$); INNCR and victimisation ($r = .01, p < .001$). The strongest correlation out of all the predictor variables was identified between CON and INNCR ($r = .56, p < .001$), followed by moderate correlations between CON and CP ($r = .48, p < .001$) and then RB and AMMSA ($r = .46, p < .001$). This, alongside examination of the Variance Inflation Factor and Tolerance values which were within acceptable parameters indicates multicollinearity is unlikely to be a problem (Tabachnick and Fidell, 2014).

Table 3. *Correlations among all study variables.*

Variable	Age	Gender	Ethnicity	Education	Victimisation	AMMSA	CON	CP	CYN	RB	SJ	INNCR	RSES
Age	-												
Gender	.05	-											
Ethnicity	.07	.01	-										
Education	-.25**	-.01	-.07	-									
Victimisation	.07	.11**	-.06	.03	-								
AMMSA	.04	.06	-.00	-.21**	.06	-							
CON	.01	-.13**	.07	-.10*	-.03	.37**	-						
CP	-.15**	-.16**	.02	-.14**	-.01	.31**	.48**	-					
CYN	-.14**	-.04	.02	-.11*	-.03	.34**	.34**	.41**	-				
RB	.04	-.02	.05	-.14**	.08	.46**	.43**	.36**	.27**	-			
SJ	-.21**	-.08	-.07	.18**	-.05	.06	.12**	.14**	.35**	.06	-		
INNCR	-.03	-.06	-.02	.05	.01	.29**	.56**	.43**	.33**	.40**	.22**	-	
RSES	.26**	.00	-.01	-.01	.18**	.01	-.07	-.15**	-.12**	.05	-.16**	-.03	-

Note. * $p < .05$; ** $p < .005$; *** $p < .001$

3.2. Binary Logistic Regression for predictor variables of Individual Verdict Decision Preferences (N = 534) (Appendix M)

Before conducting a binary logistic regression, preliminary analysis was conducted in order to ensure the assumptions of normality, linearity, multicollinearity and homoscedasticity were met. A binary logistic regression was performed to examine the role of mock jurors' demographics (age, gender, ethnicity, education level), pre-trial attitudes (CON, CP, CYN, RB, SJ, INNCR), attitudes towards rape (AMMSA), sexual victimisation experiences and self-esteem (RSE) upon individual verdict decisions. Initially, the complete model was tested in relation to participants individual verdict decisions. This consisted of all predictor variables against a constant only model and as a whole the complete model was found to be statistically significant (χ^2 (13, N = 534) = 72.43), $p < .001$, indicating that the model successfully distinguished between mock jurors who voted a guilty verdict preference and those who voted a not guilty verdict preference.

The model explained between 13% (Cox and Snell R Square) and 19% (Nagelkerke R Square) of the variance in verdict decisions and correctly classified 78% of cases. As exhibited in Table 3, only AMMSA scores were significantly predictive of verdict outcome (OR = 0.96 $p < .001$) and found to be negatively related to mock jurors' guilty verdicts. This revealed that the higher mock jurors scored on the AMMSA, the higher the likelihood of choosing a not guilty verdict in comparison to those who scored low on the endorsement of sexually aggressive attitudes.

Table 3. Summary of binary logistic regression analysis for factors predicting individual verdict decisions.

Variables	<i>B</i>	<i>SE</i>	OR (95% CI)
Age	0.01	0.01	1.01(0.98/1.03)
Gender	-0.11	0.40	0.90 (0.41/1.96)
Ethnicity	-0.56	0.53	0.57 (0.20/1.62)
Education	0.43	0.24	1.54 (0.96/2.47)
Victimisation	0.19	0.99	1.21 (0.99/1.46)
AMMSA	-0.04	0.01	0.96 (0.95/0.97)
CON	0.07	0.05	1.07 (0.98/1.18)
CP	0.07	0.04	1.07 (0.99/1.17)
CYN	-0.01	0.03	0.99 (0.93/1.06)
RB	-0.01	0.06	0.99 (0.89/1.11)
SJ	0.07	0.06	1.07 (0.96/1.20)
INNCR	0.02	0.06	1.02 (0.90/1.16)
RSES	-0.03	0.02	0.98 (0.93/1.02)

Note * $p < .05$; ** $p < .005$; *** $p < .001$

4. Discussion

The current study aimed to examine role of mock juror's demographics: age, gender, ethnicity, education and sexual victimisation, attitudes towards sexual violence, pre-trial attitudes: CON, CP, CYN, RB, SJ, INNCR and self-esteem upon individual verdict preferences. Analysis provided only one of the predictor variables to be of significant value to the study, the remaining variables were insignificant on participant verdict outcome. Therefore, only one of the formulated hypotheses was accepted.

Hypothesis 1 predicted participants with higher Rape Myth, Racial Bias and Innate Criminality scores will be significantly more likely to find the defendant not guilty than low scoring counterparts. Research has consistently reported high RMA scores to be associated with not guilty verdicts in rape trials (Conaghan and Russell, 2014; Klement et al, 2019; Dinos et al, 2015). Results from the current study present congruency with existing literature on attitudes towards sexual violence as AMMSA scores were significantly predictive of verdict outcome and negatively related to mock jurors' guilty verdicts. Therefore, the higher mock jurors scored on the AMMSA, the higher the likelihood of choosing a not guilty verdict in comparison to those who scored low on AMMSA. As a result, hypothesis 1 was accepted in terms of Rape Myth score.

Findings can also be interpreted through Pennington and Hastie (1992) Story Model as the theory underpins the influence of juror's pre-conceived beliefs towards rape and the potential impact on verdict outcomes. Rape cases may contain more ambiguity particularly, in the current study's domestic rape case and juror's produce a 'story' in conjunction with their preconceived attitudes and knowledge of the world especially, when versions of events have a

lack of supporting evidence. Therefore, the Story Model offers a well-grounded explanation for the presence of biases in juror's judgements and is consistent with current study findings. Overall, this emphasises the universal concern of juror's prejudicial beliefs and the impact they could potentially have on decision-making processes in the criminal justice system.

Hypothesis 1 also predicted participants with higher Racial Bias and Innate Criminality scores more likely to find defendant not guilty however, these pretrial attitudes were not predictive of mock juror's individual verdict preferences. Therefore, hypothesis 1 could not account for these variables and was rejected. The current study findings appear to contradict previous research exploring the effects of Racial Bias on mock jury decision making as Wuensch et al (2002) and Pfeifer and Ogloff (1991) found harsher sentences and guilty verdicts are more likely to be assigned to Black defendants. However, it was brought to light that evidence on this pretrial attitude is weak as Pfeifer and Ogloff's (1991) study argued it was unclear whether the same effect would be produced by a real jury as it was only a simulation. Therefore, it could be a potential indicator for why the current study produced insignificant results and may not be as influential in a real-life setting (Ellison and Munroe, 2010). Similarly, previous research on Innate Criminality also provided relatively poor influence on juror judgements as the construct had not been directly examined, it was only suggested it would be a significant trait in determining guilty verdicts. Despite this the current study finding displays incongruency with previous research as there is a small link in literature between the two attitudes and jury decision making, the results were unable to account for the influence. An alternate interpretation for this could be that as the defendant in the rape case used in the current study had no prior convictions and was a previous partner of the victim, they did not perceive the defendant as a "criminal" potentially accounting for why Innate Criminality was not predictive of verdict preferences.

The second hypothesis proposed participants with higher Conviction Proneness, System Confidence, Social Justice and Cynicism towards Defence scores will be more likely to find defendants guilty than low scoring counterparts. The remaining pretrial attitudes were also found to be unpredictable of guilty verdicts. Thus, the hypothesis was rejected. Literature exploring these attitudes were predominantly consistent with current study findings. Although previous research found a small influence on jury-decision making they were based on outdated studies and were later found to have an insignificant effect by more recent studies. Therefore, it could be suggested that the current study is consistent with existing literature. Interestingly, most of the research examined crimes on a holistic level and was not specific to crimes of a sexual violence. Therefore, it could be suggested that these pretrial biases are dependent on type of crime and may account for insignificant findings.

Gender was predicted to be significantly related to verdict decisions with men being more likely to return not guilty verdicts than female mock jurors. However, Hypothesis 3 was also rejected as findings proved insignificant. This is surprising as previous research consistently finds females more likely to return guilty verdicts in rape trials in comparison to men (Brekke and Borgida, 1988; McNamara et al., 1993). As the current study findings did not follow the formulated prediction this could be due to the predominantly female sample in the current study which outweighed any accurate representation of whether gender influenced verdict decisions. Also, Bottoms et al (2014) study which contradicted the insignificance of gender relied on mock juror's reactions to child sex abuse cases. As women were found to show more empathy and understanding towards the child this could have been a mediating factor that interfered with a true representation of the effects of gender. This suggests that the influence of gender may not be as substantial as previously thought.

There was a no priori hypothesis regarding age, ethnicity, sexual victimisation, education or self-esteem as existing research on these predictor variables failed to account for an ample effect on mock juror's decisions. This could be a result of mediating factors such as gender, Mead's (2007) study exploring the influence of self-esteem on jury-decision making found gender to affect the results. Therefore, there is no certainty on whether there was a direct association between self-esteem and verdict outcomes. Mediating factors could assist in the explanation of why so many variables were insignificant in the study. Also, it could be suggested that as there is scant evidence on victimisation and jury-decision making, the topic of sexual assault is such a sensitive nature participant do not wish to disclose their victimisation experiences, this does not give a generalisable sample to work with and effectively would not demonstrate an influence on true verdict outcomes.

4.1. Strengths and Limitations

One aspect of the study that was a strength was the recruitment process specifically, participant response. Although the original number of participants was large, after removal it was still considered a substantial amount. As many research projects include large student samples, they utilise the tool of Sona Participation Pool which can over-represent a student population which could potentially impact on study findings. However, the present study had a mean age of 34.63. Research has found Facebook to be effective in recruiting participants and has increased improved participation selection in hard-to-reach demographics (Whitaker et al., 2017). As the research project was widely distributed in Psychology and crime research groups on Facebook this increased sample size of differing ages.

Despite significant findings produced from the current study, limitations are inevitable. It has been suggested mock jury simulation studies using video clips adds more realism to the study than vignettes which were previously referred to as “simplistic” (Ellison and Munroe, 2010). However, use of a mock jury does not uphold a true reflection of that of a real jury thus, concerns with external validity are raised. Mock juror’s judgements had no profound effect on the defendant and therefore, participants are more likely to make decisions of a more lenient nature in comparison to real jurors as they perceive no risk or impact on the defendant’s outcome. Whereas jurors on a real court case are aware that their verdict will determine the defendant’s fate (Ahola et al., 2009) Furthermore, procedures involved in a real jury trial are far removed from a controlled experiment as the present study did not incorporate group deliberation. Interestingly, conformity has been found to increase juror’s verdict confidence (Bowser, 2013) However, participants were only required to return individual verdicts and the opportunity for social influence was not present. Essentially, there is concern with generalisability of decision-making in real court cases and whether the extra-legal biases have the same influence on verdict decisions in mock jury studies.

Although the aim was to gather a largely diverse sample, weaknesses were generated. Participants were predominantly female by a significant amount which made the analysis of gender, as an influence on mock jury-decision making problematic. Over representation of females may not have truly captured certain aspects of the study such as: whether men are more likely to endorse rape myths or whether they are more likely to return a guilty verdict in comparison to women. Therefore, if the study was replicated it would be important to consider a systematically random split between males and females to ensure results are not biased. Similarly, ethnicity was not well represented as the majority of the sample were of a White

ethnic background and just a small amount was BAME. Also, this could have affected the influence of ethnicity on mock juror's individual verdict preferences.

4.2. Policy Implications

Although mock jury research does not accurately represent real juror's experiences in the courtroom it is evident extra-legal biases are occurring with attitudes towards sexual violence being particularly problematic. With reference to the extreme prevalence rates on sexual violence and low conviction rates, the risk of RMA in a real jury trial should be taken into account. Ellison and Munroe's (2010) research have contributed to ensuring judges are aware of certain attitudes that would be particularly impactful in rape trials and verdict outcomes. However, this would be challenging as jurors rely on their preconceived beliefs or attitudes when insufficient evidence is presented (Willmott, 2017; Willmott & Oostinga, 2017). The present research accentuates the need for the criminal justice system to recognise biases and implement measures to attempt to reduce their influence on such significant decisions in courtrooms.

4.3. Future Research Considerations

Many of the studies in existing literature have varied in terms of crime type and ages of victims. It would be interesting to replicate the present study by comparing differing sexual crimes such as child sex abuse and stranger rape cases to investigate whether mock juror's return differing verdicts based on the nature of the case. As the pretrial attitudes were derived from PJAQ there is a huge opportunity to explore each construct individually in a more detailed manner, as it is evident there is a huge gap for research surrounding them and their significance amongst juror judgements and verdicts as well as other forensic biases (Ryan et al., 2018; Willmott,

Mojtahedi & Hunt, 2021; Willmott & Sherretts, 2017). Finally, as the present study only focused on individual verdict preference, replications should include pre- and post-deliberation verdicts to explore any additional biases that may be apparent (Bornstein and Greene, 2011).

5. Conclusion

Overall, the present study aimed to explore mock juror's demographics, attitudes towards sexual violence, pretrial attitudes, prior sexual victimisation and self-esteem on mock jurors' individual verdict decisions with an extensive body of literature providing both supporting and conflicting findings for all of the variables. Only attitudes towards sexual violence produced significant value on verdict outcome which was previously predicted. Despite the remaining variables providing insignificant effects on individual verdict decisions, it is clear mediating factors and sampling issues may have played a part in the findings. Fundamentally, the present research project has provided insight into the important role of jury decision-making and how individual differences play a key role in mock juror's judgements.

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