

A joint thematic inspection of the police and Crown Prosecution Service's response to rape

**Phase one: From report to police or
CPS decision to take no further action**

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Foreword

This is the first of two inspection reports that will consider the response, decision-making and effectiveness of the police and Crown Prosecution Service (CPS) at every stage of a rape case – from first report through to finalisation of the case. This report focuses on those cases where either the police or the CPS made the decision to take no further action (that is, not to proceed with the case). The second report, considering cases from charge to disposal, will be published in winter 2021.

In conducting this phase 1 inspection, inspectors from HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and HM Crown Prosecution Service Inspectorate (HMCPIS) gathered extensive evidence of the experiences of victims of rape in the criminal justice system. We traced their cases through police and CPS files, examining the decisions made and support offered at every stage. We commissioned research, to hear about victims' experiences directly (and we are publishing a report of what victims and survivors told us alongside this report). And we asked police and the CPS, Government departments and victim representative groups for their own qualitative and quantitative data on what it's like to report a rape in England and Wales today.

The results are clear. While we found examples of effective individuals and teams in every force and CPS Area, the criminal justice system's response to rape offences too often lacks focus, clarity and commitment. We also found that it fails to put victims at the heart of building strong cases. This is despite the national focus by the Government, policing and the CPS on improving outcomes for rape.

Throughout our inspection, we found evidence of many dedicated people who were unwavering in their efforts to do the right thing for victims of rape, often in very difficult and challenging circumstances. This commitment and resolve to make improvements are to be commended and are worthy of note.

Overall, however, we conclude that there needs to be an urgent, profound and fundamental shift in how rape cases are investigated and prosecuted. More and more reviews, with more and more recommendations, may continue to refine processes – and we found clear evidence that this is needed in some areas (such as when communicating with victims). But these will not address the underlying problems we were told exist in the mindset of some police investigators and prosecutors towards rape cases.

This mindset is illustrated by the most common words used by frontline staff in both the police and CPS to describe rape cases: “really difficult”. We were told time and again that these cases were difficult to investigate, difficult to prosecute, difficult to explain to victims, and difficult for juries to understand.

The large number of reviews, reports and action plans that are in progress to address the serious problem of attrition levels between reported rapes and convictions both reflects and adds to this perception, which was described to us by one victim representative as resulting in 'defeatism' in the attitude of police and prosecutors towards these cases.

We are concerned that this mindset may be affecting police and CPS decision-making in many cases. We agree that rape cases can be – and often are – complex. Some have significant evidential difficulties. But based on evidence from our case files, our interviews and focus groups, and from our knowledge of police and CPS practices more widely, we conclude that the police and CPS can be more cautious in their approach to investigating and prosecuting rape cases than they are towards other types of offences.

There are many reasons for this, including a lack of experience (some investigators, for instance, only investigate a very limited number of rape cases, and therefore have few opportunities to build their expertise). But we were also told that investigators and prosecutors are sometimes acutely aware of the heightened political and media attention on conviction rates, and on those very high-profile cases that fail, often with devastating effects on the victims or defendants.

Indeed, there should be scrutiny and openness to help ensure the response to rape is effective, and to bring about improvements in a system where the attrition rates are so high. But we believe this pressure is contributing to some investigators and prosecutors focusing on fully exploring all the weaknesses in a case, rather than on building strong cases. We saw examples of this in our review of what lines of enquiry were followed (or not) by investigators. It was also reflected in the level and breadth of evidence requested by the CPS in some action plans, which we sometimes found to be too broad and not sufficiently focused (and in a very small number of cases, to include requests for unnecessary information). Better, earlier and more regular communication between police and prosecutors would also help to sharpen the approach.

This more cautious and often unstructured approach adds delays to cases, as more and more information is requested. From our case file review, the average time from report until a case was closed with 'no further action' was 456 days. This is unacceptable.

Delays can also put immense pressure on victims. They described to us feeling under investigation themselves, and under more scrutiny when compared with suspects. In our case files, we saw examples of victims who experienced necessary but intrusive questioning and searches, who gave up their phones (sometimes for ten months or more), and whose medical records, therapy records and sexual histories were reviewed in minute detail.

By contrast, suspects are often not subjected to the same scrutiny during the investigation. It is of course absolutely right and necessary that the investigative process seeks evidence that can support prosecution of those reasonably suspected of an offence, whether such evidence points towards or away from a suspect. This requires the consideration of both the strengths and weaknesses of the case. The legal system also requires full disclosure of matters that are capable of supporting

a suspects case or undermining the prosecution case. To victims, however, all too often investigations and prosecution decisions suggest a lack of belief and trust, as if it is their credibility which is the focus of the system. Some of those victims then withdraw support for the prosecution of their cases.

This creates a vicious circle. Concern about the low charge and conviction rates results in a cautious approach to rape investigations and prosecutions. This results in a disproportionate focus on the victim, which can then result in victims withdrawing support; which leads to worsening conviction rates. This cycle must be broken.

There is no single, easy answer to this, but several aspects would help (and we make recommendations to this effect):

- better data (to provide an improved understanding of when – and how – cases falter or fall out of the system);
- better information about the protected or other characteristics of those who report offences of rape, to understand whether victims with a range of different and/or complex needs are receiving an effective service;
- increased capability and capacity of specialist staff (especially among the police);
- joint training for the police and CPS; and
- improved communications locally between the CPS and the police.

These improvements must be coupled with a clear case strategy from the prosecutor at the outset of a case: the strengths of the case must be properly considered alongside action that could be taken to address potentially undermining information. This should be recorded clearly and accompanied by a proportionate action plan with rigorous target dates, which are regularly reviewed by both investigators and prosecutors.

But, fundamentally, we believe there are two essential catalysts required to achieve the necessary shift in prosecutions:

- a step-change in the quality and cohesiveness of joint CPS/police working at every level, with adequate capability and capacity in all parts of the system, and;
- the provision of high-quality and consistent ‘wrap-around’ care for those who report rape.

In terms of joint working, we saw some good examples at all levels of close and committed relationships between the police and the CPS (although this was inconsistent, and we make a series of recommendations aimed at urgently rectifying the situation). At the national level, there is a joint action plan in place for the CPS and police, and both organisation leads spoke convincingly of the need to work together to implement it.

However, this stated commitment is insufficient to overcome the deep division between the two organisations, which at present are seen by many as blaming each other for the low conviction rates. Interviewees from each side of the argument referred to different sets of data to defend these viewpoints. This approach suggests a lack of true acceptance of the fundamental need for joint ownership of the problems, and for a collaborative response to the systemic issues we have identified in this

report. Until this blame culture is eradicated, a real shift in attitudes seems unachievable. Open acknowledgment of these deep divisions is a necessary first step.

In terms of victim support, we echo the recommendations of the 2020 report [*The decriminalisation of rape*](#) and the 2021 [*Improving the management of sexual offence cases*](#) (the Dorrian report) for the introduction of wrap-around support from the reporting stage. This resource should continue to support the victim regardless of the outcome of the case, and act as an intermediary not just with the criminal justice system but also with partner agencies and all organisations that can assist. Not all victims want a criminal justice outcome; proper support would recognise and adapt to this situation. Independent sexual violence advisers (ISVAs) are one model of providing this support; non-commissioned services are another. Regardless of the model chosen, they must be available, funded and trained, and the police and prosecutors must have a shared understanding of their role.

Such support would, we believe, result in a decrease in attrition rates for cases pre-charge. In particular, it may have a positive effect on those cases involving 'Outcome 16' (the term used by the police for cases that are not continued because the victim does not support the prosecution), which made up about a third of our police case files (136 out of 352). To take no further action in these circumstances is a valid decision and overall we did not disagree with the rationale in the majority of cases we reviewed. But this outcome potentially masks a multitude of factors, and what was seldom explored was whether, with better support, these victims might have continued with the prosecution. The support provided must, of course, be sensitive to the victim's needs.

Many of these findings are concerning in their familiarity. But there are some glimmers of hope. Among the many people we spoke with for this inspection, there was unanimous and unwavering determination to improve the response of the criminal justice system to victims of rape. And, while the multitude of reviews has added to the pressure on staff, the increased scrutiny has also resulted in some promising innovative work to address the problems identified (such as Project Bluestone, see 'Police training' section). The Joint National Action Plan, agreed between the police and CPS, also provides a significant opportunity for prosecutors and investigators to radically change the way they work together and with interested parties. The Government's Rape Review (which was published while we were finalising this report, and to which we provided sight of our early inspection findings) makes commitments to closer and more coherent working throughout the criminal justice system.

Political and public interest in this area is high. Now is the moment to make the fundamental and lasting changes to the culture and approach to these cases that is so urgently required.

Headline findings

We found evidence throughout our inspection of many dedicated people who were unwavering in their efforts to do the right thing for victims of rape, often in very difficult circumstances. This commitment and resolve to make improvements are to be commended and are worthy of note. Overall, however, the approach to the investigation and prosecution of rape has to change.

The police don't always get the first response to the victim right, and victims don't always get the support they need.

The first contact between the victim and the police is critical as a means of building trust and building the case. If not correctly handled, opportunities to support and safeguard the victim may be lost. It can also affect the securing of evidence at this crucial stage. Although initial risk assessments were completed, referrals to support services were not always made. This could result in missed opportunities to share information that may give victims better support. Victims aren't always given the reassurance and protection that pre-charge bail with conditions may afford.

Independent sexual violence advisers (ISVAs) play an important role in providing specialist tailored support to victims, but the ISVA service is not always fully understood by the police. Victims of rape are more likely to support an investigation when an ISVA is involved, but not all victims are referred to this, or other, commissioned services.

Governance and leadership across the criminal justice system at a national level are complex and fragmented.

The concerning attrition levels in rape cases have led to a significant number of interventions, and more scrutiny and national oversight, as parties seek to understand the reasons behind the worsening performance over recent years. Examples include the National Criminal Justice Board and the Joint Operational Improvement Board. Such is the level of commitment that each of these groups is chaired at a very senior level, including by ministers.

However, the net effect is that the work of these groups is not co-ordinated, and no single person has overall responsibility for holding the organisations to account for improvements. A more co-ordinated governance structure, with clear levels of accountability, and a single, identified, senior individual with the overarching responsibility and authority to hold all others to account, is required.

We are pleased to see that, following the Government's [The end-to-end rape review report](#) (published June 2021), the Minister for Crime and Policing has been appointed

as lead for implementation of the Rape Review. This is an opportunity to encourage close collaboration between all leaders from throughout the criminal justice system.

The relationship between the CPS and police service needs fundamental improvement.

The relationship between the police and CPS was described as collaborative at senior levels, with the work done by both organisations to develop the Joint National Action Plan cited as an example. However, despite all the work done by both organisations to improve, we found that each organisation still has an inward focus.

We also saw evidence of some difficult relationships between the police and CPS, with both organisations on occasion arguing that the other was 'to blame' for the low conviction rates. The development of the 2021 joint plan provides a foundation on which to build stronger relationships at all levels. In particular, at an operational level, a closer and more personal working relationship is required between the prosecutor and investigator to promote a joint approach to building strong cases, and better outcomes as a result. This would also help to build greater trust between both organisations.

Police and CPS resources cannot meet the demand, and investigators do not always have the right training or experience.

Workloads are often high and unmanageable. The lack of detectives and trained investigators results in many rape cases being dealt with by those without the right skills and experience. The training offered to investigators needs to be refreshed and reviewed. Prosecutors have large caseloads, which hampers progress, and many CPS Areas are carrying significant vacancies.

There is very limited joint training for the police and the CPS, which would provide another opportunity to build relationships between prosecutors and investigators.

Forces that have specialist teams tend to perform better in certain aspects of the investigation of rape.

Specialist teams can lead to better decision-making, fewer delays and improved communication with victims and the CPS. Non-specialists may deal with too few cases to build their experience and expertise, and we found that cases dealt with by non-specialist teams incurred longer delays. The critical factor is to have enough trained specialist capability, with the support and capacity to do their work.

The absence of a victim-centred approach, founded on targeted specialist support for victims, is hampering the progress of cases. This can lead to victims being inadequately supported and either withholding or withdrawing support for cases.

In our review of police case files, one third of cases involved victims who did not support a prosecution. The police decision to take no further action because of this is called an 'Outcome 16'. Without the support of the victim, it is very difficult to meet the evidential threshold needed to proceed with a case.

We saw cases where it was clear the victim did not want to be involved in a prosecution right from the start. In some cases, for instance, they hadn't reported the offence themselves, but it had been referred to the police through a third party.

But in other cases we reviewed, victims did want to proceed with a prosecution when they first reported the offence, but later withdrew this support. The rationale for this was not always recorded. When reasons were given, they varied widely, from concerns about the time the process would take, to complicated relationships with the suspect, to wanting to focus on recovering from the incident rather than achieving a criminal justice outcome.

It takes immense bravery and resolve for victims to report rape offences. From our inspection, which also included interviews with interested parties and commissioned research with rape victims, we conclude that some of those who changed their minds about supporting a prosecution would probably have been able to continue with the case if they had been provided with better support. This may also have been possible in some of the cases where the victim indicated at the outset that they did not wish to go ahead with a complaint.

Worryingly, we found some cases that were closed quickly by the police when the victim had complex needs, such as mental ill health, and were unsure if they wanted to support the investigation. The wrap-around and bespoke support we are recommending for all victims should help better meet these victims' needs and may therefore lead to more prosecutions.

In addition, the system of recording cases where the police have made the decision to take no further action fails to identify at what point the victim withdraws support. This is a missed opportunity to gather and use data in a focused way and provide tailored support to victims.

Police and prosecutors can be overly cautious in their approach to investigating and prosecuting rape cases. A shift to a more positive culture and mindset is required in an effort to build stronger cases and improve confidence in the system.

Many investigators and prosecutors told us that rape cases are 'difficult to prosecute' and were very aware of the criticism of low charge and conviction rates, and of high-profile cases that have failed. As a result, the approach adopted sometimes appeared to be more focused on thoroughly exploring the weaknesses in a case, as opposed to focusing on the strengths of the case, building a positive case, and exploring the possibility of managing any problems.

Unacceptable delays are occurring in cases, which indicate that better quality decision-making is required. The absence of a rigorous CPS case strategy in each case, underpinned by a clear, targeted and regularly reviewed action plan, results in significant delays and victims withdrawing support.

Action plans (which the CPS send to the police and include details of the extra evidence they want collected to help make a decision) are sometimes too broad – and on a few occasions in our review, asked for unnecessary information. This led to many victims feeling when interviewed that they were the person under investigation, which affected their confidence in the system.

We saw many examples of investigations being delayed at every stage of evidence-gathering. Likewise, CPS decisions to take no further action aren't always made quickly. Even when action plans are appropriate, the police are often slow to respond, which results in delays.

While communication and relationships between the police and the CPS at a senior level are good, we have concerns that this is not always the case between investigators and prosecutors. This affects how cases are dealt with and can lead to delays.

The suggestion that reviewing digital devices was a major cause of delays was not verified by our case file review.

Early investigative advice is not always understood by the police and is not used sufficiently.

Not making best use of early investigative advice is a missed opportunity for early engagement that could help the police understand what is needed to build a strong case.

The quality of police files provided to the CPS continues to be a problem.

There is clearly more work to do to bring the quality of many police files up to an acceptable standard.

Better and more consistent decision-making by investigators and prosecutors is required.

Investigators and prosecutors need to demonstrate that they are addressing myths and stereotypes and applying the guidance consistently.

There is some misunderstanding about the 'admin finalised' process, which the CPS uses when there is no response to action plans from the police.

The 'admin finalised' process does nothing to improve confidence in the way that the police and the CPS work together to progress cases.

A better shared understanding of data and performance information is required.

We found no single reason to explain either the decline in conviction rates, or geographical variation in referrals by forces to the CPS. Partly, this is because of a lack of consistent and robust performance data.

Police and prosecutors need to understand why, and at what stage, cases fall out of the system. This includes ensuring that officers and prosecutors understand the different outcome codes, and are better at explaining the reasons why a case has failed. Without that clarity, the organisations will be unable to learn lessons for the future. Both organisations should also be better at identifying the context for their performance. For example, an increased conviction rate may not necessarily indicate improved performance if fewer cases are pursued. If no open and transparent qualitative and quantitative set of data is available, which has been jointly agreed on, the organisations will be unable to gain a better shared understanding of what works and how best to build strong cases.

The quality of communication between the police and the victim, and between the CPS and the victim, needs to be improved. Too often, the decision to take no further action is not communicated well to the victim.

The police do not always tell victims that they have the right to review the no further action decision. It is vital that these decisions are explained sensitively to help the victim understand and come to terms with what has happened. Our commissioned research told us that most victims were negative about how well they had been kept informed by the police. For those victims who were more positive, they valued having a single point of contact, and clear explanations of the process when they needed it.

In most CPS cases, a letter was sent to the victim informing them of the decision to take no further action, but these were not always prompt and often lacked empathy or clarity.

Many of the victims' groups we spoke with told us that they would welcome the CPS being more visible at a local level, which would promote better communication with victims, and also help build confidence.

Recommendations

There are many ways the criminal justice system can be more effective in investigating and prosecuting rape. These specific recommendations draw on how the investigation and prosecution of rape is currently handled and on our findings from this phase of the inspection, which focuses on those cases where either the police or the CPS made the decision to take no further action.

Recommendation 1

Immediately, police forces should ensure information on the protected characteristics of rape victims is accurately and consistently recorded.

Recommendation 2

Police forces and support services should work together at a local level to better understand each other's roles. A co-ordinated approach will help make sure that all available and bespoke wrap-around support is offered to the victim throughout every stage of the case. The input of victims and their experiences should play a central role in shaping the support offered.

Recommendation 3

Police forces should collect data to record the different stages when, and reasons why, a victim may withdraw support for a case. The Home Office should review the available outcome codes so that the data gathered can help target necessary remedial action and improve victim care.

Recommendation 4

Immediately, police forces and CPS Areas should work together at a local level to prioritise action to improve the effectiveness of case strategies and action plans, with rigorous target and review dates and a clear escalation and performance management process. The NPCC lead for adult sexual offences and the CPS lead should provide a national framework to help embed this activity.

Recommendation 5

Police forces and the CPS should work together at a local level to introduce appropriate ways to build a cohesive and seamless approach. This should improve relationships, communication and understanding of the roles of each organisation.

As a minimum, the following should be included:

- considering early investigative advice in every case and recording reasons for not seeking it;
- the investigator and the reviewing prosecutor including their direct telephone and email contact details in all written communication;
- in cases referred to the CPS, a face-to-face meeting (virtual or in person) between the investigator and prosecutor before deciding to take no further action; and
- a clear escalation pathway available to both the police and the CPS in cases where the parties don't agree with decisions, subject to regular reviews to check effectiveness, and local results.

Recommendation 6

The police and the CPS, in consultation with commissioned and non-commissioned services and advocates, and victims, should review the current process for communicating to victims the fact that a decision to take no further action has been made. They should implement any changes needed so that these difficult messages are conveyed in a timely way that best suits the victims' needs.

Recommendation 7

Police forces should ensure investigators understand that victims are entitled to have police decisions not to charge reviewed under the Victims' Right to Review scheme and should periodically review levels of take-up.

Recommendation 8

The National Criminal Justice Board should review the existing statutory governance arrangements for rape and instigate swift reform, taking into account the findings from this report and from the Government Rape Review. The recent appointment of the Minister for Crime and Policing to lead the implementation of the Rape Review should make sure that there is sustained oversight and accountability throughout the whole criminal justice system, sufficient resourcing for the capacity and capability required, and improved outcomes for victims. To support this, a clear oversight framework, escalation processes and scrutiny need to be in place immediately.

Recommendation 9

Immediately, the CPS should review and update the information on the policy for prosecuting cases of rape that is available to the public. The information provided about how the CPS deals with cases of rape must be accurate. Victims and those who support them must be able to rely on the information provided to inform their decisions.

Recommendation 10

Immediately, the College of Policing and the NPCC lead for adult sexual offences should review the 2010 ACPO guidance on the investigation of rape in consultation with the CPS. The information contained in available guidance must be current to inform effective investigations of rape and provide the best service to victims.

Recommendation 11

The Home Office should undertake an urgent review of the role of the detective constable. This should identify appropriate incentives, career progression and support for police officer and police staff investigators to encourage this career path. It should include specific recommendations to ensure there is adequate capacity and capability in every force to investigate rape cases thoroughly and effectively.

Recommendation 12

The College of Policing and NPCC lead for adult sexual offences should work together to review the current training on rape, including the Specialist Sexual Assault Investigators Development Programme (SSAIDP), to make sure that there is appropriate training available to build capability and expertise. This should promote continuous professional development and provide investigators with the right skills and knowledge to deal with reports of rape. Forces should then publish annual SSAIDP attendance figures, and information on their numbers of current qualified RASSO investigators.

Recommendation 13

The College of Policing, NPCC lead for adult sexual offences and the CPS should prioritise action to provide joint training for the police and the CPS on the impact of trauma on victims, to promote improved decision-making and victim care.

Next steps

There is a need for all component parts of the criminal justice system to adopt a dramatic shift in approach, so that significant and tangible changes are made. It is not just a case of maintaining the momentum of changes or recognising the problems; they must be owned and resolved together.

We have passed our inspection findings to the Government Rape Review to provide further information to help promote joint improvements throughout the criminal justice system.

The second phase of our joint inspection will focus on rape cases after charge, and our report will be published later in 2021. This will build on our findings from this first phase.

About this inspection

“The whole process is very distressing, and I felt a bit of relief when I was told it wasn’t going to go any further.”

Quote from a victim of rape

Why we inspected

Rape victims need to be able to trust in the criminal justice system to handle their cases thoroughly, fairly and effectively.

Reports of rape recorded by the police increased by almost 20,000 in the four years to March 2020. But at the same time, the number of rape cases referred by the police to the Crown Prosecution Service (CPS) has decreased steadily.

More than 56,000 rapes were reported in the year to March 2020, and 4,181 were referred to the CPS for a prosecution decision. Of these, 2,325 cases resulted in a charge that year and 1,439 cases – or 3 percent of those recorded by the police – resulted in successful prosecution.

Missed opportunities for justice leave victims feeling badly let down and can contribute to their distress. And when a case doesn’t progress to court, it can mean that dangerous people remain free. There is no doubt that the current service provided to rape victims simply isn’t good enough. Why then do so many rape cases fail in the criminal justice system?

The problems surrounding rape investigation and prosecution in England and Wales have been intensively studied in scores of reviews over the past two decades. There is a high level of consensus in these reports, which have common themes and core recommendations. Despite all the work that has been done, successful prosecutions for offences of rape are at an all-time low.

Our last joint inspection to consider the prosecution of rape offences was published in February 2012, [*Forging the links: rape investigation and prosecution*](#).

In December 2019, HMCPSI published a thematic review of rape cases (referred to in this report as the [*2019 HMCPSI rape inspection report*](#)), which looked at the role of the CPS. To support understanding of the effect the police have on the CPS, a small, focused file assessment was undertaken by HMICFRS as part of that review. It was clear that further work was needed, and the report recommended that a joint inspection of the CPS and police response to rape should take place.

The [Criminal Justice Joint Inspection](#) (CJII) made a joint inspection of rape prosecutions a priority. This is because outcomes and public confidence in rape cases have deteriorated markedly in recent years.

How we inspected

Because of the urgency to explore what is happening with rape cases, we divided the inspection into two phases. Phase one examines what happens up to the decision to take no further action. Phase two will look at cases that were charged to their conclusion in court or otherwise. This report covers phase one only. Phase two is planned to take place in the year 2021.

In phase one of our inspection, we focused on answering three questions:

- What are the barriers to rape reports progressing to a decision to charge?
- Why does the volume of cases referred to the CPS for charging advice vary by police force and CPS Area?
- How well do the police and the CPS work together to prosecute reports of rape?

What we inspected

To understand the barriers to investigating and prosecuting rape, we inspected:

- how well police forces and the CPS understand the effect the criminal justice system can have on the victim and how well they support the victim throughout;
- whether there is effective leadership and governance to support the progression of rape cases through the criminal justice system;
- how effective police investigations are, and whether the police and the CPS are right to decide not to proceed with prosecuting a case;
- whether outcome codes for rape crime reports are applied accurately and consistently (to ensure there is an accurate understanding of why cases fail); and
- how effective police forces and the CPS are at progressing cases.

Methodology

Before we started fieldwork, we:

- commissioned a literature review to inform the scope of our inspection;
- established an external reference group with members from victims' groups and other interested parties; we held three meetings where the group advised on our methodology and framework and made sure our inspection reflected the perspective of rape victims, and then considered our initial findings and subsequent recommendations; and
- commissioned an independent research company, Opinion Research Services, to support our work by evaluating adult rape victims' (men, women, and non-binary) experiences.

We chose eight police forces in seven CPS Areas for fieldwork, using criteria that included some performance data, geography and demographics.

Our case file assessments examined rape cases defined by the [Sexual Offences Act 2003](#) and recorded by the police where both the victim and suspect were adults at the time of the offence. The cases were finalised between May 2018 and November 2020.

The demographic information from the 502 case files reviewed is shown in Annex 1.

So that our findings reflect a range of experience, a team of inspectors from HMICFRS and HMCPSI:

- jointly reviewed and assessed 502 police and CPS case files from five police forces and CPS Areas in which it was decided to take no further action or cases were marked as '[admin finalised](#)';
- held 39 interviews and 29 focus groups in eight police forces and seven CPS Areas with strategic and operational staff;
- held focus groups with [independent sexual violence advisers](#) (ISVAs) in six police forces; and
- held 13 interviews with national leads from the police and the CPS, Home Office and Ministry of Justice representatives, the Victims' Commissioner for England and Wales, the College of Policing and national representatives of victims' groups.

The COVID-19 pandemic meant we couldn't visit three of the police forces. For these forces, our teams did the fieldwork and case assessments remotely.

Annex 2 provides more information on the methodology used for this inspection.

About the quotes in this report

The quotes in this report are from people with experience of rape. We asked Opinion Research Services, our commissioned researchers, to record victims' thoughts and comments about their experiences of the criminal justice system.

Annex 3 sets out more detail on the methodology used for this commissioned research.

About the terminology and approach we use in this report

We recognise that there are discussions over the use of 'complainant', 'victim' and 'survivor', and of 'suspect', 'accused' and 'defendant'. Throughout this report, the term 'victim(s)' is used to refer to those affected by rape. It incorporates other terms such as 'complainant(s)', 'client(s)' and 'survivor(s)', as referred to by focus groups and interviewees. We have used the term 'suspect' to refer to a person accused of rape. It incorporates 'offender', 'perpetrator' and 'defendant'. Other terms may be used when referring to published data or in quotes to maintain consistency with the original source.

Background information: an overview of rape investigation and prosecution in England and Wales

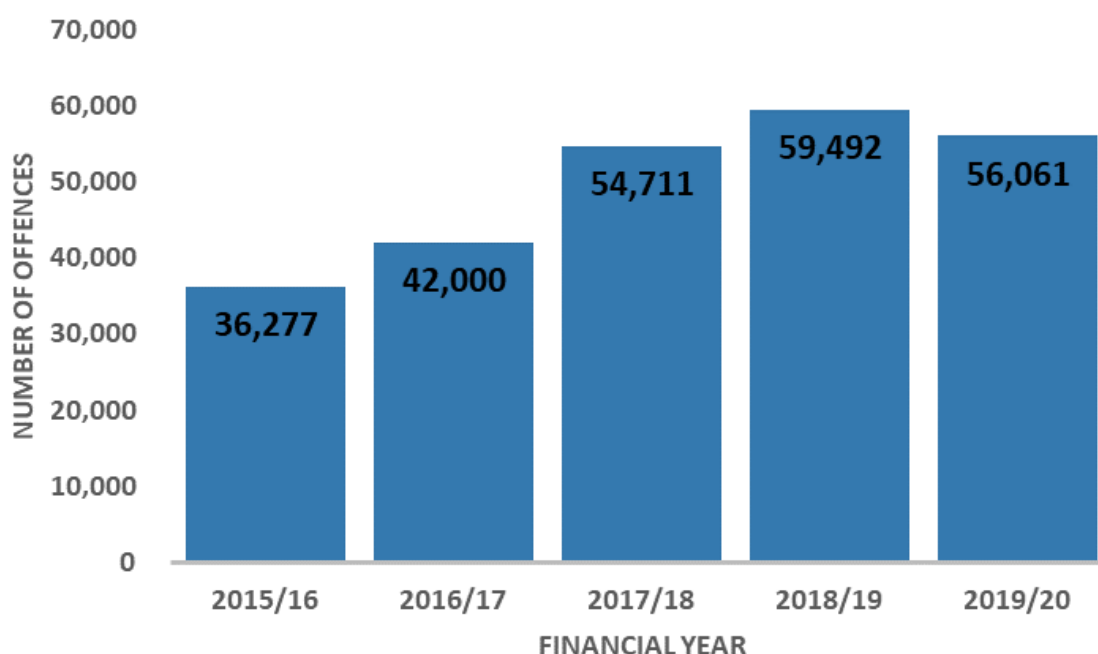
“To the CJS, you’re just another case, another victim.”

Quote from a victim of rape

Numbers of rape offences recorded, referred to the CPS, charged and successful prosecutions

The number of rape offences recorded by the police decreased from 59,492 offences in the year ending March 2019 to 56,061 rape offences (-3,431) in the year ending March 2020, according to figures published by the Home Office. However, previous years have seen large increases in the number of rape offences reported to the police, including an increase of 23,215 offences from 2015/2016 to 2018/2019.

Figure 1: Rape offences recorded by the police from 2015/16 to 2019/20



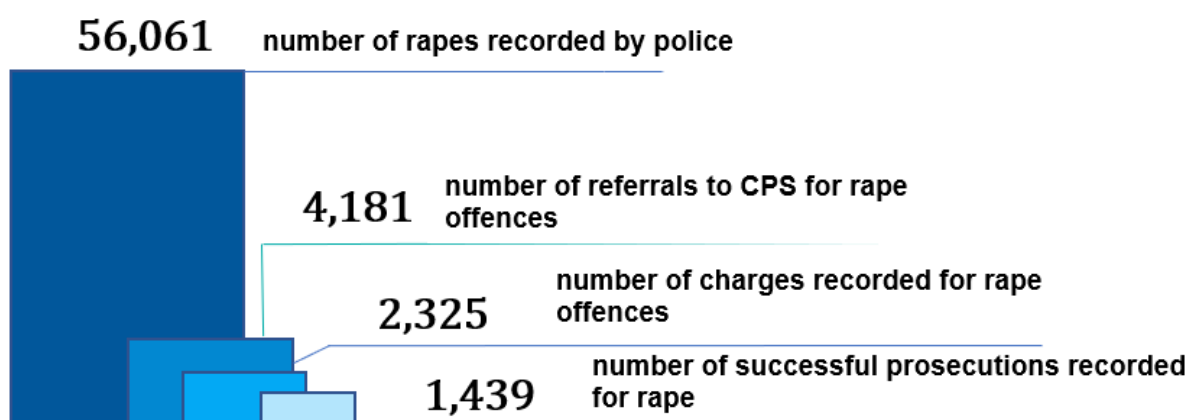
Source: Home Office published data

Of these 56,061 rape offences, the police referred only 4,181 to the CPS in the year ending March 2020. The number of referrals has been decreasing in recent years; the year ending March 2019 recorded 5,109 referrals, the year ending March 2018 recorded 6,012 referrals and the year ending March 2017 recorded 6,606 referrals.

There were 2,325 charges for rape offences recorded by police in the year ending March 2020. This is similar to the 2,319 charges recorded in the year ending March 2019. While the number of charges has decreased in recent years, the charge rate has remained stable.

There were 1,439 successful prosecutions recorded in the year ending March 2020 for rape offences; this is 486 fewer than the 1,925 successful prosecutions recorded in the year ending March 2019.

Figure 2: Rape figures for the year ending March 2020



Source: Home Office, Crown Prosecution Services and Ministry of Justice data

The role of the police in investigating rape

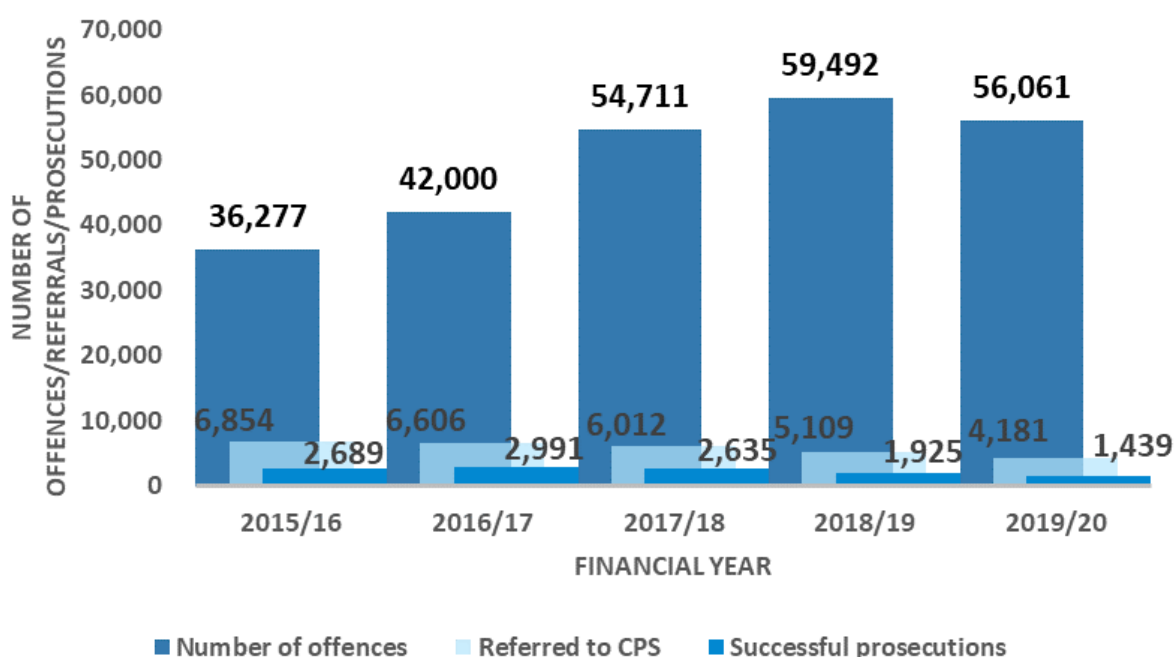
The police are responsible for maintaining public order and safety, enforcing the law, and preventing and detecting criminal offences. There are no national police services, but 43 separate police forces in England and Wales. The police conduct investigations into any alleged crime and decide how to deploy their resources. This includes decisions to start or continue an investigation and the scope of the investigation. Each force has a chief constable (or commissioner) who is held to account by a publicly elected police and crime commissioner (PCC) or mayor. Some forces have specialist rape and serious sexual offences (RASSO) teams, comprising investigators who work solely or mostly on cases involving these offences. Others do not, and rape cases are instead handled by investigators in general teams. We comment further on this in the 'Resources and demand' chapter.

PCCs are responsible for securing efficient and effective policing of a police area. They create and publish plans for each force, which outline their priorities and how they will work with partner agencies to achieve them.

Police decisions on whether to refer a case to the CPS for a charging decision

The [Code for Crown Prosecutors](#) (the Code) sets out the principles to be followed for a charging decision to be made. The decision has two stages: the evidential stage and the public interest stage. The police must gather all relevant evidence, regardless of whether such evidence points towards or away from a suspect. This requires the consideration of both the strengths and weaknesses of the case. The police must assess whether the evidential test is met on the available evidence. If it does not meet this test, they should make the decision to take no further action without referral to the CPS. Most rape investigations are finalised by the police at this stage.

Figure 3: Rape offences recorded: how many were referred to the CPS and the number of successful prosecutions from 2015/16 to 2019/20



Source: Home Office and CPS data

If the police conclude that the evidential test is met, the case is passed to the CPS for a charging decision.

The role of the CPS in prosecuting rape

The CPS is the national and independent body which is responsible for the prosecution of criminal offences that have been investigated by the police throughout England and Wales. It is led by the Director of Public Prosecutions and consists of headquarters' teams and 14 regional teams prosecuting cases locally. Each of these 14 CPS Areas is headed by a chief Crown prosecutor and has a dedicated RASSO team to deal with rape and serious sexual offences.

The CPS forms one of the 'Law Officers' Departments' and, as such, constitutes a public arm's length body subject to the statutory superintendence of the Attorney General. There is a framework agreement that sets out the main points of the relationship. Internally, the CPS has a strategic board which is chaired by a

non-executive director and an executive group. Both the framework agreement with the Attorney General and the board structures within the CPS form a system of control and accountability.

The CPS is responsible for charging serious offences, which includes all offences of rape. The CPS has a role in advising the police during the early stages of investigations but can't direct an investigation. After charge, the CPS prepares cases and presents them at court. It provides information, help and support to victims and prosecution witnesses.

CPS decisions on whether charges should be brought

Before authorising a charge, a Crown prosecutor must be satisfied that there is enough evidence to provide a 'realistic prospect of conviction'. They must assess whether the evidence can be used and is reliable. They must also consider what the defence case may be and how it is likely to affect the prosecution case.

A realistic prospect of conviction is an objective test. It means that a jury or a bench of magistrates, properly directed in accordance with the law, will be more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that criminal courts themselves must apply. A jury or magistrates' court should only convict if it is sure of a defendant's guilt. If the case doesn't pass the evidential stage, it must not go ahead, no matter how important or serious it may be.

If the case passes the evidential stage, a decision is taken about whether a prosecution is in the public interest. Factors for and against prosecution must be balanced carefully and fairly. It will nearly always be in the public interest to charge an offence of rape.

CPS guidance sets out how prosecutors should apply the Code to rape and other sexual offences to build and present cases that are based on strong evidence. Prosecutors are obliged to disclose material that might reasonably be considered capable of undermining the case for the prosecution or assisting the case for the suspect.

Recent changes to guidance and guidelines related to the investigation and prosecution of rape

At the time of our inspection there was a great deal of fast-paced change, partly in response to the intensive and multiple reviews of rape cases in the criminal justice system (we say more about this in the 'National review' section). In a three-month period, several important new guidelines were published which change how rape cases are handled.

In October 2020, the CPS published interim legal guidance for handling rape and serious sexual assault (RASSO) cases that was subject to public consultation.¹ The guidance must be read alongside several other documents, including the [*Protocol between the police service and Crown Prosecution Service in the investigation and prosecution of rape*](#) (2015).

¹ This interim guidance has now been replaced by [updated legal guidance](#) published on 21 May 2021.

The [Director's guidance on charging \(6th edition\)](#) (DG6) and the [Attorney General's guidelines on disclosure](#) came into effect on 31 December 2020. These documents apply to all criminal investigations and prosecutions, including rape. They introduced significant changes for the police and the CPS. DG6 introduced changes to how the CPS and the police work together at the beginning of the investigation process. This is discussed in more detail later in this report.

These guidelines weren't in place at the time of our fieldwork and so none of the files we reviewed reflected these changes. It will take time for the full effect of them to be seen in cases.

The response to victims when they report a rape

“I wanted justice. I wanted him to have consequences for what he had done.”

Quote from a victim of rape

“I felt that the incident was holding me back from moving on with my life. So I sought some support for it and off the back of that I made the decision that I wanted it acknowledged and wanted to report it.”

Quote from a victim of rape

People report rape to the police for many different reasons. These include because they:

- have been encouraged to by others;
- think it is the right thing to do;
- want to protect others;
- want closure or an official record of the incident; and
- want justice or for the suspect to face consequences.

Our inspection focused on improving outcomes for all victims of rape, regardless of why they reported, their demographics or the circumstances of the offence.

Getting the first response right is crucial

“I felt very believed, which was an important factor in me carrying on.”

Quote from a victim of rape

“The police lady that came over was so nice and lovely. She took her time with me, didn’t intimidate me and put me at ease. I felt that she respected me and was understanding about what I’d been through. She made sure I was alright after asking every question. They did everything they could at this stage, and I thought it was done well. At this point I thought that maybe things were going to go well.”

Quote from a victim of rape

“It was quite horrible. It felt like they were asking questions about unnecessary things. They asked the same things and felt like they weren’t accepting my answers. I felt judged. I walked away feeling worse and heavier, like I shouldn’t have reported it.”

Quote from a victim of rape

“The police [officer] was quite rude to me. That wasn’t very nice. She was implying that I was making it up. It was just her whole attitude to things.”

Quote from a victim of rape

“The police didn’t get to me for a few months after I reported it! At that point I almost dropped out completely because I thought they saw me as stupid and didn’t care enough to respond. It made me feel like maybe it wasn’t serious enough or that they thought I was lying.”

Quote from a victim of rape

The first police response to victims of rape is critically important. Our research showed that it can greatly affect how a victim feels and can influence their decision whether to take the case forward. Every report of rape is unique. But the main objectives for the police are always the same, namely to:

- make sure that the victim is safe;
- secure and preserve evidence; and
- identify and arrest (or, if appropriate, voluntarily interview) the suspect.

When the police get a report of rape, they should record it as soon as possible. After getting a report of rape in the police control room, officers usually complete an initial THRIVE assessment and allocate resources. THRIVE is an assessment based on threat, harm, risk, investigation opportunities, vulnerability of the victim, and the engagement needed to resolve the problem. How quickly the police respond depends on this assessment.

Our inspectors found that forces couldn’t always send officers with the right skills. We were told that the first attending officer to a report of rape could be a response officer with enhanced training in sexual offences, or a specialist investigator. But if no trained officer was available, the first responder might be an officer without the skills, knowledge or confidence to support victims or understanding of where to signpost the victim to services that can offer support.

In our focus groups, we heard from specially trained officers who felt confident in providing the crucial first response, understanding the process and informing the victim of what would happen. By contrast, we also heard from an officer who had responded to a report of rape and had treated the victim just as they would any victim of an assault, as they didn’t have the training or experience to do otherwise.

Our inspectors found that, in most cases, the initial actions to secure evidence, such as getting CCTV footage and making house-to-house enquiries, were completed well by the attending officer. But we saw some cases where officers couldn’t respond

straight away, and the delay meant losing opportunities to make sure the victim was safe and to collect vital evidence.

Case study

The victim's mother contacted the police with concerns for her daughter's safety. Police attended to check on her welfare, and the victim reported that she had been raped 10 days earlier by her stepfather. While officers were there, the victim had a panic attack and assaulted the officers, so she was arrested. Over the following week she was spoken to on several occasions, but finally said she didn't wish to make a complaint or attend court.

The sole focus in the case was on whether the victim wanted to make a formal report of rape. The police didn't secure any evidence at the time, including Facebook messages where the suspect had apologised for what he had done, or speak to important witnesses. While the focus should be directed towards the victim and securing their welfare, the police shouldn't ignore investigative opportunities. Had the victim later changed her mind and supported police action, this evidence might have been lost.

We also saw cases where the victim later withdrew support for the allegation without being spoken to by the police. This highlights the importance of speaking to victims as soon as possible. Some victims from our research felt that the police should have provided more important information about the statement process. Victims were more positive about giving a statement when police officers were kind and considerate towards them, allowed someone to accompany them and offered tailored support.

Recording reports of rape where victims have protected characteristics

Before we started our inspection, we were aware that some victims with protected characteristics (see below) may face greater barriers when reporting rape offences.

Protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In our case file analysis, we found that gender was recorded for all victims. However, ethnicity wasn't recorded for the victim in 167 of the 502 cases, and for the suspect in 194 cases.

Other than gender and ethnicity, we found the following recorded protected characteristics:

- disability: in 57 cases;
- mental health: in 26;
- sexual orientation: in 12;
- gender re-assignment: in 3; and
- religion or belief: in 3.

While more than half of cases were positively identified as having no other protected characteristics, this was unknown in a large proportion. We found that there is insufficient and inconsistent evidence of forces seeking to understand the profile of victims and whether they have protected characteristics.

Accurately recording protected characteristics is very important and can affect many aspects of the case for the victim. This includes how well the police understand the prevalence of rape, contributing to rape profiles and how the police respond. But its main value is in better awareness and in helping victims get the right support.

Urgent and immediate improvement is necessary, and we make a recommendation to that effect.

Recommendation 1

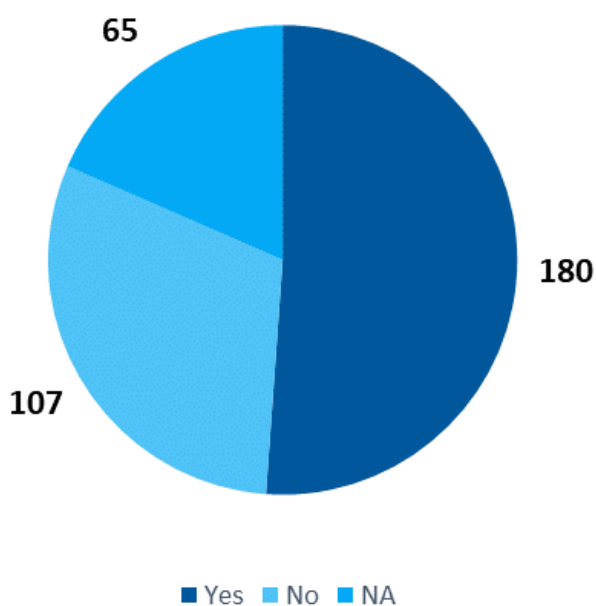
Immediately, police forces should ensure information on the protected characteristics of rape victims is accurately and consistently recorded.

Our small sample size meant we couldn't make any assessment about any differences in outcomes without more detailed inspection activity in these specific areas.

Safeguarding and support

In most cases, the initial risk assessments for victims were completed. But as shown in Figure 4, not all safeguarding referrals, such as to adult social care, were made when appropriate. This is a missed opportunity to share information with partner agencies so that areas of concern can be addressed, and wider support given to victims.

Figure 4: Was a safeguarding referral made?



Source: Data taken from our case file review analysis (352 files)

We did find some positive examples of cases where wider safeguarding was considered, and action taken.

Case study

The victim, who was a sex worker, reported being raped by two unknown men. The police conducted a thorough and focused investigation but couldn't identify the offenders. We saw evidence that the victim was supported sensitively throughout the investigation, and that wider safeguarding was used well. This included contact with National Ugly Mugs (NUM), a charity that provides greater access to justice and protection for sex workers who are often targeted by dangerous people, but who are often reluctant to report these incidents to the police. This allows NUM to post an alert on their website and contact members of the scheme to raise awareness of dangerous offenders.

After the first police attendance, the victim may go to a rape support centre, or a [sexual assault referral centre](#) (SARC). The role of the SARC is to provide a safe and secure environment where victims get the help and support they need while evidence is being gathered. Assessing SARCs wasn't within the scope of this inspection, but we heard from officers and investigators that the SARC function is recognised as effective. Similar positive reports came from survivors who reported that SARCs provide holistic, person-centred support that doesn't just focus on the incident.

Forces don't always involve independent sexual violence advisers effectively

"I would have continued with it if I'd had the support, but I didn't. If I'd known about the Survivors Network, where my ISVA is from, if I'd known about all these charities who could help ... I was completely clueless about it because this had never happened to me before."

Quote from a victim of rape

The police service has an obligation to refer victims to appropriate support services, such as independent sexual violence advisers (ISVAs), under the [Code of Practice for Victims of Crime](#) (Victims' Code, see 'Keeping the victim informed of the progress of their investigation' section). Failure to refer victims to support services is a breach of the Victims' Code.

But we found inconsistent levels of referrals to support services, and especially in the effective involvement of ISVAs. Our commissioned research showed the same thing. Some victims were disappointed that the police or support services didn't direct them to ISVAs.

ISVAs have an important role to play in providing specialist tailored support to victims of sexual violence. The nature of the support varies from case to case depending on the needs of the person and their circumstances. ISVAs provide continuity and ongoing advocacy, impartial advice and information to victims. They also give information on other services that victims may need, for instance to help improve their physical and mental health, overcome addiction concerns, or assist with questions about social care, housing or benefits.

We found victims of rape are more likely to continue to engage with the police and support an investigation when an ISVA is involved. We welcome the announcement in the 2021 Government Rape Review of new government funding for more ISVAs and domestic abuse advisers.

“I probably wouldn’t have reported if I hadn’t been in touch with [support worker]. Being able to get the first meeting through [support worker] was the first baby step in encouraging me to go through the whole process.”

Quote from a victim of rape

“My ISVA explained the whole process to me, of what happens when I go to the police, what happens afterwards. She was so good at explaining what I can do, and how she can support me through it.”

Quote from a victim of rape

We talked to ISVAs in our focus groups and heard that relationships with the police vary between forces. We heard some positive accounts of ISVAs and the police working well together, with bespoke training and joint performance meetings. This is important in helping to ensure the police are informed by, and act on, the experiences of victims.

But there were too few reports like this. Relationships too often depended on the individual investigator’s understanding of the ISVA role. Less than a third of the case files we reviewed showed evidence of regular communication between the police and ISVAs over the course of the case. The examples of good communication were mostly in forces that had specialist police teams. In these forces, we heard of good, positive links between the police and ISVAs. This resulted in bespoke support for survivors, including access to wider support services.

We found it worrying that some ISVAs felt that investigators didn’t always understand their role. They reported that some investigators saw the service as ‘stamping through their investigations’ and were dismissive of the support they could provide.

Our focus groups with first response officers and investigators found inconsistent knowledge and awareness of how to refer to victims and what services were available.

Recommendation 2

Police forces and support services should work together at a local level to better understand each other’s roles. A co-ordinated approach will help make sure that all available and bespoke wrap-around support is offered to the victim throughout every stage of the case. The input of victims and their experiences should play a central role in shaping the support offered.

Using pre-charge bail to protect the victim

In most of the cases we reviewed where suspects were known, and the victim supported police action, the suspects were arrested quickly. After arrest, the police can consider using pre-charge bail with conditions, including the condition that the suspect is not to contact the victim. Although we found pre-charge bail was used well in most cases, many of these later automatically reverted to [released under investigation](#) (where no conditions can be imposed) after 28 days, without any documented rationale or a new risk assessment. This leaves many victims without the reassurance and protection that bail conditions can provide. In the cases we reviewed where domestic abuse was a factor, we found evidence that [Domestic Violence Protection Orders \(DVPOs\)](#) and [Domestic Violence Protection Notices \(DVPNs\)](#) were not always considered or used when they should have been.

Police investigations

“I would have expected the police to have specialists in sexual violence – almost like a mediator and more focused on well-being rather than wanting to go into what happened straight away.”

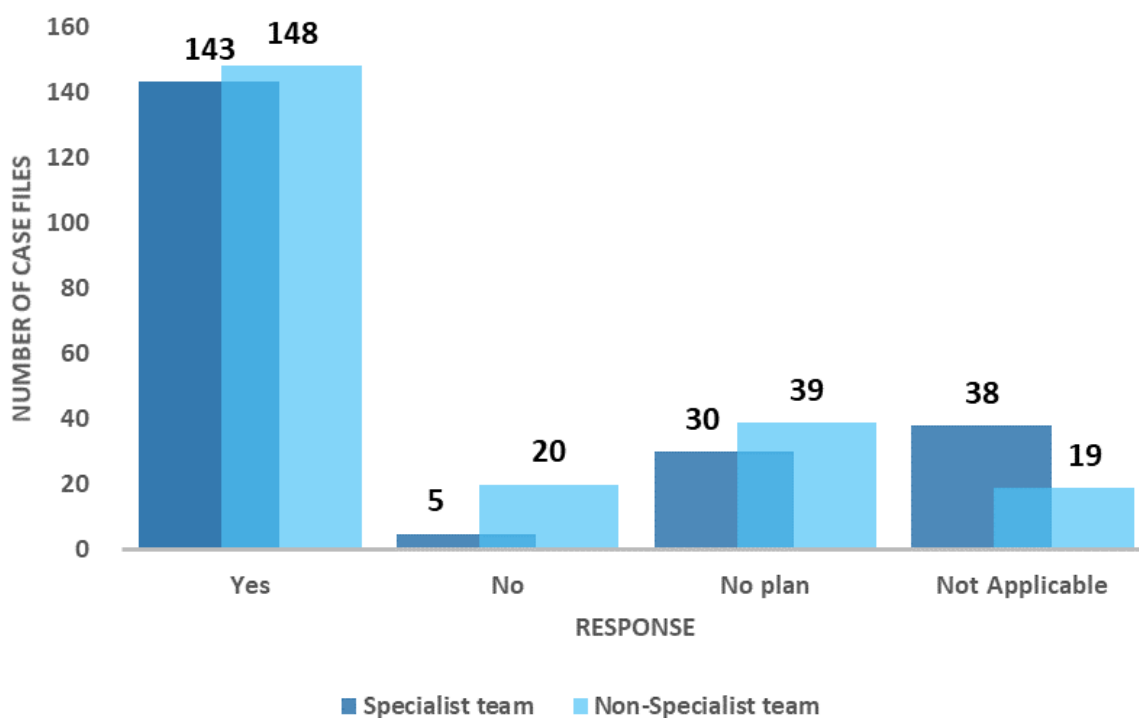
Quote from a victim of rape

Investigation plans

After the police initially respond, the case is then passed on to an investigator to progress. Investigation plans are made by the investigating officer or their supervisor and are used to highlight lines of enquiry needed to further develop the investigation.

In our case file assessments, we found that investigation plans were recorded in more than three quarters of the investigations. But we saw a variance in the quality of these plans, ranging from clear direction and focus to a lack of detail and little guidance. We found some evidence that the investigation plans completed by specialist teams were of a better standard.

Figure 5: Did the investigation plan include all lines of enquiry?



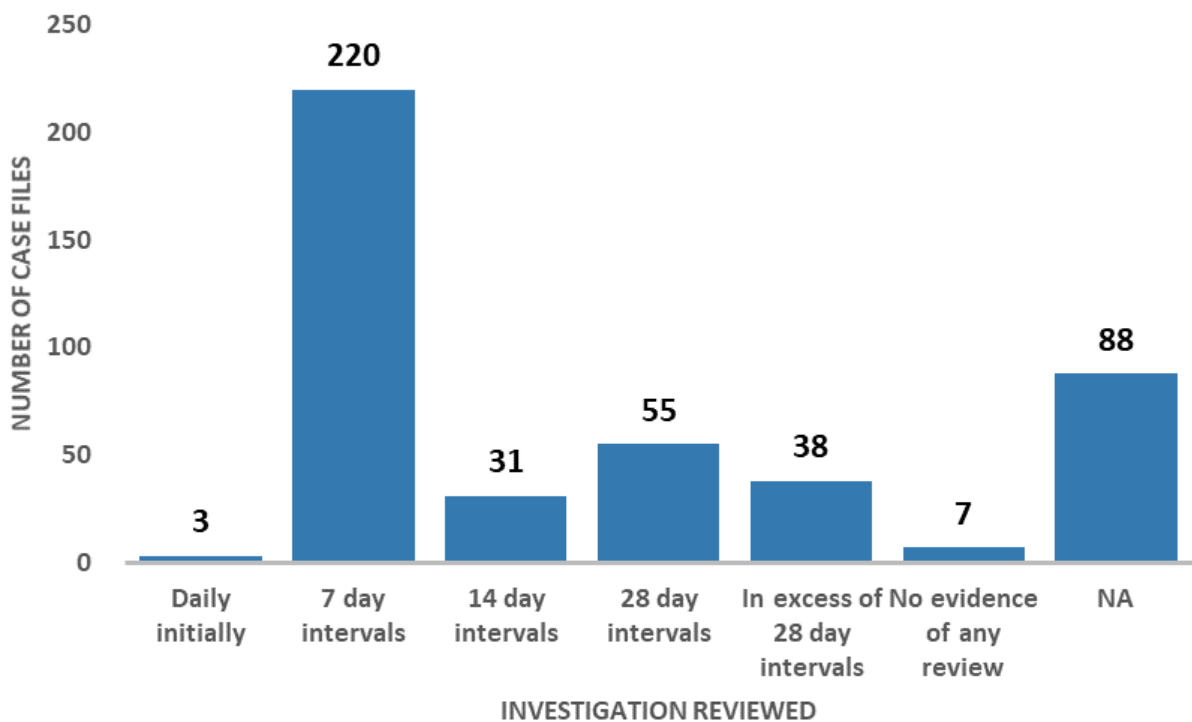
Source: Data taken from our case file review analysis (442 files)

Supervision

In more than a quarter of the case files we reviewed, investigators did not have the right training. This means that strong supervisory oversight and guidance was even more essential. One supervisor told us that “new police constables are dealing with rape cases. It’s not good for victims”.

Over half of the investigations we reviewed had an entry from a supervisor every seven days. But these entries were, on many occasions, just to satisfy an administrative requirement. They didn’t add value or guidance to the officer or the investigation process. This meant that investigations could drift in focus and pace.

Figure 6: How regularly was the investigation reviewed by a supervisor?



Source: Data taken from our case file review analysis (442 files)

Case study

The victim reported a rape by her partner in September 2018. The initial investigation was dealt with swiftly and appropriately in the early stages. The victim had a medical examination and gave her account by way of a video interview early. The suspect was arrested the day after the report. But the case was assigned to an inexperienced investigator. In November 2018, the case was referred to the CPS, who returned an action plan sent to the police to complete further enquiries. One year on from the reported rape, it is clear there has been no meaningful investigation and that there is a lack of supervisory oversight and direction. In January 2020, the victim withdrew her support for the investigation and the case was finalised by the police.

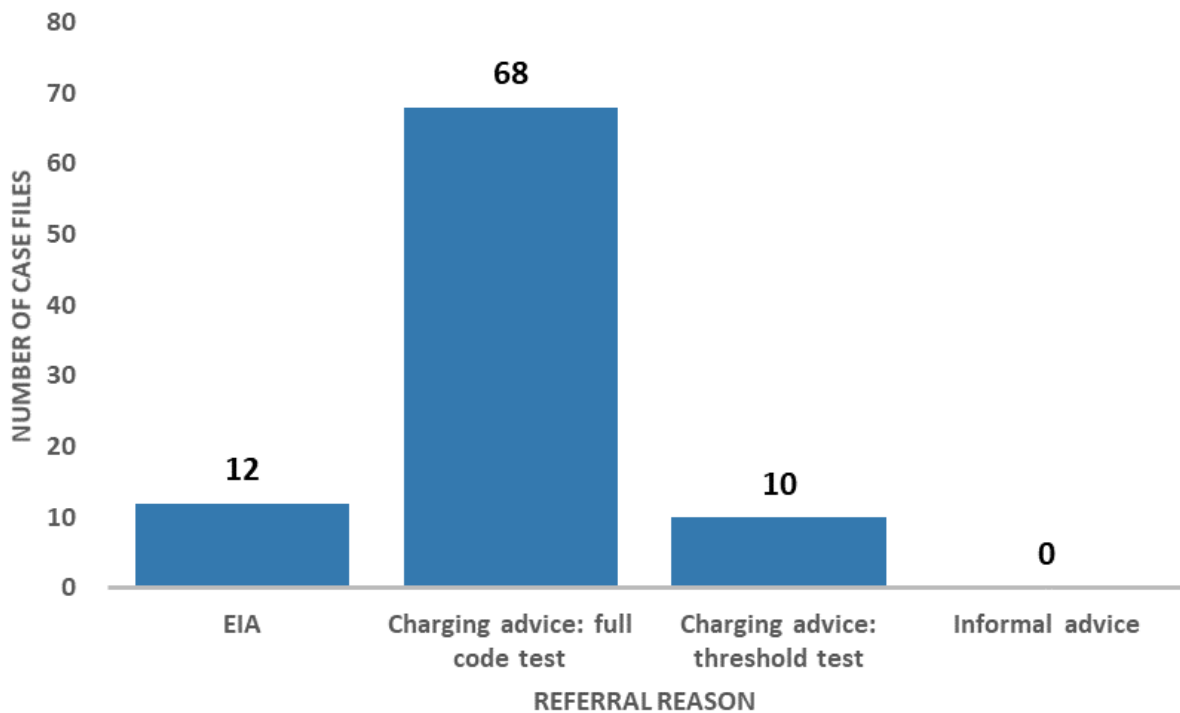
In our focus groups, some supervisors spoke of unmanageable workloads that make it difficult for them to do the necessary reviews. A detective sergeant told us they didn't have the capacity to oversee all investigations because of the volume of cases. And many supervisors don't have enough experience or the right training to add value to the investigation process.

Use of early investigative advice

Since its introduction, early investigative advice has been under-used. In our case file assessments, it was only requested in 12 out of 90 cases.

Early investigative advice from prosecutors can guide the police in determining what evidence they need to support a prosecution. Provision for it was made in the [Director's guidance on charging \(5th edition, 2013\)](#). This guidance states that cases involving rape should always be referred to a prosecutor as early as possible. Early advice should focus on the evidence needed and reduce delays.

Figure 7: Why was the case first referred to the CPS?



Source: Data taken from our case file review analysis (90 files)

One force told us that, in the past, requests for early investigative advice had overwhelmed the CPS, causing backlogs. Because of this, the force no longer asks for early investigative advice. It tends to be asked for too late and the CPS takes too long to provide it, which defeats the aim. Our findings highlight that this perception is likely to result in investigators not having the confidence or desire to seek early investigative advice.

We found that there is no standard process for what documentation the police need to submit to obtain early investigative advice.

Some investigators and prosecutors said that they did not expect early investigative advice to be effective in progressing cases. Some investigators said that to obtain early investigative advice they had to prepare a full file of evidence for the CPS, which is clearly wrong and suggests the intended purpose is misunderstood. This failure by both the police and the CPS is a missed opportunity for early engagement that could help the police understand what is needed to build a strong case. It can lead to unacceptable delays in the decision-making process and be harmful for the victim.

Ineffective use of early investigative advice has been a recurring theme in inspection reports. The [2019 HMCPSI rape inspection report](#) recommended changes including the CPS providing greater clarity about timescales and what documentation is needed.

We welcome the introduction of the [Director's guidance on charging \(6th edition\)](#) (DG6), which came into force on 31 December 2020, after our inspection. The guidance aims to give better practical information to the police and the CPS on their charging responsibilities. Early investigative advice has been renamed 'early advice' and the process for obtaining it is clearer. Police supervisors and prosecutors must make sure there is an audit trail. The [Police-CPS joint national RASSO action plan 2021](#) aims to develop this, providing additional guidance on early investigative advice and reasonable lines of enquiry so that strong cases are built from the start. Whether this new guidance is effectively implemented and brings improvements will need to be assessed in the future.

There is a risk that the CPS may be overwhelmed with requests for early advice, as the new guidance 'strongly recommends' that it is provided in all rape cases. The CPS already battles backlogs of cases and difficulties caused by the COVID-19 pandemic. We understand that the CPS has had extra funding to improve its response to rape and serious sexual offences, which should help keep this risk to a minimum.

The police and the CPS must work together so that early advice is sought and provided in the right cases to make the best use of limited resources.

Police decisions to take no further action

Background information: Outcome codes

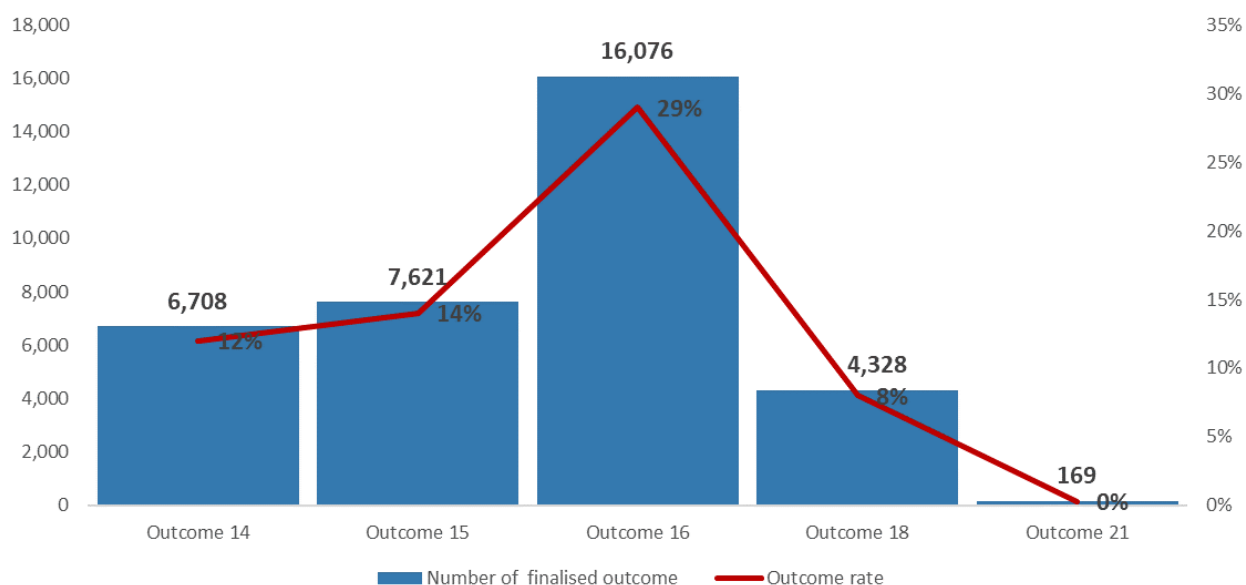
When an investigation is completed, the case gets an outcome code under [Home Office Counting rules](#). These rules are a national standard for recording and counting notifiable offences recorded by police forces in England and Wales (known as police recorded crime). Outcome codes record the reasons that crime investigations have been finalised.

The investigations reviewed by inspectors consisted of outcome codes 14, 15, 16, 18 and 21:

- Outcome 14: Evidential difficulties – suspect not identified. The victim doesn't support further action (from April 2014). The crime is confirmed but the victim declines to or can't support further police action to identify the offender.
- Outcome 15: Evidential difficulties – named suspect identified. The crime is confirmed and the victim supports police action, but evidential difficulties prevent further action.
- Outcome 16: Evidential difficulties – named suspect identified. The victim doesn't support (or has withdrawn support for) police action.
- Outcome 18: Investigation complete – no suspect identified. The crime has been investigated as far as reasonably possible and the case closed pending further investigative opportunities becoming available.
- Outcome 21: Not in the public interest – suspect identified (from January 2016). Further investigation resulting from the crime report that could provide enough evidence to support formal action being taken against the suspect isn't in the public interest – police decision.

Figure 8 shows the number of police recorded outcomes in England and Wales for outcome codes 14, 15, 16, 18 and 21, and the outcome rates for these same outcome codes. Rape offences were finalised with an outcome 16 in 16,076 cases, with an outcome rate of 29 percent. These figures pertain to outcomes assigned to rape offences in the year ending March 2020 and there are still over 19,000 rape offences that have yet to be assigned an outcome for that period.

Figure 8: The number of finalised outcomes and outcome rates recorded by forces in England and Wales for year ending March 2020



Source: Home Office published data

Please note that the figures above relate to outcomes assigned to rape offences in the year ending March 2020. For the year ending March 2020, 19,053 rape offences (34 percent) have not yet been assigned an outcome.

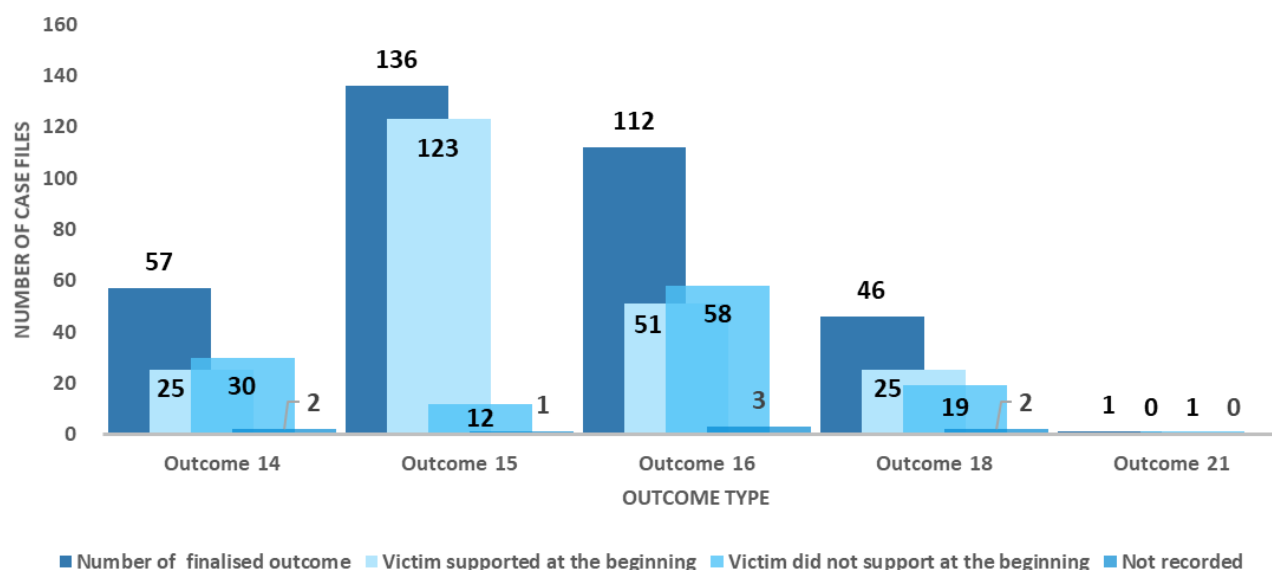
When the victim doesn't support the case (Outcome 16)

In more than a third of the cases we reviewed (120 cases), the victim didn't support the investigation from the outset. There are many understandable, and complicated, reasons why victims may not support police action. These include:

- fear of the criminal justice system;
- the need to move on;
- negative effect on mental health and well-being; and
- lack of support from family, friends or employers.

Inspectors found that in cases not supported by the victim from the start, the details of the offence were often vague, resulting in a lack of investigative opportunities. Although this doesn't rule out an investigation progressing, it does make it extremely difficult to gather the evidence and information needed. It is unlikely that the evidential threshold will ever be met without the victim's co-operation.

Figure 9: The outcome used to finalise the case and whether the victim supported it initially



Source: Data taken from our case file review analysis (344 files). In eight files, whether the victim supported at the beginning was not applicable; these aren't included in this chart

The current system doesn't tell us at what stage of the process the victim withdrew their support. Being able to distinguish between the victim who doesn't support the investigation from the outset and one who later withdraws their support is important. It would allow the force to analyse this information to understand the reasons victims may withdraw support and, where it is able, to adapt its approach to investigations to provide greater opportunities for better outcomes and victim care.

The help that a victim needs may depend on their feelings about supporting a prosecution. A victim who doesn't support police action from the start may have different needs to one who withdraws at a later stage. Equally, a victim who indicates a lack of support from the outset may change their mind if they have received support that is targeted to their specific circumstances. Although some forces could identify when the victim withdrew support, there is no national mechanism to do so. So an opportunity to gather and use data in a focused way is lost, as is the opportunity to understand why the victim withdrew, and what factors could have helped them to remain engaged.

Better data would also help the public to understand these investigations. The current outcome codes rely more on process and fail to give a full picture of a victim's experience. Furthermore, without thorough and scrutinised information on why cases are not progressing, forces are unable to assure either themselves or the public that their decisions to take no further action are correct.

Recommendation 3

Police forces should collect data to record the different stages when, and reasons why, a victim may withdraw support for a case. The Home Office should review the available outcome codes so that the data gathered can help target necessary remedial action and improve victim care.

Quality of police decision-making

“It all happened really quickly – which wasn’t necessarily a good thing, because it seems the police expected it to be NFA’d from the outset, and there was minimal investigation.”

Quote from a victim of rape

In most of the case files we reviewed, the police decision to take no further action (NFA) was not inconsistent with the Code and relevant guidance. But, as discussed above, this outcome potentially masks a range of factors that could have contributed to the eventual decision and influenced the final outcome. We also found that 37 of the 352 cases had outstanding lines of enquiry that should have been completed before they were finalised. Further, in almost a third of the cases, the victim withdrew their support and potential evidence could have been lost if the victim had decided they were able to re-engage with the police at a later stage. We found some evidence that this was less likely in the specialist teams.

Our inspectors assessed that 7 of the 352 police decisions should have been referred for CPS advice. We also found that in 7 of the 90 CPS decisions the police should have decided to take no further action rather than refer the file to the CPS.

Worryingly, we found that some cases were closed quickly when a case involved complex features, such as a victim with poor mental health or alcohol or drug dependency, or who was particularly vulnerable and unsure whether they wanted to support an investigation.

Case study

The victim, who was alcohol dependent, reported to their support worker that someone they knew had tried to rape them. When the police attended, they noted the victim had injuries, and used an early evidence kit to secure any potential forensic evidence. The victim was taken to a safe place for the night. But officers didn’t speak to the suspect when they attended, even though they were at the address. The suspect was allowed to leave. The victim was reluctant to support the case, blamed herself throughout, and didn’t want to give an account via a video interview. Although the victim was identified as vulnerable, the police didn’t consider getting an intermediary to help and support the victim through the process. The case was filed as ‘Outcome 16’ – no further action – as the victim didn’t support it. Although safeguarding was put in place for the victim, the police didn’t consider the risk that the suspect posed to other women.

Case study

The victim was in prison when she reported a rape that had happened before she was sentenced.

There seemed to be some inconsistencies in the disclosure. The victim was never spoken to by the police, nor was the alleged suspect. In finalising the case, the detective inspector commented that “It is clear that he (suspect) would deny any allegations that are made”.

It wasn't clear whether any contact was ever made with the victim, due to her moving from one prison to another. The case was finalised (Outcome 15) with no meaningful investigation taking place.

By contrast, our case file assessments showed examples of the police being more likely to continue the investigation and pursue lines of enquiry if the victim didn't have complicated needs or vulnerabilities.

We found that different levels of supervisor were authorised to finalise cases as no further action. In some forces, the detective sergeant could authorise a case to be finalised; in others it was the responsibility of the detective inspector.

In focus groups of investigators and interviews with operational leads, we heard that although decisions are based on each individual case, the decision to take no further action depends on the detective inspector or the detective sergeant having a briefing from the sergeant or the investigator.

Our case file assessments showed that in most cases there was a clear rationale recorded for deciding to take no further action. But in some cases, the recommended decision was merely endorsed, without the quality of the investigation or further lines of enquiry being considered. This increases the risk that cases are being closed too quickly.

There were concerns raised before inspection about inconsistent referrals, with one hypothesis being that this was caused by police second-guessing prosecutors' decision-making.

Police investigators we spoke to clearly considered the experience of previous referrals in writing their submissions, but we did not find evidence that this led to a failure to submit cases that should have been progressed. On the basis of the information contained in the case files, very few no further action cases (7 of 352) should in fact have been referred to the CPS for a decision. There were no common themes in those that should have been referred but weren't. But this must be seen in the context discussed above.

Although we found that the majority of the police decisions to take no further action did not contravene the Code or guidance (based on the information provided in the case files), this finding should not detract from the potential number of contributory factors that led to this outcome. This inspection has highlighted that there are many factors, including the training, experience and skills of the investigators, high workloads, and a

variation in the awareness of the support that could be offered to a victim that may have avoided this outcome.

CPS referrals

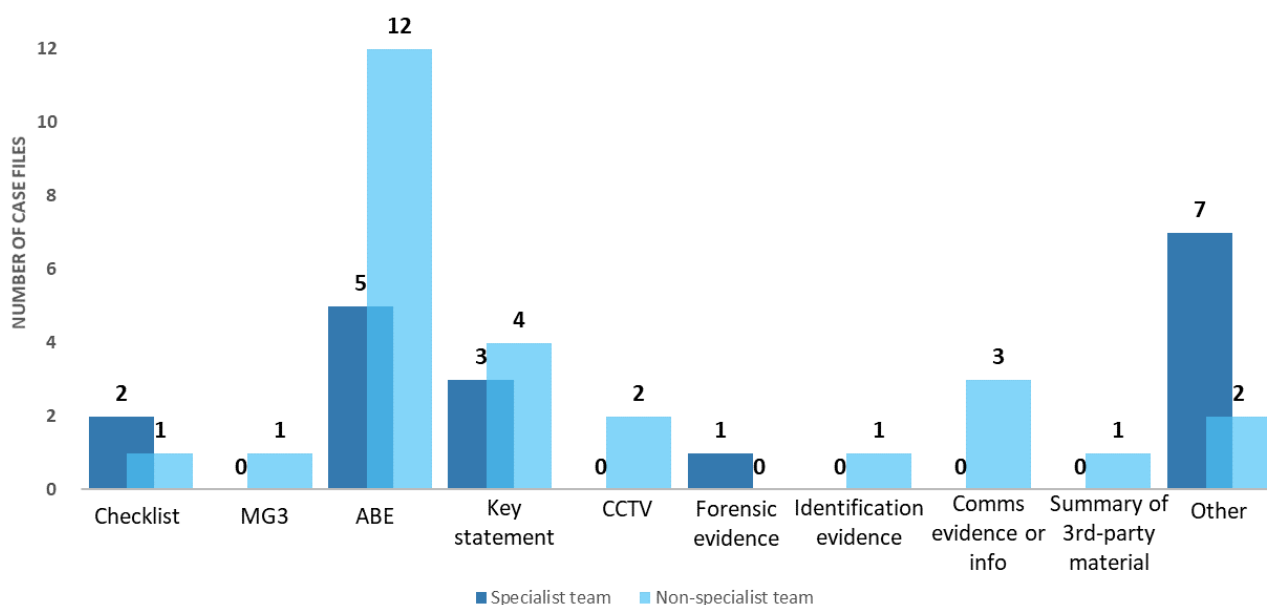
Police file quality

In over half of all cases we assessed that were submitted to the CPS for a charging decision, the police file didn't comply with national file standards as set out in DG6. The CPS can only decide to charge an offence of rape based on the evidence submitted to them by the police.

These findings are in line with what was found in the 2019 HMCPSI rape inspection.

In over a third of the cases we saw that didn't comply, the police failed to send the video recording of the victim's evidence, which the prosecutor must review before deciding whether to charge a case. In some cases, main evidential statements were missing. These failings highlight that the police don't always understand what is needed for a charging decision. Figure 10 shows the difference in file quality between specialist and non-specialist teams.

Figure 10: If file standards weren't complied with, what wasn't provided or was inadequate?



Source: Data taken from our case file review analysis (45 files)

If the police don't submit important evidence, it affects the victim by delaying decision-making. Better quality files would reduce this avoidable delay. There is clearly much work to do to bring the quality of police files up to an acceptable standard.

In most cases police failings were fed back in the [administrative triage](#) process or formal action plan from the prosecutor. We found that this feedback was noted and acted on in most cases. But it resulted in unnecessary delays.

In our focus groups, we heard that investigators are often frustrated by not being able to contact a prosecutor to discuss the case. They must send everything by email, because for case audit purposes, the CPS requires that a record is maintained, even when the purpose is to clarify a small point of detail which could be easily resolved by direct contact. This is yet another example of a barrier to effective communication. It prevents the investigator and the prosecutor from learning why the case is not ready for a charging decision.

The role of the police gatekeeper

Over three quarters of the case files we reviewed were from forces with a RASSO [gatekeeper](#).

The RASSO gatekeeper assures the quality of file submissions to the CPS RASSO unit. They are also intended to:

- improve the professional relationship and communication between lawyers and investigating officers;
- raise the quality of files submitted and make sure they comply with national file standards; and
- keep up the pace of investigations.

Not all the forces we inspected have a gatekeeper. In those that do, gatekeepers have different ranks, experience and locations. Some are located in the CPS and others are based in police stations.

We heard a wide range of views about the gatekeeper role. Our police focus groups told us that relationships with the gatekeeper vary. Some officers felt it was harder to get a file approved by the gatekeeper than to get a CPS decision. There can be conflict when the gatekeeper is of a lower rank than the supervisory officer approving the file submission, and this can cause frustration.

Some officers feel that the gatekeeper role is a sticking plaster for the fact that not all supervisors know if a file is good enough for CPS review. One police force redeployed their gatekeeper to train and develop supervisors, rather than allow the gatekeeper to assess all the files. One investigator told us: "The role of the gatekeeper generally is seen as useful. But then cases are subjective, and you get a list from the gatekeeper and then a different list from the lawyer. Also, submission to a gatekeeper causes delay for the victim who doesn't understand why their case had to go through all these hoops."

We were told that some gatekeepers set [action plans](#) for the police that aren't proportionate. But we also heard in some CPS Areas of the gatekeeper helping to improve police file quality and reducing the number of action plans. Some gatekeepers said they had very little input from the CPS and much of their experience came from on-the-job training. We saw evidence of gatekeepers trying to increase their visibility. And those who sit on CPS RASSO prosecutor teams feel face-to-face conversations are invaluable. Gatekeepers feel that investigators really want to have more two-way

communication with prosecutors but accept that, for logistical reasons, prosecutors can't always contact investigators.

By contrast, some prosecutor focus groups reported a good working relationship with gatekeepers. They feel that the role has improved the quality of files and gets them to the CPS more quickly. Some prosecutors report better communication with the police, as well as better files in the forces that had gatekeepers. One prosecutor described the gatekeeper as the "perfect middleman between us and the police. He can get us direct contact with the officers, which cuts back on delay". But this view wasn't universal. Some prosecutors said they saw little difference in file quality even with a gatekeeper in place.

The role of the gatekeeper can therefore be another barrier to effective joint working and doesn't always improve direct communication between the investigators and prosecutors.

On the other hand, we found that the gatekeeper role does work well in some areas. We therefore considered whether it should be recommended for all forces. However, we believe that when all parts of the system function as they should, the need for this role should diminish. The police and CPS should therefore jointly monitor the gatekeeper role and its effectiveness.

CPS case strategies and action plans

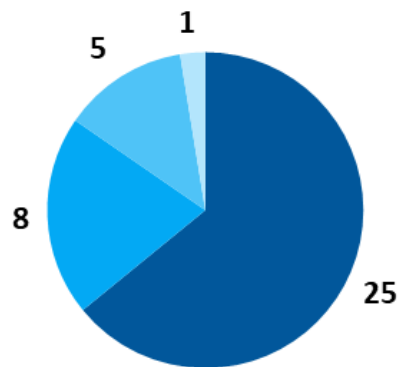
The [2019 HMCPSI rape inspection report](#) revealed problems with the quality of some CPS action plans that meant cases went back and forth between the police and the CPS. Our case file assessments revealed the same problems. The quality of the police file significantly affects this.

If the file is complete when first submitted to the CPS, the CPS shouldn't need to request further evidence in an action plan. A decision could be made then. Action plans delay decision-making. But the problem isn't just poor police file quality. The absence of a rigorous case strategy in each case, underpinned by a clear and targeted action plan that is regularly reviewed often undermines the progress of cases. The CPS needs to improve the quality of action plans sent back to the police to make sure that they are relevant and proportionate.

A case strategy sets out the prosecutor's assessment of the case and how it should be prosecuted. It can identify the potential strengths and weaknesses of a case, with details of any additional evidence that is required, and details of how any potential problems will be addressed. In our case file assessments of CPS decisions, just over half the action plans were satisfactory. This leaves a significant proportion that didn't meet the expected standard. In just over a third of the cases we also found that unrealistic deadlines were set for actions.

Our case assessment findings match concerns raised in both police and prosecutor focus groups about poor communication. We heard that requests for further work could depend on the prosecutor assigned to a case. Some are far more cautious than others and ask for much more to be done. Problems in the standard of action plans included requests to examine digital devices when they were not needed and failing to set proper parameters when some examination was required.

Figure 11: Were the lawyer’s requests for the victim’s digital communications material (such as phones, laptops or tablets, social media material) to be searched or downloaded, or other enquiries made of the complainant’s devices, necessary and proportionate and a reasonable line of enquiry?



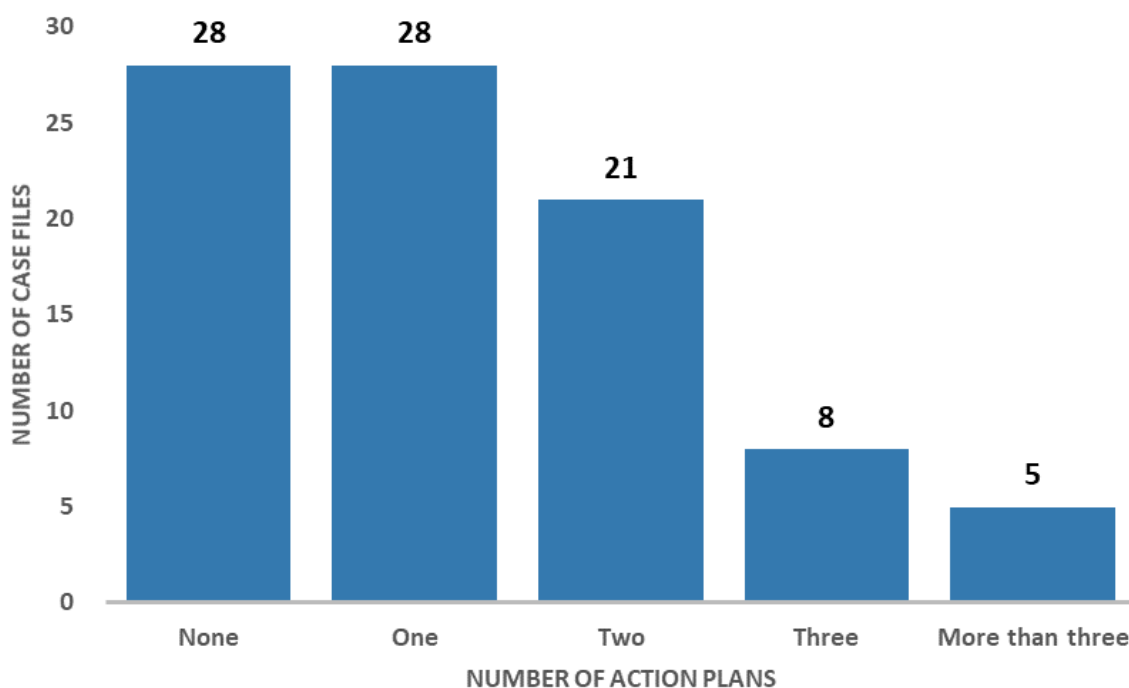
- Yes
- No, request made to examine digital devices when they did not need examination
- No, the request for examination failed to set the proper parameters for the digital device exam
- No, other

Source: Data taken from our case file review analysis (39 files)

We found that there were problems with the speed of the police response to the action plans. In the case files that resulted in a CPS decision to take no further action, the response was late in almost two thirds. In the cases that were admin finalised, the police response was late in every case.

We also found examples of cases that had multiple action plans, including a small number with more than three. Multiple action plans cause significant delays. They can result from further lines of enquiry becoming apparent as the case progresses. But they can also result from a lack of grip by prosecutors, due to a poor case strategy from the beginning. This back and forth between the police and the CPS can result in cases drifting for many months, and in some cases years, before a decision is reached. One investigator described this as “action plan ping-pong”.

Figure 12: How many action plans were there in cases where the CPS decided to take no further action?



Source: Data taken from our case file review analysis (90 files)

Our case file assessments showed that the police failed to challenge the CPS about the proportionality of requests in action plans and the time scales set in a significant number of cases.

Case study

A case of domestic abuse rape in a 23-year marriage was reported. The most recent rape was four days before the report. The police referred the case to the CPS and submitted a full electronic file on 14 February 2018. The CPS accepted the case on 24 February 2018 and at an early consultation the duty early investigative advice lawyer confirmed there was enough material for a lawyer to decide. The case would be given an appointment for a lawyer to give a comprehensive review. But the comprehensive review didn't happen for a further three months, when the reviewing lawyer sent the police a 23-point action plan. Some of the actions were unnecessary. The lawyer asked for the victim's mobile phone and social media to be interrogated. There was no suggestion that these were of any evidential relevance.

The lack of meaningful communication or understanding between the investigator and the prosecutor contributes to the problem of unnecessary action plans. We heard some examples of prosecutors and investigators discussing cases directly and resolving straightforward matters, but it is more common for cases to bounce electronically between the police and the CPS.

The police and CPS must have a healthy and collaborative relationship in their local areas, but shift and working patterns in both organisations can hamper this requirement. Although communication was better in forces with specialist investigation units, both investigators and prosecutor focus groups expressed concern at worsening communication channels. Most would welcome radically improved communication arrangements.

The negative effect of this on the victim is unacceptable. At best it causes delay, and at worst it can lead to the wrong decision being made. The [Police-CPS joint national RASSO action plan 2021](#) clearly sets out actions to promote closer joint working and identify good practice. The outcomes should be evaluated in the future.

Quality of CPS decision-making

In most cases, CPS prosecutor decisions not to charge the case were in line with the requirements set out in the Code Test. If the case does not meet the Code Test, it cannot proceed. We found that the CPS decision not to charge was correct in 87 of the 90 cases that we assessed. However, as we have discussed earlier, various factors may have led to that result that if addressed might have resulted in a different outcome.

In one of these three cases, the decision to take no action was overturned after an appeal by the victim, and the suspect was charged. In the other two, inspectors thought the prosecutors hadn't asked probing and pertinent questions about the police investigation and had decided too early to take no action. As a result of our inspection, one of these two cases has been referred by the CPS to the police for further investigation.

The negative effect on the victim cannot be underestimated. In our focus groups, ISVAs frequently referred to the need for victims to be believed. When a wrong decision is made it undermines public confidence in the criminal justice system. It can also have a long-lasting effect on the victim, their families and wider communities.

"I feel so let down and disappointed that I didn't get my day in court. There was absolutely no sense of justice."

Quote from a victim of rape

For decisions which were in line with the Code, our victim research highlighted the gap that exists between the CPS deciding to take no further action and how victims understand the reasoning behind these decisions. This has severely damaged trust in the criminal justice system.

In order to bridge this gap, we recommend that there is:

- improved communication with victims;
- better support for victims, provided by someone who has full knowledge of the case and can explain the rationale comprehensively; and
- earlier working together by the police and the CPS, so as to ensure that the details of the case are fully and jointly understood.

How myths about rape cases affect charging decisions

Prosecuting rape cases is complicated by misconceptions about rape, its perpetrators and its victims. There were cases where police and prosecutors used unsuitable language in case files. In a few cases, we found inappropriate references to myths and stereotypes about victim behaviour, and a lack of awareness of the negative effect that trauma can have on rape victims. This included negative comments where victims had engaged in casual intimate relationships, consumed alcohol or refused to hand over their mobile phones to the police. There were also a few examples of a lack of consideration of the effects of controlling and coercive behaviour on the victim.

Case study

The victim had been in a short relationship with the suspect. A neighbour called the police because they were concerned for the victim's safety. When the police arrived, the suspect ran away. The victim had injuries to her neck. While the police were taking details about the assault, the victim disclosed being raped on several occasions by the suspect. In reviewing the case, the prosecutor suggested that because the victim didn't react with angry shouting on the fourth occasion when she was raped, a jury might have difficulty accepting her account.

We have not made a recommendation in relation to this, as it is addressed both in the new CPS legal guidance, and in the [Police-CPS joint national RASSO action plan 2021](#).

Police investigators and prosecutors told us that domestic abuse accounts for a significant proportion of the rape cases that they deal with. In half of the CPS cases we assessed, the suspect was an intimate partner of the victim.

We were told in our focus groups with investigators and ISVAs that the police and prosecutors placed too much focus on what the victim was, or was not, doing rather than on the actions and behaviours of the suspect.

"I felt more like they were investigating me. I just thought, 'Why am I the one that is being judged?' After a while, I kind of lost faith. They even described the [suspect] as 'an upstanding member of society'."

Quote from a victim of rape

Case study

The victim had been out drinking with friends, and later recalled being in a taxi with a man. She was found distressed on her doorstep and the police and ambulance service were called. The victim provided her account to the police the next day.

In interview, the suspect told the police that sex had occurred in the taxi and that it was consensual. He said he had only one drink that evening. He noticed the victim was unsteady on her feet and had been helped outside by the nightclub staff. The suspect said he recognised the victim as they were friends and he went outside to see if she was ok. He ordered them a taxi to share. The suspect said that in the taxi it was the victim who initiated sex.

As part of the investigation, the police obtained the victim's school records, medical and counselling notes, but didn't properly investigate the suspect's account. The CPS also failed to recognise outstanding lines of enquiry and decided not to charge the case.

Since our review, this file has been referred to the CPS, who have advised the police to conduct further lines of enquiry.

The crime of rape is unique in this respect. In no other crime type is the focus on the victim to such an extent; usually it is on the suspect. In our case files, we saw examples of victims who experienced detailed and personal questioning and searches, who gave up their phones (sometimes for 10 months or more), and whose medical records, therapy records and sexual histories were reviewed in minute detail. The approach towards the suspect tends to be somewhat different, with far less intrusion. The effect of this approach on all rape victims is unjust. It undermines public confidence and reinforces perceived barriers to accessing the criminal justice system. This mindset must change away from finding areas or elements that may weaken the case, and instead towards problem-solving to build strong cases from the outset.

We welcome the new CPS legal guidance. It recognises that technological advances and changes in sexual behaviours increase the risk that myths and stereotypes will arise in rape cases. It also recognises that they should play no part in the prosecutors' decision-making. The guidance suggests ways to address these problems.

The [Police-CPS joint national RASSO action plan 2021](#) also establishes actions to improve and support prosecutors' and investigators' understanding of trauma and, for example, how it may affect a victim's recollection of events. The guidance and action plan could improve decision-making and make prosecutors better informed and empathetic to victims who have suffered trauma. In turn, this should improve outcomes for victims of rape. We therefore make no additional recommendations in this area. However, whether these improvements occur remains to be seen and will need to be assessed.

Timeliness of case progression

“It put my life on hold, I couldn’t move on. I felt like I was the one in prison.”

Quote from a victim of rape

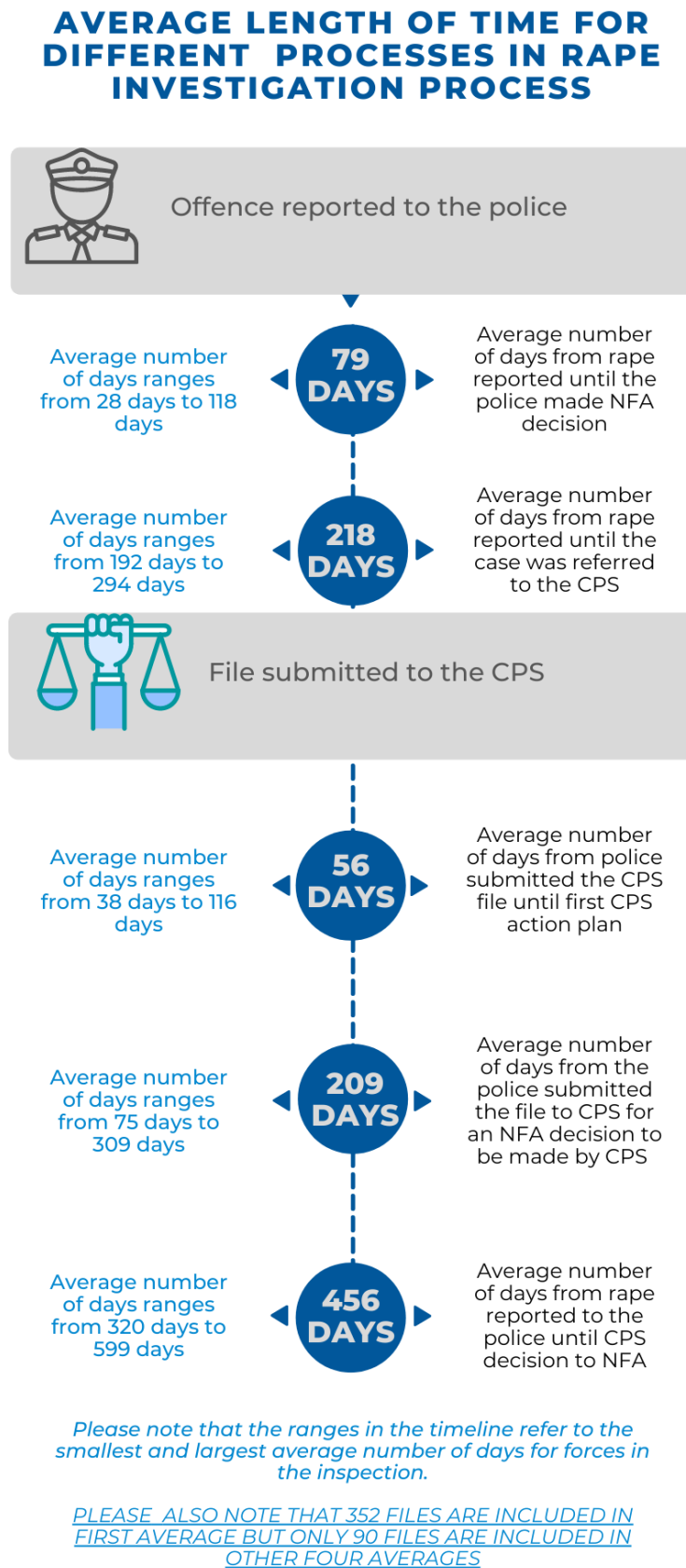
Unacceptable delay is a constant theme throughout this inspection. Previous reports have also highlighted the need to reduce excessive delays, so it is frustrating that so little progress has been made and delay remains one of the main problems.

Figure 13 shows the average length of time and the range among different police forces and CPS Areas at each stage of the process, based on our case file assessments.

Our case file assessments showed that the average number of days between a victim reporting a rape and the police decision to take no further action is 79 days. The average number of days between reporting a rape and the police referring the case to the CPS is 218 days. The average number of days between reporting a rape and the CPS decision to take no further action is 456 days.

The CPS and police must work to remove all unnecessary and avoidable delays. Until this aspect is prioritised, the way cases are handled and the outcomes for the public will not improve.

Figure 13: Timeline showing the average (mean) length of times for different stages in the rape investigation process



Case study

In 2016, the victim reported to police several rapes by a previous partner dating back to between 2011 and 2013.

The case was first referred to the CPS in March 2017 and a prompt action plan provided. No material was submitted by the police for six months and the case was recorded as 'admin finalised'.

A year later, the police re-submitted the file and the case was reactivated. The prosecutor returned another necessary long action plan. Limited material was submitted, and the case was admin finalised for a second time because the police didn't respond to the action plan.

In 2019, the police submitted the case again, with considerably more material, in response to the request in the action plan sent in 2018. The prosecutor provided another, very detailed action plan. Although some material was submitted, the prosecutor thought more information was needed. Two more action plans are provided to the police. The case was admin finalised for a third time after the police failed to respond. The case was eventually finalised by the police four years after the report.

The delays were caused by a combination of the poor quality of the police file and a lack of response to action plans, as well as some disproportionate requests by the prosecutor. The delays may also have been compounded by the lack of communication between the police and the CPS, as regular updates and reviews did not take place.

As we have highlighted in this report, the lack of effective communication between the investigator and the prosecutor, and the absence of accountability, are among the main factors causing delay.

Delays in investigation

"They took my phone for evidence and instead gave me a £10 phone. I asked them when I would get it back and they said 12 to 16 weeks ... they gave it back two years later ... All my family contacts were in my original phone, and they had no way of contacting me"

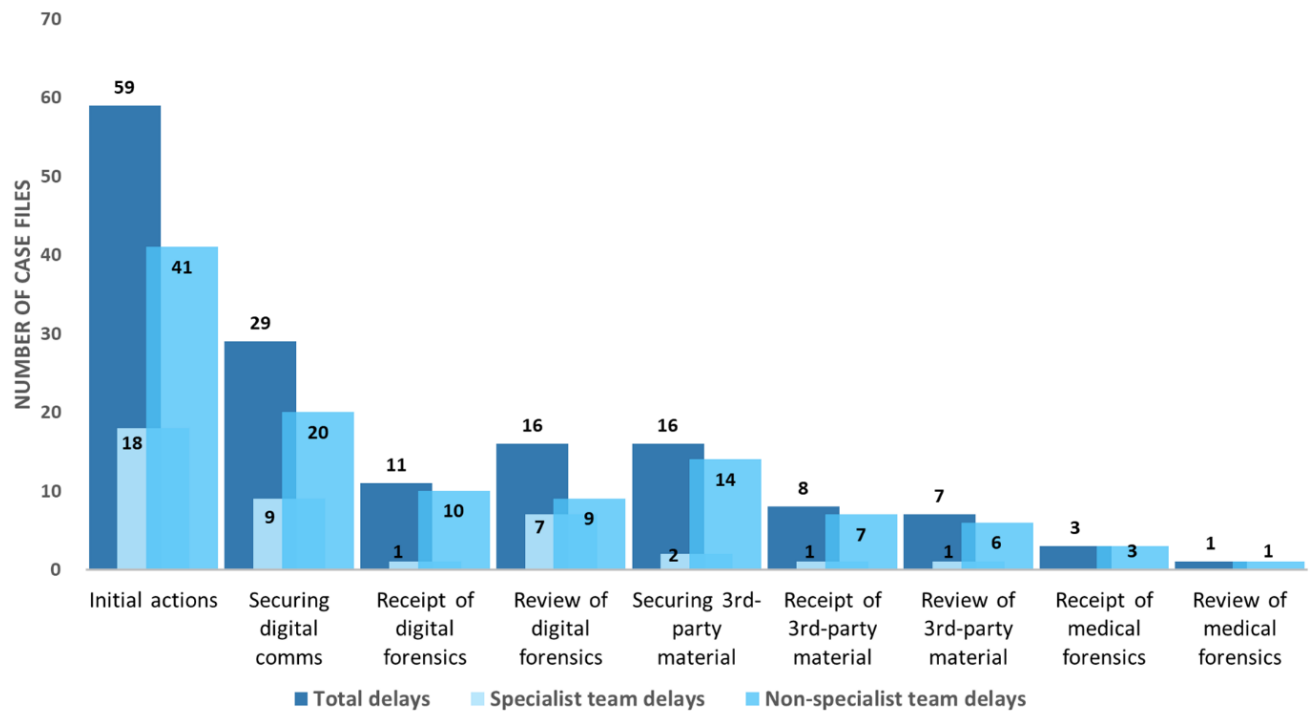
Quote from a victim of rape

Investigations can be delayed by having to get third-party material, medical records and digital media² from the suspect, witnesses and the victim. And delays often happen when material is requested, then when it is sent, and again when it is reviewed. Because some rape investigations may involve a range of factors, this information is often needed before a decision can be made. The chart below shows causes of delay in the investigation from our case file reviews.

² We note and welcome the commitment in the Government Rape Review to ensuring victims are not deprived of phones for longer than 24 hours.

We found that there were fewer delays where cases were investigated by specialist teams. It is notable that delays in analysing digital material are not the only cause of delays in the cases we assessed. We saw that the initial actions, which included a combination of securing forensic opportunities, CCTV and identifying key witnesses also contributed to the timeliness of investigations. This supports our finding that initial contact between the parties, and a proactive approach by investigators and prosecutors throughout, would address the excessive delays that occur with all too concerning frequency. This, in turn, would promote better outcomes.

Figure 14: Causes of delay in reaching the police decision to take no further action



Source: Data taken from our case file review analysis (352 files were reviewed for delays: 173 from specialist teams and 179 cases from non-specialist teams where police made decision to take no further action)

Case study

In June 2018, the victim reported being raped in 2017 by her then partner. The victim indicated that the suspect had recorded the attack on his phone. There was a good first police response and the victim’s evidence was recorded on video. The suspect was arrested and evidence from the victim’s phone was downloaded the same day the report was made. But the phone download wasn’t reviewed by the police until six months later. It took 10 months for counselling notes to be obtained. The matter was sent to the force’s RASSO gatekeeper in April 2019 and sent to the CPS in May 2019. The CPS decided in September 2019 that there wasn’t enough evidence to proceed to charge.

We heard that there was a lack of understanding of what could be obtained by both the CPS and the police. This included senior officers and CPS prosecutors asking for full downloads of phones when it was neither reasonable nor proportionate. We were encouraged that one force (Hampshire) had provided training for prosecutors on the level of digital media download needed to make sure requests are proportionate and targeted. Even so, the data from one phone download can be considerable. Sometimes specialist analysts need to examine the data, but these specialists also have difficulty dealing with demand.

Often there seemed to be no explanation for delays in the investigation. It could be the result of individual investigators and supervisors being unable to manage high workloads. This is compounded if investigators are inexperienced or don't have the right skills and training.

In the forces we inspected, the average time to a police decision to take no further action ranged from 28 to 114 days (see Figure 11). We saw less delay in decisions in forces with specialist teams. This inconsistency is unacceptable.

Table 1: Average time to police no further action decision: comparisons for force groups

	Specialist team	Non-specialist team	Total average
Average time	49 days	108 days	79 days

Delays in CPS advice and decisions

CPS decisions to take no further action aren't always made quickly. We found it took an average of 209 days to decide after the first file submission from the police, ranging from 75 days in one CPS Area to 309 days in another.

Cases can be complex, but we saw evidence of simple cases taking an unnecessarily long time to reach a conclusion. This is unfair to the victim and adds to their distress. Victims are left with no idea of the likely time scales, or end in sight. This also undermines trust in the system.

“When I had initially reported, I was told that it could take up to a year. It took a year and a half. I was told we haven't got any further. I was not prepared for that.”

Quote from a victim of rape

In some cases, we found delays at every stage of the life of the case once it arrived at the CPS, from triage, to allocation and pre-charge decision. Often there was no recorded explanation for these delays.

Prosecutors told us it is difficult to balance the demands on their time. They must deal with cases that are already in the court process alongside reviewing newly allocated pre-charge advice.

All these delays affect the victim. There are many understandable reasons why victims may disengage with the police. The passage of time and unnecessary delays in the process no doubt adds to this withdrawal of support.

“It all took longer than expected and it made me feel like I was the guilty one, or that they didn’t believe me, because it was taking so long. And that’s had an impact on my inability to come to terms with the fact that it was rape.”

Quote from a victim of rape

We note the emerging findings from Project Bluestone, which aims to transform the police response to rape and sexual offences. This includes the importance of shifting to an offender-focused investigation, and the commitments in respect in the Government’s Rape Review. We welcome this approach as one way of helping to redress the perceived imbalance that many victims told us they felt as their cases were investigated and prosecuted.

Recommendation 4

Immediately, police forces and CPS Areas should work together at a local level to prioritise action to improve the effectiveness of case strategies and action plans, with rigorous target and review dates and a clear escalation and performance management process. The NPCC lead for adult sexual offences and the CPS lead should provide a national framework to help embed this activity.

‘Admin finalised’ cases

If the CPS sends the police an action plan for further work and there is no response for three months, the CPS has a process to mark the case on the CPS case management system as ‘admin finalised’. The CPS is required to make efforts to contact the police at several stages before taking this step. This is purely a CPS housekeeping function and means that no decision has been taken by the CPS. The case can easily be reactivated after admin finalisation once the police are ready to respond to the action plan, but a considerable delay is likely to have occurred by this stage, which may affect the prospects of success.

In recent years, there has been an increase in the number of cases that have been admin finalised by the CPS. Rape cases take longer to investigate and are more complex than most other types of criminal investigation and so are more likely to result in ‘admin finalisation’.

The [2019 HMCPSI rape inspection report](#) determined that this term is unhelpful. HMCPSI recommended that the CPS and the police should work together to develop a more effective system. But, so far, no new system has been developed. We consider that the existing process needs to change as a matter of urgency.

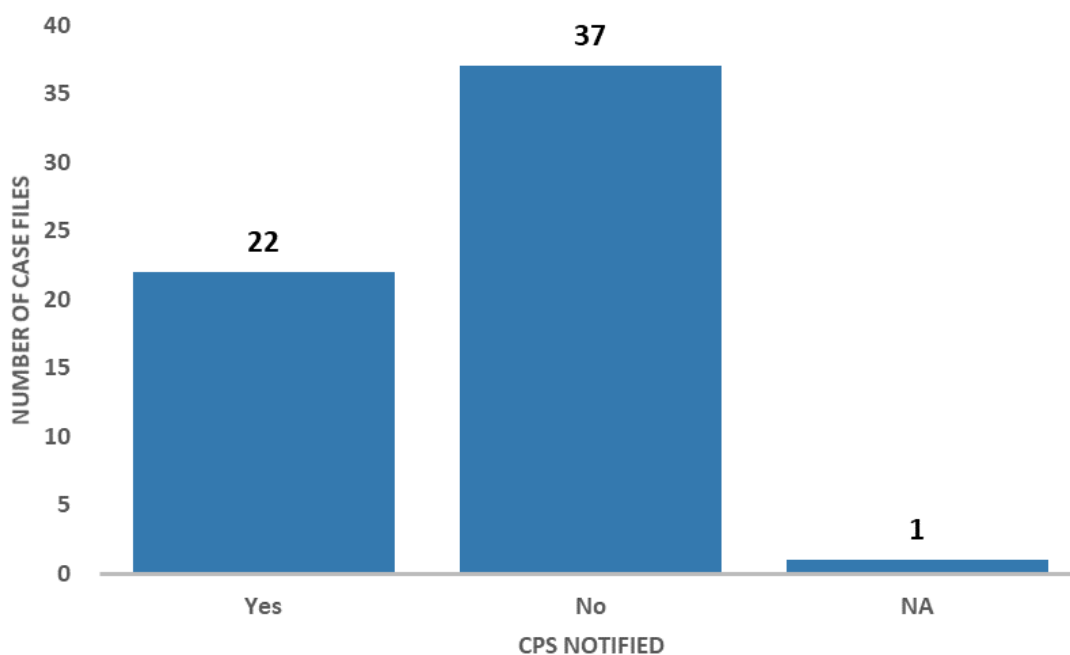
Any new process should consider a change of name to accurately reflect its function, which is to highlight cases that are still with the police but no longer actively being reviewed by the CPS. CPS RASSO teams and senior managers support this change. We are pleased that the [Police-CPS joint national RASSO action plan 2021](#) recommends reviewing the terminology and process, so that fewer cases are

admin finalised. But this isn't enough. For performance to improve on the part of both organisations, the process requires far more active management and review of action plans, coupled with greater accountability for both organisations, when progress isn't made. We make a recommendation about action plans (recommendation 4) which, if implemented, should contribute to improvements in this area.

We found the current process isn't always understood by the police and that the system works differently in various forces. In some forces the police understand that the case can be reactivated, and more evidence submitted once the outstanding enquiries have been completed. But in other forces some investigators believed that admin finalised meant a case was not to be charged.

We looked at some cases that had been recorded by the CPS as admin finalised. In more than two thirds we found that the police had later decided to take no further action. In many of these cases the police had failed to inform the CPS of their decision.

Figure 15: Is there evidence that the police notified the CPS of what action they were taking?



Source: Data taken from our case file review analysis (60 files)

In some CPS Areas, police and CPS managers regularly review these cases. Others don't, and these cases stop being monitored by the CPS and aren't actively managed by the police. We found some evidence of agreed use of the admin finalisation process.

This process and the lack of police management can significantly affect victims. It can mean victims get inaccurate information, and cases that the CPS expected to proceed are never returned to them for a charging decision. The process does nothing to improve confidence in the way that the police and the CPS work together to prosecute rape offences.

Case study

An investigation had already taken well over two years. After eight approaches to the CPS for advice, the police and the CPS agreed to admin finalise the case in March 2019. This was to allow the police to complete the investigation. The police delayed sending the victim's evidence (ABE interview) and didn't complete the action plans as requested. So repeat action plans were sent. The police decided to take no further action in November 2019, almost exactly three years after the rape was reported to the police. This case demonstrates the poor service that can be provided to victims.

Communication between the police and the CPS

When investigators and prosecutors don't communicate, cases can be delayed without good reason. And this can greatly affect the victim.

Although senior relationships between the police and the CPS are good, prosecutors and investigators often felt differently.

Previously, some prosecutors were based in police stations, and would usually provide a face-to-face consultation, but, as mentioned above, partly due to austerity measures, this has not been the case in recent years. Investigators and prosecutors told inspectors that no longer having direct access and the lack of interaction has had a negative effect on the quality of the relationships at an operational level.

We heard that communication was inconsistent. We saw specialist police investigation teams had better working relationships, helped by knowing who to contact, and by being able to have direct conversations. In most forces and CPS Areas we inspected, communication is mainly by email. Several investigators in our focus groups had never spoken directly to a prosecutor, and this lack of any relationship affected their confidence in challenging prosecutors on action plan requests and their decisions.

We heard that investigators often can't speak directly to prosecutors. Some don't know who to contact, or how. Prosecutors also told us that they found contacting investigators difficult for the same reasons, compounded by shift patterns. Gatekeeping arrangements also add a further potential barrier to this dynamic.

Relationships between CPS prosecutors and police investigators who do the day-to-day work must improve. Both parties perceive the tone of communications is often confrontational and unhelpful. We were given examples of emails written in bold capitals and red font. This tone often changes after the parties have had a conversation, whether in person, virtually or on the phone. Although all advice needs to be recorded, direct contact, whether in the form of talking or meeting, would improve working relationships and help investigators and prosecutors understand the case. Some forces and CPS Areas have recognised this problem, but there are not always ways to make contact in cases. Indirect contact tends therefore to be the norm. Getting the communication right will result in better informed and faster decision-making.

Recommendation 5

Police forces and the CPS should work together at a local level to introduce appropriate ways to build a cohesive and seamless approach. This should improve relationships, communication and understanding of the roles of each organisation.

As a minimum, the following should be included:

- considering early investigative advice in every case and recording reasons for not seeking it;
- the investigator and the reviewing prosecutor including their direct telephone and email contact details in all written communication;
- in cases referred to the CPS, a face-to-face meeting (virtual or in person) between the investigator and prosecutor before deciding to take no further action; and
- a clear escalation pathway available to both the police and the CPS in cases where the parties don't agree with decisions, subject to regular reviews to check effectiveness, and local results.

Communication with the victim and appeals

Keeping the victim informed of the progress of their investigation

All victims of rape have the right to be informed about their investigation.

The [*Code of Practice for Victims of Crime*](#) (Victims' Code) is the statutory code that sets out the minimum level of service victims should expect. The Victims' Code sets out entitlements, including:

- provision of information when reporting the crime;
- referral to victim support services and to have services and support tailored to their needs;
- information about the investigation and prosecution; and
- information about the outcome of the case and any appeals.

Our commissioned research revealed that most victims were negative about the quality of police communication. They told our researchers that they were dissatisfied with the amount, type and timeliness of communication from police. And the frequency and quality of contact tended to get worse as the investigation went on. Some victims felt they had to do 'all the chasing' to get updates. This caused victims to feel unsupported and increased their anxiety and uncertainty.

"They didn't really update me a lot, so I wasn't sure what was going on. There was a month where I was waiting to find out the outcome and they only got in touch once or twice."

Quote from a victim of rape

A few victims were more positive. They valued having single police contact and said that the police explained the process well and were available when needed.

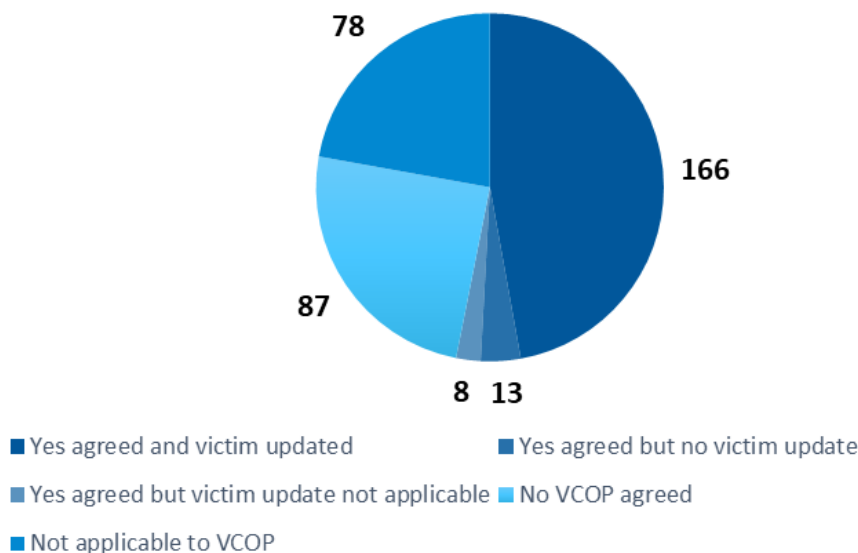
"I think it was explained well. They told me what they were doing next and what had been done. It was all done over telephone. The officer did say I could ring her at any time."

Quote from a victim of rape

The police and the victim should make sure that they agree a contract for how often and by which method they will be in touch. This may include a victim being updated by phone, in person, text or email or even by a third party. Some victims may ask for regular contact, others may prefer only being contacted with new information.

We were pleased to see that, in nearly all the cases we reviewed, the police were good at keeping the victim informed throughout the investigation when a contract was in place. But in just under a third of cases, there was no evidence that a contract had been agreed.

Figure 16: Was there evidence that a contract had been agreed, and was the victim updated in line with the contract?



Source: Data taken from our case file review analysis (352 files)

In our focus groups, investigators spoke of their difficulties in updating victims because of their caseloads. They also said it was disheartening when they were contacting victims just to tell them that there was no update, particularly when they were still waiting for digital downloads or third-party material.

The inconsistency of communication can affect the welfare of the victim and is often a cause of them withdrawing their support for the investigation.

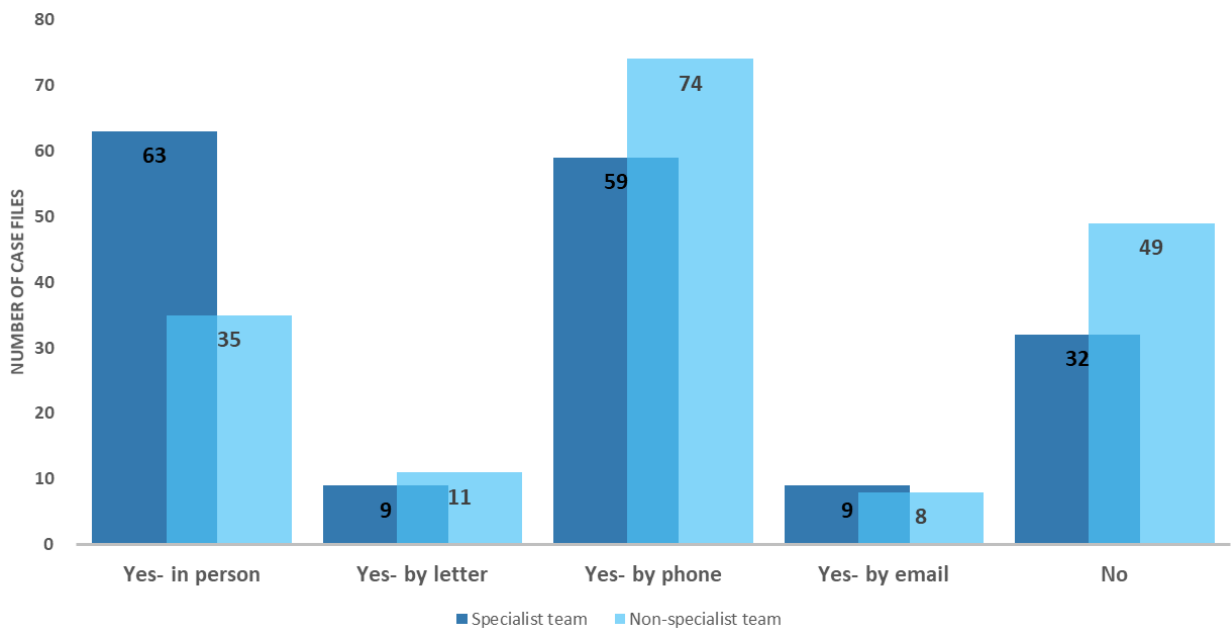
Communicating a police decision to take no further action to the victim

In focus groups, independent sexual violence adviser (ISVA) representatives stressed how important it is that decisions to take no further action are communicated sensitively to victims. The way a decision is communicated can greatly affect whether a victim understands it and can come to terms with it.

Our commissioned research showed that communication with victims about the decision is inconsistent.

Almost a quarter of the cases where the police decided not to bring charges didn't record whether the victim was told about the decision. When there was a record, we found that the method of contact was usually appropriate, especially in specialist teams.

Figure 17: Is there evidence that the police informed the victim of the decision to take no further action?



Source: Data taken from our case file review analysis (352 files were reviewed for delays: 173 from specialist teams and 179 cases from non-specialist teams where police made decision to take no further action; 3 files were not applicable and so are not included in this chart)

“My officer asked me to come to the station, which I much preferred over receiving an email or a text, which I think would have been really impersonal. She explained why the evidence wasn’t deemed to be enough ... she explained it really well. I got it. She said I could come back and go through it again if I needed to.”

Quote from a victim of rape

“I found out via a short email, with no information about how to appeal. They even spelled [suspect’s] name incorrectly – which just shows [officer’s] complete lack of care.”

Quote from a victim of rape

Communicating to the victim a CPS decision to take no further action

When the decision is made by the CPS to take no further action, they must send a letter to the victim to explain this to them. In rape cases this must happen within 24 hours of the decision being made.

“They said they would follow it up with a CPS letter. I had heard that these letters are usually really bad but mine wasn’t; it was a really extensive, seven-page letter. I felt like I was given VIP treatment because I asked questions and demanded answers.”

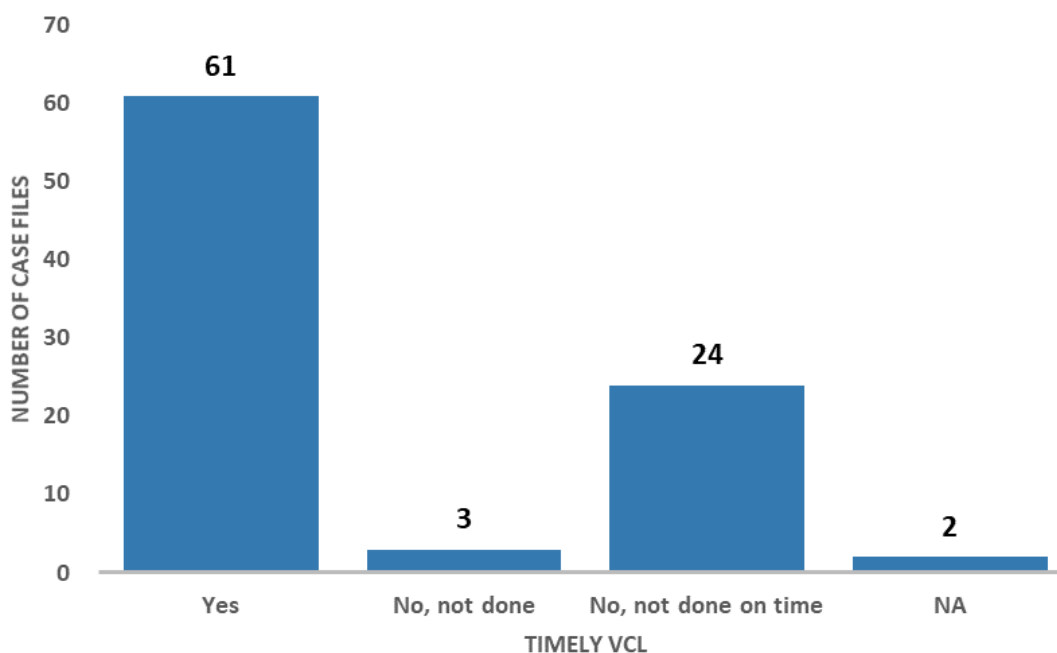
Quote from a victim of rape

“I didn’t really find out until I got a letter, which didn’t really explain anything.”

Quote from a victim of rape

In most of our case assessments (85 of 90 cases) we found that a letter was prepared but letters weren’t always prompt or of good quality. The quality of the letters was especially worrying. Only a third of them were of a high standard; the rest lacked empathy or clarity.

Figure 18: Was a timely victim care letter sent when needed?



Source: Data taken from our case file review analysis (90 files)

Although prosecutors recorded on the files that decisions were delivered appropriately, this wasn’t always the experience of the police and the victim. Police and ISVA representatives told us that CPS victim care letters were often delivered by police officers without the skills and experience to explain these difficult legal messages at this significant stage in the victim’s experience. This is also a missed opportunity to explain to the victim the legal decision and why their case cannot proceed.

Each victim is unique. We found a wide range of expertise in ISVA teams, including providing bespoke support to victims with learning difficulties, poor mental health and where English isn’t the first language. By contrast, the police and CPS don’t always seem to consider a victim’s needs and understanding, including referring them to support services. In most cases the CPS simply follows the process and sends the letter to the police for it to be delivered.

While we recognise that there are good reasons for having to deliver the letters in 24 hours, this often means the right support can’t be put in place for the victim at this significant stage.

“I was devastated. I found it very robotic. She said to me that you are not in the minority. That is the worst thing you could ever say. It didn’t make it any easier knowing that nearly every other woman who experiences this has to go through it, too.”

Quote from a victim of rape

Recommendation 6

The police and the CPS, in consultation with commissioned and non-commissioned services and advocates, and victims, should review the current process for communicating to victims the fact that a decision to take no further action has been made. They should implement any changes needed so that these difficult messages are conveyed in a timely way that best suits the victims’ needs.

Police appeals of CPS decisions

The police can appeal a CPS decision to take no further action and these appeals are considered locally. There is no national data to show how many cases the police appeal. In ten of the cases we assessed the police appealed the decision and were successful in two of them. We found inconsistencies in how well the system works. Some police officers are content with the appeals process, but others think it is ineffective and not used enough.

It is important that there is confidence in the appeal process if it is to be effective and give victims the best service by making sure the right decisions are reached. The police and the CPS need to work together to make sure the appeals process is independent of the initial decision-making and that their internal processes don’t undermine it.

Victim appeals of police or CPS decisions (Victims’ Right to Review)

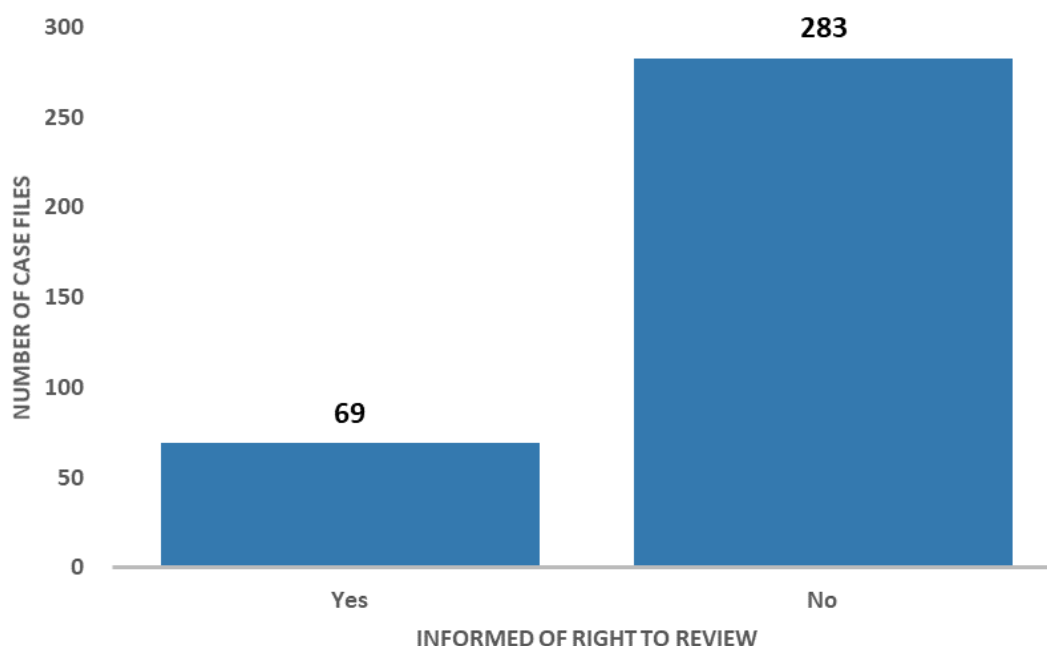
“They said I could appeal it, but I didn’t feel like I wanted to. I had lost faith, to be honest.”

Quote from a victim of rape

The [Victims’ Right to Review scheme](#) means victims can seek a review of a police or CPS decision not to bring charges. The scheme was introduced in June 2013 for CPS decisions and extended to cover police decisions in April 2015.

In nearly three quarters of the cases where the police had decided to take no further action there was no record that the victim had been informed of their right to have the decision reviewed. It is a requirement under the Victims’ Code that victims are told about this right. There is no data to show how many police decisions are appealed by victims, so we don’t know how often this right is exercised.

Figure 19: Is there evidence that the victim was informed of their right to review when informed of the police decision to take no further action?



Source: Data taken from our case file review analysis (352 files)

Recommendation 7

Police forces should ensure investigators understand that victims are entitled to have police decisions not to charge reviewed under the Victims' Right to Review scheme and should periodically review levels of take-up.

Most CPS letters to the victim did refer to the Victim's Right to Review Scheme. If the right to review is exercised after a CPS decision not to charge, it is first considered at a local CPS Area. It can be escalated by the victim if there is no satisfactory resolution. As with police appeals of CPS decisions, police and ISVA representatives expressed concerns in some CPS Areas about the independence of these reviews. Again, the CPS must satisfy themselves that their local processes allow for an independent review.

After the local resolution stage, a case can be escalated to the national CPS Appeals and Review Unit to consider. This team will thoroughly and independently review the case and seek more evidence if needed. Records are kept about the numbers of cases that the national unit considers and the outcomes, but figures can't be broken down specifically for adult rape offences.

Governance and leadership

National governance

Everyone we spoke with during our inspection told us that there was a strong desire throughout the criminal justice system to drive improvements for rape victims. We found that there is much work being done at a national level. But the landscape is very crowded, with many different stakeholders and interested parties. No single organisation is accountable and there is no coherent strategy in place for all those involved in making improvements. This is unhelpful. Each organisation responds in isolation with little or no consideration of how this affects other parts of the system.

Over the past 20 years, there have been many reports and reviews looking at the national picture of rape, including why so many rape cases do not progress to prosecution, or successful outcomes and the experience of victims.

[Baroness Stern's review in 2009](#) took as its starting point 'the pathway a complainant would take, from the initial reporting of a rape to the court case'. It also looked at the wider policy matters, including misunderstandings and myths about rape that are prevalent in society.

In 2010, the role of the health services was explored ([Responding to violence against women and children – the role of the NHS](#)). This provided a disturbing picture of the negative effect of long-term physical and sexual violence on health.

In 2012 the joint inspection thematic rape review, [Forging the links: rape investigation and prosecution](#), called for action "not only to maintain and improve the victim experience of the criminal justice system but to identify strategies to manage increasing numbers of cases and ensure that the response of police and prosecutors is robust and effective".

The 2015 [Joint CPS and police action plan on rape](#) found the need for proper understanding of the legislation in relation to consent. Police and prosecutors were urged to focus on the behaviour of the accused, not the victim, and the existence of pervasive myths among police, prosecutors and society as a whole that were a barrier to justice for vulnerable victims. There was an urgent need to change the rules on disclosure in relation to rape, and to reject myths and stereotypes.

Dame Elish Angiolini's [Report of the independent review into the investigation and prosecution of rape in London](#) (2015) included the recommendations that the police and the CPS develop a strategy to ensure policy and guidance is published in a way that practitioners can access and absorb, and that specialist police officers should deal with rape cases.

The 2018 CPS report [Rape and serious sexual offence prosecutions](#) assessed disclosure of unused material ahead of trial, leading to the National Disclosure Improvement Plan.

In 2019, MOPAC's report [The London rape review: a review of cases from 2016](#), focused on reasons why victims withdraw from the process, victim outcomes and how the investigation by the police may affect different outcomes for victims and the progression of rape cases through the criminal justice system. The key findings were intended to address how the criminal justice system can work to improve experiences and outcomes for victims.

The 2020 report [Decriminalisation of rape: why the justice system is failing rape survivors and what needs to change](#) (Centre for Women's Justice, ERAW coalition, Imkaan and Rape Crisis England & Wales) made recommendations that include the need for a Ministerial lead on rape, wrap-around victim support, and clear specialisms for police and the CPS working within rape.

The recent 2021 Dorrian review, [Improving the management of sexual offence cases](#), included recommendations to create a specialist court and use of independent legal representation for victims.

These examples are but a fraction of the extensive work and recommendations that have been published for rape, serious sexual offences and the issue of disclosure. We cannot lose sight that improvements have been made in some respects, but the pace of change has been too slow, and the scale of the problems remain.

Lack of clear accountability at government level

There are various contributory parts and understandably this area has been the focus of a great deal of ministerial and departmental interest and involvement. The Home Office, the Ministry of Justice, the Prime Minister's Implementation Unit and the Attorney General's Office all have a role in holding the different parts of the criminal justice system to account, and we found multiple action plans and strategies (at national and local levels) aimed at improving the police and CPS response to rape. But no single person or organisation co-ordinates all the strands to provide oversight and accountability for the overall problem. The current system is therefore fragmented.³

Without any central governance, the drive for consistent and continuous improvement will be both slow and difficult to sustain.

The problems inherent in shared governance are clearly shown in Government Rape Review of the criminal justice response to rape. This review was commissioned by the Government in spring 2019 with the aim of addressing the decline in, and concern about, outcomes for rape victims. The review was a joint piece of work involving the Ministry of Justice and the Home Office, with three different Ministers with

³ Our concern about the lack of oversight throughout the criminal justice system has been echoed by several charities representing rape victims. The 2020 report, [Decriminalisation of rape: why the justice system is failing rape survivors and what needs to change](#), recommends that there is 'A new designated Ministerial lead on rape'.

responsibility for different aspects of it. The [2019 HMCP SI rape inspection report](#) was commissioned as part of this review and was published in December 2019.

The overall Government review was due to be concluded in March 2020. In December 2020, it was announced that publication of the report would be further delayed. At the time we inspected, the review had not been completed.

The Government Rape Review was finally published in June 2021. It sets out the Government's plan for achieving change in rape outcomes throughout the criminal justice system. The Minister for Crime and Policing has now been appointed as the lead minister for implementation of this Rape Review, with the aim of driving forward actions through a monthly Criminal Justice Board Taskforce to encourage closer collaboration between all key leaders from throughout the criminal justice system. The priorities include an increase in the number of rape cases being referred by police, charged by the CPS, to achieve levels of cases that go to court similar to those in 2016.

The review also sets out a commitment to publish regular scorecards, showing how the whole system is performing to provide transparency and accountability. The framework is not yet in place which will explain how each part of the system will be held accountable. There is a lack of detail in relation to how improvements will be achieved and measured. Clarity in relation to both of these aspects is needed immediately to encourage trust and confidence in any proposed reforms.

Although publication of the rape review is a positive development, it is too early to assess its effect of this appointment. We will continue to work with the Government departments as they develop ideas to address findings from both the Government review and this joint thematic inspection.

We recognise that the separate parts of the criminal justice system need to be independent. But the system must work effectively as a whole to secure and sustain improvements for victims.

To be effective and drive improvements, new arrangements from all parts of the criminal justice system should be jointly scrutinised and held to account. There should be an effective process for getting all organisations to comply.

Recommendation 8

The National Criminal Justice Board should review the existing statutory governance arrangements for rape and instigate swift reform, taking into account the findings from this report and from the Government Rape Review. The recent appointment of the Minister for Crime and Policing to lead the implementation of the Rape Review should make sure that there is sustained oversight and accountability throughout the whole criminal justice system, sufficient resourcing for the capacity and capability required, and improved outcomes for victims. To support this, a clear oversight framework, escalation processes and scrutiny need to be in place immediately.

Impact of resources

Austerity has forced the police and the CPS to make difficult decisions about where to prioritise resources. We were told that this led the police and the CPS to 'look inwards', and not always fully consider the wider implications of the choices they made for victims or other criminal justice partners.

In some police forces these choices have included reducing or getting rid entirely of specialist rape and serious sexual assault (RASSO) teams, although a few forces have stated that these structural changes have been in line with planned changes to their operating models, which are based on multi-functional teams. Similarly, the CPS has also needed to adapt, and reductions in legal resources have in some cases led to the withdrawal of prosecutors from their work in police stations. Many people told us that these changes have adversely affected the relationships between the prosecutors and the police investigators.

National rape strategies, policies and plans

We found that the police and the CPS are committed to improving their strategies for handling rape cases. Both organisations have appointed people to lead on rape nationally. The police have a [National Police Chiefs' Council \(NPCC\)](#) lead for adult sexual offences. The CPS has both legal and policy leads at its headquarters and a chief Crown prosecutor responsible for rape.

Negative media headlines and a judicial review of CPS policy regarding rape have added pressure. It is to the credit of both organisations that, despite the difficulties, they agreed an ambitious [Police-CPS joint national RASSO action plan 2021](#). This was influenced by several recommendations in the [2019 HMCPSI rape inspection report](#). The plan has 32 actions setting out how the police and CPS will work together to improve their joint response to rape cases in the next three years. This plan was at an early stage at the time of our inspection and its full effects won't be seen for some time.

The police and the CPS accept that different local structures and practices make it more difficult to put the plan into practice. Senior responsible officers are named in the report and there is a governance structure involving the most senior police and CPS representatives on its joint operational improvement board. The plan will need to be evaluated in the future.

The shared commitment to improve must be maintained if these organisations are to change. Although there is much work being done locally and nationally, we can't say that this is enough. A cultural shift in the mindset, approach and collaboration between the two organisations must be achieved before any other changes can have a positive effect. It will be some time before the victim's experience improves.

CPS RASSO strategy 2025

In July 2020, the CPS published [Rape and serious sexual offences strategy 2025](#), which sets out the CPS strategy for dealing with rape for the next five years. In October 2020 it published new legal guidance after public consultation.

But some national policies and guidance still need to be updated.

Getting the policy and guidance documents right are only the first steps in driving improvement. They must also be well communicated, well understood and followed by operational officers and prosecutors.

CPS rape policy 2012

Although the CPS has published new legal guidance, the [CPS policy for prosecuting cases of rape](#) hasn't changed since 2012. This policy should explain how the CPS deals with allegations of rape. It is designed mainly for people who support victims, whether professionally or personally. But the version posted on the CPS website isn't up to date. Worryingly, it doesn't mention the [Victims' Right to Review scheme](#), which was introduced in 2013.

Misinformation fails victims and those who support them. Victims have a right to accurate information to inform their decisions. The CPS failure to make sure this public document is correct may significantly affect public confidence in the service.

Recommendation 9

Immediately, the CPS should review and update the information on the policy for prosecuting cases of rape that is available to the public. The information provided about how the CPS deals with cases of rape must be accurate. Victims and those who support them must be able to rely on the information provided to inform their decisions.

Police-CPS rape protocol

The [joint police and CPS national protocol](#) (the rape protocol) for investigating and prosecuting rape cases hasn't been updated since 2015. The 2021 joint RASSO action plan includes an action to update this protocol.

ACPO 2010 Guidance

The police guidance for operational officers, [ACPO \(2010\) Guidance on investigating and prosecuting rape](#), is even more outdated. It refers to outdated policies and has many withdrawn sections. This is a public document, but it doesn't reflect the current situation.

Worryingly, the guidance on disclosure and CPS charging is significantly outdated. Investigators need to have accurate, up-to-date guidance that has been checked against other sources of guidance. There needs to be cross-referencing of related guidance from internal and external sources, including the CPS. It is vital that police investigators and supervisors have access to current guidance so that rape cases are progressed effectively. Only then can investigators provide the best possible service to victims. Victims must be confident that cases are managed by well-informed investigators.

Recommendation 10

Immediately, the College of Policing and the NPCC lead for adult sexual offences should review the 2010 ACPO guidance on the investigation of rape in consultation with the CPS. The information contained in available guidance must be current to inform effective investigations of rape and provide the best service to victims.

Local governance

The police forces that we inspected are evidently focused on supporting and improving outcomes for victims, and on protecting vulnerable people. All eight of the police forces we inspected include sexual offences as a priority in their police and crime plans. In most plans, sexual offences are defined more widely than rape. But we can't say whether the objectives in the police and crime plans translate into improvements for victims of rape. We found that relationships between senior staff in both the police and the local CPS Area were good. They are committed to working together to understand current performance and what factors affect rape cases.

We saw that both the police and the CPS have frameworks in place for performance. Senior managers from both organisations review performance separately and together. But these structures often have a narrow focus and are fragmented. There were different approaches and frequency of meetings between forces and CPS Areas. One senior police officer told us: "We could spend all the time talking and not actually getting anything done."

We saw evidence of improvement plans in some police forces. But they had often been implemented only recently and hadn't yet improved outcomes for victims.

Scrutiny panels can consist of representatives from the police, CPS and other agencies. The aim of the panel is to critically examine a case and ensure that lessons are learned, leading to positive change when conducting future investigations.

We found very limited use of scrutiny panels for cases where the police or the CPS had decided to take no further action in relation to rape reports. We saw one example of police and CPS decisions to take no further action being discussed, but this was limited to specific themes, such as mental health, youth offenders and child sexual exploitation.

Where we did find robust processes, these panels tended to focus on unsuccessful court cases rather than ones that didn't have enough evidence for prosecution. We think that this is a missed opportunity and will re-visit the use of panels in our next inspection phase.

We were told about other initiatives that were planned to gather feedback from victims about their experience. One force had recently applied for funding for a victim advocate specifically to provide this victim feedback to the police. A second force had engaged with the ISVAs to find out about the victim's experience as the case progressed. Both initiatives were new, so their effect couldn't be assessed.

Those in the criminal justice system who work directly with victims must listen to them. Only then can they improve the victim's experience.

Resources and demand

We saw reports of rape being handled in different ways. There are many different operating models that the police deploy to discharge their responsibility to investigate rape. All eight of the forces inspected did things differently. The models ranged from specialist investigative teams that deal purely with adult rape and serious sexual offences, to 'omni-competent' teams with detectives investigating the full range of crime types from rape to robbery. The universal message was that specialist police rape teams are best equipped for this role and can provide the best service to victims. In forces without a specialist team, senior officers expressed regret when they couldn't provide a specialist service. This was mainly down to resources and driven by a need for resilience to meet demand.

Senior police officers told us about the change in the public's expectations of the police service's role, due to the huge increase in crimes affecting vulnerable victims and their often complex needs, which includes rape and serious sexual offences.

In our focus groups, investigators spoke passionately about their roles, and with dedication and commitment. In specialist teams, almost all investigators told us they had chosen to work in this field and had a real interest and commitment to their cases. But investigators from forces without a specialist team said some colleagues, including supervisors, "didn't have the heart" for rape investigations, which may affect the service given to victims.

By contrast, since 2013, every CPS Area has a rape and serious sexual offences unit (RASSO), which deals with all rape and serious sexual offences including both adult and child victims. These RASSO units are staffed by specialist prosecutors and operational managers who demonstrated the same dedication and commitment as their police colleagues. We have found that the CPS RASSO unit is a good operating model, although we have highlighted some of the shortcomings we found, and in the smaller CPS Areas strategic managers are also responsible for complex casework units. The dual role is challenging for these strategic managers and the CPS should consider whether it provides an optimum service for these critical areas of activity.

We heard that all police teams and some CPS RASSO units had several vacancies and weren't fully resourced.

Dealing with workloads

Many police investigators and CPS RASSO prosecutors spoke of high workloads and levels of stress.

In some CPS Areas, legal managers don't feel they have adequate prosecutor resources for the analysis needed for large and complex cases. They also expressed concern about prosecutor welfare caused by demanding and complex caseloads.

A senior CPS legal manager said: "We would like to see an increase in resource. We need expertise; this cannot be grown overnight. Skilled workers who can deal with the most vulnerable victims, and very complicated enquiries. This work is all about people, it's about people's lives and it takes a very particular skill set to build these cases".

Some investigators told inspectors of being unable to sleep, and constantly worrying about cases. The extent to which investigators felt well supported by senior managers varied. Some said the pressures they face aren't always recognised, although nearly all investigators we spoke with in our focus groups knew how to get welfare support.

It was apparent that all the investigators we spoke with are driven to do their very best. But they often don't have enough time to investigate thoroughly because of their caseloads. We heard that a priority investigation would be well resourced until the next priority investigation, resulting in diminished resources and delays. One investigator told inspectors, "A serious job may come in and we allocate resources, but by day three that job is no longer a priority because of other jobs that have come in".

Our research with victims showed that their experience is affected by these resource and demand problems. They result in long waiting times and a lack of communication, leaving victims feeling disappointed, unsafe and as though their lives are on hold.

"[The police need to] Take immediate action. It is too long of a process. I wasn't leaving the house for months on end because I was so scared for my life"

Quote from victim of rape

Lack of detectives

Forces recognise the difficulties of recruiting and keeping detectives and are exploring ways of enhancing resources, including through direct detective recruitment.

Uniformed officers told us they are reluctant to take a detective role, citing less attractive shift patterns, high-risk cases and, in some roles, financial loss. One force had given detectives a financial bonus, but it didn't know whether that incentive would be repeated. The national increase in police officer numbers was seen as positive. But more needs to be done to promote the detective role.

The investigation of rape is often complex, and victims deserve that those investigators responsible for their case have the skills and are given the time to investigate effectively.

Recommendation 11

The Home Office should undertake an urgent review of the role of the detective constable. This should identify appropriate incentives, career progression and support for police officer and police staff investigators to encourage this career path. It should include specific recommendations to ensure there is adequate capacity and capability in every force to investigate rape cases thoroughly and effectively.

We note the emerging findings from Project Bluestone that relate to the importance of officer well-being and support in attaining positive outcomes, and we encourage the Home Office to consider this as part of their review from this recommendation.

Training and continuous professional development

Police training

“I think more training needs to be made available to police officers who deal with these types of cases, and to make sure they specialise in them, rather than working across all sorts of different cases. How are they supposed to appreciate the gravity of the situation if they’re also dealing with drug raids, drunk and disorderly etc. It requires a specific skillset to work with someone who has been traumatised in this way. It’s so nuanced.”

Quote from a victim of rape

The College of Policing sets standards in professional development, including codes of practice and regulations, to ensure consistency throughout the 43 forces in England and Wales. Its aim is to provide those working in policing with the skills and knowledge necessary to prevent crime, protect the public and secure public trust.

All student police officers undertake the Initial Police Learning Development Programme (IPLDP). This includes an overview of the legislation on rape and sexual assaults.

In most forces, police officers and investigators can then elect to complete the [sexual offences liaison officer](#) (SOLO, also referred to as SOIT or STO) course. This contains three main elements:

- responding to sexual offence allegations;
- investigation management and support; and
- interviewing sexual offence complainants.

To attain accreditation as a detective (PIP 2 investigator), officers or police investigators must pass a national exam and complete the Initial Crime Investigator’s Development Programme (ICIDP). This includes a six-week course covering many aspects of criminal law, including rape and serious sexual offences, and the completion of a work-based portfolio.

After accreditation as a detective, the Specialist Sexual Assault Investigators Development Programme (SSAIDP) aims to equip investigators with the knowledge, understanding and skills to conduct professional, objective and thorough rape and sexual offences investigations. Completing the programme makes investigators eligible for the national professional register of specialist rape and sexual offences investigators.

The programme consists of:

- module 1 – specialist sexual assault investigator;
- module 2 – behavioural components of sexual offending; and
- the professional development portfolio.

Although the aim is that rape investigations will be led by trained detectives, or those working towards accreditation, high demand means this isn't always possible. Since different forces use different operating models, targeted training can be difficult, especially in omni-competent teams. We found a variance in the uptake of forces for the SSAIDP. We were told that most investigators, including those on specialist teams, hadn't completed the programme. And some of them didn't even know about the programme.

Irrespective of the operating model used by forces, the complexity of these cases requires them to be led by a suitably trained officer with the right skills, abilities and knowledge. Investigators need to understand how trauma can affect a rape victim throughout the life of the case. Training needs to influence behaviour and culture and keep the victim at the heart of the investigation. This lack of specialist training for all rape investigators is a weakness and needs to be addressed.

We are pleased to see that the recently introduced Project Bluestone aims to change completely the investigation of, and victim engagement in, rape and sexual assault offences with investigator learning, development and well-being at the core of this new initiative. It seeks to build capabilities and expertise to professionalise the investigation of rape. This approach is still being developed by Avon and Somerset Police, working with academics, the CPS and other partner agencies, and we could not assess its effectiveness at the time of our inspection.

Our commissioned research highlights that some victims had reservations about reporting, including being disbelieved and feeling shame. It is vital that the first interaction and every interaction with the police is sensitive, supportive and informative, and that victims have confidence that their case will be investigated by those with the right training, skills and abilities.

Recommendation 12

The College of Policing and NPCC lead for adult sexual offences should work together to review the current training on rape, including the Specialist Sexual Assault Investigators Development Programme (SSAIDP), to make sure that there is appropriate training available to build capability and expertise. This should promote continuous professional development and provide investigators with the right skills and knowledge to deal with reports of rape. Forces should then publish annual SSAIDP attendance figures, and information on their numbers of current qualified RASSO investigators.

CPS RASSO training

CPS RASSO units are made up of prosecutors who have been specially trained.

The CPS Central Legal Training Team (CLTT) are responsible for legal training within the CPS. They offer several RASSO courses that are given by CPS staff, including induction and refresher courses. We note that to support the [Police-CPS joint national RASSO action plan 2021](#), the CLTT is developing more training, including [Crown advocate](#) training and the effect of trauma on memory.

When we discussed training with RASSO prosecutor focus groups, we found that there were obvious competing demands between having time to undertake the learning required and the time available to prosecutors to undertake training. Prosecutors described the pressures of dealing with large and complex caseloads and therefore felt there was little time to undertake training. Prosecutors felt that time needed to be protected for continuous development, to allow better informed decision-making.

We welcome the new interim legal guidance now available to prosecutors and note the detail and support it should provide. The new guidance is extensive and includes:

- applying the Code for Crown Prosecutors to rape and serious sexual offences;
- case building;
- consent;
- supporting complainants in court;
- evidence of trauma;
- awareness of myths and stereotypes; and
- matters relevant to particular groups of people (including victims of [child sexual exploitation](#), teenagers with abusive peer groups and older victims).

At the time of our inspection, the provision of training was in the development stage so we couldn't assess it. This will need evaluating in the future.

Prosecutors spoke favourably about opportunities to attend court, particularly for the trial process. This increased their understanding and informed their decision-making.

Joint training

Many prosecutors and investigators want to have training from a victim perspective, to help inform their investigations and casework decisions.

We heard of limited joint training with the CPS and police and ISVAs. In one force, ISVAs trained new police officers to raise awareness of the ISVA role. This was seen as beneficial and positive.

But we saw very little evidence of joint training between the police and CPS. No RASSO prosecutors we spoke with had attended any specific joint RASSO training with the police. The CPS is invited some to police training days, but these tend to cover wider topics like disclosure.

This is a missed opportunity to share learning, knowledge and expectations, and to build positive relationships. We are pleased that the [Police-CPS joint national RASSO action plan 2021](#) includes an action on joint training on the effect of trauma to promote better decision-making and victim care.

Recommendation 13

The College of Policing, NPCC lead for adult sexual offences and the CPS should prioritise action to provide joint training for the police and the CPS on the impact of trauma on victims, to promote improved decision-making and victim care.

Conclusion

When we discussed our interim findings with our external reference group, they generally found them unsurprising. We have seen similar problems reported in many of the multiple and recent reviews of how either the police, the CPS or the wider criminal justice system responds to this devastating offence.

Our inspection has added a clear focus on how effectively the police and CPS work together to investigate and prosecute rape offences.

A successful response to rape would see justice secured, and victims supported. The police and the CPS are both responsible for these twin priorities. Everyone we spoke with in this inspection understood this. But we found too little evidence of cases where each priority was met with equal effectiveness – where criminal justice processes and decision-making ran smoothly and efficiently, while the victim was supported, informed and involved throughout.

Securing justice and supporting victims are not twin tracks. They should be integrated and entwined, and no case should be deemed successful if either is ineffective. Crucial to this is ensuring both that the victims' experiences are obtained, recorded listened to, and acted on as part of policing and CPS training, action plans and monitoring; and that police and CPS processes and decisions are explained clearly, respectfully and fully.

In many cases, we found evidence of drift and delay throughout investigations; the absence of sufficient wrap-around services to support victims through the process; opportunities missed to follow up on all lines of enquiry; and specialist rape units in the CPS and investigators in police forces holding large and sometimes unmanageable workloads. We found this was caused by a combination of cuts to budgets, linked to austerity, and being unable to fill vacancies (in policing, we were told this was partly because the job of rape and serious sexual assault investigator is not appealing). However, for any resource changes to have a decisive impact, fundamental changes to the mindset and approach of both investigators and prosecutors are immediately required.

And for the service to victims to improve, the police have to make sure that victims are engaged and supported at the earliest possible opportunity, and throughout the criminal justice system process.

There are so many factors that influence this result, but police forces must ensure those with the right skills, training and understanding are deployed from the outset. To achieve this, there needs to be a cohort of specialist responders and investigators with the capacity, motivation and opportunity to do things right. Only then will outcomes for victims improve.

Problems affecting the investigation and prosecution of rape would be addressed by a close, cohesive and seamless relationship between police and prosecutors. This would allow, for instance, early and regular engagement, to help keep cases moving and improve the quality of case files. Instead, we found some problems here too. Communication between the police and CPS at a local level, while positive in some cases, needed to improve overall and was poor in several cases, and we found limited understanding among practitioners of how those investigating and prosecuting rape cases should work together. This fragmented system too often lets victims down.

At a national level, there is a lot of activity to improve the response to rape. This includes the cross-Government review, national action plans and strategies. Many of these are joint initiatives between the police and CPS, which is positive. But beneath the surface of these joint structures, we were told of continuing underlying tensions between the police and the CPS, and a desire on both sides to blame the other for low charge and conviction rates.

We are also concerned that there is not enough oversight of the cumulative effect of all this work. Although we note the appointment of a lead Minister to implement the Government rape review activity, the details of how this single point of accountability will monitor progress and influence change throughout the criminal justice system are as yet unknown. We are concerned that the introduction of scorecards will, in effect, introduce targets, putting the focus on processes rather than the victim at the heart of improvements.

The overall roadmap for how this activity should contribute to improvements, or how quickly, or in what areas is unclear. We also found that data is not readily available at a sufficiently detailed level to assist with this scrutiny, which makes it hard for the police or CPS to track progress and evaluate the success of any activity, or to respond quickly when the data indicates new or growing problems.

The welcome investment of time and effort in diagnostic activity means the problems with the criminal justice system response to rape cases have never been better known and understood. The challenge for the system, Government, victim groups and other interested parties now is to work together and focus on the solutions. All activity needs to be adequately funded and subject to thorough evaluation and scrutiny if it is to succeed in the longer term.

We make a series of recommendations aimed at informing this activity. These range from the strategic and national (such as appointing a single Government lead for rape, with a clearly scoped role and responsibilities) to the tactical and local (such as urgent improvements to devising and reviewing case strategies and action plans, and when and how victims are updated on the progress of their cases).

All these things will help, and we discuss them in this report. But what has struck us most from the interviews we conducted in support of this inspection is that trust in the criminal justice system's ability to respond to this violent and intrusive offence has been fundamentally undermined. There is an urgent and immediate need to shift the whole approach to investigating rape.

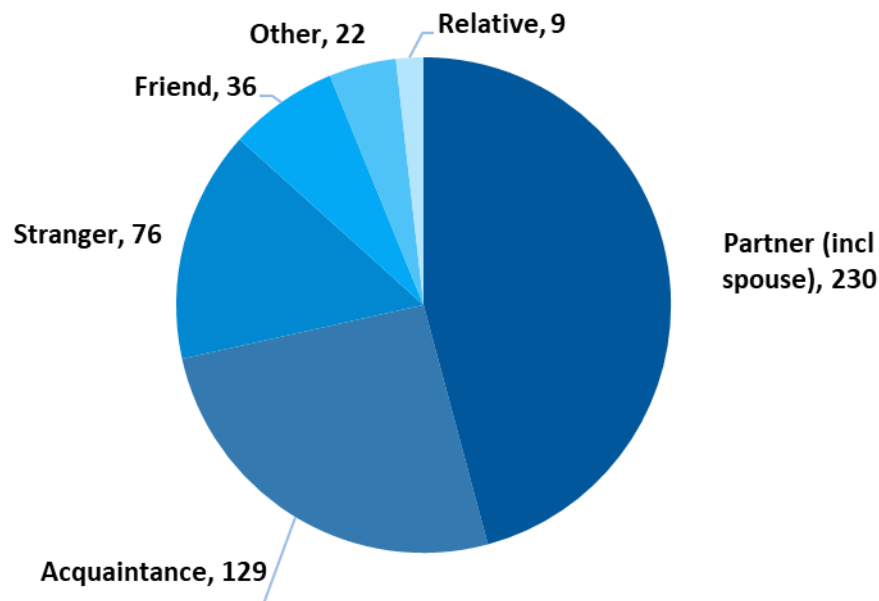
Definitions and interpretations

Term	Definition
action plan	list of actions that the CPS lawyer has asked the police to complete before the lawyer can make a decision about whether to advise charging the suspect; examples of frequently requested actions include obtaining a statement from a witness, obtaining medical records, or providing a list of previous convictions for a witness
admin finalised	term used by the CPS to describe a category of cases that have had an administrative step taken to put them into abeyance on the CPS case management system; a misleading term, because it suggests the cases have been concluded; many cases that have been admin finalised are in fact still under investigation but awaiting some further evidence or information from the police, or for something else to happen, such as the suspect being located and arrested
Criminal Justice Board	group chaired by the Lord Chancellor and Secretary of State for Justice, and attended by senior leaders from across the criminal justice system, representing their own agencies; maintains oversight of the criminal justice system, and promotes a collaborative approach to addressing the problems it faces
Crown advocate	prosecutor employed by the CPS who reviews and prepares cases, decides on trial tactics and provides pre-charge advice
early investigative advice	guidance and advice provided to the police by a CPS lawyer in serious, sensitive or complex cases, or any case where a police supervisor considers it would be of assistance; meant to be given at a very early stage of a case, to help decide what evidence will be required to support a prosecution, or to decide if a case can proceed to court
gatekeeper	individual in a police force who checks documents prepared by the police case manager meets the standard required for them to be submitted to the CPS; not in place in all police forces

Term	Definition
independent sexual violence adviser (ISVA)	trained specialist who gives a service to victims who have experienced rape and sexual assault, irrespective of whether they have reported to the police; the nature of the support provided varies, dependent on the needs of the individual and their particular circumstances; provide impartial information to the victims about all of their options, such as reporting to the police, and accessing specialist support such as pre-trial therapy and sexual violence counselling; also provide information on other services that victims may require, for example in relation to health and social care, housing, or benefits
sexual offences liaison officer	individual in a police force responsible for acting as a first responder to allegations of a sexual offence, to gather evidence and information from the victim in a manner that contributes to the investigation, preserves its integrity, and secures their confidence and trust; role holder also provide support and information to victims of sexual crime, ensuring they are given timely information about other police departments and support agencies, where available
triage	in the context of this report, a check carried out by a member of CPS staff, usually an administrator, to make sure that the police have the right documents and other items to the CPS; a check for the presence of the required material, not the quality of its contents

Annex 1: Demographic information about the 502 case files we reviewed

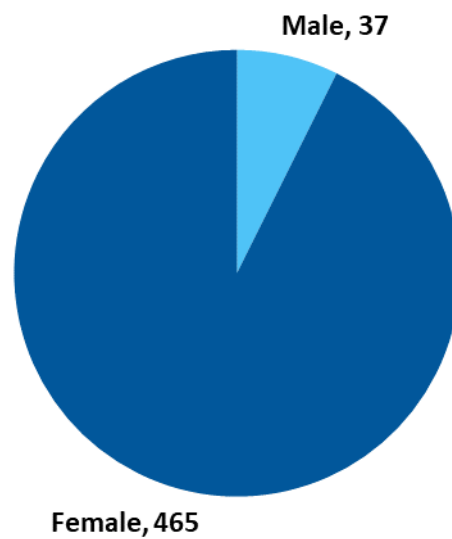
Figure A1: Breakdown of case files reviewed by victim/suspect association



Source: Data taken from our case file review analysis (502 files)

Nearly half of the cases we reviewed were partner rapes (230), 129 cases were acquaintance rapes, 76 were stranger rapes, 36 were rapes involving friends, 9 were rapes involving relatives and 22 were other rapes.

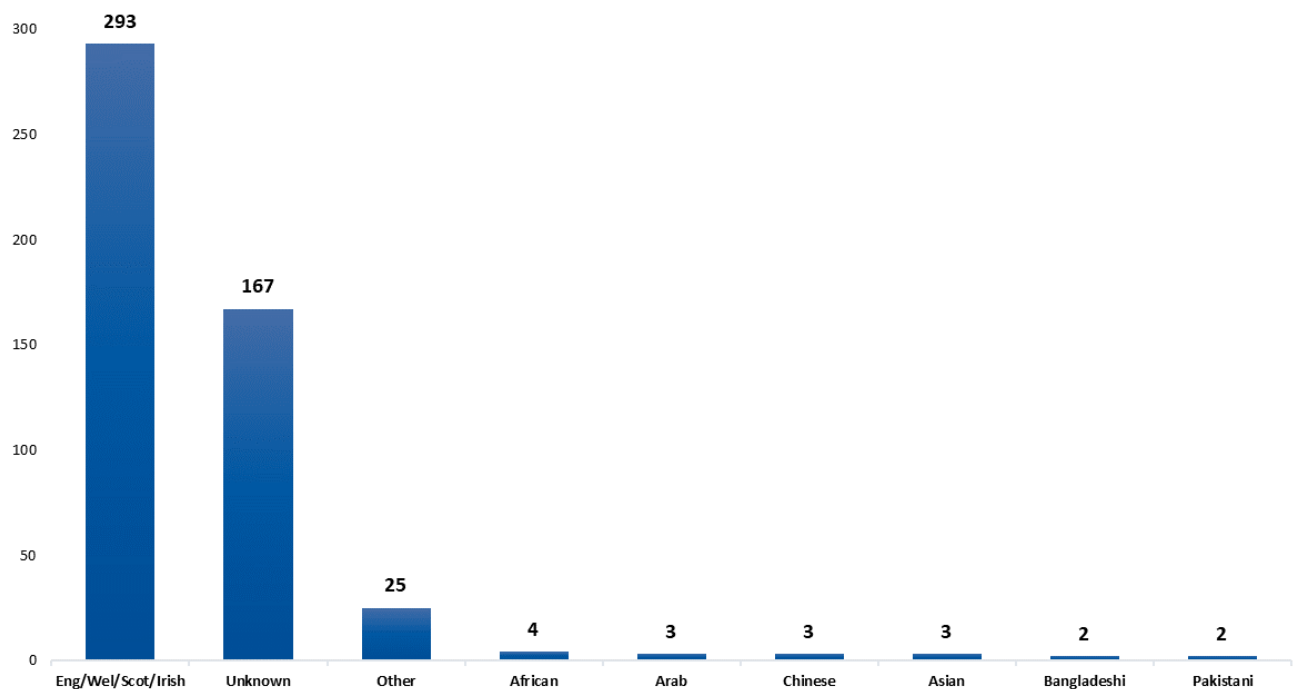
Figure A2: Breakdown of case files reviewed by gender



Source: Data taken from our case file review analysis (502 files)

The majority of cases that we reviewed had female victims (465), with 37 cases having a male victim.

Figure A3: Breakdown of victim ethnicity



Source: Data taken from our case file review analysis (502 files)

In most cases reviewed, the victim was English/Welsh/Scottish/Northern Irish/Irish White (293). The victims in the remaining cases were other White (17), African (4), other Asian (4), Arab (3), Chinese (3), Asian (3), Bangladeshi (2), Pakistani (2) and Other (4). 167 of the cases had an unknown ethnicity.

Annex 2: Methodology for phase one

This inspection is a joint thematic inspection by HMICFRS and HMCPSI. The lead inspectorate is HMICFRS.

The overarching inspection question is:

How well does the criminal justice system serve survivors of rape?

There is a natural chronological separation between cases not resulting in a charge (police / CPS decision to NFA) and those where a charge is authorised. The inspection is therefore separated into two distinct phases, to ensure that each element of inspection activity is examined in detail, and to allow the findings from phase one to help shape and develop phase two.

- **Phase one:** What are the barriers to the progression of rape reports up to the decision to charge?
- **Phase two:** What are the barriers to the progression of rape reports in the criminal justice system following charge?

Pre-inspection activity

In anticipation of this inspection, HMICFRS commissioned two bespoke streams of work:

- a rapid evidence review looking at attrition of rape cases within the criminal justice system was completed in May 2020, with a focus on identification of the main gaps in knowledge and recommended areas for inspection. This review helped to inform the scope of this inspection; and
- victim and survivor voice research, to provide direct evidence of the victim experience and contribute to the report findings.

In line with our methodology for inspections, we also established an external reference group (ERG) to act in an advisory capacity to inform the ongoing development and implementation of the inspection.

This group's membership (set out at Annex 3) comprised individuals and representatives of agencies who work within the area of rape. It was vital that the victim remained at the centre of our inspection, and this was reflected by a strong representation of groups working with and supporting victims.

National interviews

HMICFRS and HMCPSI conducted joint interviews with the:

- NPCC lead for adult sexual offences;
- Home Office policy lead;
- Chief Crown Prosecutor national lead;
- College of Policing lead;
- CPS Director of Legal Services;
- CPS Director of Strategy and Policy, with the CPS rape policy lead; and
- Victims' Commissioner for England and Wales

Fieldwork

We conducted fieldwork in eight forces and their corresponding CPS Areas. These were selected using consideration of police and CPS performance data, including:

- where the referral to charge proportion is particularly high/low,
- where there has been a significant change in the CPS charge rate; and
- highlighted areas of good practice.

HMICFRS and HMCPSI inspectors jointly reviewed cases where:

- the police had made the decision to take no further action;
- the CPS had made the decision to take no further action; and
- cases were 'admin finalised' by the CPS.

To enable an appropriate sample and reflect the data across the different outcomes, the number of case assessments was proportionate to the decisions made by the police and the CPS.

We also conducted interviews and focus groups with relevant staff:

- interview with the force strategic lead for rape;
- interview with the force operational lead for rape;
- focus group of frontline officers;
- focus group of specialist investigators;
- interview with the CPS Rape and Serious Sexual Offences lead;
- focus group of CPS prosecutors; and
- focus group of independent sexual violence advisers (ISVAs).

Annex 3: Methodology for our commissioned research with victims of rape

The methodology comprised 26 in-depth interviews (undertaken between October 2020 and January 2021) with adult rape survivors who self-identified as being a survivor of rape. In all cases, the incident was reported to the police in England and Wales on or after 1 April 2017, and the investigation and any subsequent criminal prosecution or civil proceedings had been concluded by the time of research participation.

Participants were identified and recruited via appropriate support service agencies. They were provided with an information sheet, privacy notice and consent form to complete and return either to the support agency or directly to Opinion Research Services (ORS).

All participants were offered a £30 e-voucher as a small token of thanks for giving up their time and taking part, and to cover any expenses they incurred in doing so.

Most of the interviews lasted about 1.5 hours and were undertaken by ORS's experienced qualitative research team. Interviewees were assured of complete confidentiality and that they were free to be as open and honest as they wished insofar as they would not be named in this report. Indeed, names, specific organisations and identifying comments have been removed from the verbatim comments to ensure anonymity.

Support and safeguarding

ORS and HMICFRS were aware that taking part in an interview of this nature could potentially be retraumatising and/or triggering for participants. Therefore, to protect and support participants as much as possible, the following measures were put in place:

- allowing a family member, friend or support worker to attend the interview in a supportive capacity, either to sit in or provide post-interview support (while being clear that they should not contribute unless explicitly asked to by the interviewee);
- offering participants regular breaks throughout the interview and frequent reminders that they did not have to answer any questions they didn't feel comfortable with; and
- ensuring follow-up, post-interview support was arranged – either with the participant's support worker or in the form of contact details for relevant support organisations.

Impacts of COVID-19 on the methodology

The original proposal was to undertake 32 face-to-face interviews with a wider range of survivors. However, due to the effect of the COVID-19 pandemic on both support service agencies and travel restrictions throughout the UK during the fieldwork period of the evaluation, this was not feasible. Instead, slightly fewer interviews were conducted, which were offered via telephone, Zoom, Skype or Microsoft Teams instead. Twenty-five of the participants were willing to take part virtually, while the one face-to-face interview was undertaken following a full risk assessment, with both interviewer and participant following all government health and safety guidelines in place at the time.

It should also be noted that the pandemic directly affected some of the cases reported here, most notably in relation to delays, communications and the availability of pre-trial visits and support services. While this inevitably had an adverse effect on survivors, they were generally recognised as being outside the control of the criminal justice system.

Participant profile

ORS sought to recruit a broad cross-section of survivors from a range of police forces throughout England and Wales, while also meeting a range of demographic and specific case criteria. A breakdown of participant characteristics can be found below.

Police force area

- Dorset: 5
- Hampshire: 5
- Hertfordshire: 1
- Lincolnshire: 1
- Metropolitan Police Service: 5
- Northumbria: 5
- Nottinghamshire: 2
- Sussex: 2

Gender identity

- Female: 23
- Male: 2
- Non-binary: 1

Protected characteristics

- BAME: 2
- Learning disability: 1
- LGBT: 4

Survivor/suspect relationship

- Partner/ex-partner: 11
- Other known: 13
- Stranger: 2

Case outcome

- No further action without proceeding to trial – survivor supported action: 4
- No further action without proceeding to trial – survivor did not support action: 20
- Case proceeded to trial and did not result in a conviction: 1
- Case did not proceed to court due to guilty plea and resulted in a conviction: 1

As an in-depth qualitative evaluation, the intention of this project was to gather the experiences of as broad a range of survivors as possible within a relatively small sample size. As such, the issues reported here, while comprehensive, cannot be certified as statistically representative of the views of all UK-based rape survivors.

Annex 4: External reference group membership

- Dame Vera Baird, Victims' Commissioner
- Iain Barton, Home Office
- Fiona Beazer, Citizens Advice
- Catherine Bewley, Galop
- Siobhan Blake, CCP RASSO lead
- Sarah Crew, NPCC
- Jonny Guttridge, The Male Survivors Partnership
- Amelia Handy, Rape Crisis
- Kiran Kaur, Home Office
- Sara Kirkpatrick, Welsh Women's Aid
- Trudi Lewis, HMCTS
- Fay Maxstead, The Survivors Trust
- Helen Measures, HMCTS
- Julia Mulligan, OPCC
- Steph Reardon, Lime culture
- Sumanta Roy, Imkaan
- Andrea Simon, Ending Violence against Women Coalition
- Loretta Spierenburg, Staff Officer NPCC lead
- Tara Stone, Stonewall
- Sharon Stratton, College of Policing
- Tesni Thomas, Attorney General's Office
- Cordelia Tucker O'Sullivan, Refuge
- Claire Waxman, London Victims' Commissioner
- Samantha Whyte, Ministry of Justice

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