

## Position Statement on Self-Swab Rape Kits

June 2025

### Introduction

Rape Crisis England & Wales (RCEW) are aware that in parts of the country, self-swab 'rape kits' are being marketed to students and universities as a way for survivors – primarily, but not always, women and girls - to report rape, and to deter rapists.

Whilst we understand the appeal of such kits in theory, and frustrations about inadequate responses to rape and other forms of sexual violence, we have serious concerns about the marketing, use and selling of such kits. Our concerns echo those already expressed in the US,<sup>1</sup> and which led to them being [banned](#) or challenged in a number of states.

Rape is a deeply distressing experience and it is vital that all interventions, from initial crisis responses through to long-term aftercare, prioritise the wellbeing of survivors, hold perpetrators and not survivors accountable, (re)centre informed consent, and are proven to be effective.

### Prioritising the wellbeing of survivors

There is no 'right' way to respond to rape. Shock, numbness, confusion, not wanting to tell anyone about it, and not being sure what to do, are all common. This is why RCEW provide clear information for survivors on our website,<sup>2</sup> and run a free [rape and sexual abuse support line](#) which anyone aged 16+ in England and Wales can access any time of day or night. We always believe survivors, we never tell them what to do, and our trained support line staff can support callers to think through their options in a trauma-informed way and provide information about where to find a [Sexual Assault Referral Centre](#) (SARC), and/or a specialist Rape Crisis centre.

Rape Crisis centres provide a range of support options for survivors of sexual violence, including independent counselling and Independent Sexual Violence Advisor (ISVA) services. ISVAs are specialist support workers who can talk in detail about reporting to the police, and the criminal justice system, and offer support throughout the process. These services are focused on the needs of women and girls, are quality assured, delivered by staff trained in trauma, risk assessment and safeguarding, and are always free of charge.

Many rape survivors do not want to report to the police or seek criminal justice sanctions against perpetrator(s). There are many reasons why this might be the case (including safety) and all of them are valid. Anyone – whether they want to report what happened to the police or not - can access crisis care, including the provision of emergency contraception and preventative medication following possible HIV transmission, Forensic Medical Examinations (FMEs) and testing for Sexually Transmitted Infections (STIs), through a SARC. SARC staff can conduct an FME and store forensic samples for several years, with no police involvement. This affords survivors the chance to capture any evidence (which might include injury documentation as well as forensic samples) within the 'forensic window', whilst also affording them valuable time to decide what to do next.

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<sup>1</sup> [https://aequitasresource.org/wp-content/uploads/2022/01/SIB38\\_Jan22.pdf](https://aequitasresource.org/wp-content/uploads/2022/01/SIB38_Jan22.pdf)

<sup>2</sup> <https://rapecrisis.org.uk/>

The Faculty of Forensic and Legal Medicine (FFLM), the professional body responsible for setting standards in forensic and legal medicine, has already issued a statement expressing their concerns about self-swabbing kits.<sup>3</sup> This includes that they do not ensure the safeguarding of vulnerable users. We agree. Survivors of rape are usually harmed by someone they know – for example a partner or acquaintance; it’s therefore important that any ongoing vulnerabilities and/or future risks to them are recognised and managed appropriately, particularly if they wish to pursue criminal justice.

Whatever a survivor decides to do, the crucial thing is that they’re provided with support:

*“A wealth of research tells us that what makes a victim survivor feel validated and what supports their recovery is friends, nurses, police officers and trained support workers believing them. It is unclear how a self-swab at home would provide that”*<sup>4</sup> (Katrin Hohl, Professor of Criminology & Criminal Justice at City, University of London, and Independent Advisor to the UK government on Criminal Justice Responses to Sexual Violence).

We don’t think that self-swab kits can provide the personal and tailored care and support which survivors tell us are important to them, and which we think they should be able to access.

### **Informed consent**

It’s important that any products or services advertised for sale to the public, particularly rape survivors, are described accurately and clearly. Rape and abuse erode trust and autonomy, and very often leave survivors in trauma. This means that transparent and clear information, provided by someone who is knowledgeable and reliable, is critical.

We’re concerned about survivors being given the impression that evidence gathered via the use of a self-swab kit will be admissible in court. Laboratories who process at-home ‘peace of mind’ style swab tests generally state that their tests are not for use in legal processes,<sup>5</sup> and the UK Home Office have also warned that this evidence may not be admissible in criminal proceedings.<sup>6</sup>

Even if the evidence *were* admissible, however, it could still be of limited value:

- 1) A self-swab rape kit only focuses on the presence of DNA from another person; this *may* confirm that sexual activity took place, but it cannot confirm whether that activity was consensual, which is the basis for a successful prosecution for rape.<sup>7</sup>
- 2) Forensic evidence such as DNA won’t be drawn on if an alleged perpetrator’s defence is that there was consent, since they would already have admitted that sexual activity took place. Most samples taken at SARCs are never sent to be tested since defendants usually claim that sexual contact was consensual, or eventually change their defence to consent.

We’re concerned that self-swab kits could mislead survivors into thinking that DNA is the only relevant or important evidence that can be gathered to support criminal proceedings. A Forensic Medical Examination (FME)<sup>8</sup> involves a trained medical practitioner examining survivors for injuries such as cuts or bruising, and documenting these. It could also include the contemporaneous collection of evidence such as clothing, bedding, samples of urine, blood, or hair, and further testing where relevant. For example, where an assault included non-fatal strangulation,<sup>9</sup> a survivor may undergo cardiovascular, respiratory, and/or neurological testing to confirm this and

<sup>3</sup> <https://fflm.ac.uk/wp-content/uploads/2024/09/Joint-Position-statement-on-forensic-self-swab-services-after-sexual-assault-or-rape-with-FAQ-10-09-2024-v3.pdf>

<sup>4</sup> <https://www.theguardian.com/society/2025/feb/16/diy-swab-kits-scheme-campus-rape>

<sup>5</sup> <https://www.alphabiolabs.co.uk/learning-centre/the-dna-science-behind-our-dna-testing/>

<sup>6</sup> <https://www.bbc.co.uk/news/articles/clyez8qk57o>

<sup>7</sup> <https://www.cps.gov.uk/how-cps-charges-and-prosecutes-rape-cases>

<sup>8</sup> <https://www.nhs.uk/live-well/sexual-health/help-after-rape-and-sexual-assault/>

<sup>9</sup> <https://ifas.org.uk/wp-content/uploads/2023/05/Non-fatal-strangulation-in-physical-and-sexual-assault-Dr-C-White-Jan-2023.pdf>

determine whether treatment is required. When attending a SARC, all of this evidence can be collected by independent and highly trained staff, in a forensically cleaned setting, following strict evidential protocols. This reduces the possibility of any cross-contamination of evidence, and thereby any future challenge by a legal defence team.

A self-swab rape kit undertaken at home by a survivor would not include any of these concurrent tests. Nor would it adhere to national guidelines set out in the statutory Forensic Science Code of Practice<sup>10</sup> designed to ensure that evidence is collected, labelled and stored in a manner that maintains its integrity and admissibility. Using a self-swab kit could therefore mean that a survivor uses such a kit hoping that it will assist in a criminal trial, only to discover that crucial evidence which could support their case is missing or is inadmissible. Even worse, upon realising this, the window for timely evidence collection could also then be lost. This leaves survivors vulnerable to further trauma and affords perpetrators even greater impunity.

It's vital that survivors understand all of their options in the aftermath of rape and sexual assault, and that these are presented in ways that are clear and accessible, particularly where disabilities and other factors which may need to be taken into consideration when establishing informed consent are concerned.

### **Proven efficacy**

There is no evidence that we are aware of to suggest that a survivor's possession of a self-swab rape kit would deter a rapist.

Understanding the motivations of rapists is a complex task, since the vast majority of sexual violence goes unreported and unpunished. Last year 71,227 rapes were reported to the police in England & Wales,<sup>11</sup> of which less than 3% faced charges that same year, let alone a conviction.<sup>12</sup> There is, however, evidence about intimate partner perpetrators escalating their abuse when they suspect that a survivor whom they are abusing is attempting to leave the relationship and/or put a stop to the abuse.<sup>13</sup> We therefore think it is problematic to suggest that someone intending to rape someone else would refrain from doing so, simply because they became aware of the existence of a self-swab kit.

Suggesting that survivors can or should play a role in deterring perpetrators, and change their behaviour in order to do so (for example by obtaining a self-swab kit in advance of an unpredictable crime), frames them as responsible for ending rape. This is victim blame, which we reject in the strongest possible terms.

### **Conclusion**

RCEW does not support the use of self-swab rape kits as a substitute for the services provided by SARCs or specialist Rape Crisis centres.

Our national 24/7 Support Line and specialist support from Rape Crisis centres is always provided free of charge, as are services provided by SARCs.

- The national 24/7 Support Line can be accessed [here](#).
- Information about local Rape Crisis centres is available [here](#).
- Information about SARCs is available [here](#).

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<sup>10</sup> <https://www.gov.uk/government/publications/statutory-code-of-practice-for-forensic-science-activities>

<sup>11</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingdecember2024>

<sup>12</sup> <https://www.gov.uk/government/statistics/crime-outcomes-year-to-december-2024-data-tables>

<sup>13</sup>

<https://discovery.ucl.ac.uk/id/eprint/10165656/1/Clemmow%20et%20al.%20%282023%29%20Risk%20%26%20protective%20factors%20for%20D.A.pdf>