



Rape is never a "victimless crime"

Magnus Meyer Hustveit has received a seven year suspended sentence for repeatedly raping his ex-partner whilst she was sleeping for more than a year having pled guilty to one count of rape and one count of sexual assault. Hustveit thought it was a "victimless crime" because his partner was asleep at the time.

The judge, Patrick McCarthy, gave the suspended sentence claiming it was a "very exceptional cause" and that he "had to consider the fact that there would be no rational case but for the confessions of the accused". Hustveit admitted to committing rape once in 2012 when the woman woke up to find semen inside her and then admitted to committing rape a number of other times in an email after the relationship ended. He also admitted to sexually assaulting the woman 3 times a week during their relationship.

The "victimless" crime resulted in the woman experiencing post traumatic stress disorder, eating disorders and anxiety, as well as attempting suicide. Hustveit also engaged in controlling behaviour - that is to say, domestic violence as well as sexual violence.

The defence used an incident of child sexual abuse experienced by the woman to mitigate Hustveit's responsibility for causing PTSD and included "psychological reports" to claim that Hustveit was at low risk of re-offending, despite the fact that rape has one of the highest recidivism rates of any crime. From media coverage, it is difficult to tell whether these psychological reports resulted from [long-term feminist therapy](#) to challenge male entitlement and the use of pornography as well as sexual and domestic violence. Or, if it was just a therapist making Hustveit feel better for committing rape.

The defence also called for mitigation because it would have been "all but impossible to prosecute without his admission". Because a woman can't be trusted to tell the truth about her rape. And a man can't be convicted of rape despite admitting to committing rape and sexual assault. Instead, a judge decided to give Hustveit a suspended sentence as a reward for admitting to committing rape.

This is the reality of male violence and the criminal justice system. The victim is blamed and the perpetrator rewarded for being a perpetrator.

[Petition asking Director of Public Prosecutions in Ireland to appeal the decision.](#)