

**‘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’ A CRIMINAL JUSTICE JOINT INSPECTION
PUBLISHED ON 16TH JULY 2021
AVON & SOMERSET PCC RESPONSE DATED 17TH SEPTEMBER 2021**

Rape is second only to homicide when considering the severity of the crime. The trauma of the offence can last a lifetime and have a devastating psychological impact. This is an offence that disproportionately affects women and girls and a significant proportion of rape victims are victims of domestic abuse.

Given the severity of the offence it is wholly unacceptable that only 3% of rapes reported to the police result in being charged/summonsed to court. The length of time rape cases take are also too long. This report highlights the average time between a victim reporting to police and the CPS making a decision to take no further action is 456 days. The research has also found that the whole process can re-traumatise victims.

The current system is failing victims and I welcome the recommendations, of which there are eight for local police forces.

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 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.

In response to these recommendations I can confirm the below. There are three very important aspects of this work that should be explained first.

- [Project Bluestone](#) – the Avon and Somerset Police response to Rape and Serious Sexual Offences (RASSO). This was developed in partnership with leading academics and in consultation with partners across the criminal justice system, as well as victim services. This is a transformative pathfinder approach being rolled out nationally through Operation Soteria.
- [Independent Sexual Violence Advisors \(ISVAs\)](#) – provide specialist, tailored support to people who have been victims rape and sexual assault. They provide ongoing continuity, advocacy and impartial advice and information to victims. They are fundamental to properly supporting these victims.

- [Sexual Assault Referral Centre \(SARC\)](#) – these centres offer confidential medical, practical and emotional support to people who have recently been raped or sexually assaulted. This is also where forensic medical examinations take place.

Recommendation 1

Many police forces across the country, including Avon and Somerset, use Niche as their crime recording system. Niche has the fields to record seven out of the nine protected characteristics: this does not include sexual orientation or pregnancy/maternity. These additional fields cannot be added locally. However, if pregnancy/maternity was an issue for a victim this information should be recorded as part of a vulnerability risk assessment for that victim.

At this stage I can say that, in the last two years, only 0.8% of rape victims did not have their sex recorded in the correct place and all victims had a recorded age. In response to this recommendation the Constabulary will be undertaking an assessment of the available information on protected characteristics. This will establish what is recorded, when it is recorded, how visible that data is to the organisation and how it is used. Once this assessment is complete the Constabulary will identify where and how they need to improve, working across the organisation to achieve this.

The Constabulary are currently taking part in a campaign which is running across all 43 police forces in England and Wales. The campaign is designed to encourage their workforce to share protected characteristics internally, with confidence. Although this is internally focused it is hoped this will also give employees a broader understanding and confidence in order to be able to ask for this information from victims.

Recommendation 2

The Constabulary hold monthly meetings with the services that provide Independent Sexual Violence Advisors (ISVA). Leads from both organisations attend to discuss any current issues and how each organisation can help and work collaboratively. This meeting is also used to monitor victim referral rates to ensure people are getting support they need. Issues raised in this meeting are then discussed at the bi-monthly Project Bluestone performance meetings.

Weekly meetings are also held with SARC Centre Managers and ISVAs at a Sergeant level. The Constabulary also attend quarterly regional meetings with the CPS and ISVAs.

The Constabulary are in the process of setting up twice yearly meetings with all ISVAs of which one has been held so far. In addition to this they are organising a twice yearly scrutiny panel which will include ISVAs, academics and victims.

My office commission a service that provides ISVAs across Avon and Somerset and have continued to secure additional funding when they have been able to bid into national funds. My office continue to work closely with this service to help facilitate the partnership relationships in Avon and Somerset.

Recommendation 3

In the last two years in Avon and Somerset of all the rape cases finalised over 6 in 10 victims declined to prosecute. This is not good enough and needs to be better understood.

Unfortunately the more detailed understanding can only be achieved through a manual review of records; there is currently no automated way of being able to do this. Over the last couple of years the Constabulary have done some sampling of this information through other reporting. Although they introduced some good practice about a victim information guide, which other forces have adopted, the rate of victims declining has increased since the pandemic in March 2020.

Going forward, as part of Project Bluestone, the Constabulary are going to work with external academics to undertake a more detailed look at the cases where there is a suspect and the victim declines to prosecute.

Recommendation 4

The Constabulary and Crown Prosecution Service (CPS) hold a RASSO Prosecution Team Performance Meeting (PTPM) every other month. This meeting is attended by the senior officer who is the Constabulary RASSO lead, the CPS regional RASSO lead and two RASSO lawyers. The objective of this meeting is for both organisations to share data of performance objectives, raise any current issues or emerging themes. This allows action plans and case strategies to be more effective and useful for the investigator.

Action plans are set by the CPS where they feel additional information evidence or information is needed as part of the case which the police will then have to get. Over the past 12 months the Constabulary have been working more closely with the CPS and the action plan rates have decreased which is good.

Once the national framework has been developed I can further scrutinise the Constabulary on their compliance around this.

Recommendation 5

The RASSO PTPM mentioned above also goes some way to addressing this recommendation as it is about building and maintain the local relationships between the police and CPS.

Another example of the work done to improve relationships is in March the Constabulary ran a conference with practitioners from both the police and CPS. This included a day in the life of a police officer and a CPS officer, identifying good practice and better ways to work together.

The Bluestone team includes an Improvement Officer whose role is to act as a conduit between the CPS and the Constabulary. They work as a mentor and developing standards and training.

There is regular contact between the force and CPS, not all formally arranged, but conversations happen on a regular basis. Working relationships have greatly improved, we review each other's work and maintain regular communication.

The detailed operational points within this recommendation can form part of future assurance work and scrutiny of Bluestone.

Recommendation 6

The Constabulary have recently reviewed how they communicate to victims decisions to take no further action (NFA). Victims are firstly informed of an NFA decision verbally: either face to face or over the phone. This is then followed up with a letter to the victim. It aims to be as clear as possible whilst containing all the detail for the victim to refer back to including the rationale for the decision, Victims' Right to Review scheme and further information and support.

The Constabulary believe the in person approach is preferable so they are also working towards being able to do these victim meetings jointly with somebody from the CPS and ISVAs would also be invited if the victim wanted.

Recommendation 7

As above, Victims are informed of their Right to Review in the letter telling them of a decision to NFA. These cases are now recorded on behalf of the Constabulary RASSO lead so will be able to be monitored going forward.

Recommendation 12

Prior to the national review the SSAIDP content will be reviewed locally as part of Project Bluestone and all Bluestone officers will be required to complete this training.

Having the correct capability within the Constabulary is a draft objective within the Police and Crime Plan I am writing. Ensuring there are sufficiently qualified and experienced people to be able to respond to the demand is fundamental to this. Understanding the number of the workforce that are SSAIDP trained and are RASSO qualified investigators can inform my scrutiny of this particular area.

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