

**Report of the Cabinet Member for
Public Health, Communities and Equality**

Introduction

I have been asked to report by Councillor Hannaford as follows:

The UK government has apologised for “failing” rape victims over many years through plunging conviction levels and a serious lack of help & support.

It has now published its **Rape Review Report** more than two years after it was launched to examine these serious systemic failings.

The reports introduction includes “ These are trends of which we are deeply ashamed. Victims of rape are being failed. Thousands of victims have gone without justice. But this isn’t just about numbers – every instance involves a real person who has suffered a truly terrible crime.”

It sets out plans for a “system and culture change” that will include focusing more on the behavior of the suspect than the accuser.

The report recommends a root-and-branch examination of the whole system. This includes looking at evidence of allegations being reported, how they are dealt with by the police and the Crown Prosecution Service (CPS), the decision to prosecute, and the outcomes in court, across England and Wales.

Campaigners say that the review – which was commissioned in March 2019 – was crucial to properly understand why rape prosecutions are still plummeting, despite an increase in people coming forward with allegations.

The latest CPS data, published last summer for the year 2019/20, showed just **1,439 people** were convicted of rape or lesser offences, down 25% from **1,925** the previous year. It represented a record low.

There are an estimated **128,000 victims of rape and attempted rape** a year, but only **1.6%** of all reported cases result in a charge.

The increase in reporting has gone up from **24,093 adult rapes** recorded by the police in **2015-16** to **43,187 in 2019-20**.

Overall the idea is to increase trust in the judicial service, make the experience less traumatic for victims, and bring about guilty pleas without the need for a trial by building solid cases.

There are a range of proposed measures including;

- Police moving towards a default investigatory model that recognises the prevalence of serial offending in rape and sexual offences, with a greater emphasis on the behavior of the suspect rather than, as Justice Secretary Robert Buckland QC described it, “the obsessive focus on the credibility of the victim”.
- Phones used in evidence gathering should be returned to the complainant within 24 hours.
- Plans for pilot schemes where alleged victims pre-record their cross-examination and re-examination by defence and prosecution lawyers, so that it can be done away from what can be an intimidating court environment.
- A pledge in consultation with victims, survivors, and those that support them to commission a support service that it says will provide rape victims with easily accessed immediate support, whenever and wherever they require it.
- The establishment of “scorecards” to measure the effectiveness of these new measures in an effort to work out what is effective and what is not.

Can the Cabinet Member appointed to the Police and Crime Panel, in consultation with the Police and Crime Commissioner and the Chief Constable, please confirm with council the following questions;

- What is the official Devon and Cornwall Police and Police and Crime Commissioner response to the Rape Review Report?
- Can they please confirm their action plan to implement its findings and recommendations?
- In terms of rape cases, how do the national statistics, data, trends and figures compare with our local police and CPS performance?
- Can Devon and Cornwall be nominated as one of the pilot prerecorded court session areas?
- How will the new commissioned support services operate locally?
- Will the “scorecards” system be monitored and collated locally and nationally?
- How will Devon County Council support, promote and help develop this initiative working with the PCC, police and other key partners?

Response

On 18 June the government published its end to end rape review. The Review found that nationally there had been a sharp decrease in the number of prosecutions since 2016-17 and that victims too often felt their recovery was at odds with continuing to pursue their case.

The report commits the government to ‘urgent, sustained change’ to roll out a new approach to investigations, reduce the number of victims withdrawing from the process, increase the volumes of trials being heard, protect the

public and put more rapists behind bars. Some actions are for government while others are for policing, CPS and others to take forward. Organisations nationally and locally are still developing their plans to take forward the findings of the Review and in some instances awaiting guidance from government regarding how areas of action will be progressed.

The Commissioner published a statement following publication of the Review recognising that more needs to be done to support victims of rape.

<https://www.devonandcornwall-pcc.gov.uk/news-and-blog/multimedia-hub/commissioner-urges-sexual-assault-victims-to-seek-support-as-government-highlights-'systemic-failings'-in-criminal-justice-system/>

In the year to March 2020 Devon and Cornwall recorded 1,620 rape offences compared to a national average of 1,337. This equates to a rate of 91 per 100,000 people compared to the national rate of 104. The percentage of rape offences charged that were assigned a positive outcome in Devon and Cornwall was 2.8% which is slightly higher than the national average of 2.6% and is the 11th highest across police forces.

Devon and Cornwall Police had already begun working with partners and local services to improve the response it provides to all victims of rape which address many of the issues identified in the Review.

A joint action plan with the Crown Prosecution Service is in place which builds upon the National Police/CPS Plan set out in January 2021. The local plan includes actions to improve the quality and timeliness of investigations and improvements to the services and support provided to victims during investigation. Since the Review was published a bid has been made for new funding being offered nationally to enhance forensic investigation services within policing for rape offences.

There is already a wide range of work underway with partners to improve the service provided to victims of rape and serious sexual assault. The OPCC and Devon and Cornwall Police are fully engaged in the Peninsula Wide Sexual Violence and Abuse Board, working alongside local authorities and NHS England which has a detailed delivery and action plan in place. Projects already being progressed before the review was published included a digital walk through of the system for victims which is one of the recommendations of the Review. The Board is examining the Review findings to identify additional actions they need to take forward in partnership.

The Local Criminal Justice Board, which is chaired by the Police and Crime Commissioner will play an important role in steering and overseeing progress to improve the service to victims of rape and reverse the trends shown in the Review. The Board will be meeting in a few weeks and this is a key area for focus.

Some of the questions asked by Cllr Hannaford are not capable of being answered at this stage. We await further information and advice nationally

regarding the proposed scorecards and the roll-out of the widening of section 28.

We also await guidance on what new commissioned support services are recommended by the review. Locally we already have a number of support services for people affected by rape and sexual violence:

- Across the peninsula we have three sexual assault referral centers for adults and one paediatric centre of excellence.
- The independent sexual violence advisor (ISVA) service which supports all victims of reported sexual violence and abuse. Over the last 18 months we have secured national funding to recruit 4 new ISVA's to provide specialist support to men and boys, people from the LGBTQ community and children..
- The Commissioner also funds a network of community therapeutic support services for adults and children, where they can access psycho-social support for historic and acute cases of abuse where these have been reported and not to the police.
- The Commissioner has recently applied for £1.5m of crisis funding from government to provide additional support services to victims of domestic abuse and sexual violence to deliver greater IDVA and ISVA services.
- Devon County Council is working with Plymouth City Council, Torbay Council, OPCC and CCG to develop a radically improved response to sexual violence and abuse. The Chairs of the Safeguarding Adults Board, Safer Devon Partnership, Children and Families and Health and Well Being Partnerships and the Integrated Care System have all agreed to priorities Sexual Violence and Abuse (and Domestic Abuse) as cross board issues.

Councillor Roger Croad

Cabinet Member for Public Health, Communities and Equality