

**"THEY TURNED IT AGAINST US"**

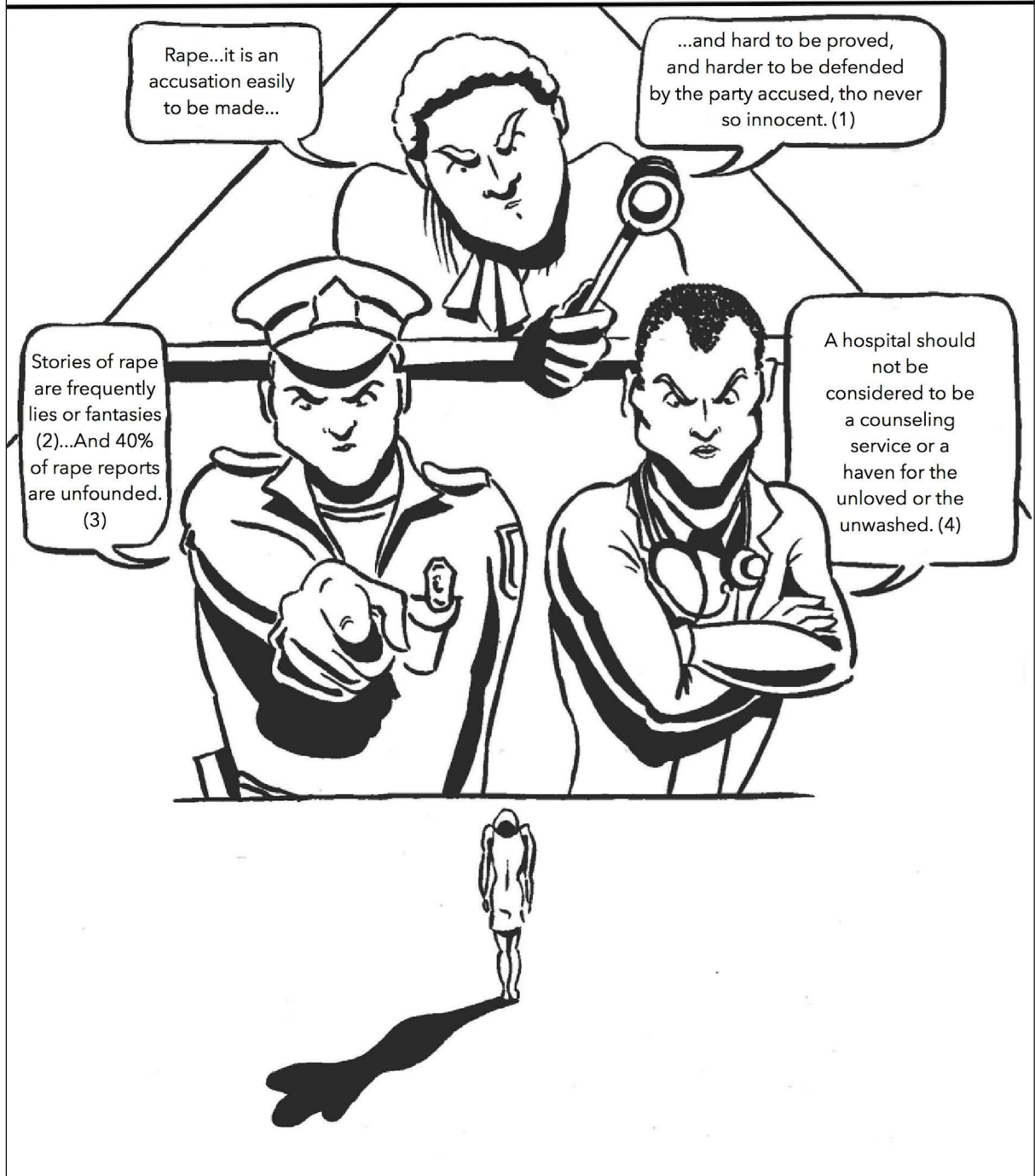
How the rape kit failed sexual assault survivors and their allies

## A Brief History

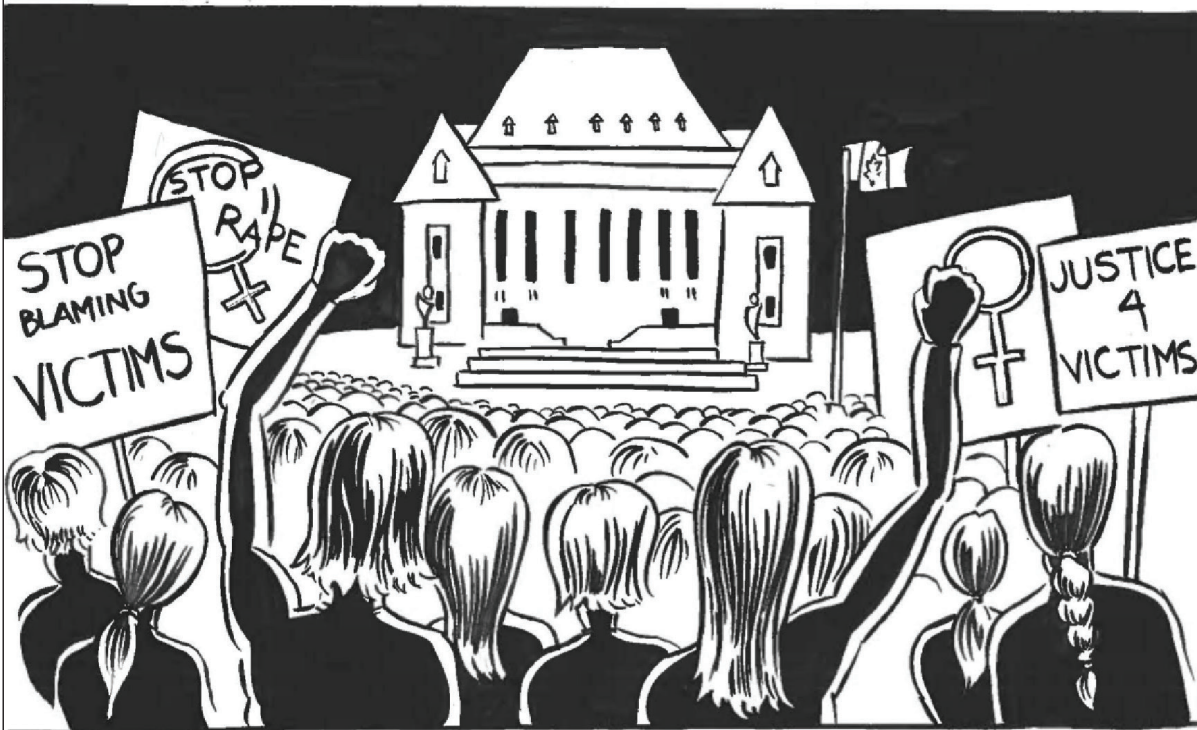
Written and Illustrated  
by Andrea Quinlan



Our fight in the anti-rape movement started in the 1970s. We saw how sexual assault survivors were being blamed, doubted, and dismissed by the police and physicians they turned to for help. We got angry and organized.



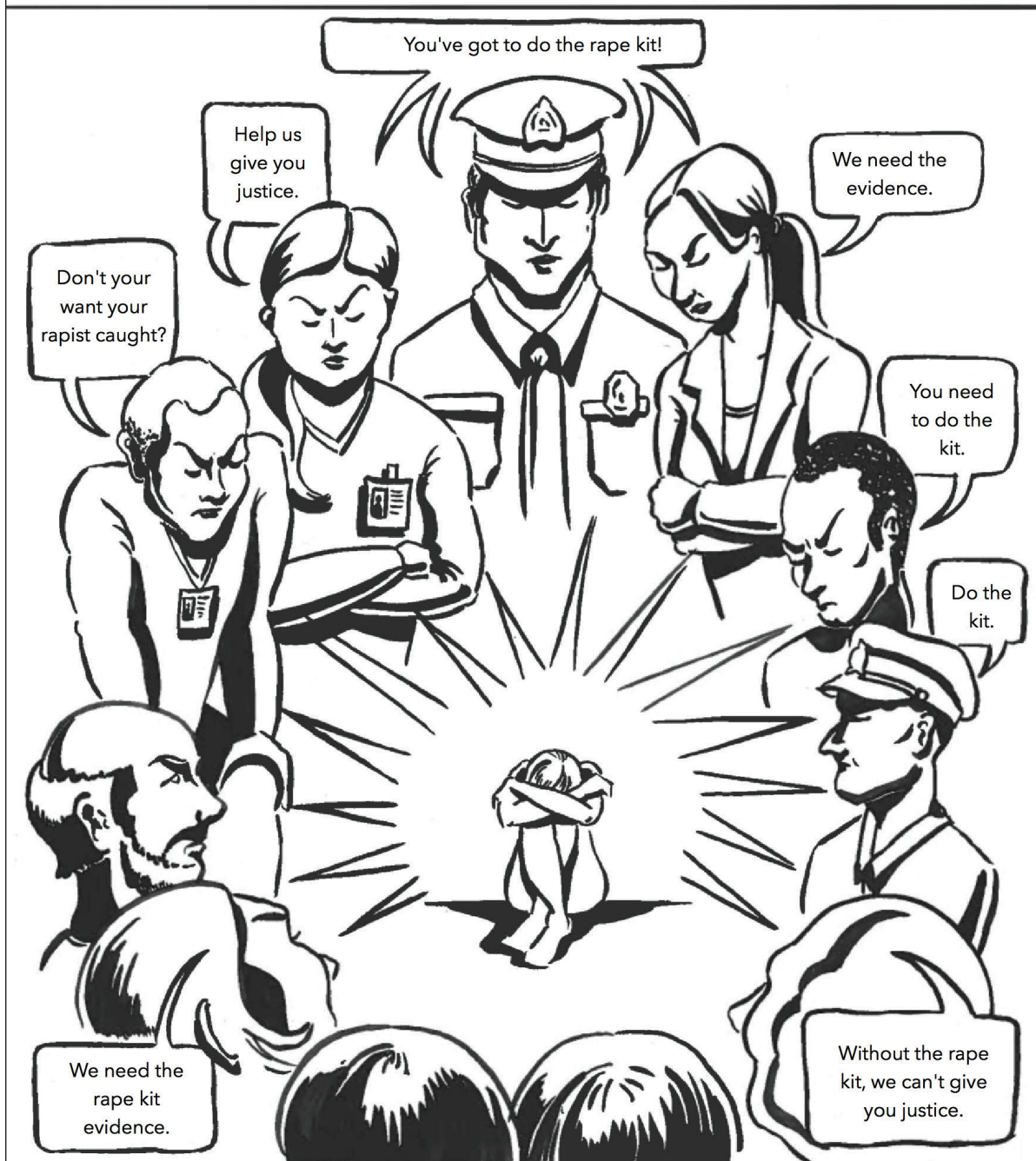
We fought for institutional reforms, which we hoped would improve how law enforcement and hospital staff treated survivors. In response to our calls for action, in 1981, the Ontario government introduced the sexual assault evidence kit.



The new kit was dubbed in the media as "Ontario's most successful rapist trap" and was heralded as improving survivors' access to care and justice. But the kit has failed to live up to these promises.



Now, many survivors are pressured to consent to the kit exam. Although the kit is promoted as a non-compulsory component of sexual assault investigations, in practice it can prove to be the opposite.



The kit reflects the suspicion of survivors that was and continues to be pervasive in the criminal justice system. In the exam room, the survivor's body becomes a crime scene that is scanned a mind for evidence, a process that can last 4-6 hours.



The kit can now be used against survivors in court. Far from being the rapist trap it was pronounced to be in 1984, the kit is often used to test, interrogate, and undermine survivors' credibility in court. The kit was "turned against us" (7). The hope we had in the kit in the 1970s was not naïve. But the kit's history shows that we cannot depend on technological solutions for ending violence and injustice.



## Read the kit's full story:

**Quinlan, A. (2017). The technoscientific witness of rape:  
Contentious histories of law, feminism, and forensic science.  
Toronto, ON: University of Toronto Press.**



- (1) Sir Matthew Hale, 1736, as cited in MacFarlane, B. (1993). Historical development of the offence of rape. In J. Wood & R. Peck, 100 years of the Criminal Code in Canada: Essays commemorating the centenary of the Criminal Code in Canada (pp. 1-54). Ottawa, Canada: Canadian Bar Association.
- (2) Corroborating charges of rape. (1967). *Columbia Law Review*, 67, 1137-1138.
- (3) Clark, L., & Lewis, D. (1977). *Rape: The price of coercive sexuality*. Toronto, Canada: The Women's Press.
- (4) LeBourdais, E. (1976, March). Rape victims: Unpopular patients. *Community Services*, 1-3.
- (5) Provincial Secretariat for Justice. (1981). Ontario introduces standardized forensic evidence kit to help victims of sexual assault. Records of the Provincial Secretariat for Justice special project on helping victims of sexual assault (RG 64-10, File "Sexual Assault - victims"). Archives of Ontario, Toronto, ON.
- (6) Crawford, T. (1984, September 22). Sample kit credited with catching rapists. *Toronto Star*, pp. A13.
- (7) *Advocate*, 2009, as cited in Quinlan, A. (2017). *The technoscientific witness of rape: Contentious histories of law, feminism, and forensic science*. Toronto, ON: University of Toronto Press.

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