**8th April 2022**

**Police and Crime Commissioner for Dyfed-Powys response to**

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

The above-mentioned report is welcomed by myself and Chief Constable Dr. Richard Lewis. 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. The Chief Constable announced that one of his three priorities for Dyfed Powys Police will be:

* **To provide a compassionate response to victims of rape and serious sexual assault and the relentless pursuit of offenders.**

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. As a result of the new priority above, the Force are working to develop a performance framework that will support the delivery of this goal in every aspect of the organisation.

I am aware that Dyfed Powys Police have a good working relationship with the Crown Prosecution Service (CPS), with regular meetings held at strategic and operational levels to identify areas for improvement, inter agency challenge and review of investigations. Witness Care Unit (WCU) also hold quarterly meetings with the Rape and Serious Sexual Offences (RASSO) team in regard to victim issues and case management.

Police RASSO governance within the Force is also currently under review to create a renewed approach around scrutiny of this critical area, whilst also ensuring continued support of our early engagement with CPS that has to date resulted in us achieving the highest number of Early Investigative Advice (EIA) cases across Wales.

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.

* **Immediately, police and prosecutors should review and significantly improve communications with victims from the point of charge onwards.**

Unfortunately, the Force’s crime management system was not previously designed to manage post charge cases, as a crime outcome is required on the investigation at point of charge which then traditionally results in the record being finalised at that point. However, for Rape offences, the Force have now directed staff to retain the investigation on their crime management system until the case reaches a court hearing. The Force has recently purchased Niche RMS which we aim to roll out in the coming year, this system will allow the Force to overcome some of the aforementioned challenges.

All communication with RASSO victims from first court hearing onwards is led by the officer in the case unless the Witness Care Unit are directed otherwise. Witness Care will undertake a further needs assessment to ascertain the specific requirements of the victims. This ensures that special measures and specialist support at Court is tailored and made available to those attending.

The Victim and Witness Service (Goleudy) works in close collaboration with New Pathways/ ISVAs and provides direct support to parents and guardians whose children have been a direct victim of a sexual crime.

Where the victim has agreed and there is ongoing ISVA support, CPS chair a monthly operational meeting with the Police and ISVA service, ensuring all post charge cases have appropriate support including special measure applications and court visits, etc.

CPS Letters are now sent to all complainants in cases where the offence of rape is charged. The letter introduces the prosecution team, explains the court process, signposts to support agencies and offers a special measures meeting. This came into effect on 01/12/2021.

Carmarthenshire CID recently trialled a process aimed at increasing ISVA referrals, where victims who initially declined a referral were recontacted by a dedicated officer, which resulted in an increase in the percentage of people who engaged with New pathways, although it is too early to establish the overall outcome as those cases are ongoing. A Force wide role out of the trial is planned to be implemented during the spring 2022, allowing further exploration of other options to maximise the efficiency of this process.

* **Immediately, the police and the CPS should work collaboratively to ensure that bad character is considered in all rape cases and progressed wherever it is applicable.**

The policy within HDDP requires a detective inspector to be appointed as a senior investigating officer who, at the outset of the investigation, is expected to include background information / intelligence checks, including previous allegations or convictions, as one of the investigative strategies. Investigators are also prompted by the investigation plan on the Crime Management System and within the investigation manual / guidance.

Police National Computer (PNC) and background checks should always be carried out by the officer and summarised on the MG3/MG6 (para.9) (confidential note between police and CPS)

Files submitted to CPS are discussed on a regular basis within the RASSO PTPM (Prosecution Team Performance Meeting), which will now become the RASSO JOIM (Joint Operational Improvement Meeting).

* **Immediately, forces should make sure that victims of rape are given the opportunity to make a victim personal statement (VPS) at the earliest possible time, with the option of updating this statement closer to the court trial date.**

The offering of a VPS, as per victim code of practice forms part of training for investigators and a prompt is also given to investigators on the crime management system for our investigators. Furthermore, this prompt is also included on the RASSO checklist for investigators and is further scrutinized and checked by line managers and the case progression unit.

From the first hearing onwards, the witness care unit will also enquire with the victim as to whether a VPS needs to be updated/amended or if a further statement is required.

VPS compliance in the force is heavily scrutinized at the monthly Criminal Justice Briefing, which also provides case law and legislative updates to officers.

I trust that the above provides detailed reassurance regarding the commitment of the Force to address the recommendations. I will be seeking ongoing scrutiny of the Force’s commitments contained within this response on this vital area of delivery to victims.