

22.4.22

Dear Home Secretary,

Re. A joint thematic inspection of the police and Crown Prosecution Service's response to rape. Phase 2: post charge

Can I thank the authors of this Phase 2 report for their further exploration of the police and CPS's response to the victims of serious sexual violence. This second phase report looks at the service provided to victims post charge, and so places a greater emphasis on the role of the CPS. The Phase 1 report made a number of recommendations for police services nationwide.

Since the publishing of the Phase 1 report, the Mayor and myself have launched our first Police and Crime Plan for West Yorkshire. Within this document, we have set out our ambition for a safe, just, and inclusive West Yorkshire. A key component of this vision (and one of Mayor Brabin's election pledges) is to put the safety of women and girls at the heart of our work within the Plan, and we have already put this into practice by working with our partners to build safer public spaces through the Safety of Women at Night and Safer Streets funds, and in attracting further funding to support West Yorkshire's network of Independent Sexual Violence and Domestic Violence Advisers (ISVA/IDVA).

The Mayor and myself are committed to building the strongest criminal justice response to crimes such as rape, which predominantly (but not exclusively) impact on women and girls. Alongside this, we must ensure that we also have the best support available for the victims of these offences. As Chair of the Local Criminal Justice Board, I will work with key local partners in the CPS, police, and victim support services to achieve this aim.

This Phase 2 report contained three recommendations which were directly relevant to police services. I have received a full update from West Yorkshire Police on their response, which is summarised in the pages ahead.

Working to improve the safety of women and girls has been established as a cross-cutting theme within the Mayor's Police and Crime Plan, and it is crucial that we take a partnership approach to improving criminal justice outcomes for victims. I will continue to monitor and evaluate the police's, our partner's, and the Mayoral Combined Authority's own response to these recommendations through my usual partnership and bilateral arrangements in the months ahead.

Yours,



Alison Lowe
Deputy Mayor of West Yorkshire for Policing and Crime

Update on West Yorkshire Police's Response to Selected Recommendations from the Joint Inspection (Phase 2).

Recommendation 1: Immediately, police and prosecutors should review and significantly improve communications with victims from the point of charge onwards.

Whilst it is recognised that there is the potential for some delay in communication post-charge, particularly between charge and point of first hearing, West Yorkshire Police are taking positive steps to reduce this via training and a new victim contact process. The new process includes a focus upon post-charge contact with victims and allows for supportive prompts for the officer supervising a case to contact the victim.

When cases are listed for trial, they are picked up and allocated by the WYP Witness Care Unit (WCU). Once a case is progressing, a Witness Care Officer (WCO) is assigned after the first hearing. This initiates a renewed Victim Needs Assessment to be completed by the WCU, and contact methods with the victim are agreed.

WCOs monitor court updates daily to ensure victims are notified of outcomes within the time limits specified within the Victims' Code. Witness Care Unit supervisors identify cases which are being managed by absent staff, and allocate these to on duty team members to ensure no cases are missed.

Currently, we are reliant on WCOs manually checking the Witness Management System (WMS) to establish if the court has uploaded the hearing information sheet. We acknowledge that the ideal situation would be for the court to provide these updates directly to victims. This would reduce any delay in providing victims with key information and negate the need to manually monitor systems. WYP's adoption of a new IT system in the near future will provide direct access to court hearing information records and allow immediate updates without unnecessary delay.

Recommendation 8: 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.

Bad character exploration and application is an essential tool in the suspect focussed approach adopted following the 'Operation Bluestone' project¹. As WYP have already begun to adopt the principles of Bluestone in their investigations (especially for those cases with early consultation with the Rape and Serious Sexual Offences [RaSSO] Gatekeeping Team), we should start to see a shift in collection and use of bad character evidence. The offender behaviour before, during, and after commission of the offence is becoming more relevant,

¹ A research programme aiming to improve the police response to rape and sexual assault, bringing academic experts and operational policing together to explore new ways of working.

and maximising opportunities around exploring this will lead to more impactful interviews and application of bad character evidence (BCE) to improve outcomes.

A meeting was held recently (Feb 2022) between the CPS and WYP heads of safeguarding departments across the force. This platform was used to reiterate the importance of ensuring all cases are submitted via RaSSO Gatekeepers. This ensures opportunities to introduce BCE at interview stage are maximised.

General Update re. West Yorkshire Police RaSSO Gatekeeping Team:

The RaSSO Gatekeeping Team have re-introduced RaSSO clinics across WYP districts. The opportunities for use of bad character evidence can be further promoted at these clinics, along with the day-to-day review of cases. A real drive is being undertaken by the force to ensure that RaSSO Gatekeepers have oversight of all cases prior to submission to the CPS to ensure opportunities to identify BCE are actioned.

Recommendation 9: 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.

To date this recommendation has been communicated to staff in various forums as follows:

- Investigations Governance Group (IGG) – a strategic meeting for district crime leads.
- Investigations Improvement Meeting (IIM) – a tactical meeting for Inspectors.
- DI Cadre Support Group – a MS Teams channel where all Detective Inspectors at WYP have been briefed of the directive.
- RaSSO Gatekeepers – ensuring the opportunity to make a VPS is being offered, and if not, providing feedback to the officer in charge and their supervisor to prevent a reoccurrence.

Further Planned Action:

- June 2022 will see an Investigation Intensification month where a new key message regarding investigations will be promoted every day. One of these messages is to ensure a Victim Personal Statement is obtained at the earliest opportunity, with the option of an updated one closer to the trial.
- The IA (Independent Audit) Team have been commissioned to review the VSA (Victim Service Assessment) for investigations. Six audits are planned between April 2022 – March 2023; all are based around VAWG offences, with Serious Sexual Offences (SSO) audited in August, and Rape offences in October 2022.

In addition, the police's Victim Journey Team carry out their own audit of district investigations to highlight good and poor performance. Rape and SSO investigations will make up a large selection of these audits, and learning and feedback is shared at the IGG and IIM.