Rt Hon Priti Patel MP

Home Secretary

2 Marsham Street

London

SW1P 4DF

11th August 2021

**Re: Police and CPS response to rape Phase 1**

Dear Home Secretary

I write with regard to the above-mentioned report, which is welcomed by myself and Chief Constable Claire Parmenter. We recognise the significant impact of Rape and Sexual Offences upon victims, their families and friends as well as the wider community. Whilst the Force already has a significant focus on the response to rape, it is acknowledged that more can be done to improve the victim’s journey as well as the judicial outcomes of cases. As such, the Chief Constable and I fully support the recommendations emerging from this review.

Under my scrutiny, the force has been focusing on rape investigation for several years, with significant resources being committed to reduce the timeliness and drive improvements to the quality of investigations. The Force engages with key strategic partners in order to deliver improvements against the Joint National Action Plan (JNAP) but also vitally works closely with my commissioned services such as New Pathways who not only provide regular performance data but also attend the Rape Operational Group meetings.

I am aware that Dyfed Powys Police adhere to the Crown Prosecution Service (CPS) protocol which stipulates the regular auditing of Police No Further Action (NFA) decisions, specifically for those cases where the victim supports the prosecution but there is insufficient evidence to proceed (outcome 15).

I have sought reassurance from the Chief Constable regarding current work in respect of rape investigation aligned to the specific recommendations arising from this report and have outlined key findings below.

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

A review will take place of the crime management system in order to understand whether all of the protected characteristics are captured within the systems. Once this has been established, the quality of the data capture will be assessed. Any amendments required will be incorporated into the force Rape and Serious Sexual Offences (RASSO) action plan.

1. *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.*

The Sexual Offences Trained Officer (SOTO) training programme encompasses an input on Rape Trauma, the role of the ISVA and the support and signposting which is available. The investigation of a Rape is part of the training on the ICIDP Course. In order to raise awareness of Sexual Assault Referral Centre (SARC) services with investigatory officers the Force have recently recorded a podcast with an Independent Sexual Violence Advisor (ISVA) from New Pathways which explains their role and function in detail. This podcast has and will continue to be supported by ISVA attendance at internal continual professional development (CPD) events. Further training is scheduled for September 2021, when Dr Zoe Lodwig will be providing further training on Rape Trauma and the importance of understanding the impact on victims. In the next 12 months the Force will seek new ways to engage with victims and will utilise my Victim Engagement Forum to seek feedback on the introduction of any new processes.

1. *Police forces should collect data to record the different stages when, and reasons why, a victim may withdraw support for a case.*

Data relating to the reasons for withdrawal were previously examined in 2018/2019 following a deep dive scrutiny exercise conducted by my office, and action taken to address emerging issues. A further piece of analytical work, including a dip sample of cases receiving outcome 14, 15 and 16, was undertaken in June 2021 to review the current position and identify any thematic reasons for victims withdrawing their support. One recommendation arising from this review was consideration of earlier engagement of an ISVA. This and other recommendations are incorporated in the Force action plan and monitored within the relevant portfolio meetings. A further review will be undertaken within the next 6 months and I will seek further detail on this in due course.

1. *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.*

This recommendation is encompassed within the JNAP. The existing performance management meeting structure will be utilised to discuss cases and action plans in order to identify any cases requiring escalation. The Criminal Justice Department maintain a list of the cases submitted to the CPS and provide the required data for CPS and Police to monitor progress. Any issues with individual cases are escalated to the local Detective Chief Inspector for immediate action. Recent CPD events have included contributions from CPS highlighting the issues of the impact of poor file standards. A special emphasis has been placed on improving the understanding and knowledge of the divisional Sergeants who have the day to day oversight of investigations. Performance relating to file submission is monitored through monthly data packs produced by the criminal justice department.

1. *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.*

This replicates an action contained within the Joint National Action Plan which the Force are already working towards. The new early advice (EA) guidance has been circulated to all CID officers and supervisors and is available on the Vulnerability Hub (Rape) webpage for 24/7 access to all officers. In addition, CPD events were convened in June 2021 featuring specific reference to the importance of accessing EA and the process. All supervisors and investigators are clear that crime logs must include an entry regarding their considerations and rationale for accessing EA. This will be tested by an audit in the next three months and again I shall be following this action through in my regular scrutiny of the Force.

1. *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.*

The Force policy states the outcome of a case should be delivered by the SOTO. This direction will be reviewed and an updated process will be referenced within the new guidance document to be launched in August 2021.

1. *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.*

The Force guidance stipulates victims must be informed about the victims right to review (where applicable) and this is a specific consideration in the final review undertaken by the Detective Inspector. An audit will be undertaken within 6 months to assess how the Force are performing against this requirement.

1. *Forces should publish annual SSAIDP attendance figures, and information on their numbers of current qualified RASSO investigators*

The Force currently incorporates investigator training into the ICIDP course. Specifically, the ICIDP course includes a hydra exercise which is based on a rape investigation. The training department reviewed the course content against the elements within the SSAIDP course in 2019 and 2020 and senior officers are satisfied that courses are delivering over and above the requirements. The force monitors the numbers of staff trained in SOTO, ABE, SCAIDIP and ICIDP courses on an annual basis and this is utilised to influence the annual training requests on behalf of CID. Since 2018 the number of SOTOs has increased. To supplement supervisors training, two CPD events took place in June 2021 which involved training for Detective Sergeants and Detective Inspectors on delivering investigative standards in accordance with best practice for non-recent investigations. An evaluation of the event revealed that officers were extremely positive about the benefits of the training and their improved knowledge of this area of work. Work will recommence on a joint HYDRA training package for supervisors and CPS lawyers relating to the investigation of rape in the next 12 months.

I trust that the above provides detailed reassurance regarding the commitment of the Force to address the recommendations. I am aware that this is Phase 1 of the HMIC’s inspection report and I will not only be seeking ongoing scrutiny of the Force’s commitments contained within this response but will also look forward to receiving the recommendations as part of the continued focus of HMIC on this vital area of delivery to victims.

A copy of this response is available on my [website](http://www.dyfedpowys-pcc.org.uk/en/accountability-and-transparency/force-performance/hmic/).

Yours sincerely



**Dafydd Llywelyn**

**Police & Crime Commissioner**

Cc: HMI Wendy Williams

 Chief Constable Claire Parmenter