



Exploring rape survivors' experiences of the police and other criminal justice agencies

Phase 2

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Summary of headline findings

This section summarises the headline findings from the depth interviews with rape survivors which relate to their experiences post-charge. Please read the full report for a comprehensive account of survivors' pre-and post-charge experiences.

Charging and bail

Suspects were caught and arrested promptly in some cases. In others, arrests took longer than expected, leaving participants feeling vulnerable and afraid. Most suspects received police bail following their arrest, often with conditions not to contact participants. A minority were detained in custody from the point of arrest.

Perceptions of information, support, and safeguarding from police were largely negative. This was because police did not contact participants post-charge; provide adequate handover to the witness care unit; provide details of the investigation when asked; or protect participants from harassment and intimidation from suspects and their families.

All participants were told the outcome of the investigation by their specially trained officer (STO) or by the detective in charge of their case. One participant's case was dropped by the Crown Prosecution Service (CPS) just before the trial due to issues with evidence, which she felt was unfair. Police broke this news insensitively. No further action was initially taken in four participants' cases, but all cases were subsequently re-opened.

Experiences of court

Participants' experiences of court were overwhelmingly negative. Nearly all cases took years to reach court. Repeated adjournments were also common and forced one participant to withdraw her support for the case. Participants generally received little or no explanation for the delays and adjournments. This took a heavy toll on their mental health.

Most participants had the opportunity to make a victim impact statement. However, police gave misleading or minimal information about what to expect at court to some participants, and in one case, made inappropriate and intimidating comments before court, increasing participants' anxiety about going to court.

In most cases, the witness care unit (WCU) offered participants basic information and a pre-court visit. A few participants felt that the WCU was helpful and informative. The WCU could have been more proactive in a couple of cases, where they did not contact key witnesses or inform participants about the outcomes of their cases.

Participants expressed serious concerns about giving evidence. Not knowing in advance what evidence would be presented in court and not being able to review evidence they had previously provided disadvantaged them, it was said, especially relative to the suspects. In some cases, the evidence presented at court was said to be highly inappropriate, distressing, and derogatory to participants.

Police discouraged two participants from entering the public gallery after giving evidence, preventing them from knowing how the rest of their case proceeded. In one case, a participant had to re-do her video-recorded statement because the police or the CPS lost the recording. She was also shown the full, unedited version of the statement before court in error, causing her extreme distress.

In some cases, important evidence was overlooked or misinterpreted, and witnesses were not thought to have been asked the right questions in court. This, it was felt, contributed to suspects being acquitted. Giving evidence via video link was discouraged, refused, or unavailable for some. Most participants were offered and used a screen in court.

In court, brutal cross-examinations were common. Participants' personalities, sexual preferences, and motivations for reporting the incidents were said to have been interrogated in a derogatory, accusatory, and often discriminatory manner. Court was said to be more traumatic than the rape in some cases and led some to wish that they had never reported the incidents.

Some participants were not protected from the suspect and their families outside court, causing fear and humiliation. One was asked to withdraw her statement at court, despite the suspect pleading guilty. Participants felt disadvantaged by being unable to meet the prosecution barrister until immediately before the trial. The duration and trauma of the court process impacted on some financially. Participants' voices were not heard in some cases where they were denied the opportunity to give evidence or were prevented from coming into the courtroom to hear the verdict.

Very few positive experiences of court were shared. Having a separate, secure area for witnesses helped make court more bearable, as did having family members, friends, or support workers present, and reassuring judiciary staff.

Participants suggested that the court process could be improved for survivors by:

- ensuring that cases reach court more promptly;
- offering more, and more effective, special measures to those giving evidence;
- offering survivors breaks when giving evidence;
- enabling them to access support beforehand which allows them to talk about their experiences;
- having tailored support and their own lawyers available to advise them on the legal side of giving evidence, and to advocate for them during the court experience;
- preventing survivors from being cross-examined in a discriminatory, destructive, and derogatory way, or warning them that this could happen;
- having a mock cross-examination to help survivors prepare;

- special training for juries to prepare them for rape cases, with consent and stigma as key features;
- thoroughly examining and presenting witness evidence to ensure that survivors achieve the best possible outcomes, rather than paint them in an unfavourable and derogatory light;
- achieving outcomes that reflect the seriousness of the crime and its devastating impacts on survivors;
- giving survivors detailed written information about the court process;
- revising sentencing guidelines to include a category for spousal rape; and
- closing the public gallery to protect survivors.

Views and experiences of case outcomes

Case outcomes were unsatisfactory to most participants. Several felt that the suspects in their cases received lighter sentences than they should have. This led them to feel that the ordeal of reporting, investigation, and court had been for nothing, causing distress, and often, regret at having reported in the first place.

The police told most participants about the outcomes of their cases. This was done sensitively and sympathetically in some cases, but less so in others. Some participants were not told or were wrongly informed about the outcomes of their cases.

Post-case support from criminal justice agencies

Most participants were not contacted by the police or the CPS after the conclusion of their cases. This left some feeling angry and let down. Safeguarding was a serious problem post-case for some participants. Police did not let one participant know when the suspect was being released, placing her at risk. Another participant whose case was awaiting trial was very worried about her safety if the suspect is released. Horrific abuse via social media was received by one participant post-court, which she felt police did not protect her from.

Experiences of support services

Participants' experiences of support services varied. Police signposted some, but not others, to available support services. Around half of the participants used or were offered an independent sexual violence adviser (ISVA). A few already had an independent domestic violence adviser (IDVA) and/or were receiving support from domestic abuse support agencies when they reported an incident or incidents. Most participants did not attend a sexual assault referral centre (SARC).

Counselling had helped most of those who accessed it to start processing the trauma of the incidents and the court process. ISVA support, advice, and encouragement was excellent for some, but was not always available due to funding cuts. Victim Support, charities, and third sector agencies provided and/or signposted participants to counselling, help with accommodation, home safeguarding measures, help with criminal compensation claims, and, in one case, bought a replacement mobile phone.

However, not being able to discuss the incident during counselling received before the trial caused some to struggle. A few who had accessed individual and group counselling said that individual counselling tended to be more effective. Another participant has been unable to access any appropriate counselling due to the specific circumstances of the crime against her.

Consequently, it was said that support for survivors could be improved by ensuring that they can access specialist support that meets individual needs and circumstances; and by enabling them to access as many counselling sessions as they need, both pre and post-trial.

Overall views

Almost all participants reported decreased confidence in the police and CPS, and most would not report a rape to the police again. This was linked to the fact that suspects/perpetrators were thought to be treated more fairly than survivors; delays in cases reaching court; the lack of support for survivors; and traumatic court experiences. Some emphasised that the police service had changed for the better in recent years, but that the judicial system and sentencing had not.

Despite clear inconsistencies in the police's handling of their cases, most participants said that they were treated fairly and equally by police. However, one participant said that she was discriminated against by police due to her young age, gender, and status within the community. There were apparently multiple serious issues with the police's handling of another participant's case. These included initially deciding to take no further action (NFA) due to an apparent lack of evidence; the insensitive and inappropriate attitude of the STO; issues around gathering and using evidence; and a traumatic court experience.

Nearly all participants felt unfairly treated by the courts and judiciary. This was because the needs of perpetrators were put before those of survivors during the judicial process. This imbalance was said to allow perpetrators to continue to control their victims, perpetuating their abuse. One participant claimed that the defence counsel had discriminated against her based on her sexuality.

Participants suggested that survivors' experiences could be improved by:

- speeding up the reporting, investigation, and court processes;
- improving safeguarding and protection for survivors throughout and after their cases;
- allowing survivors to give evidence in court to empower them and support their cases;
- improving support for and communication with survivors throughout and after their cases;
- giving police specific training on handling rape cases;
- allowing survivors access to the same level and kind of information as suspects; and
- overhauling the criminal justice system to make it fairer for survivors.

Conclusions

The conclusions we have drawn from the findings of this second piece of research are similar to those drawn from the previous study undertaken with survivors of rape.

Survivors put a lot at stake when reporting and testifying, yet most do not get the justice they deserve

Participants risked a lot when reporting their rapes. They cooperated with investigations and endured court, all whilst dealing with extreme trauma. Despite this, most were unsatisfied with their outcomes, and some were disempowered through being prevented from giving evidence. Plea bargains were accepted without their consent or consultation, and suspects were acquitted or received shorter sentences than they deserved. **This suggests that the criminal justice system does not deliver justice for rape survivors.**

Police response and support is inconsistent

Some police were caring and supportive, yet others were negative, insensitive, or lacked empathy for survivors, it was said. Serious preventable problems with evidence collection, use, and interpretation were reported. Although police initially tended to communicate well with participants, communication usually dwindled as cases progressed, and was non-existent post-case. **This suggests that the police should present a clear, consistent, and comprehensive service to all of those who report a rape, which takes account of survivors' individual circumstances, needs, and preferences.**

A lack of safeguarding puts survivors and their families at risk

Most participants reported a lack of safeguarding at every stage of the criminal justice process. Some were abused and threatened, yet police took no action. **This suggests that the criminal justice system needs to enhance the importance it places on the safety and wellbeing of survivors, at every stage.**

Delays in reporting, investigation, arrests, and court hearings weaken cases and cause survivors to suffer

Delays and repeated adjournments forced participants to put their lives on hold and took a huge toll on their mental health and finances. At the same time, suspects were often allowed to carry on as normal. **Further research could therefore be beneficial to explore why delays are occurring at each stage of the criminal justice process (even pre-COVID), and to identify actions that could be taken to expedite proceedings.**

Suspects are perceived to be treated more favourably than survivors

Suspects were said to be told in advance what evidence would be presented in court, but participants were not. Survivors were also unable to meet the prosecuting counsel until minutes before the trial, whereas suspects typically met frequently with their counsel well in advance. **This perception of unfairness should be addressed because it is deterring rape survivors from reporting.**

The court process is traumatic for survivors

Some participants described the court process as more traumatic than being raped. Two had developed post-traumatic stress disorder (PTSD) specifically from their court experiences. Brutal cross-examinations were common, and participants often had inappropriate, distressing, and derogatory information shared about them in court. Frequently, participants were exposed to ridicule and intimidation outside the courtroom and were prevented from seeking therapy pre-trial. **Wherever possible, consideration should be given to exploring and implementing participants' suggestions for improving survivors' court experiences.**

The criminal justice system needs to be completely overhauled to put survivors first

The findings from this research, and those from Phase 1, suggest that the criminal justice system is letting survivors down. Too often, police respond inconsistently and inadequately to reports of rape, and fail to protect survivors when they are vulnerable and traumatised. Survivors are disempowered, silenced, and disadvantaged during the court process. **This suggests that the criminal justice system needs a complete overhaul to ensure that survivors are supported, empowered, and heard.**

Introduction

Background and commission

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspects police forces and fire and rescue services to promote improvements and make everyone safer.

In Spring 2020, HMICFRS commissioned Opinion Research Services (ORS) to explore the experiences of adult rape survivors who reported an incident (or incidents) of rape to the police; their subsequent journey through the criminal justice system (CJS); and their views on any support services they had accessed during that journey. This research was published in July 2021.¹ It contributed to [Phase 1 of HMICFRS's joint thematic inspection of the police and Crown Prosecution Service's response to rape](#).

Just one of the 26 survivors who took part in the initial research had experience of the court process. The police or the CPS had decided to take no further action in all other cases. Consequently, in spring 2021, HMICFRS re-commissioned ORS to conduct follow-up research with similar aims to the initial research, but with the aim of gaining more participants who experienced stages post-charge, especially the court process. The research aimed to capture their suggestions as to how rape survivors could be better supported throughout the criminal justice process.

The findings from the research will inform Phase 2 of HMICFRS's joint thematic inspection report, which is focusing on the criminal justice response to rape post-charge.

Methodology

Overview

Between August and September 2021, ORS researchers undertook 11 interviews with survivors of rape. Due to COVID restrictions, all interviews were conducted via telephone, Microsoft Teams, or Zoom.

All participants had initially completed a survey hosted by HMICFRS and had provisionally agreed to take part in an interview with ORS to explore their experiences in more depth. ORS then recruited participants with some experience of the court process, providing them with an information sheet and permission form before the

¹ [Evaluation of rape survivors' experience of the police and other criminal justice agencies](#), ORS, 16 July 2021.

interviews, which they were asked to read, complete, and return to ORS in advance. All participants were offered a £30 e-voucher to acknowledge their time and effort.

Interviews lasted between 45 minutes and an hour and a half and were undertaken by ORS's experienced qualitative researchers. Participants were reassured that they would not be identified in any way in the ensuing report.

Participants

All participants were female and were aged 18 or over. In all but one case, the incident(s) happened when the participants were adults. The incidents discussed took place between 1983 and 2018. In three cases, the incidents took place in the 1980s–1990s. They were all reported to police at the time, but no further action was taken. All of these cases were re-opened and were heard at court in the 2000s–2010s. In one case, the incident took place, was reported promptly, and was heard at court in the late 1990s. All other cases involved incidents which took place, were reported to police, and/or were heard at court between 2004 and 2018.

A breakdown of participant characteristics can be found below.

Police force area:

- London Metropolitan: 3
- Derbyshire: 2
- Cheshire: 1
- Merseyside: 1
- North Yorkshire: 1
- Nottinghamshire: 1
- Staffordshire: 1
- Darlington: 1

Survivor suspect relationship

- Partner / ex-partner: 7
- Other known: 2
- Family member: 1
- Stranger: 1

Protected characteristics:

- Black, Asian, and Minority Ethnic (BAME): 1
- Lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ): 2

Age:

- 18–24: 1
- 25–34: 2
- 35–44: 1
- 45–54: 6

- 55–64: 1

Case outcome

- Case proceeded to trial and resulted in conviction (of rape or lesser offence): 6
- Case proceeded to trial and did not result in conviction: 2
- Case did not proceed to trial because survivor withdrew support for it: 1
- Case did not proceed to trial because CPS dropped it: 1
- Trial is impending: 1

Support and safeguarding for participants

ORS and HMICFRS were aware that taking part in an interview of this nature could potentially be retraumatising and/or triggering for participants. The following measures were therefore put in place:

- A family member, friend, or support worker was allowed to attend the interview, either to sit in, or to provide post-interview support (on the understanding that they should not contribute unless asked to by the interviewee).
- Participants were offered regular breaks and were reminded that they did not have to answer any questions they did not want to.
- ORS provided the details of relevant support organisations in the participant information sheet and offered to signpost participants to them.

About this report

This is an independent report of the 11 depth interviews with an integrated summary of the main findings. The report is structured in line with the points made by participants against the main aims of the research.

Although Phase 2 of HMICFRS's joint thematic inspection is focusing on the criminal justice response to rape post-charge, participants were asked about all stages of the process to get the full picture. The report includes information about all processes, but the key findings focus on post-charge stages.

The views of interviewees have been merged to give an overall report of the findings, but differences in views have been drawn out where appropriate. Direct quotes are incorporated in indented italics to amplify participants' voices.

The report presents participants' own views and experiences. Consequently, the points made may not be supported by objective evidence. ORS cannot comment on the correctness or otherwise of participants' views when reporting them. This should be borne in mind when considering the findings.

Acknowledgements

ORS thanks HMICFRS for commissioning this important research. We hope the findings will prove useful in understanding and improving rape survivors' experiences of the CJS. We are particularly grateful to Ruth Boyle and Jacquie Hayes at HMICFRS for their support with the project. We would also like to thank the participating survivors for sharing their experiences with us so openly. Without them, this research would not have been possible.

Glossary

The following table defines the acronyms and terminology used in the report.

Table 1: Acronyms

Acronym	Full name
BAME	Black, Asian, and Minority Ethnic
CJS	Criminal justice system
CPS	Crown Prosecution Service
HMICFRS	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services Inspects police forces and fire and rescue services to promote improvements and make everyone safer.
IDVA	Independent domestic violence adviser A specialist professional who works with a victim of domestic abuse to develop a trusting relationship as well as helping them to navigate the criminal justice process and working with the different statutory agencies to provide wraparound support.
ISVA	Independent sexual violence adviser An impartial adviser who works with people who have experienced rape and sexual assault, irrespective of whether they have reported to the police.
NFA	No further action
LGBTQ	Lesbian, gay, bisexual, transgender, and queer or questioning
Participant/ survivor	For the purposes of this report, the terms 'participant' and 'survivor' are used interchangeably to refer to those who self-identify as having been subjected to a rape(s) and participated in this evaluation.

Acronym	Full name
Suspect	In most cases, the term 'suspect' is used to refer to the person accused of committing the rape.
SARC	<p>Sexual assault referral centre</p> <p>A special facility where recent victims of rape or sexual assault can receive immediate help and support. This includes access to a forensic medical examination and the opportunity to speak to the Police about what has happened to them if the client wishes to do so. SARC clients also receive help and advice from Crisis Workers who can offer to support them and stay with them throughout the process.</p>
STO	<p>Specially trained officer</p> <p>As above.</p>
WCU	<p>Witness care unit</p> <p>These units manage the care of victims/witnesses who are due to attend court. They get involved when someone is charged and will continue to support victims/witnesses until the end of the case, guiding them through the criminal justice process.</p>

Pre-charge stages

Survivors' motivations for reporting the incident(s) to the police

To protect others, themselves, and their families

Participants gave a variety of reasons when asked why they reported the incidents to the police. They were mainly motivated by the need to protect others, themselves, and their families, because they felt that the suspect would attack again.

"Friends told me that he was on social media, out, drunk, with a bunch of young girls that I knew. I was terrified that he was going to do it to them. I thought I could never live with myself if I didn't do anything"

For some participants, the rape was part of a catalogue of abuse they had suffered in a long-term relationship with the suspect. They were motivated to report the incident because they wanted the abuse to stop, and for them and their families to be safe.

"It was just a gradual build up and it had been going on for a long time. I needed to have some record of it basically ... In all honesty, it wasn't for punishment, and I didn't really want to see any consequences for him. I just wanted to keep myself and my family safe and for it to stop"

In a few such cases, participants had called 111 to log an incident with the police. At that stage, participants did not plan to make a full report of the incident or were undecided about doing so. This was largely due to fear of reprisals from the suspect and/or because the participant did not realise the severity of the incident. However, once participants had made the initial report, the police progressed into a full enquiry, which some did not expect.

"I must have been there for two and a half hours or something like that, and I kept to my storyline of how I just wanted it to be logged, and at the end, two other people came into the room and said, 'Sorry, he's going to be arrested. You can go home, collect your stuff' ... It was sort of out of my hands really"

To bring the suspect to justice

Others were motivated to report the incident because they wanted the suspect to be caught and/or brought to justice.

"I had been advised on numerous occasions to report it to the police, which I didn't until an incident – a rape – took place ... that was a precipitating factor. I just thought, 'This is ridiculous. I can't go on making excuses for him. He's obviously enjoying this controlling situation'"

Encouraged by friends, family, or professionals

Friends, family members, or professionals urged some participants to report an incident or incidents, sometimes putting pressure on them to do so or issuing them with an ultimatum.

“I talked to my work colleague in the week following that event and she basically threatened me. She was going to report it to the police unless I did. I had a day to report it to the police, and I did”

Others reported the incidents on participants' behalf

The incidents were reported by others in a few cases, whereby participants had fled to friends' houses for safety immediately afterward.

“I ran to my friend's house, and as soon as she'd seen me, she phoned the police”

Delays in reporting

There were often delays in reporting the incident/s to police. This was because participants:

- did not realise that the incident/s constituted rape;

“He'd attacked me in the morning; he'd left at seven and I'd gone to work ... and it was only when driving back in the afternoon that I thought, “Oh my God, that was rape.” Because I didn't even know at the time what it was. I knew this guy was trying to have sex with me and I didn't want him to; and you don't think of that as rape because the narrative is a stranger attacking you in the middle of the night – and not what happened”

- minimised the severity of the incidents. This was often the case while experiencing ongoing domestic abuse over a period of several years;
- feared reprisals from the suspect;
- did not want to hurt their families by exposing them to the details of the incident/s; or
- had initially reported the incident/s as a child, but their parents had decided not to take the report any further when asked by police.

Expectations of reporting the incident(s) to the police

No expectations

Some participants did not have any expectations when reporting the incident/s to the police because they were so traumatised by what had happened.

“To be honest, I was so shell-shocked at the time, I went with the flow. I was completely numb”

Others had no expectations because they had not reported a rape or assault before and were unsure about what the reporting and investigation process would entail.

“No idea. I had never been attacked before”

For the suspect to be arrested and tried

Some participants said they had expected the suspect to be remanded in custody to keep them and their families safe.

“At the time, he was still roaming the streets and threatening to come back and finish the job, so I just wanted him off the streets. I had no expectations beyond that”

A related expectation for those experiencing ongoing abuse was that it would stop.

“My hope was that they would go and arrest him and would be able to stop him from the bullying and intimidation and everything that was happening”

Expected to be believed, supported, and taken seriously

Following their report, a few participants said they had expected to be believed, supported, and taken seriously by police.

“I thought that they would believe me and protect me”

Did not expect to be believed, supported, or taken seriously

Conversely, based on negative previous experiences of reporting incidents to the police and of the court process, a few participants said that while they hoped the police would believe and support them and take their report seriously, they did not expect this to be the case.

“What I hoped and what I expected were two very different things. I expected that nothing would be done. I expected that it wouldn’t get taken very far. I expected to be made to feel like I was in the wrong. I expected them to question me as if they didn’t believe me. I expected them to be quite bored of my story. I didn’t think it was a big enough thing for them”

Expected to be blamed, discriminated against, or treated unfairly by police and/or the CPS

Some participants expected to be blamed or judged when they reported an incident to the police. One participant related this to the stigma of ‘date rape’, and the apparently common misconception that it is the victim’s fault.

“I think most women at that time knew that if you even had a date rape, as people called it, that you wouldn’t get a good hearing”

Reservations about reporting the incident(s) to the police

No reservations

One participant had no reservations about reporting the incident to the police because she wanted the suspect to face justice and expected him to be apprehended.

“I had no reservations about reporting the rape at all, and if they were going to catch him, then it was going to be the police, if anyone”

However, most others had some reservations about reporting, as outlined below.

Not being believed

Expecting to be disbelieved or not taken seriously by police held some participants back from reporting an incident or incidents. For some, this was linked to negative previous experiences of engaging with family justice, while others noted that the suspects in their cases were persuasive and manipulative and likely to make the police believe their version of events over the participant's. In a different case, a participant did not expect to be believed because the suspect was a member of the emergency services and knew many people in the sector. Having their self-confidence and self-worth destroyed by years of domestic abuse also led some to believe that their reports would not be believed.

"I didn't think that they would take any action. I thought he would just chat his way out of it anyway. I didn't think they would actually be able to do anything ... I didn't even know if they would believe me, to be honest. I had no confidence at the time, and I didn't think they would take me seriously"

Did not want to hurt others or share the pain of the incidents

By not reporting, some participants felt that they could avoid sharing the pain and shame of the rape/s with their families. However, the need to bring the perpetrator to justice eventually overrode this concern.

"I thought the whole thing was bad enough for me and I could contain it. But ... my best friend ... said to me, you have to report it, so I did"

Shame, embarrassment, and stigma

The thought of having to discuss the incidents in detail and of having others find out was shameful and embarrassing to some participants.

"... embarrassment, and not really wanting to talk about it"

Having to make the report to a male police officer compounded these feelings, one participant noted: they would have preferred to have been dealt with by a female officer.

Fear of reprisal

Fearing reprisals from the suspect held some participants back from reporting incidents. They worried that the abuse they had been experiencing would get worse when the suspect found out about the report.

"... if I reported [the rape], would I be put at further risk, or would it be safe for me to tell anyone? Would it even go anywhere? Generally, I was just more worried about the repercussions of telling them and my safety really"

Loss of home, family, and friends

The loss of her home, family, and friends through reporting the incident to the police was a key reservation for one participant.

“His family had been my family ... I’d had to leave my home. I had my children to think about. I took their daddy away from them. How are they going to feel when it comes out? The local community ... We had so many shared friends”

Participant had been drinking

In one case, the participant had been drinking on the night of the incident and had previously kissed the suspect. She therefore feared that she would be blamed for the incident, even though she had been clear that she did not want to have sex with the suspect.

“... because he kept pressing me, I’d kissed him ... I thought, ‘Ok, if I end up having sex with him, is it going to be alright?’, but I didn’t feel anything, so I said, ‘Right, no’, and also I was very drunk; he got me drunk”

Making the initial report

Participants gave mixed feedback about their experiences of making an initial report. Some felt believed and supported by the police. However, others felt under pressure to make the report. The police were also said to have behaved inconsiderately or inappropriately in a few cases, and safeguarding was a real issue for some participants.

Police were compassionate and caring

In some cases, participants said that police officers were compassionate and caring when they made their initial report. They reported feeling believed, safe and supported during this distressing event.

“The interview was fine. I mean, I was in tears quite a lot of the time, and it was very supportive. I didn’t feel under threat or not believed at all during the interview process ... I felt that they were taking everything I said very seriously”

Moreover, the police helped one participant find the words to make her initial report when she was struggling to articulate what had happened to her due to her intense distress.

“... having to go down that route of talking about those things that had happened ... I found it really difficult to get the words out. I think, to be fair, he almost gave me the words ... that helped”

Police explained next steps better in some cases than others

One participant was uncertain about what would happen after making her statement because the police gave her no information to this effect. The seriousness of the repercussions of the report for her and the suspect therefore came as a shock.

“I didn’t realise it would take me on a massive journey. I didn’t realise the next steps would be so serious; so, you do this, do this, and do this and it leads to this kind of thing ... It was only really when they said about charging him that I realised how serious it all was”

However, another noted that the police took time to explain the next steps in detail, which she welcomed.

“The police were very good. It was all very matter of fact, but they explained what was happening and why it was happening. It’s not the nicest thing to go through, but I understand why they have got to do it the way they do it”

A lack of safeguarding put some participants at risk

The police proactively implemented safeguarding measures for one participant.

“There were police everywhere ... they were actually tracking him on the cameras. There were police at the end of the street ... The police did everything they possibly could to make me feel safe, and until they actually caught him, I expected him to turn up”

However, no, or inadequate safeguarding was put in place following the initial reports in several other cases. Most of these participants had been subject to ongoing abuse from the suspect and were terrified of retaliation. In one case, the police allegedly did not arrest the suspect when they said they would, placing the participant at further risk of harm.

“I had a text from the police saying, ‘We’re not arresting him at the agreed time and will arrest him in the middle of the night’, because I think they were short-staffed, there was someone away on holiday, and they thought if they arrested him in the middle of the night they would have a maximal time to interview him before they had to charge or release him ... research-wise, when people are most at risk is when they are leaving ... I was really distressed at having been put in that position”

In another case, the suspect was not at home when the police went to arrest him. He then promptly turned up at the participant’s house, which was extremely distressing for her and her family.

Some participants had non-molestation orders in place at the time of the reports, which had previously been breached. There was therefore some feeling that the police did not take their very initial reports seriously enough and that they should have done more to protect participants.

“I didn’t really know what was available at that point. Now I realise that they could have done so much more. You give a report, or something really, really serious and it’s only now that I realise. At the time, it was almost just like any other kind of thing. It was like someone had stolen a handbag or something – it was just like that”

Police officers had a negative attitude, or were insensitive and/or inappropriate

In a minority of cases, police officers were negative, insensitive, or inappropriate towards the participant when they made their initial report. For example:

- One participant was not allowed to get changed before going to the station to make a statement, making her feel vulnerable and uncomfortable.

“What I found uncomfortable was that they wouldn’t let me go downstairs to get a bra and pants, so I was still wearing what I had been wearing to bed to get in the car and go down [to the station], so I felt quite vulnerable”

- The police were disorganised and wanted to interview one participant in a waiting area, which was visible to others in the police station.

“I arranged to go to the police station the next day. No-one was there, and I had to wait an hour and a half to be seen by reception, even though they said to come at 3pm ... I was interviewed in a briefing room and at one point she wanted to interview me in the reception area, and although it was glassed off, that would have meant that the person who was reporting something would have been directly behind me and would have been able to overhear, and lots of people would have been able to see me”

- Officers clearly felt uncomfortable or embarrassed in one case, which affected the level of detail taken at the initial report.

“I was a bit surprised that it was a uniformed officer, and a male officer. He seemed embarrassed. It seemed like he found it difficult to do ... he kept telling me over and over, ‘I don’t need the details, I don’t need to know the details’, so it felt like he felt really awkward. He was only with me for about ten minutes. He was polite and he wasn’t offensive, but it was done, and he went”

- One participant was spoken to in what they considered to be an overly harsh way.

“I thought that the detective sergeant sometimes forgot that he was speaking to a victim of crime and not just another member of the public”

The interim period between the initial report and providing a statement

Most participants had STOs and were positive about them

Most participants were allocated STOs following their initial report, and in most cases reported feeling able to contact them when necessary for updates on their case. Some STOs proactively contacted participants during the earlier stages of reporting and investigation, although this tended to tail off as the investigation proceeded, as discussed shortly. One participant who had to undergo various medical procedures as a result of the abuse she had suffered said that her STO would call to check that she was OK after each one.

In a couple of cases, STO support was central to ensuring that participants continued to pursue their cases to the end. This was particularly apparent when participants had very negative experiences of court, as discussed later in this report.

"[My STO] was very comforting. He really spurred me on. He kept me going and he kept me sane and more importantly he kept me believing that yes, this happened to you"

In some cases, though, support from STOs could have been better

Two participants were allocated male STOs and said they would have felt more comfortable engaging with a female, or at least to have been asked whether they would have preferred a female STO. One of these participants questioned whether male officers can fully understand the gendered nature of rape and violence against women.

"I do question whether male officers can truly understand the complexities of living as a woman your whole life and being subjected to ... it from a very young age. From comments and expectations on us; it is ingrained in us. I don't think that male police officers can necessarily understand the nuances of this"

Another two participants noted that their STOs called at inconvenient times, such as late at night, or when they were with their families.

"I wasn't consulted on how I would prefer to be contacted ... There were times when they needed information, and I'm aware that they work different hours, but sometimes I'd get a call at 10 o'clock at night, which I felt wasn't appropriate"

In one case, an STO apparently exhibited an unpleasant, victim-blaming, and unsupportive attitude towards the participant. This caused further distress at an already traumatising time.

"I didn't feel at all comfortable with [my STO] ... I asked her about what she felt about the strength of the case, and she said, 'It depends on how much you are prepared to put into it'. At that point I was quite traumatised, and ... she wasn't sympathetic or empathetic ... I think she was ill-informed, so for me a different officer would have made all the difference"

Timescales varied between making the initial report and providing a statement

In a few cases, participants made their initial report, provided a statement, and had a medical examination all on the same day or night.

"I think they wanted to shoot off and go to look for [him] ... I was taken home [after making the original report]. I got some sleep and then they came round the next day to take a formal statement ... I think I got home at about 6am and then went to bed and they came round at about noon"

Most commonly, though, there was a gap of a few weeks between the initial report and making a statement. On the whole, participants felt that this was an acceptable timeframe.

"They took an outline and said that someone else would get in touch with me, to take me through the next stage of the process. A uniformed police officer came out to me and took an outline statement and said that they would pass it on to the unit that would deal with it. And then they contacted me and arranged for the video interview ... [It took] six weeks from the initial phone call"

Waiting too long between reporting and making a statement caused anxiety

The length of time between making the initial report and making a statement was said to be too long in one case. This led the participant to question whether she had done the right thing by reporting.

"[It took] three weeks [to contact me after my initial report], and they had told me that someone would be in touch within the next four to five days. But it took three weeks for them to arrange to come out and do the outline statement ... It was hard, because then I started wondering if I had done the right thing, doubting what I'd done ... And I started worrying about the outcome of it all"

Providing a statement

Providing a statement was traumatic and emotionally exhausting

Making a statement was an exhausting and retraumatising experience, according to most participants. A couple had never discussed the full extent of their abuse with anyone before, so found making their statements particularly difficult.

"It was difficult, and I felt ashamed ... I came away from giving the evidence the way I would imagine that someone who'd just immediately given [evidence] would. I had to come home and wash, basically. I just washed and washed and washed and I felt dirty, even though it had happened a long time [ago], but I had never spoken to anybody about what had happened ... not one person had I spoken to about it, so it was like the first time I'd even really put a word to it"

In one case, where the incident was first reported to police when the participant was a child, they were asked by the police to re-watch her full initial video interview. She found doing this re-traumatising.

To make the experience less draining, and to ensure survivors are able to tell their stories as thoroughly as possible, one participant suggested that statements should be taken over two sessions. Having to make such a detailed statement in one session whilst feeling completely traumatised contributed to the suspect being acquitted in her case, she felt.

"I don't think anyone could have prepared me for how exhausted I felt and what that would do ... I felt that it should have been done over two days because by the time it got to the end of the interview I know when I watched it back, I could clearly see a point about 15 minutes before the end where I disassociate ... I often wonder whether that affected the outcome of the case ... I felt like it was far too much to do in one day. They could have covered the story of it and the narrative of it and go back in for the details"

Multiple statements were required in some cases

A few participants gave multiple statements to the police. In some cases, where participants had initially reported incidents in the 1980s or 1990s, the initial statements were in written format. After these cases were reopened in the 2010s, video-recorded statements were taken.

“I did in the end have to give two interviews because my situation has gone on for nearly 30 years so there was an awful lot that I had to talk about. So, I gave the one interview and then they had a look at that and obviously discussed it, and then they wanted to take another statement from me ... so I had to go back about five or six days later, and I did that separately”

In another case, where the rape was the latest incident in many years of physical and sexual abuse, the participant gave two video-recorded statements, a written statement, and a separate interview. This allowed police to capture the full extent of the abuse in addition to the rape incident.

“That’s when I had to do a videoed interview, and then they took me to SARC and I did another video ... Then because I think they realised there was so much more, they said to go away and write everything you can remember that may or may not have been abusive and that made me think about maybe what they were looking for. Then I did an interview with them asking me about what I had written down”

Most (but not all) participants were prepared to give their videoed statement

Most participants felt fairly well prepared to give their video-recorded statement because the police had explained what would be expected of them.

“I felt confident to give the interview because I’ve got a good memory and I remembered exactly what was what, and what I wanted to say. I think I could have probably talked for ten times that long really because of all that’s gone on, but you’ve got to just say the pertinent points, haven’t you? I felt OK”

However, some participants felt unprepared to give a video-recorded statement because police had not fully explained the process to them. In some of these cases, participants were still willing and able to go ahead with the statement when asked. However, in one case, police did not tell the participant where she was going, or that she was expected to provide a (second) video-recorded statement – and despite feeling too mentally unwell and traumatised to do so, she felt obliged to make the statement for fear of letting the officers down.

“I didn’t realise when they picked me up the next day that that’s where we were going ... I felt like I’d let them down so I felt like I can’t say no ... I think because I was so ill at the time, mentally, I didn’t really know what was happening and then when they started setting up all the video stuff then I just sort of said, ‘I don’t want to do that’, and one of them sounded really disappointed so I was like, ‘OK’. But then I got in there and I couldn’t even speak. It was just a complete car crash”

Some felt pressured into making a statement

Some participants felt pressured by the police into making a statement following the initial report. This tended to be when participants had initially been unsure about whether they had wanted to report. In these cases, it was said that the police could have been more sensitive and moved at the participants’ pace, rather than rushing them.

“I felt that I was being pushed into giving a statement. I thought that was bad as I had already had so much taken away from me ... I do understand, and I think it’s important the way they responded the way they do, because especially with domestic violence it does sometimes need to be taken out of the victim’s hands because they don’t always know what’s best. But I felt that it could have been handled more sensitively”

However, police could also be supportive and encouraging

In a couple of cases, the police supported and encouraged participants when giving a statement. These participants said they had been encouraged to take their time, and to describe what had happened in their own words, which helped put them at ease.

“So, before they put the recording on, they sat down and they explained to me the whole process, they said if I need a break at any time, or if I need to go out for a ciggie or a cuppa ... they also asked if I wanted somebody there to support me at the time, but I chose to go on my own. It took two and a half hours. They said, ‘Just tell us in your words, I’m not going to be throwing questions at you’”

Administrative errors caused distress and frustration

One participant had to re-do her video-recorded statement because the police or CPS had lost the recording. Her STO was highly insensitive when informing her of this error and apparently pressured her into making a replacement statement. When making the new statement, the participant became anxious, which was met with impatience from the STO.

“I felt I had no choice really, and I said so. And she said, ‘Well you have got a choice: you can either say you’ll do it, or you don’t want to do it’, but if I hadn’t done a second interview, the case wouldn’t go forward ... how she dealt with it was disgusting ... her whole attitude was as if I was an inconvenience”

The police can be insensitive and inappropriate in historic rape cases

In one case, the incident in question had occurred when the participant was a child, and the police officer taking her statement asked what she considered to be inappropriate questions about her sexual history. This made her feel humiliated and ashamed, and contributed to a subsequent decline in her mental health.

“The police officer who interviewed me in the first place ... asked me if I had ever had a boyfriend or if I had ever done ‘heavy petting’, and I didn’t understand what that meant at the time. He was like, ‘Come on, seriously, you must know what that is’, and I was like, ‘I don’t’, and I felt really embarrassed. He asked if I had ever let anyone feel my boob, and I just felt really embarrassed. It had a massive impact on my mental health over the years. I attempted suicide a couple of times”

Similarly, in another case whereby the incident took place in the 1990s, police asked intrusive and irrelevant questions about the participant’s sex life.

“... they did ask me about sexual relationships. I had a boyfriend at the time. They asked quite intrusive questions. That wasn’t relevant”

Evidence collection and investigation

Nearly all participants had their mobile phones, and in some cases, laptops, taken as evidence, apart from where the initial incidents took place in the 1980s and 1990s. In some cases, it was said that police did not explain or were dishonest about what evidence would be taken from participants' mobile phones. In others, officers did not take crucial evidence that was offered to them, nor did they contact or interview key witnesses.

Most participants willingly shared devices to assist investigations

Most participants were happy for the police to take their mobile phones and other devices because they wanted to support and progress their investigations. In most cases, participants felt that they had 'nothing to hide' and hoped that police would find and use evidence from their devices to corroborate their statements.

"He wasn't in my phone at all, and I have no contact with him, so it's ... not at all important and so of course I gave me phone up because I'm like, 'There's nothing on my phone at all'"

Police did not explain what evidence would be taken and how it would be used

Some participants were not told what evidence would be taken, and how it would be used. In one case, the police said that they would not access WhatsApp messages, but did so, and used them as evidence in the case. In another, the police had tried to access the participant's full legal files from their solicitor, which the participant had not been told about, and did not consent to.

"[The STO] actually approached [my] solicitor ... some of this was the documentation that I wanted to hand over to her, but I wasn't wanting to give her my whole file and my whole history about other unrelated matters. But she actually approached my solicitor with this permission form and tried to get hold of my whole file. I wouldn't have known about this if my solicitor hadn't contacted me to express his reservations about what was going on and just to make sure that I was giving authority for them to do this"

Others described feeling shocked and unprepared when evidence they considered irrelevant and intrusive was used in court. This included full medical records dating back a decade before the incident; social media accounts and records; all emails; sexually explicit text messages and photographs; and photographs of participants' children. Adding to these participants' distress was the knowledge that the suspect had access to this evidence and knew it would be used in this way in court, but they (the participants) did not. This, they felt, gave the suspect an advantage over them.

"... it was almost like I was the person on trial. When they were trying to work out am I worthy enough to get justice? That's how it felt. Are they going to say, she takes a lot of selfies, so maybe she is just an attention-whore. It was just horrible"

Property was often kept for unnecessarily long periods of time, or was not returned at all

Several participants said that their phones were kept by police for an unjustifiably long period of time – up to two and a half years in some cases. Due to this, some participants had to buy a new phone, which impacted on them financially.

“Nobody told me I wouldn’t get my phone back for four months. You tell me who could go out and buy an iPhone when they are a single parent? I had to take out another phone contract because I couldn’t use that phone”

One participant said that some of the belongings taken by police as evidence were never returned to her.

“... they took things and said they would give them back and they did not; they just kind of disappeared. They took my duvet cover and things like that and that just disappeared; and a whole raft of things they took. I eventually asked if I was getting them back and they said, ‘We don’t know where they are’”

Police missed, refused, or misinterpreted evidence

In one case, police missed potentially important DNA evidence at the scene of an incident. It was also said that the police were insufficiently thorough and used an ineffective tool when scraping one participant’s fingernails.

“... when he was doing the scraping under my fingernails he didn’t scrape properly. I still remember thinking that if you gave me an orange stick then I would do a better job than that ... It wasn’t a pointy tip, it was a round tip, so you couldn’t actually get under the nails”

Police officers apparently refused to take one participant’s old mobile phones, despite being told that there was evidence of repeated rapes on there. They also, it was said, refused to use photographs of injuries inflicted on one participant by the suspect because they were “too small to make out what was on them”.

In some cases, the police’s review and interpretation of the evidence was considered inaccurate. For example, they were accused of labelling photographs and interpreting the content of text and voice messages inaccurately by participants, who felt this had affected the outcome of their cases.

“Even the photographs that they did refer to, they’d sort of said, ‘Well, there’s an image of this on such and such a day of all these people all together’, but actually, they were images of the same people two years later. The evidence that they did put together wasn’t even accurate”

Police were not proactive in contacting witnesses, weakening evidence

In one case, police missed evidence from a crucial witness two years after the initial report, despite being told repeatedly by the participant that they needed to speak with this individual urgently. Important evidence that could have been used to support the participant’s case was therefore lost.

"[The witness] knew my whole background but by the time the police got round to contacting her, she had retired. This was about two and a half years later, and she was nearing retirement when I spoke with her about the incidents ... [the evidence] doesn't say anything about [her] perceptions of the situation which I thought would have been quite strong evidence, but they left it too late to get that information"

It was also said that police officers failed to follow up with other important witnesses until years after an incident when memories were likely to have faded, potentially weakening their testimonies.

"Initially, I prepared a list of people they might want to talk to and why they might want to talk to them [and gave] contact details for these people, but not all of them were followed up. Some of them ... they decided they wanted to interview them at the last minute, so three years later these [witnesses] were asked if they could remember anything about [the night the incident took place], which was ridiculous"

In another case, police claimed that they could not contact the witness who the participant had initially disclosed the incident to. This led the participant to ask a friend to contact the witness on her behalf, ask them if they were prepared to testify, and then when they agreed (and with their consent), pass the witness's contact details on to police. Had the participant not done this, her case would have been considerably weakened, she felt.

"That's all evidence that would have been lost if I hadn't found him myself. They said they couldn't find him to take a statement so they couldn't include his evidence ... I felt like I had to chase them to do the investigation ... I just feel they didn't try as hard as they could because I found [the witness] quite easily"

Police also asked one participant to obtain contact details for key witnesses with whom she no longer had any contact, such as members of the suspect's family, which she felt was inappropriate and unnecessary.

Male officers collecting evidence was considered inappropriate

In a few cases, male officers accompanied participants to SARCs for evidence collection. In one case (where the incident took place in the 1990s), a male officer took physical evidence from the participant himself. Both situations made participants feel uncomfortable.

"One thing I didn't like was the woman who was supposed to pick me up to take me to SARC, she couldn't come. So, the male detective had to come, and I sat in the car with him [feeling] uncomfortable because I was near him"

Information and communication throughout reporting and investigation

Overall, most participants reported that they had received regular updates from the police throughout reporting and investigation. However, this was not always the case. A few participants reported that communication was lacking, or that there were inaccuracies in the police's updates.

Most participants were kept well-informed throughout reporting and investigation

The police decided to re-open one case years after the incident because other victims had come forward. The second time around, the police communicated with this participant regularly and effectively, which helped restore her faith in them.

“It did do something to reassure my confidence in their investigating abilities and their open-mindedness. At the beginning they were very honest and said that they didn’t know where this was going to go. But actually, once I had made my statement, and they had got whatever evidence they had at that time, they obviously felt it was worth pushing for that charge and they did. And I think I felt really reaffirmed with that. They could have said, ‘We are not going to chance it’”

A further two participants reflected that the police’s communication with and treatment of them during their most recent investigation compared favourably to when they had reported incidents in the past. This, again, helped improve their perceptions of the police.

“It kind of made up for the awful effects of when I reported [previously]. It is sad, but it also made me think that Operation Yewtree and Me Too have had an impact. It also stopped me from going down the route of fearing men as well. I [was reassured by] how irate they were about it, because I did start going to a dark place, and I did start thinking, ‘Will I ever be safe, and will I be able to trust men?’”

One participant noted that the tone of the communication they received from the police was respectful and appropriate.

“It was appropriate. It was professional but also personal, too. I never felt uncomfortable. I never felt that they weren’t professional; it never felt like we were mates or anything. It felt like a doctor–patient relationship or a line manager–employee kind of relationship. It was a respectful, professional one, but it was also informal and friendly when it needed to be”

The police kept some other participants informed about their cases as much as possible, even when they did not have much information to pass on, or when the information was not positive.

“I think I was pleasantly surprised by how they were, because what I was saying sounded so unbelievable ... I think they did everything they possibly could. They came to my home and kept me well informed. I never had to chase it. Even when there was no news; one of his reports was, ‘We’ve tried his house, we saw a curtain twitch, but we can’t be certain!’ He was a model officer”

According to another, the police seemed to take her report more seriously as more evidence was collected and they realised the extent of the abuse she had suffered.

“When I was in SARC, and they realised there was quite a lot of evidence, I don’t know if they believed me more or gave me more support. Sometimes I think, ‘Was it when they realised that this could potentially get to court – that I actually had the evidence that they needed?’ ... I’m not too sure why. I had a really good experience with them; I can’t really fault them at all”

However, some participants reported a lack of communication, updates, and support

After they had given their statements, a few participants found that communication and updates from the police dwindled. Officers tended to only get in touch with them if they needed information, and they frequently reported having to chase for updates.

“The contacts were really few and far between ... I [thought I] would get a letter one day from the police saying, ‘Sorry, the case isn’t going to the CPS’, or that they had rejected the case”

One participant said she repeatedly received incorrect information about her case when she chased her STO for updates, and that they often did not respond to her requests for information at all. Not knowing what was going on with her case or what to expect next added to her anxiety about the court process and its possible outcome. Further on, his participant was also apparently mis-informed about how her case was being handled by the CPS.

“The contact response was appalling, really. Throughout the whole investigation I was having to chase to get an update, to find out what was happening. And ... I would speak with the [STO] and she would give me some information and I would ask her to check that out and she would come back to say, ‘I’ve spoken to the officer in charge, and that’s not right’. And there was a difficulty because they were on different shifts, so she could only read what was on the case, couldn’t actually speak to [the officer in charge]”

Timeliness of reporting and investigation

The duration of reporting and investigation varied greatly between participants. In one case, the decision to charge was made the day after the arrest. In four cases, the decision took three to four months after the initial report and statement. In other cases, the decision to charge took over a year. In the two historic cases which had initially been classed as NFA and subsequently reopened, the decision to charge took between 16 and 30 years.

The majority felt the reporting and investigation process took too long

In most cases, participants felt that the decision to charge the suspect took too long, impacting on their mental health and placing a strain on their relationships with their children and families. Most participants also reported feeling aggrieved by the amount of time their cases took to get to court. These delays were unjustified and unexplained, it was said, especially when they had cooperated fully with the investigations, taking time and effort to provide statements, evidence, and witnesses’ details.

“I don’t really understand it. What I do know is that they were given all the investigation material that they had collected during the investigation. That was given to them. My social services file was given to them, and my video interview was given to them. And they had to review all that and then make a decision on whether a prosecution could go forward”

Two participants noted that although taking their statements and evidence collection took a long time, the rest of the process went by very quickly.

“It all seemed to happen really, really fast. It took a long time to give interviews and the evidence, and it took a long time for them to build up enough to arrest him, but then from that point, things seemed to move really, really fast and it’s become a blur as well”

Improving reporting and investigation

Although two participants said their experiences of reporting and investigation could not have been improved upon, the others suggested the following:

- The police asking participants about their support needs and preferences, e.g., whether they would prefer a female STO.
- Police officers being more reassuring and encouraging.

“I know they are stretched in terms of resources but it’s quite intimidating walking in; and then you say your thing and it’s like, ‘Great, ok’”

- The police providing more detailed information about next steps in the reporting and investigation process, as well as possible timescales.

Charging and bail

Timeliness of identifying and charging the suspect

Suspects were arrested promptly in some cases

In some cases, suspects were caught and arrested promptly following the statement. Participants were kept informed of when the arrest would take place and were updated afterwards – and in a minority of cases, the police checked in with them afterwards to see if they were OK.

“I think they arrested him quicker than they wanted to because there was an[other] incident ... without that [incident] they wouldn't have”

In other cases, arrests took longer than expected, leaving participants feeling vulnerable and afraid

As noted previously, in a few cases, delays in arresting the suspect left participants and others at risk of attack. In one of these cases, the participant explained that being seen to ‘allow’ the suspect into her house following his arrest and release on bail went against her in court.

“What went against me in court was that he had been in my home after I had been to the police. Why? I had no choice. He hadn't been arrested and I was told not to alert him to the fact that he was going to be arrested. I had to stand there and try not to vomit everywhere with a man who had ... raped me horrifically stood there in my house. There was nothing I could do because there was nothing to protect me”

In her view, the suspect was also given preferential treatment because police made efforts to arrest him outside of his working hours.

“I thought, you have all this evidence; text messages saying he had done it, you have him admitting to [professionals] that he did it, and you won't go to his work and arrest him because you don't want to humiliate him. But where was my dignity”

In two other cases, participants were not told by police that the arrest had taken place, despite asking to be informed. That caused these participants to worry for their own and their families' safety.

“He had police bail initially and they were supposed to let me know what would happen that night ... They were supposed to be sending me a text, but they didn't send me a text, I had to follow it up the following day ... ring the custody suite to see what had happened, because I was scared that he would come back ... I was terrified that night”

Bail and conditions

Most suspects received police bail following their arrest, often with conditions not to contact participants. A minority were detained in custody from the point of arrest.

Perceptions of information, support and safeguarding from the police were largely negative

Two participants said that the police continued to be supportive after the suspect was bailed or remanded in custody.

“I felt that I had the correct support that I needed. If I needed more, I would just have asked for it”

However, several others reported that the police ceased contact with them once the suspect had been charged. In some cases, this left participants feeling abandoned.

“Up until the point where he was charged, everything with the case was really good and everything seemed to happen the way it should have happened. Then the minute he got charged and put on remand, I sort of just got left ... I got so much support up to that point and then everything sort of disappeared”

In one case, there was no handover between their STO and the witness care unit, which the participant would have welcomed.

“Once I had been told that he was being charged ... it would have been nice for [STO] to ring and say, ‘Look, [participant], that’s my role done, and now you will be taken over by witness care or whatever...’ but there was nothing. I just suddenly got a barrage of phone calls and emails from witness care and Citizen’s Advice”

Another participant expressed frustration over the police not being allowed to divulge details of the investigation at this stage when she asked.

“It’s just really aggravating when they know something you don’t, and they won’t tell you ... I would rather have not known that they knew things about him that they weren’t allowed to tell me, than knowing that they knew things about him that they weren’t allowed to tell me ... Because you can’t not want to ask. And then they have to keep on saying, ‘We can’t tell you that’ ... They couldn’t tell me anything about him at all”

In several cases, it was said that suspects and their families harassed and intimidated participants by, for example: turning up at places where participants and witnesses worked and socialised; making threatening phone calls; sending threatening emails and messages; and posting derogatory content on social media. This left some participants afraid to leave the house, which impacted negatively on them and their families. Others’ mental health declined. When participants reported this to police, they apparently took no action.

“Once he got arrested, I was told not to put anything on social media and to be careful, whereas he could put whatever he wanted. I had so many threats from people. Somebody threatened to ... rape me ... for making a false statement to the police. I just got told to ignore it, and that it would be best not to go on social media for a bit. It was really difficult”

In one case, a police officer allegedly made a threatening comment after the suspect had been charged and remanded. This left the participant feeling anxious that the judiciary would not believe her when the case reached court.

“When the male detective who had arrested him came that night – he was also the one who had been questioning him all day – he was like, ‘If I find out you were lying, then I will be very cross, and you’ll be in a lot of trouble’, sort of thing; and that really scared me ... I thought, ‘Oh God, no-one is going to believe me in court’, and mentally, that response worried me. I thought it was unfair”

Finding out the outcome of the investigation

All participants were told the outcome of the investigation by their STO or by the detective in charge of their case.

One participant’s case was dropped by the CPS just before reaching court

One participant had their case dropped by the CPS six weeks before the trial due to issues with the evidence they had given. Police informed her of this decision in person, by handing over a letter from the CPS which explained the outcome and the reasons for it. The participant said the police should have handled this more sensitively.

“[The police] obviously don’t know how to give me this news, so they just said, ‘Here’s the letter from the CPS ... I don’t know what to say, so I’ll just let you read it’. They give me the letter, and I’m just sitting there, and they say, ‘We are not going to present any more evidence because of [issues with the evidence]”

The participant felt that this decision was unfair, and that her case should have been heard at court, because of the wealth of evidence in support of it. While she did not take up the CPS's offer of an independent case review because she felt that it would not change the outcome, she did attend a review meeting with the CPS to explore the reasons behind their decision to drop the case. The participant suggested that, in a similar situation in future, the CPS should keep cases open while they consider all available evidence thoroughly.

“I didn’t get justice, and because they offered no evidence, it’s not like we could go back and try him for that now. That’s what made me angry. If it had been a case of ‘we are dropping the charges’ that’s fine, because they could have done this review and then said, ‘Actually, she’s really right, let’s have them in court; we’ll prosecute him...’, but they entered no evidence, so he was formally found not guilty. I would prefer if they ... let the charges lie on the file or something, so that there was a possibility that they could change their minds”

Four participants' cases were classed as NFA, then reopened

In three cases, the incidents had taken place in the 1980s and 1990s. Police had classed one case as NFA due to a lack of evidence, another at the request of the participants' parents, and gave very little feedback about the decision to NFA in the remaining case. All participants felt extremely disappointed by this.

"Initially, I felt so let down. So let down. I felt so vulnerable as well. It really changed my outlook on the judicial system and on the police from there"

In two of these historic cases, participants were contacted by the police many years later as they intended to reopen their cases because the suspects had attacked again. In the other historic case, the participant decided to make a fresh complaint. When the cases were reopened, the police were said to have handled it well in one case, but less so in the other two. In one of the latter cases, police gave only very minimal information about the new investigation, which the participant found frustrating.

"[The police] came in ... we had some tea, and they told me that they had run the fingerprints through ... and had come up with a match ... they were being really vague [about the suspect]. They said, 'We can't tell you anything', and that drove me up the wall"

In the fourth case, the CPS took the decision to NFA on the grounds of insufficient evidence, before reopening it after the participant made a formal complaint and deciding to charge the suspect with multiple offences. The reasons for the reversal of the decision to charge the suspect was not fully explained to the participant.

"I was hoping that there would be charges resulting from it, but they decided to do NFA, and I had to sort of take matters into my own hands then anyway. They sent it off then to the CPS and ... I think in about less than two months the CPS decided to charge ... if it wasn't for my own efforts, it would have gone nowhere ... I've queried what are the decision-making processes around a case that one minute doesn't warrant any further action but two months later has resulted in fixed charges ... I think it's shameful"

Experiences of court

On the whole, participants' experiences of court were overwhelmingly negative. Nearly all cases took a long time to reach court. Some participants were given little information about what to expect from the court process. Giving evidence was extremely traumatic in most cases. Most participants were offered, and used, some special measures.

There were substantial delays in nearly all cases reaching court

One case took 16 years to reach that stage due to a police review of forensic evidence on unsolved cases. At the time of the incident, the case was kept open due to an apparent lack of evidence, despite the presence of DNA at the scene.

Another took three and a half years from arrest to court: this participant feared that the delay would weaken her case because witnesses' memories would fade over time. One took four years to reach court after being adjourned multiple times.

Police generally gave little explanation for the delays. Some participants felt that they had to 'put their lives on hold' while awaiting trial, and that they were subject to far more restrictions than the suspect during that time.

"It was ridiculous how long it took. Because he was out there drinking around females ... He was able to go abroad on holidays. I thought how is it that I am here, I am financially ruined, I am severely traumatised, and barely keeping it together, and yet the system allows him to just go off and do what he wants"

Several also questioned the amount of time their case took to reach court given the relatively short amount of time police spent gathering evidence.

"I suppose it's not that long, but I think it was long for the amount of investigation that went on ... I know all of the evidence that they collected was sitting on someone's desk for weeks, so I think that was time wasted. I suppose you might say that five months wasn't that long, but they had got most of the evidence in a very short space of time"

Repeated adjournments were common, and forced one participant to withdraw her support for the case

Some cases were repeatedly adjourned, often with very little notice or explanation. Repeated adjournments were inconvenient for participants, forcing them to reschedule work and childcare arrangements at the last minute. They also had a massive impact on participants' mental health, sometimes resulting in loss of earnings because participants felt too mentally unwell to work.

“Nobody could have possibly told me I would get 21 delays ... Get the thing over with and let me get back to my ... life. Stop dragging it out, week after week after week after week ... every delay wipes out a week of your life because you are prepping to go to court and then they phone you at 5pm the night before ... and you don’t know it’s going to end. That’s the thing: by the time you’re six months in, you’re half mad. It feels like a never-ending sentence for you”

One participant’s case was adjourned four times. The protracted nature of the process impacted on her mental health so severely that it eventually led her to withdraw her support for the case.

“I’d managed to move on a little bit, and it got to the point where I was like, it’s just been too long now and it’s just going to make me really ill ... I just needed an end. I couldn’t face it anymore. The calls and the constant updates, every time they phoned me, I was just like, ‘I can’t deal with this anymore’ ... I felt angry, really angry at the whole system ... it was like it just brought up so many emotions but the main one is anger, just frustration at the whole [thing]. Just the fact that you have to wait that long, and everything is against the victim”

Support and information from police

Most participants had the opportunity to give a victim impact statement

Most participants were invited to make a victim impact statement. Some valued this because it allowed them to get their point across. However, one participant feared that those who are not confident writers may struggle to develop one.

“They only thing that worried me about that was that I write, and I’m verbal, and it made me feel, ‘What about people who aren’t?’ If you have this, does it disadvantage other people? ... What if English is your second language or you’re ... really badly dyslexic and horrified at the thought of writing anything down?”

Another participant felt that juries should focus on the objective evidence presented to them in court rather than the victim impact statement.²

“I don’t know how I feel about that. I suppose it’s the way the British justice system works, isn’t it? It doesn’t just go on the evidence; it goes on the impact of your statement on the jury. I just think there is something wrong with that and it shouldn’t be like that. It should just be, ‘Here’s the evidence’, not who can put on the best show of sounding like a victim”

Vague or misleading information about court caused anxiety

The police apparently gave vague information about court to some participants, leaving them anxious and fearful of what to expect.

² This feedback indicates a possible misunderstanding; the participant seems to have believed that the victim impact statement is read out at court, whereas the statement is actually read out at sentencing hearings.

“I remember looking on YouTube for court trials to try and find out what they were like, just to know, and then you start reading things and some people have had the worst experience ever of going to court. I used to read them quite a lot and ask them, ‘Will I get arrested if they think I’m not telling the truth?’, or things like that. I think it’s just because I didn’t really know [what to expect]”

Inappropriate or intimidating comments were apparently made by the police before court, in one case

One participant reported feeling intimidated by the one of the officers in charge at this point, which increased her anxiety about going to court even further.

“[The police] just said, ‘If you don’t turn up or if you don’t do this, they will summons you and take you anyway’, almost like a fear thing. So, I just sort of felt that I had to go ahead with it anyway”

Support and information from the witness care unit

The WCU offered basic information and a walk-round

The WCU was said to have contacted most participants about their court dates, offered a pre-court walk-round, and to have given basic information about the court process. Indeed, in a minority of cases, the WCU was said to be helpful and informative.

“The witness service³ did take me around the court and showed me around. I got offered all the options about being able to have a curtain and going for a video link. It was really comprehensive ... They gave me a tour of the courtroom so that it was more familiar. They explained different people’s roles and gave me an opportunity to stand in the witness box”

The witness care unit should have been more proactive in some cases

In a couple of cases, the support and information from the WCU could have been much better, it was said. One participant said that the WCU had failed to inform her that her case had been adjourned. She was therefore shocked and disappointed that others involved with the case knew this before she did.

“The day it got adjourned the first time, everyone found out before me. I had only just got back from [my pre-trial visit]. It was about an hour drive and then I had the [healthcare professional] ringing me, really upset down the phone and I had no idea what was going on ... everyone else had been told first. I found out from the [healthcare professional] and then the woman pitched up on the doorstep and I had lots of phone calls from [others] ... I felt upset anyway, but everyone else found out before me”

In another case, the WCU apparently failed to contact key witnesses before the trial, and again, did not inform the participant of the outcome of the case.

³ This participant referred to the ‘witness service’ but is likely to have been referring to the witness care unit.

“From the WCU, it was ... just about dates and that kind of thing. It was a couple of phone calls and text messages really, so that wasn’t good either ... I did have to notify the WCU about three weeks prior to the trial that one of the witnesses hadn’t been contacted which wasn’t great ... And I did actually notify the WCU of the verdict. They are supposed to tell me, but I received a call from them after trial and she said she was just updating me that they didn’t have any news, and at that point I already knew, and I told her he’d been acquitted”

Giving and using evidence

Two participants were prepared to give evidence at court but did not have to do so because the suspects changed their pleas to guilty at the last minute. Two others did not give evidence in court because their cases were discontinued by the CPS before they got there. One withdrew her support for the case before the trial, so did not give evidence. All the other participants we spoke to did give evidence, however, and expressed a number of concerns about doing so.

Not knowing in advance what evidence would be presented was thought to have disadvantaged participants, especially relative to the suspect

Although a few participants said that they had been given the opportunity to review their statements before court, others felt greatly disadvantaged by the fact that they were prevented from knowing what evidence would be presented, and that they did not get to revisit the evidence they had previously provided in support of their case. This led them to feel under-prepared and anxious. This was compounded by the fact that the suspect would be allowed to know exactly what evidence would be presented in court well in advance of the hearing. In one case, this included the participant’s medical records and phone records, as well as other highly intrusive information.

In another case where the participant’s trial was pending at the time of their interview, she felt that not knowing what evidence will be presented or how she will be portrayed by the defence counsel was intimidating and unfair.

“I know that that they are probably going to find things about me, my character, my history, that they will bring up. I’m scared about it, but I think they will probably try to paint me as a person who you can’t believe and therefore all my subjective reporting was not to be believed ... I have no idea about what they are going to pick on or how they are going to deal with that”

Inappropriate, distressing, and derogatory evidence was presented in some cases

In some cases, the evidence presented at court was said to be highly inappropriate, distressing, and derogatory to participants.

“They shared around naked pictures of me that had been taken a couple of years before that I sent to [my ex-partner] ... sexual messages that we had sent to each other over the course of our [long-term] relationship”

After giving evidence, participants were discouraged from going into the public gallery

Two participants said that they would have liked to go into the public gallery after they had given evidence to observe the rest of the hearing. However, the police discouraged them from doing so, because they felt it would not give the right impression.

“I was told it was not viewed very favourably if you give your evidence from behind a screen and then return to the courtroom. That’s something I do feel very strongly about now because I did struggle ... I’ve got no idea what happened after I gave my evidence”

Administrative errors with evidence caused distress at an already difficult time, in one case

As noted previously, one participant had to re-do her video-recorded statement because the police or CPS lost the recording. After having done so, the CPS showed her the full, unedited version of the statement before court in error, rather than the shortened version. Having to watch the full video was extremely distressing for this participant.

“So, when I went to go and watch the video interview before court, again, they’d got the wrong one ... when I went to view it, I had to sit through the whole unedited version. That was really difficult ... after the first 10–15 minutes of watching myself get upset on the video I had to get up and walk out. It was hard to do, and it was especially hard to watch all of it ... So, I think I had about three breaks, because it got to a point where I couldn’t carry on a few times”

Important evidence was overlooked in a couple of cases

One participant felt that the police and the CPS could have made much better use of the evidence in her case. Some important pieces of medical evidence were apparently overlooked, and others misinterpreted. In addition, witnesses were not thought to have been asked the right questions and were so unable to provide evidence that could have led to a far more favourable outcome for the participant. This, it was felt, contributed to the perpetrator being acquitted.

“There were witnesses who turned up who gave evidence and statements that would have benefited the case and they weren’t asked anything about it. I think it was the way that the case was put ... I think what would have made it better, is if people had done the job ... if people had used the evidence that was there”

Giving evidence via video link was discouraged, refused, or unavailable for some

In a few older cases, giving evidence via video link was not an option at the time. Three participants with more recent cases were given the option of giving evidence via video link instead of attending court, two of whom noted that the police discouraged them from doing so or told them that it was not appropriate for their case. There was some feeling that being able to give evidence via video link would make the process less traumatic for survivors.

Use of special measures

Most were offered and used a screen in court

Most participants gave evidence from behind a screen in court and generally welcomed this, because they did not want to see the suspect, or to allow the suspect to see them.

“I was physically shaking throughout and I’m glad that I had the screen there and I’m glad that I didn’t have to see him”

“I just didn’t want to give him the satisfaction of seeing me ... it did [help]”

However, one participant felt that the screen was ineffective, and that better special measures should be offered to protect and support participants while giving evidence.

“[The screen] didn’t work, because you have to walk in at a certain angle where you have to pass the perpetrator. You are facing the jury, you have the judge to your right, barristers to your left, just lots of faces, court reporters. You feel like there might as well be a camera on you”

Two participants refused the offer of a screen. One did not give a reason for this, other than to say that it was her choice. The other did not want a screen because she wanted to face the suspect in court.

“I decided that I didn’t want to have the screen. Because I wanted to look [him] in the eyes. I wanted him to know I wasn’t afraid of him anymore”

Negative experiences of court

As already noted, nearly all participants had very negative experiences of court.

Brutal cross-examinations were common

Several participants described receiving brutal cross-examinations. Their personalities, sexual preferences, and motivations for reporting the incidents were said to have been interrogated in a derogatory, accusatory, and often discriminatory manner, which was unpleasant, distressing, and inappropriate.

“Their defence was that it was all a lie, and the only reason I was doing it was to get money from the criminal justice compensation, and they argued that ... I knew how to play that system ... the defence barrister got really frustrated and shouted and that was really hard”

“I expected something better from the CPS, and I didn’t expect what I had in court. I expected ... harsh questioning, I did. I expected to be interrogated but not the type of questioning that I had. I felt belittled and I felt like my experience was minimised. It’s hard to put into words ... I wasn’t falling apart on the witness stand, but I felt like misogyny was rife to be honest, and it was the male perpetrator, the male judge, the male prosecutor, the male defence, and a predominately male jury, and I can’t say anything apart from that it was utterly, utterly traumatising and the worst experience of my life”

“The judge kept telling the defence off as he kept saying to him the question wasn’t allowed, but he kept doing it ... he said things about my sexuality ... that my bruises were [self-inflicted] ... It was so bad that when the jury had been dismissed, the defence barrister turned to me, his whole face changed, and he looked absolutely horrified, and he said, ‘It is nearly over, I am on my last bit, and then you can go’. He looked like he felt sorry for me, like even he was shocked at what he was getting away with. He was doing his job, but even he looked like, this is wrong”

Court was said to be more traumatic than the rape in some cases, and led some to wish that they had never reported the incidents

Two participants said that they had post-traumatic stress disorder (PTSD) specifically from the court experience, which they said they had found more traumatic than the rape.

“In terms of the court process, it’s that that’s traumatising me now. It’s what happened in court; it’s the outcome and the way that everyone just completely washed their hands of me and wouldn’t even give me any answers. It was like ... there wouldn’t have been a case without me. I was the victim of it, it was about my life. There wouldn’t have been a case if I hadn’t pushed it all the way through, and I honestly think about it every day of my life. It’s probably the first thing I think about when I wake up in the morning and the last thing I think about at night, and through the day”

Some participants were not protected from the suspect and their families outside the court

In one case, a participant described her fear and humiliation when coming face-to-face with the suspect and his family outside the courtroom. She felt that far more needs to be done to protect survivors from such situations.

“When I came out of the courtroom, [the suspect’s] entire family were all standing there. I had to walk through the crowd of them and I was just hysterical. His brother stood there laughing at me. His mother stood there sobbing and couldn’t bear to look at me. His aunts, uncles, and cousins, I had to walk through the middle of them to get back to the room. I just thought, you wouldn’t do that to your worst enemy”

One participant was asked to withdraw her statement at court, despite the suspect pleading guilty

Another participant (who did not have to give evidence at court) said that she was “singled out” when she went to watch the case from the public gallery. The judge asked for her to be taken out of the courtroom, and when she was outside the court, asked whether she wanted to withdraw her statement against the suspect, despite his guilty plea.

“When I did actually appear, it kind of threw them for a loop, and they actually named my name in the court and took me outside. I felt like I was singled out a little bit, rather than just letting me blend into the background, to see if I had changed my mind about pressing charges which I hadn’t ... I explained that I just wanted to see him sent down. I understand why they had to do that, but it was just shining a spotlight on me when I wanted to be invisible ... It was completely unexpected”

The duration and trauma of the court process impacted on participants financially

As noted previously, the financial impact of the court cases was emphasised by some, who outlined their loss of earnings and damage to their careers as a result of the experience.

“It financially wiped me out and the emotional repercussions just kept on coming. It’s only in the last three years that I am getting my career back ... I went into a complete slump – I wasn’t able to work for quite some time. The trial was as bad as the attack in terms of the disrupt it had on my life”

Not meeting the prosecution barrister until the day of the hearing was thought to disadvantage participants

Two participants considered it unfair that they did not get to meet the prosecution barrister until immediately before the trial. Those who expressed this opinion felt that it was a deliberate ploy to disadvantage them in court relative to the suspect.

“You are not allowed to know anything that's going on. You don’t meet the prosecution lawyer until a couple of minutes before you go in. You are supposed to be fighting for justice for me and the protection of other people like me, and you literally spent two minutes with me”

Participants’ voices were not heard or considered in some cases

In one case, although the (female) barrister asked if the participant wanted to come into the courtroom to hear the verdict, the judge stopped her from doing so because they considered it inadvisable.

“The barrister came up to us; she was then aware that I was in the witness room, and she told me that they had gone out to deliberate and asked if I wanted to come in for the verdict. I said yes, and then the barrister went away but the judge decided that it wouldn’t be a good idea for me to go in because all the family were there, and they were very verbally aggressive. So ... they gave the verdict without me being there, which I felt was really unfair. I understand why the judge made that decision, but I felt that he should have asked them to leave”

Three participants were aggrieved that that they had been denied the opportunity to give evidence at court. Had they been permitted to do so, they felt that they would have been credible and convincing, and that this would have helped to convict the suspects.

“What happened on the final court date was that as we were getting ready to go and the court was about to open, he decided to plead guilty to two lesser charges. So, I didn’t get to give my evidence. At the last minute! That should be stopped. They should not be allowed to get us to the point where we’re literally about to stand in the witness box ... and then plead guilty to lesser charges to get a lighter sentence because they pleaded guilty!”

Consequently, two of these participants suggested that, in future, survivors should be consulted as part of CPS decision-making regarding whether to charge the suspect, and as part of the plea-bargaining process.

Positive experiences of court

Participants shared very few positive experiences of court. A few, though, stated that the following aspects helped make their experience more bearable.

A separate, secure area for witnesses

One participant noted that having a separate, secure area for witnesses at court helped her feel safe during the hearing.

“In the court they had a separate witness area, so when you go in through there you know you’re not going to bump into any of them. You can see them outside, you might bump into them outside, but once you’re in court, it’s OK. So that made a big difference”

Having family members, friends, or support workers present

Having family, friends, or support workers present on the day of the hearing helped alleviate some of the distress of going to court.

Reassuring judiciary staff

One participant said that the judge was supportive and considerate before the trial.

“The judge was really reassuring, said that if I needed a break, I could take one, or if I needed water or anything ... said that if I didn’t understand anything that I could ask him, so the judge was really reassuring as well. That made a big difference”

Finding out the outcome of the case

Outcomes were unsatisfactory to most participants

Several participants felt that the perpetrators in their cases received lighter sentences than they should have. This led them to feel that they had gone through the ordeal of reporting, investigation and court for nothing, which caused further distress and, often, regret at having reported the incidents in the first place.

“I did think the sentencing was too light, and he did get to appeal despite not getting the longer sentence, but at least he was in prison ... afterwards the impact it had made me think ‘What have I done this for? It has only made me feel worse’. I was replaying court, what I had said, that was really difficult”

Some linked the unsatisfactory outcomes to outdated sentencing guidelines, where certain offences did not exist, or to the suspect changing his plea to guilty at the last minute to get a lighter sentence.

“They allowed him to plead guilty to those lesser charges. And this is my sticking point. In the 2003 re-write of the Sex Offenders Law, the offence he pleaded guilty to was missed off. We had to go back to the original in 1954, which meant it was only worth four years maximum ... I was judged on the values of the 50s! ... And I didn't get any say about whether that was acceptable. That was down to the judge. I felt so worthless. It took me longer to get [him] to court than he served”

Another participant, as already noted, felt that important evidence was overlooked in their case, which contributed to the suspect's acquittal.

The police told most participants about the outcomes of their cases

In most cases, participants were not present in court to hear the verdict, because the police had advised them not to be – so their STOs had informed them of the outcome. They were said to have informed some participants sensitively and sympathetically.

“My liaison officer called me ... to say he was really sorry about the outcome ... He said I just want you to remember that I believed you, that the DS believed you, the CPS believed you. I am pretty sure that the jury believed you too. We are the people who look at the evidence. It was nice of him to say”

More often, however, participants felt that the police could have been more thoughtful when telling them about the outcome of their cases.

“I think they should have done better than leave a message on my answering machine on a Friday evening, so there was no-one I could phone over the weekend”

However, some participants were not told or were wrongly informed about the outcome of their cases

One participant said that the police and the CPS refused to tell her the outcome of her case, and that she had to find this out herself.

“I wasn't present at the trial apart from giving my own evidence because I was advised not to be, so I had no idea about what had happened and of course the outcome was that he was acquitted on all charges ... I couldn't believe or understand, and no-one would speak to me. The officer wouldn't give me any information even though she was present throughout virtually and the CPS wouldn't give me any information either, so I had to approach both of them”

Similarly, another participant said that she was wrongly informed about the outcome of the suspect's appeal against his conviction.

“I was informed that he was appealing only six months ago, but he appealed again straight away, so I should have been appraised of that. And then I was told that they had both been denied, but then about two months after that witness care called me and said that he had won the appeal, and I was shocked because I had been told by the [STO] that they had both been denied. So, he had appealed again, and nobody told me”

How could experiences of court be improved?

Participants made several suggestions for how the court process could be improved.

- Ensuring that cases reach court more promptly, to minimise the impact on survivors and their lives, which worsened in parallel with the duration of the delays experienced.

“I was fine waiting two or three years, but by the time it got to four years ... you need so much support at that point. I was so, so ill mentally ... I just think that if it had gone ahead the first time when it was meant to go ahead, it would have been fine, even if it hadn't been the outcome that I wanted. I wouldn't say it wouldn't have been worth it”

- Offer more, and more effective, special measures to those giving evidence.

“There need to be more special measures for cases like that because the victim, I don't think you should be in the courtroom”

- Being able to access support beforehand to allow survivors to talk about their experiences.
- Preventing survivors from being cross-examined in a discriminatory, destructive, and disrespectful way by defence counsels, or at least warning them that this is likely to happen. Judges should intervene more where defence counsels treat survivors harshly.

“I could have been told to beware that the defending counsel will throw any old [stuff] at you to try and get him off. No-one warned me what cross-examination is like ... and that's what I mean; you are meant to be caught unawares so you 'look honest”

- Having a mock cross-examination to help survivors prepare, which would go some way towards redressing the current imbalance in favour of suspects and against survivors in court.

“Someone should have been able to do a mock cross-examination with me. I know that's what he would have got ... Someone should have explained to me the evidence. I should have been privy to know what he was saying so I could have known what to expect. I don't think it is fair that he had all of that, but I don't”

- Special training for juries to prepare them for rape cases, with consent and stigma as key features.
- Witness evidence should be thoroughly examined and put forward to ensure that survivors get the best outcomes, rather than to paint them in an unfavourable and derogatory light.

- Survivors should be offered breaks when giving evidence. In some cases, participants had to stand for three to four hours in a single session while being cross-examined without being offered a break.

“There needs to be so much more support for people to get through the court process. We shouldn’t have to break down in tears and beg for a break. There should be someone ... looking out for them who says, ‘They need a break’ before we get to the point where we are on the floor”

- Survivors should have tailored support and their own lawyers to advise them on the legal side of giving evidence and to advocate for them more widely throughout the court experience.

“I do think they should have lawyers ... because then you also have someone to advocate for you, in which case, my lawyer could have gone to the police and said, ‘Look, she’s very credible, she’s believable, and she’s going to make a great [witness]’ and also they could have gone to the CPS and said, ‘What the hell are you doing?’ They could have had much more power and agency that I had. So, I feel that very, very strongly, particularly in cases of sexual assault”

- Achieving outcomes that reflect the seriousness of the crime and its devastating impacts on survivors. This was linked to using all available evidence to ensure that the hearing is fair.

“The only thing that would have been an improvement would have been getting a decent conviction. He spent less than 18 months in prison ... There were relevant [related] crimes, but they weren’t brought up in court”

- Survivors should have detailed written information about the court process, because it is hard to take in information when traumatised.

“It would have been good if we could also have got a care pack before court, but you don’t get anything like that when you report. It would have been helpful to have had a pack for sexual assault victims where they list for you what is going to happen, what the process is going to be, what it means if it goes to the magistrates and then to the crown court”

- Sentencing guidelines should be revised to include a category for spousal rape, to reflect the nuances and raise awareness of this offence.

“If we want women to stop being raped in our relationships, maybe we do need a category for spousal rape. In some ways it is worse because it just rips the rug from underneath you. Juries don’t understand the stigma around it”

- Closing the public gallery to protect survivors.

“There should not be a public gallery. Our trauma should not be turned into an entertainment or a spectator sport”

Post-case support

Post-case support from police or the CPS

Most participants were not contacted by the police or the CPS after the conclusion of their case. This left some feeling angry and let down, especially when they had complied fully with the investigations, had been poorly treated in court and/or felt that the reporting, investigation and court processes had not been handled well by the police and/or the CPS.

“I think I deserved some kind of follow up. To walk out of court on the day that you give your evidence, and to never hear again from the police or the CPS ... I think it's utterly disrespectful ... I just feel like I've been treated with contempt really when it was them who were not doing their job, and I get so angry. I look at the news and it's weekly; victims not supporting prosecutions, victims withdrawing and all this sort of thing and that's not the case ... One conversation; I think you deserve that”

Safeguarding was yet again an issue post-case for some

One participant was told by police that they would contact her when the perpetrator's sentence was coming to an end, but this didn't happen. This, she felt, put her and her family at risk.

“The only reason I found out that he was released from prison ... was that I received a lawyer's letter asking me for access to my [child]. So, I went straight to my lawyer's office, and I was like, 'I've got this, and I don't understand. Has it come from prison?', and obviously they made a few phone calls, and then it was panic stations with the police coming out and putting panic alarms, personal attack alarms, plus alarms on the house, until they found out where he had been released to. So, it was a bit of a farce”

Another participant whose case was awaiting trial at the time of her interview was extremely worried about the implications for her safeguarding if the suspect is acquitted. This would leave him free to attack her again, she felt, unless she pays to have protective orders put in place, as she has done in the past.

“That's something I am very worried about ... if he doesn't get sentenced and he's found not guilty then the only way I can get that sort of protection is to pay and go back to the solicitor and go back to the courts and get some orders made ... [Suspect] was an angry person anyway. His anger would know no bounds if he actually came into contact with me. The fact that either he has to be found guilty or I have to pay lots of money if he's not found guilty is a worry”

Horrific abuse via social media was received by one participant post-court. They stated that there should be more protection in place to prevent this, and that the perpetrators of this abuse should be prosecuted to give the message that it will not be tolerated.

“But [the police] say we don’t have the budget and time for them, but you only need to start doing this at a low level to start having an impact. Start telling people that this is not acceptable. Make those changes on things like that and you will see those change happen in bigger events”

Support services and SARCs

Accessing support

Participants' experiences of support services varied.

Police signposted some, but not others, to available support services. Around half of the participants used or were offered an independent sexual violence adviser (ISVA). A few already had an independent domestic violence adviser (IDVA) and/or were receiving support from domestic abuse support agencies when they reported an incident or incidents.

Most participants did not attend a SARC. In some cases, this was because the incidents were reported some time after they occurred. In the older cases, physical evidence collection was usually taken at a police station instead. Most participants accessed counselling, although not until their cases had concluded, because they were not permitted to discuss the incident/s.

Organisations that supported participants included:

- Victim Support;
- Rape Crisis;
- Savana;
- MIND;
- New Era;
- Women Against Rape;
- Women's Aid; and
- Rape and Sexual Abuse Support Centres (RASASCs).

Positive experiences of support services

Counselling helped participants to start processing their trauma

Most of those who accessed counselling post-trial said it was excellent in helping them start processing the trauma of the incident/s and the court process. In one case, it also focused on helping a participant to avoid abusive relationships in future.

"[Counselling] was life changing ... we did some trauma things. She also did some work with me to stop me from getting back into an abusive relationship. She helped me do a lot of work around why I was accepting abusive relationships ... Learning that you didn't have to say yes to everybody. She helped with the trauma from the court"

ISVA support was excellent for some, but was not always available

Some participants reported receiving outstanding support, advice, and encouragement from ISVAs. ISVAs also attended court to support participants in some cases and helped them apply for criminal compensation.

"[My ISVA] was just absolutely amazing. It's practical support, it's emotional support and she's just always, always available. It doesn't matter what time of day or night. She came with me to court. She would help me with anything. They offer all kinds of support. I haven't accessed that, but if you needed support with finance or housing, work; all that kind of stuff"

However, although police suggested to one participant that she obtained an ISVA, she was unable to access any support due to funding cuts.

Victim Support, charities, and third sector agencies provided multiple types of support

In a few cases, charities and third sector agencies were said to provide and/or signpost to multiple types of support. These included:

- counselling;
- help finding appropriate accommodation;
- implementing safeguarding measures like putting locks on windows and changing door locks;
- providing a temporary replacement mobile phone, when the police kept a participant's phone for a long period of time; and
- helping to complete criminal compensation claims.

Negative experiences of support services

Being prevented from discussing the incident during counselling pre-trial caused some to struggle

Although some participants said that they were able to access counselling before the trial, they were told that they were not allowed to discuss any aspect of the rape, because this could prejudice the trial. These participants found this very difficult, because this was the one of the points at which they most needed support.

"I think the difficulty I found was when you actually went [to counselling], you just couldn't talk about anything. You have feelings, but you can't say anything ... I was like, 'I just want to talk about the things that I'm worried about' ... By the time I had been waiting a couple of years it was, 'What am I getting out of this?'"

Individual counselling was usually more effective than group counselling

A few participants accessed group and individual counselling. On the whole, they said that individual counselling was more effective. One participant struggled to relate to the other group attendees because most had been attacked by partners or individuals who they otherwise knew, whereas she had been attacked by a stranger. This left her feeling worse rather than better.

“I was the only one in the room who had been attacked by a stranger, so my trauma was very different from everybody else’s, so I actually felt worse about myself for doing it ... They were bringing up trauma that happened by a person that they knew and for one of them it was the husband who’d done it and they were still having to negotiate with children; so, it was almost as if I was perceived as being lucky. And I did come away from that thinking I was lucky for having been attacked by a stranger because I didn’t have to deal with all the concomitant politics or social politics that these people had to endure”

Some could not access the right kind of support

Another participant has still not managed to access suitable counselling because of the specific circumstances of the crimes against her, leaving her without support.

“He tried to get me in with Victim Support, but I think they didn’t have anyone that could take it on, it was too much. I had to find my own counselling ... A psychiatrist with enough experience would have been good. I could still do with that. Support services can’t offer support to women like me. The NHS can’t offer support to women like me”

How could support be improved?

Participants made a couple of specific suggestions around how the support available to them could be improved.

- Specialist counselling should be available that meets individual needs and circumstances.
- Survivors should be able to access as many counselling sessions as they need, both pre and post-trial.

“I wanted someone to listen, I’ve never had someone to listen. I’ve never had anyone to help me work through it. I need a psychiatrist. I need someone proper. Anything would have been helpful. I have had to fight and argue constantly for support. You only get so many sessions with the NHS, which are never enough”

Overall views

Have survivors' experiences increased or decreased their confidence in the police and other CJS agencies?

Almost all reported decreased confidence in the police and CPS, and most would not report again

Almost all participants reported less confidence in the CJS as a result of their experiences. Some emphasised that the police were not at fault, and that the service had changed for the better in recent years, but that the judicial system and sentencing had not. This, again, was linked to the fact that suspects/perpetrators were thought to be treated more fairly than survivors.

"To be perfectly honest, the reason I said yes and wanted to speak to somebody was that I wanted to make the point that the court system sucks, and I wanted to ... stand up for the police for they get constantly battered, and it seems to me that out of the entire system, they're the ones trying to effect a change ... I think particularly women police officers have done an enormous amount to change the way the police operate"

Several participants said that they would not report similar incidents to the police were they to happen again in future. Those who expressed this opinion linked it to perceptions of the suspect's preferential treatment; delays in their case reaching court; the lack of support for survivors; and their traumatic court experiences.

"It has decreased it; it is utterly, utterly on the floor ... I think that people have got the idea that the truth will out, and that justice will be done, and ... that's just been shattered for me. You can't rely on evidence; you can't rely on the police ... It doesn't matter what you think you've got there. It comes down to what questions you are asked in the courtroom and the strength of the case that's going to be put before you even get there. I have absolutely no faith in it whatsoever"

To what extent did the police and the CJS treat survivors fairly and equally?

Most said that they were treated fairly and equally by the police

Despite clear inconsistencies in the police's handling of their cases, most participants said that they were treated fairly and equally by the police. In a few cases, participants praised officers' sensitivity and compassion.

“I was treated by the police with absolute dignity. The support they gave, I wasn’t discriminated against at all. They made a point of telling me that it didn’t matter that I’d had mental health problems. They were really clear on that. ‘It doesn’t matter; you didn’t deserve what happened to you’”

However, there were apparently multiple serious issues with the police’s handling of one participant’s case and the court process, which was tantamount to unfair and unequal treatment, in her view. These issues, as discussed previously, included initially classing the case as NFA due to an apparent lack of evidence; the insensitive and inappropriate attitude of the STO; issues around gathering and using evidence; and a traumatic court experience.

“I wasn’t treated fairly. I think I was treated completely unfairly ... And I wonder what they got out of it as well because it must cost a huge amount in terms of resources and time ... they should look at their own processes and procedures from their own perspective, really”

Another participant said that she was discriminated against by police due to her young age, gender, and status within the community. This, she felt, led to her case initially being classed as NFA, and to her being denied the opportunity to give evidence at court, which she would have welcomed.

“Everything that was deemed as a weakness for me, so being female, my age, standing in the community, all of those things were impacted by who I was at that time went against me and how I was viewed”

A different participant said she felt as though she was treated fairly and equally by the police, but again reiterated that she felt let down by the lack of information and support from them post-case.

“I do think I was treated fairly and equally, but I just think I was overlooked and that I fell through the system ... Once they got the conviction, that was it ... Obviously, you wouldn’t expect weekly updates or even monthly updates, but even just once a year touching base to say, ‘This is where we are’”

Nearly all felt unfairly treated by the courts and judiciary

Ultimately, the needs of the perpetrators were said to be put before those of survivors during the judicial process. There was a strong sense that this should change.

“I do feel throughout its more levied towards him, towards the perpetrator. He was given all the information; he was given all my statements. They’re given everything and I do think that it is completely out of balance. If I had known what it would be like, I probably wouldn’t have done it”

In some cases, this imbalance was said to allow perpetrators to continue to control their victims, perpetuating their abuse.

“I think the court systems have a way to go. From my experience – obviously the prosecution for rape cases, the whole being overlooked when I should have been notified – it was my life on the line, and my kids’ lives on the line. But also, when he had access to all the lawyers, he didn’t actually want access, he just wanted to pull my strings and it was just another way of control, and he was able to access all that”

Moreover, one participant claimed that the defence counsel had discriminated against her on the basis of her sexuality.

“The same discrimination laws are meant to apply in [court], but I was discriminated against based on my sexuality. That is not OK. What did who I sleep with have to do with anything? What does it matter if I choose a man, a woman, or a fucking alien?”

What would have made a real difference in improving the whole experience?

Speeding up the reporting, investigation, and court processes

As noted, nearly all participants felt that the whole criminal justice process took far too long. This was extremely stressful and difficult for them and got more so the longer the process went on. Furthermore, the progressively declining reliability of witnesses’ memories over time was raised as an issue in this context.

“Having things done in a shorter time period. That would be the one thing ... Witnesses’ memories ... they say to me, ‘What happened on this day?’. I have no idea; let me get my notes out and I’ll find them. So, the veracity of people’s evidence, when you have been interviewed two or two and a half years down the line from the incident has got to be questionable ... Why couldn’t it be dealt with more swiftly?”

Improved safeguarding and protection for survivors

A few highlighted that the police should safeguard and protect survivors for as long as needed, drawing on examples shared elsewhere where they had been abused online and in-person during and after their cases.

Allowing survivors to give evidence in court to support their cases

As discussed already, two participants were stopped from giving evidence in court because their cases were classed as NFA by the CPS (even though one was later reopened). Preventing them from giving evidence (and from being involved in the plea-bargaining process) was thought to have silenced and disempowered them.

“I didn’t feel like I had a voice. I have always been able to orate quite well ... If the CPS had given me an opportunity to sell myself, if you like, they may have done things differently ... I had a lack of opportunity to have a voice with the people who made decisions. These decisions are all made behind closed doors. Sometimes barristers and solicitors have these conversations, and they battle it out and then they come back to you and tell you the decision. They have decided between themselves. You think, ‘Hang on, that’s not OK’”

Improved support for and communication with survivors

Most participants noted a lack of, and/or issues with the support and communication they received throughout and after their cases. They felt that this reflected a lack of respect and consideration for them as survivors of sexual violence.

“I think having more consideration for the victims and the survivors just generally going through the whole system. They can't have support and they can't say things ... you are treated completely differently to any other victims of crime and it's isolating and it's really traumatic ... I can't think of another crime where you would be treated like this”

As alluded to in the quotation above, being prevented from accessing support pre-trial was also a serious problem, given the detrimental impact of the investigation and impending trial on participants' wellbeing.

“I think we should be allowed to access counselling. We should be able to get help that is immune from the court ... You are making traumatised people sit with that trauma and all the stress of court, and then you put them into an intensely traumatic situation. I was diagnosed with PTSD from being in court, but I wasn't diagnosed with PTSD from the rape. That should tell you all you need to know”

Giving police specific training on handling rape cases

One participant felt that her STO did not have any specific training on how to handle rape cases, which was apparently evident in the STO's insensitive attitude and incompetent handling of the case. This led the participant to suggest that all police officers working on rape cases should have specific training to better equip them to do so.

“There should be more training for the police. I don't think [the STO] particularly had any idea of the barriers to reporting with either coercive control or rape offences. There needs to be more education around that. Basically, in my case it came down to a matter of competence ... Better communication, better training; that's what I would say”

Overhaul the criminal justice system to make it fairer for survivors

There was strong feeling that the criminal justice system favours suspects and is biased against survivors, resulting in preferential treatment and lower sentences for the former. Multiple adjournments, a lack of information, and brutal cross-examination added to some participants' perceptions of the system's unfairness and led them to suggest that sentencing and the wider system needs overhauling.

“He was let off. First of all, they lowered the sentence on appeal, and they only do half ... Nobody warned me about how his defence counsel would behave, and how if they can't go for the evidence, because the evidence is fairly open and shut, then what they will try and do is undermine the witness ... [The system] was absolutely not on my side ... Burn it down ... Build a new one that works ... A legal system that worked [would have improved the experience]”

Allow survivors equal access to information

Not being party to the same level and kind of information as the suspect added to the difficulty experienced by participants. Consequently, several suggested that the process should be made more transparent for survivors.

“I think we need to be told everything from the very beginning ... We shouldn't be punished and made to wait. We are punished more than the perpetrators. They get protected”

Conclusions

The conclusions we have drawn from the findings of this second piece of research are similar to those drawn from the previous study undertaken with survivors of rape.

Survivors put a lot at stake when reporting and testifying, yet most do not get the justice they desire

Making the decision to report rape/s to the police was not an easy one for most participants. Some hesitated for a variety of reasons, and eventually risked much when making the decision to do so, including their safety, their homes, their social circles, and their reputations. Others felt pressured into reporting, although most eventually did so simply to protect themselves, their families, and others, from further abuse.

Most participants reported co-operating as fully as possible with the police during reporting and investigation, whilst also attempting to cope with the trauma and distress of the crime/s committed against them. Giving evidence was fraught with difficulty, and court was overwhelmingly traumatic, yet most survivors continued with the process in their quest for justice.

Despite this, most participants were unsatisfied with their outcomes, particularly if their voices were not heard in court because their cases were discontinued, or suspects' plea bargains were accepted without consultation with or the consent of survivors. In the event of the latter in particular, perpetrators were thought to have been given far shorter sentences than they deserved.

All of this suggests that the criminal justice system does not deliver justice for rape survivors.

Police response and support is inconsistent

Some police officers were said to be compassionate and caring in supporting participants to make their initial report, and taking time to explain next steps in detail, which was valued. STOs also provided invaluable support, with some being instrumental in encouraging participants to pursue their cases through to court.

However, in other cases, officers displayed negative attitudes, or were said to be insensitive, inappropriate, and lacking consideration and empathy for survivors. Participants also reported serious errors or problems with evidence collection, use, and interpretation, which could and should have been prevented, not least due to their considerable potential to negatively impact case outcomes.

Furthermore, although the police tended to communicate with participants fairly well throughout reporting and investigation, contact and communication was said to dwindle as cases progressed, to the extent that post-case support was usually poor or non-existent.

This suggests that the police should present a clear, consistent, and comprehensive service to all of those who report a rape. The service should take account of survivors' individual circumstances, needs, and preferences.

A lack of safeguarding puts survivors and their families at risk

Police implemented effective safeguarding measures for some participants. However, most reported a lack of safeguarding at every stage: following their initial report, during investigation, before and after arrest (whereby suspects were released on bail or pending investigation), post-trial if suspects were acquitted; and following their release from custody in the event of a conviction.

To add to their worry, some participants were abused and threatened online, on the telephone and face-to-face by suspects, their families/friends, and strangers throughout the criminal justice process. The police were said to have taken no action on this.

Taken together, this feedback suggests that the criminal justice system needs to enhance the importance it places on the safety and wellbeing of survivors, at every stage.

Delays in reporting, investigation, arrests, and court hearings weaken cases and cause survivors to suffer

Most participants felt that reporting and investigation took too long, and significant delays in cases reaching court were experienced by nearly all. Repeated adjournments were also common, often with little or no notice.

These delays and adjournments resulted in participants having to put their lives on hold, whilst the suspects in their cases were often allowed to carry on as normal. Importantly, the impact of these delays on some participants' mental health and wellbeing has been catastrophic, and even led one to withdraw her support for the case because she had simply reached the end of her limits.

Further research could therefore be beneficial to explore why delays are occurring at each stage of the criminal justice process (even pre-COVID), and to identify actions that could be taken to expedite proceedings.

Suspects are perceived to be treated more favourably than survivors

Suspects were thought to be afforded greater protection than survivors at key points in the criminal justice process. For example, suspects were told in advance exactly what evidence would be presented in court, whereas survivors were not. Survivors were also not able to meet their prosecuting counsel until minutes before the trial, whereas suspects typically meet frequently with their counsel well in advance. This, it was felt, restricted survivors' preparation for the trial, both practically and emotionally.

Indeed, as in the Phase 1 review, there was a prevalent perception that the system does not have victims at its heart, and this feeling of unfairness is an important one to address given it was highlighted as a significant deterrent to reporting any future incidents by participants.

The court process is traumatic for survivors

Finally, the primary purpose of this research was to understand rape survivors' experiences of the court process, and it is hard to underestimate the negative impact it has had on those we spoke to. Tellingly, a few participants described the trial as more traumatic than the rape itself, with two having developed PTSD as a result of giving evidence. This offers a stark reminder of how enduringly shattering the court experience can be for those who experience it.

Brutal cross-examinations were common, whereby participants' personalities, sexual preferences, and motivations for reporting incidents were interrogated. They were also subject to inappropriate, distressing, and derogatory information being shared about them in court, for which they were completely unprepared – and were exposed to ridicule and intimidation from suspects and their families outside the courtroom. Compounding all this is the fact that survivors are often advised against accessing pre-trial therapy for fear it could be used against them in court, and so must 'suffer in silence'.

Participants made many suggestions for how the court experience could be improved for survivors. Consideration should be given to exploring and implementing these suggestions, as far as is possible within the constraints of an adversarial justice system.

The criminal justice system needs to be completely overhauled to put survivors first

The findings from this research, and those from Phase 1, suggest that the criminal justice system is letting survivors down. Too often, police respond inconsistently and inadequately to reports of rape, and fail to protect survivors when they are vulnerable and traumatised. Survivors are disempowered, silenced, and disadvantaged during the court process. This suggests that the criminal justice system needs a complete overhaul to ensure that survivors are supported, empowered, and heard.

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