

Women and Equalities Committee

Oral evidence: The escalation of violence against women and girls, HC 131

Wednesday 20 March 2024

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Members present: Caroline Nokes (Chair); Carolyn Harris; Kim Johnson; Kirsten Oswald.

Questions 230 - 302

Witnesses

I: Laura Farris MP, Parliamentary Under-Secretary of State (Minister for Victims and Safeguarding), Home Office and Ministry of Justice; Charlotte Breen, Deputy Director, Interpersonal Abuse Unit, Home Office; Amy Randall, Director, Victims, Vulnerabilities & Criminal Law Policy Directorate, Ministry of Justice.

Examination of witnesses

Witnesses: Laura Farris, Charlotte Breen and Amy Randall.

Q230 **Chair:** Good afternoon and welcome to this afternoon's evidence session of the Women and Equalities Committee and our inquiry into the escalation of violence against women and girls. This afternoon we have Laura Farris, Parliamentary Under-Secretary of State for Victims and Safeguarding, Charlotte Breen, interim deputy director of the interpersonal abuse unit at the Home Office, and Amy Randall, director of victims, vulnerabilities and criminal law policy directorate at the Ministry of Justice. Thank you very much for attending this afternoon and for the evidence you are about to give us. I am going to start off with some questions about data collection and how the Government are collecting data on escalation of crimes, what is being done to best understand what perpetrators may be doing, and how the nature of their crimes may change and increase. Minister?

Laura Farris: That is a very good question and a very good starting point. Data collection is not good enough, and some of that is linked to the fact that offences are not always accurately recorded in the first place. Let me tell you what we have learned about data, principally in the period that predates me becoming a Minister. We have learned that stalking is an important indicator of future violence against women. We already have some data that shows that 50% of those who commit an offence of stalking will reoffend, but we have more powerful data than that which shows that female homicide victims very often have a stalking victim background that leads up to the homicide itself, so we know there is a connection.

Another really important finding came out of Clare Wade KC's review into domestic homicide that you will recall was published last year and has been quite an important focal point, actually, for the Criminal Justice Bill and other legislation where we have recommended, I think, eight out of her 12 overall recommendations. She said something which we half knew as a Parliament but is really embedded now: that coercive control underpins pretty much all domestic abuse, and coercive control has a strong nexus with domestic homicide. The things we have learned about most recently are things like indecent exposure, what we might call exhibitionist offences. It is not just confined to indecent exposure, although obviously that is particularly resonant at the moment, but other forms of exhibitionist offence. There is about a 10% connection with an exhibitionist offence and some form of further offending.

Some other important data I learned from Professor Katrin Hohl, who Government recently appointed as the independent adviser on the Rape Review, is that if smaller offences go unchecked and do not result in a police intervention or a conviction, it is not enough to say, "Well, will this offence lead to something more serious?" The very fact it goes unchecked can lead to an escalation, with the perpetrator sometimes believing they



have not really done anything wrong because nothing happened, and telling themselves that it is permissible behaviour. We also know that if there is an increased frequency between low-level offending, that is a strong predictor of going on to something more serious. The point around the police not addressing it is emboldening people to go on to more serious offences. We have some important data to work with now, but I would like to be in a position where the data was better.

Q231 **Chair:** What are you doing to improve it?

Laura Farris: Most of this has come through the conversations we have had with the College of Policing and the way it gathers data, and the way we expect it to respond to this. One of the things we have been looking at very seriously is the way that MAPPA management and the sex offenders register are working, because that is the way Government have the greatest opportunity to influence the management of the most serious offenders. Approximately 91,000 people in this country are under MAPPA management—you will recall that is reserved for the most serious offenders: sex offenders, serious violent offenders and terrorists—and, of those, 68,000 are on the sex offenders register. By far the biggest proportion of people managed under MAPPA are serious sex offenders. We know the reoffending rate when you come to very serious offences such as homicide or serious sexual offence is low. For example, in the last year it was something like 124 people out of 91,000 went on to commit a serious sexual offence, which is 0.1%. We also know the number of people who are MAPPA-managed who go on to commit another serious offence has fallen, and is falling sharply, since about 2018 when we last gathered the data. It was about 242 out of the same cohort six or seven years ago; it has now fallen by about a third to 150, 160. We know intense management after the person has left prison is very helpful for stopping serious offending from continuing.

However, on the low-level offending, there are two issues which are really important. The first is that the police are recording those crimes correctly. In fact, just to give you a slightly different example of what I would call a gateway offence: one of the reasons we are putting spiking as a distinct offence on to the statute book is because it was inherently undesirable to be wrapping it up under either poisoning under the Offences against the Person Act 1861, or date rape under the Sexual Offences Act 2003, because you could pretty much have the same offence being recorded in different ways by each of the 43 police forces, so the police do not have an accurate picture of what is actually going on. If you have a spiking offence, then you are bringing it all together and building a better data picture of what is going on. In addition, and just as important, there is the spiking reporting tool which people can use anonymously. They can use it if they have not been a victim of spiking, but they may have been in a bar and saw somebody doing something that looked very suspicious. You can build more of a data picture of what has been going on, even if there has not been police intervention. That is



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just one example of one offence, but accurate police recording is a really important part of this so we can continue to build the dataset.

Q232 Chair: I think your opening comment was that offences are not recorded accurately. What is being done specifically to make sure those 43 police forces are recording offences accurately?

Laura Farris: One of the things we have done is return to a pre-existing model of crime recording, but it is new in the sense that it was only brought in this year. In 2017, I think, the police moved from a model where they would record the principal crime and record sub-crimes underneath, to recording every single crime on their system. We found two things from conversations with the policing Minister and officials, who I will bring in in a moment. First, when they were required to record each crime separately there was sometimes scant detail being applied to each crime, so they were not accurately and thematically recording what was going on. Secondly, they were saying it was creating an administrative burden. The return to the principal crime reporting rule is intended to get the police to record course of conduct behaviour more accurately. So, you would record the principal crime as coercive control, and the sub-crimes within that might be criminal damage, a malicious communications offence, or an economic abuse type matter. All that would fall under the umbrella of coercive control. Equally, stalking might have a malicious communications element; that would be common with a stalking offence. The idea now is we are going back to a model where we should be recording course of conduct behaviour better.

Another really important point made by the independent adviser to the Rape Review is that one of the really important things in the recording of rape is capturing the most accurate detail. I have relayed this to the policing Minister and he is in agreement, but this conversation happened in February, so we are still at an early stage. The independent adviser said that she encountered different forces recording irrelevant detail too often—for example, mode of attack: “He sort of came up from behind”—which is not really ever used by the police again. They are missing critical details: for example, the nature of the relationship between the perpetrator and the victim, the ethnicity of the victim and the perpetrator, the age of the victim and the perpetrator—critical details. She has asked that we have a renewed focus on data analytics that slightly takes that responsibility out of the hands of the everyday police officer and improves the drive to consistency of data gathering in relation to serious sexual offences. That is a conversation I have started with the policing Minister.

Q233 Chair: Can I go back to your comments about MAPPA management? This is only for the most serious offenders; the ones who have been charged and convicted of serious offences. We have 91,000 of them with a low level of reoffending. We will all agree that that is because they are very intensely managed. What confidence do you have that those who are not yet committing the most serious offences are in any way being managed



to prevent them from continuing on that offender journey?

Laura Farris: That is a very good question. There is one thing I can say that should give you some confidence, and another thing in which I would like to see some improvement. First, MAPPA category 3, which is a lower-level category, is for people who are convicted of domestic abuse or stalking offences, and that has expanded quite significantly recently. The most recent data I had showed there were under 1,000 people on that—people who had been convicted of an offence that would not historically link to serious sexual offending or terrorism but, none the less, they were managed under MAPPA. That is good, positive progress. In other words, we are seeing a more creative and imaginative use of MAPPA, albeit in a different category. So, that is to give you some encouragement.

One of the important areas where there is a little disparity is the way police forces are using their safeguarding powers. For example, where you have somebody who goes to the police to report an offence and then decides they do not wish to continue in the criminal justice process, the police still retain powers to make a stalking prevention order or to make a sexual risk order. These are civil orders, and they can get them in the magistrates court, so there is very little delay—go straight in and get them. If the perpetrator breaches that order, then the maximum sentence they can get is five years. That is a powerful tool that allows the police to set terms and restrictions on somebody's behaviour, even if they are not about to go through the criminal justice system on a big trial. That safeguarding element is really important and I would like to see more consistency in the way those orders are being used because, if you think about it, if somebody ends up breaching an order and gets five years, that is very much comparable with what they might get for the index offence anyway, so that is a really important available tool.

One of the things I have been thinking about in relation to this—this is no more than a thought—is whether the range of orders and all the different titles they have is, in some way, confusing, and whether or not we should just have a general protective order that the police could apply for. They could say, for example, "This is a case of stalking," and then put in all the normal things you would have with a stalking prevention order, or, "A sexual risk order is needed because we know this person, we have heard about them more than once, we think we should be putting in these prohibitions." What they are seeking is a protective order, so it is less of a complex web of different orders they need to be thinking about, and they can just think about a simple order that is much easier for them to go for. That is something I have been mulling—I don't know; I haven't really worked it through, but just to almost make it more accessible, more user-friendly, and to see more consistency in the terms of public protection.

Q234 **Chair:** Presumably, a preventative order would act as a significant deterrent to somebody who had not yet become a serious perpetrator?



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Laura Farris: One of the things we know—you get this when you talk to any force—is that there is a small number of perpetrators who cause the most amount of harm because they repeat. That is where there are individuals who will be known, not just to the overall force but in the locality, where you could apply safeguarding provisions which do not require them to have a criminal conviction, do not require the whole Crown court process, but involve the police saying, “We’ve heard about this person in more than one context on more than one occasion; we think it’s appropriate to impose, say, a sexual risk order.” Then, if they breach that you immediately have teeth and, potentially, you get them straight into custody.

Q235 **Chair:** What are the delays in the magistrate system that might hamper that?

Laura Farris: The delays in the magistrate system are very close to being back to pre-pandemic levels. It is the delays in the Crown court that are more substantial.

Q236 **Chair:** Okay. You will be as painfully aware as I am of the horrific incidents we have had, and we have taken evidence as part of this inquiry about really abhorrent behaviours, of perpetrators in the emergency services. Are we yet in a place where we can say everything possible is being done to prevent perpetrators from being employed within our blue light services?

Laura Farris: Some things that have happened in the last few years have shaken parliamentarians, and society, to its core. A lot of work has been done—I can touch on a bit of it—but there is further to go and I can say what that looks like.

There has been a fundamental rethink about police vetting, and about the frequency and stringency of that vetting. The College of Policing has done a lot of good work on that. We are getting to a much better place on dismissal. It would be news to many people, including to me when I first discovered it, that before Baroness Casey of Blackstock wrote her report on the Metropolitan police—we uncovered a lot—it was not automatically the case that an officer who had been found to have committed an act of gross misconduct would be dismissed. We are getting to that point; we have got to that point; but that was not the case before. We are giving chief constables more power through things like the Criminal Justice Bill; if one of their officers goes through a disciplinary and is exonerated and they do not agree with that, they can now appeal, which is completely irregular. That does not exist in any other employment law scenario: where the boss can basically say, “I’m sorry, this one needs to be looked at again because I’m worried about this officer.” That is a good thing.

Q237 **Chair:** Is there any evidence that chief constables are using that power?

Laura Farris: First, that power is in the Criminal Justice Bill, so it is nascent. However, we talk to chief constables and we are very interested in whether or not they have enough power at the moment, because



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nobody is closer to it. Nobody knows what happens more in an individual organisation than the person at the top, and they are the ones who are responsible for leadership and culture. It is on these themes of leadership and culture that I would like to come back to you on. I will use the broad headline of the blue light services. When you look at any workplace where there is a persistent problem of misogyny, that is a question of workplace culture and the culture is set from the top. That engages really big questions about the overall cultures that have been permitted.

The other thing that is relevant is diversity in some of those workplaces, and even within individual units of the workplace. It really matters when you have—this is not an attack on men—a completely male-dominated environment, particularly when you are doing what one might say are historically more macho tasks. That is something that can be helpfully countered by a more diverse workplace. Nobody on this Committee needs me to explain why diversity matters because that is your inherent work.

Just stepping back and talking about violence against women—I was thinking about this when I was preparing for today's Committee—everybody who is really deeply engaged in the issue of violence against women tends to be a woman: the Minister today, the civil servant sitting next to me, the perpetrator programmes you heard about from Respect, SafeLives, Refuge and Women's Aid. Who is the national police chief lead? Dame Maggie Blyth. Who are the people pioneering Operation Soteria on rape? It is female officers. You have this across the spectrum: the people who are most actively engaged in dealing with male violence against women are women. Something that would be hugely beneficial for society is to make this a more diverse exercise in itself—not for it to always be women thinking about this issue and deciding what to do, but having men embedded at the top, and in the decision-making roles, in dealing with male violence against women.

Q238 Chair: We heard from Stuart Cundy, who made it very clear that it was unexpected that he took that job, that he applied for that job.

Laura Farris: We hear this all the way through. If I am dealing with anybody, whether they are operational or in policy, or an academic with this expertise, whether it is Jane Monckton-Smith or Professor Katrin Hohl—who I have mentioned—it is always women looking at this issue. I cannot think of any other specific category of serious offence where women are expected to answer the question in totality. As I say, that is not an attack on men—I really want to make that clear—but it is not a diverse area of the law and the way we think about it. Look at who has attended the Committee today: it is female politicians. I do not mean this critically. It is a reality, and I would like to see this whole area being better staffed and better engaged with by men and women.

Q239 Kirsten Oswald: I just want to go back to something you said a minute or two ago. You were talking about the police, about workplace culture being set from the top. I am sure you will be aware that in the statement about the Angiolini Inquiry, the Home Secretary talked about automated



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systems being brought into place to try to move things along in the Metropolitan police. I wonder if you are any clearer than I am on what that means? What is an automated system? How might it work to protect against these kinds of crime? How, particularly, might we prevent that workplace culture from putting a bias that already exists into the heart of some kind of AI or similar system?

Laura Farris: That is a really good question. There is a really big opportunity for AI to resolve some of the issues the Chair has just been asking me about. For example, I have talked about inaccuracy in crime recording, or at least inconsistency in crime recording, and about the crucial importance of data that we know really matters to some of the most serious offences; building an accurate picture of what leads where. You may have heard that Avon and Somerset Police has been in the spotlight recently because it was the pioneering force that piloted, and almost led nationally on, Operation Soteria, which has led to a radical improvement in the prosecution of rape. One of the things it is doing at the moment is a rape data audit—joining up with the CPS and the court system—and looking at every offender who has been reported to them, perhaps all their previous, and how that case came to be reported. Did they send the case file to the CPS? Did the victim withdraw at a later stage? If so, when? What reason was given? What did the CPS do with the data? How did it end up in the court system? It has been doing an historic review of cases between 2016 and 2020 and is building this really impressive dataset that you might think should be available anyway and would be helpful in all serious crimes. In fact, it is something it is doing manually; it is a pilot, and we are learning lessons. It seems to me that would be a natural space where AI could step in, if you could have a good computer system that could straddle those three services by building a picture, for example.

I have told you that sometimes data is not recorded, or irrelevant data is captured and relevant data not captured, so you could have a situation where either the NPCC or the College of Policing were designing a database with all the stuff they really want to capture, using a computerised model to do it, and then building databases that could run across policing, the CPS, and the Court Service, and build a much more accurate picture. I do not know if that is what the Home Secretary was referring to, but certainly I would not be surprised if he was because that is really helpful. By the way, that does not remove the human element of policing, but it does take out something that some officers would say was bureaucratic, kept them in the station, meant they were not doing their jobs, but actually is really critical. There is a massive opportunity, if AI was used right, to capture much more than we do, for it to become habitual, and to be able to build much better data patterns that would help. That does not, of course, resolve the human element of policing or the cultural issues I was referring to in my answer before.

Kirsten Oswald: My concerns were particularly about the internal issues, although the external points you make are relevant as well, so



perhaps we will hear more of that as we go on.

Q240 **Chair:** I always hold up Avon and Somerset as the shining example and, from your earlier answer, you do not think it is any coincidence that Avon and Somerset is led by Sarah Crew, a female chief constable. What is being done to make sure male chief constables in other forces are watching what is happening in Avon and Somerset and learning from it?

Laura Farris: That is a really good question. Sarah Crew is exceptional and I really enjoyed meeting her. One of the things that is now irrefutably true is that Operation Soteria, which is no longer just located in Avon and Somerset and has been rolled out nationally across all 43 forces—we call it the national operating model—has completely transformed rape prosecutions. If you look at the five pathfinder forces—Avon and Somerset was the first, but there were four others—some of those forces are referring quadruple the number of cases to the CPS than they were sending before. It has also done something else which sounds quite boring but is actually critical: the CPS and the police are working together much better at a very early stage. Do you recall that the Centre for Women's Justice submitted a super-complaint against the CPS? It said, "You're just sending to court rape cases that you know you're going to win," and they challenged that. I am not commenting on that, and I do not think they succeeded in that, but the argument was obviously a very powerful one.

You are definitely seeing the CPS and the police working in tandem to take cases with a much stronger confidence in the jury and allowing them to hear the evidence and reach a decision. Operation Soteria has been highly successful, and Government are taking steps now to ensure that it embeds. It is not just something this Government are very focused on and then it loses traction in two or three years' time once we feel that rape prosecutions have returned to an acceptable level. It is something that needs huge focus, probably for the next five to 10 years, until it is completely normalised across all forces. It is a fair challenge to say it is all very well having the star performers, but what do you do about the underperformer that is a late adopter?

The other thing that has been important and complements this is: you are probably aware there are 2,000 officers who have had specialist rape training. They will all be in place by April, distributed on a pro rata basis across the 43 forces. I want to make it clear that the training they have had is an initial amount of training—three or six months of specialist rape training—but it is Operation Soteria training. Quite unusually, it was delivered by the Operation Soteria academics who designed that training. That is quite unusual. Normally, the College of Policing would have done it autonomously, but it was very much done in conjunction with Soteria. Those 2,000 officers have had that specialist training and are in post to do that work. That is really encouraging.

It was interesting to hear quite anecdotal material about what an officer who had undergone that training would know and understand and change



in their approach. Some of it was really simple stuff, but I will just give you one example. Previously a police officer would perhaps have seen all working hours as appropriate to contact a victim if they were following up on the case or getting them in for something, but not taking into consideration that that person had young children and from 3 o'clock would be picking up from school and would not be in a position to discuss a crime as violating as rape because of who was in the room—things like that. There is a much more focused link-up with ISVAs—independent sexual violence advisers—who victims often feel a lot of confidence in because they are not police officers, they are not lawyers, and they are not in an official capacity. In the truest sense of the word, they are litigation friends who will hold your hand and support you. Those victims being willing to work with an ISVA, if that was appropriate, and the ISVA saying, "Well, look, you need a bit of time out on this," or, "We want to keep going with this." It is about having a spokesperson, and the police having a good and healthy symbiotic relationship with those people. That is just a small example.

Also, of course, the investigation model: knowing how to approach the investigation. One example I heard from a trained officer—which, again, I did not know—is that if it was a date rape in the context of a perpetrator who had been on a dating website, you could begin a constructive conversation with the dating company and be allowed to look at the perpetrator's account. You might look at the way they had approached other people. Was there a common mode of practice? Things like that, being able to quickly build a much more accurate data picture about the way they behaved, how they had maybe been looking for somebody, what kind of interactions they had had—was there a common thread? None of this will prove there has been a rape, but it could be really powerful evidence of the way the perpetrator behaved when it is presented in court. Without the specialist rape training, there would not necessarily have been the consistency of approach we are seeing now.

Q241 Carolyn Harris: Currently, I understand that if a suspected victim of spiking, who potentially could have been raped, presents at an NHS hospital, there is no statutory obligation for the hospital to take forensic tests that could help a rape prosecution later down the line. Is that your understanding as well? If so, why?

Laura Farris: Yes, that has been raised with me, actually. That is a good point. What I have heard from the police on that issue is that the biggest barrier to getting a conviction for a spiking followed by a secondary sexual assault is the length of time for toxicology to establish the spiking. They say that even a victim who goes to the police force the following morning and has a standard toxicology test, the substance will often have left their body. That is why the most important, or one of the most important, elements of the spiking announcement at Christmas was not just about the change in the law—although I have said that is very important for accurate recording—but also about the investment going into research into on-site testing.



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There is work happening with the SIA, the security industry staff, on identifying when somebody is not just very wasted—which might have been an expression used in the past—but actually looks like they might have been a victim of spiking because of the way they are displaying. In due course you might, hopefully, have a system where it would be normal for a bar to have those on-site spiking tests—that they could just go around the tables and say, “This has a substance that is not what we would sell in the bar.” Immediately then you have an evidential connection that would allow the police to look at other factors.

I have to say, it is a point that has been raised with me before and I am happy to take that one back, but when we are talking about toxicology, we are much more focused on rapid on-the-night testing, probably of the drink and not the person. I know it is not all drinks, but that is still quite a large component. We also need to see some of these cases getting convictions just to start the ball rolling on that, and that has been something that has been a barrier where the police basically say the toxicology comes too late, and that is a big issue with spiking.

Q242 Chair: The MoJ’s risk of serious recidivism tool for sexual offending has been found to under-predict contact sexual reoffending. What are you doing to address that?

Laura Farris: I have to say, Chair, I did not know that, but I am very happy to take that back and look at it. One of the things I probably would refer to, and I will not go through it all, is this point about certain individuals being high-risk people. As I say, I am very interested in the police using their safeguarding tools irrespective of criminal justice outcomes because there is a huge preventative barrier that could be used more widely, and I am very interested to know why we still see patchy performance. If you look at, for example, when those orders are made, some forces use them more than others which suggests there is a lack of consistency.

Q243 Chair: Could you give us any examples of forces that were using them effectively?

Laura Farris: I am not going to name any, but I am aware of forces that use them less.

Chair: Okay. I was asking you to applaud the good as opposed to shame the bad.

Q244 Kim Johnson: Minister, the Domestic Abuse Commissioner has informed our Committee that there is a culture of disbelief by the police towards victims of domestic abuse. I wanted to know why you believe there is still this issue with the police, and what are you actually doing to change that?

Laura Farris: It is a really important question because we know that one in five of all offences that comes to the police is a domestic abuse offence. It is a major part of what the police encounter. We have had a



system—which I think found its roots in the Domestic Abuse Act 2021—of specified domestic abuse training that has been administered to all forces. By the end of this year, that will be all forces apart from three—I have just been reassured that one of the forces that will not have had it is Avon and Somerset, because they are seen as having such advanced practices in relation to violence against women anyway, although officials can jump in if I am incorrect, and if I am incorrect, I will write to you. It is called the Domestic Abuse Matters training and the feedback we have had, including from the sector, has been that this is really effective.

The other thing about domestic abuse and developing our understanding has been really understanding coercive control. It is a relatively new offence; it was only created as an offence in 2015. Since we have been MPs, which is not very long, it was only recognised that it could outlive a relationship and stay as a tool of abuse—even if it is an ex-partner you are talking about—in the Domestic Abuse Act. Some of the law is still at quite an early stage, but that is why the Domestic Abuse Matters training has been important. We are hearing really positive things. I actually read one of the transcripts, I think it was Women’s Aid or the Suzy Lamplugh Trust that gave evidence to you and I saw they talked about Domestic Abuse Matters. They responded to it positively, and that is consistent with what we have heard around this specialist training.

The other really important tool in domestic abuse—which is something that has taken quite a long time to come on stream and is only starting as a pilot, I think, next month or the month after—is domestic abuse protection orders. That is going to be a composite order, where a domestic abuse victim can either go to the magistrates court or the family court, basically whichever is quicker, and they could get a range of things. They could get a non-molestation order, an occupancy order if they want to stay in the house, a stalking prevention order, all in one order, all through one court hearing, without having to go back and forth again and again. That will be a very powerful tool once we have that operational. We are piloting it through a number of police forces; they are going to get used to making those applications.

With domestic abuse, you are always talking about a criminal offence, but also about family law. The vast majority of domestic abuse victims who end up resolving their problems will probably do so through the family court—that is where the majority of it is dealt with. If a DAPO, as we call it, was something that came on track—and we are expanding eligibility for legal aid—that will be a really powerful tool at better protecting people in a much more focused and immediate way from domestic abuse.

Q245 Kim Johnson: We know some types of those orders already exist to a certain extent, do they not?

Laura Farris: Yes.

Q246 Kim Johnson: We are aware that implementation and enforcement are major issues, with perpetrators feeling they are not worth the paper they



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are written on to a certain extent, and they will carry on with their behaviours. Do you have confidence that this new version of an order will be stronger and enforced in a different way?

Laura Farris: That is a really good point. Yes, I am very hopeful that it will. I was talking earlier about police recording of course of conduct-type stuff. This has similar elements, in that it brings all the behaviours together and gives them a multiple resolution in one focused order. We are also getting much better when you have, for example, perpetrators who are out on licence or something like that, where they are using GPS tagging. The ability to monitor offenders is night and day from where it was, say, 10 years ago, when they had the old radio tags around their ankle, where all that the probation could tell was whether they had left their home or not.

With a GPS tag, you can monitor to the nth degree, and I am not just saying this for effect. The Lord Chancellor was tagged—I do not know if you saw this—the other day for 24 hours. He went home on his bike to challenge the tag to see if it could follow his route and they knew within a millimetre where he had been. So, offender management has got better and, frankly, things like using better technology is a big, important tool in that. As the DAPO is only at a pilot stage, it is hard for me to say for certain how effective it will be, but the intention is that this is going to be the most robust, comprehensive and effective way of protecting victims irrespective of whether they seek that order in the magistrates court or in the family court.

Q247 **Kim Johnson:** A study commissioned by the Home Office and published last year found that one in four victims of abuse suffered significantly in terms of their mental health as a result of what the police either did or did not do. Again, what are you doing to improve the processes for women so they have a positive experience?

Laura Farris: That is a very good question. I probably would take it back to some of my earlier answers. A trained police force really matters and, actually, when we hear from victims who have had a positive experience of the police it is something they really hugely value, and we know specialist training is a very important ingredient of that. The second element is the support. The MoJ provides—what we call in shorthand—ISVAs who would deal with a RASSO case for rape and serious sexual offences, or IDVAs, independent domestic violence advisers. When we came in, there were a handful working in the system; we are now on track to have 1,000 of them, and the ambition is to go further from that. We want anybody who is going to see the police while dealing with a serious crime to have that kind of support, because we know it is basically like having a friend who is not, as I say, official. They are not your lawyer, they are not going to give you legal advice, but they are there to talk you through the process. They can make representations on your behalf, and we know that can be really fundamental to the way a person feels about the process.



Actually, with one force I went to see, when I was talking to them about their performance, there were also ISVAs in the room giving feedback they had had from their clients. They were not political or in any way official. They are linked through SafeLives. It was really powerful. The accounts they were hearing were anonymised, but it was really powerful hearing what victims had said to them about how they felt about the criminal justice process, and how respected they felt they had been. I have to be honest; in some cases they said, "We only saw it through and got the conviction because of you, because you were there for us all the time." That is not to replace the police; it is to complement the work of the police, who will be going through numerous cases and have a slightly different set of priorities. When it comes to victim support, we know having that tailored kind of person with you is critical. I also want to say that I accept your comment that a bad experience of the police can have a very serious negative effect and I want to concede that. I have considered that carefully, and I recognise that evidence.

Q248 Kim Johnson: Following on from that: do you believe there has been a reduction in the confidence of the police because of the violence against women and girls that has been perpetrated by police officers, and the fact that women might not feel confident that their case will be dealt with positively as a result of some of that?

Laura Farris: You could not sensibly suggest that those major cases that have taken place, or come to light, in the last few years have not had an effect on public confidence. They are shocking to every single person in society. It must also be very difficult for the diligent and conscientious police officers who do this work to a high standard, because it profoundly undermines their work and their efforts. If I can talk just briefly about the Angelini Inquiry, because that is the one most topical, the Home Office, working in conjunction with the College of Policing, has got in place—this really started from when the crime was committed—a much more robust process for vetting and disciplinary. Particularly in the Met because it has been the focus, there is a big challenge for Mark Rowley in restoring confidence in that particular force. One of the things I have been following really closely among his commitments is what he has been saying about basically getting rid of officers, really rigorous screening, and screening their histories for any previous sexual allegation or domestic violence allegation. He would recognise there is a high standard to be met.

The public are entitled to see results from that because this is a big moment, particularly for the Met police that have a major challenge. It can be frustrating for policymakers and politicians when there is such deep thought going into this, a really important fabric of laws that, in many ways, are really world-leading. We are one of the first countries to criminalise coercive control and understand it properly. Things like non-fatal strangulation in the Domestic Abuse Act, the rough sex defence stuff—there are lots of countries still grappling with how far they should go in terms of statutes on this. What you need to know is that you can do



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all this work in Parliament or in Government but that it is going to be enforced at the end of the road. I am very encouraged by police methods; I have talked about rape. I am very encouraged by the huge amount of work that has been done to improve the vetting and the checking, but there has been some profound damage in the last few years and that is going to take time and really demonstrable work to address.

Q249 Kim Johnson: Given the police are generally a largely male-based organisation and there is a culture of misogyny, I am curious about how that is challenged in terms of changing hearts and minds in these big organisations to deal with some of those major issues?

Laura Farris: It is a really good question. I am going to return to an earlier answer, but I will perhaps put it in a simpler way. The police need a more diverse workforce, and that is a better gender balance. You may have noticed that when Baroness Casey of Blackstock wrote her review into the Met, she commented on some of the security that applies on the parliamentary estate and beyond, and that there are sometimes certain aspects of being a police officer, for example, if you hold a gun, it is nearly always something that is very attractive to male officers—

Kim Johnson: A man job.

Laura Farris: A sort of man job. That necessitated an immediate response, and we have seen a bit more diversity in the police in that kind of role, but there are numerous other examples. That should be a real focus; there should not be man jobs in the police; there should be a more diverse workforce. It is not just a good in itself; it contributes to a healthy dynamic.

Also, leadership matters, and chief constables play a really vital role in that. I have looked at the police disciplinary procedures that existed before; they are quite complicated. There is an independent lawyer who sits on the disciplinary and there are lay members. If there was an issue with a police officer, that was basically dealt with out of the hands of the chief constable when they were the person who was closest to the performance of that person and knew much more about what they were doing day-to-day. Historically, the reason we are acting through the Criminal Justice Bill is because they would sometimes get an officer exonerated by a panel of people who they may have had almost no contact with when they continued to harbour very serious misgivings about the conduct and attitude of that officer. That was a disconnect that was quite worrying. I am really glad we are moving to a system where chief constables basically have more power on this, because they are the ones we have to entrust to know their force and to know the culture, and ultimately they are the people who are accountable and that is really important. You can only really get cultural change if you empower the leadership to drive it through.

Q250 Chair: Can I just take you back to the Angiolini Inquiry? It had—



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apologies, I do not have it in front of me, so I am going to paraphrase it—a very concerning comment about a culture of misogyny that allowed attitudes to thrive, where misogyny went unchallenged, almost arguably where officers were encouraged to exhibit misogynistic views. Are you confident that culture is being addressed?

Laura Farris: One of the things that worries me, and over which I have no direct involvement, although I have had ministerial conversations at every level in the Home Office, is about the WhatsApp kind of culture. The formation of small groups of people and the way there is a kind of back-chat channel where certain groups of like-minded people can communicate. That is not something confined to just one force; it is something where that kind of conduct, which could frankly be described as gross misconduct, has appeared in other forces too, and I continue to have concerns about the WhatsApp culture.

Q251 **Kirsten Oswald:** I am just going to come back to the point I was trying to explore earlier. You have spoken about a WhatsApp culture, a back channel, back-chat; you have spoken about a culture of misogyny. Again, on this point of automated systems and AI, what protections are in place—or not, as the case may be—to stop this problematic culture from being hardwired into these automated systems and AI, to make sure that the biases and the problems we are trying to get rid of are not cemented in, rather than the opposite?

Laura Farris: I am sorry, I hope I have understood your question correctly. Are you suggesting that too much reliance on AI could embed—

Q252 **Kirsten Oswald:** No, I am not. I am asking a straightforward question; I have no angle here. It is very clearly the case in any automated system, or system of AI, which is going to be looking at people's behaviour and making judgments on that, is only as good as the information that goes in. So, if the information that goes in comes from a culture of misogyny where there are back channels, back-chat, WhatsApp chats that are problematic, then the AI, or the automated systems, by virtue of how they have been set up, will have that bias inbuilt into them. How is that to be prevented from happening? This is a question we should always ask when we are thinking about AI and automated systems, which have much merit, but not if they are not started properly.

Laura Farris: It is a fair question. I was possibly approaching it more simplistically in relation to your first question, which is that we know data is not always accurately recorded, and I gave the example of sometimes basic things like the relationship between perpetrator and offender and that, I suppose, in a way is less subjective. I suppose what you are suggesting is if you had somebody who did not take domestic violence seriously, how can we trust them to enter the right—

Q253 **Kirsten Oswald:** Not really, no. The parameters set up with the systems, or within the systems, can only ever be as good as the human beings who set them up. They can only ever reflect what the human input



is. If the human input reflects that misogynistic culture, where there are these problems that we have all identified, then that would be a challenge that would need to be dealt with and dealt with swiftly, otherwise you are building in the bias and cementing the misogyny rather than tackling it.

Laura Farris: It is hypothetical. It is a very fair point. Going back to the real point you are driving at, which is: how do we root out misogyny in the police force? I have talked about cultures; I have talked about leadership. That really matters. I have talked about better vetting, and I have talked about more diversity. Sometimes when you are talking about this, it can feel a bit abstract—as if, okay, but you still have this very male environment and it is really problematic. Actually, if you looked at a lot of workplaces 50 years ago—politics is not a bad example—it would have been much more masculine and would have had a different sort of prevalent mindset. Actually, improving diversity has improved the quality of Committees. I am joking, but, actually, changes in leadership, changes in diversity across a workplace, and new ways of working can actually embed change quite rapidly when it takes hold. There is no doubt these issues have been thrown up, and they are acute at the moment, particularly the sense that, specifically with the WhatsApp groups, they will ridicule or profoundly undermine victims by making fun of them or making abusive remarks about them and this will go on undetected or, if it is detected, it will not be dealt with stringently enough in a disciplinary process.

These are really big questions, and it is a really important part of what the College of Policing and the NPCC are trying to do in the way they are setting out standards to deal with this emergent problem, which frankly was not one they really had to deal with before. Now it is something absolutely critical in how they deal with it, how they treat it as misconduct, the consistency with which officers who engage in this kind of conduct are treated. Sorry, I should add, the IOPC has a role in that too because it is reviewing a number of forces at the moment—I have to say my own—for conduct of this nature which has been drawn to their attention. So, there is going to be a wider police conduct question which is going to be engaged with by the IOPC on this.

Kirsten Oswald: I will leave it there but may come back on another occasion.

Q254 **Chair:** Can I talk about intervention programmes and His Majesty's Prison and Probation Service and what actually works? What sort of data are you collecting on programmes like Building Better Relationships?

Laura Farris: The evidence on perpetrator programmes is quite thin at the moment. I do not know how much we can really say that perpetrator programmes make a difference. This is a view I have expressed as a Minister. We urgently need some data on that. What is far more important than treating perpetrators or people with convictions is what we are doing at the very start of people's lives. There are two or three changes I am hoping to make that are really important. First, the most



important piece of work on misogyny going on in Parliament is the pornography review. Although the Online Safety Act is going to make the online world a huge amount safer for children, the fact you can access violent pornography on a phone—anyone can do it, and some people do it in public places with women sitting next to them—has an unbelievably harmful effect on young men's attitudes towards women. Therefore, that review, when it comes out in the summer, is a really important moment for society, and I hope we see really strong policy proposals coming through as a result of that. So, that is one thing.

The other thing is education. I know that sounds a bit weak. The word is used in a really loose way, like we need to improve education, but there is a very important role for children, maybe even in primary school—I think we have discussed this previously—where things like intimate image abuse in the mind of a young child can be explained as an intense form of bullying; children are very well versed on anti-bullying stuff now. It is an intense form of bullying. Intimate image abuse of a teenage girl could destroy her life, and it will seem funny and something young boys make fun of, but it has catastrophic consequences. We do not do enough at that very early stage. Maybe even at the end of primary school, going into the beginning of secondary school, is another focus.

Another really important preventative measure—this goes a little into building men in a bit more—is that young men are not really part of the conversation, and this is one of the reasons why there can be this risk of them gravitating towards some of the more aggressive male influencers. I am not sure we have quite yet figured out how we bring young men into this in a way that does not immediately say, "You're a risk, you're a threat," and so I would like to see a bigger role for boys in this conversation.

The third thing that I would say is really important is actually on domestic abuse. We have done good work in this Parliament in identifying children as victims of domestic abuse, but it is also the case that if you grow up in a household where there is frequent domestic abuse, that can entrench attitudes and behaviours that can become very harmful. I will give you one example of the case of Jordan McSweeney—a very, very serious killer, hugely misogynistic—where there was a background of serious domestic abuse in his childhood. This does not change the seriousness of his offence, which was absolutely disgusting, and he is rightly serving more than 30 years—it is one of the most shocking offences—but when you looked into his past, there was a serious background of domestic abuse through his childhood. We need better link-up between statutory agencies because, let us be honest, those children could be at risk. If that is what their day-to-day involves then you are creating children who are particularly vulnerable to that. So, those are my thoughts on prevention, which start very young.

Q255 Chair: What input have you had into the RSHE review?



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Laura Farris: This predated me becoming a Minister, but you know we have discussed this. It is something I have discussed within the Home Office and in an informal way. I just want to make one point on this: a teacher talking to children about attitudes is not enough. It is too much to ask of a teacher to shape the attitudes of a classroom, particularly given how strong their peer group influence will be as they go through school. It is too much to ask of them. Also, some schools are already delivering quite ambitious RHSE, where they really get into sexual harassment and things like that quite young. There needs to be a bit more consistency in education, and I would start it really young. I gave an example of intimate image abuse, which is frequent and really common with kids with phones and all the rest of it. You can start that conversation through the prism of bullying and what that feels like and children understand that. Even when they are very young, they understand bullying, and that is how you start the conversation.

Q256 **Chair:** We should not shy away from teaching age-appropriate RSHE in primary school?

Laura Farris: No, we really should not. It is one of the tools and, as I say, I do not want to land it all on a teacher's desk, because I recognise there is an inherent limitation to what happens in class. It needs to be out in the daylight because, once you get to the stage where the perpetrator is serious, or an adult has become a persistent offender, or is on that pathway through a sequence of low-level offences, you already have somebody who has really problematic behaviour. There is a lot you can do to catch them at an earlier stage in their life and, hopefully, change that course a bit. I have said this on the Floor of the House from the Back Benches, but a world where young children can use a phone to click and access violent pornography is just unacceptable; one day we will look back on that and be absolutely appalled. I know the Online Safety Act is absolutely critical and transformative in stopping that, and I am really pleased with everything we have done on it, but I actually worry about porn more widely than that. It is still there, and so much of it is really misogynistic and violent, and it is really normal. If you look at the most serious offenders, the really shocking cases that have caught the public's imagination, what is the common thread with all those perpetrators? An addiction to violent porn.

Q257 **Chair:** I am going to give you some quick-fire questions and I suspect we are going to get really thin answers in response.

Laura Farris: Can I just bring officials in as well?

Chair: No, we are here to hear from the Minister.

Laura Farris: Okay, that's fine.

Chair: You said the evidence is thin on whether Building Better Relationships works. We have heard there are significant waiting lists for that programme. Do we know what those waiting lists look like?



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Laura Farris: I do not. I would just say this: I have been very interested in whether perpetrator programmes work, I have heard some work better than others and the data is not strong enough on this. I am going to be honest with the Committee: I have heard some scepticism from practitioners as to whether perpetrator programmes really work because you are dealing with people who are quite far down the line with this behaviour, for example in prisons.

Q258 **Chair:** We do not have enough evidence as to whether it works. We do not know what the waiting lists are. We do not know what the reoffending rate for people on probation who are waiting for a place on a perpetrator programme is. What are you doing to make sure Government are collecting that data?

Laura Farris: Through the Home Office, I have requested a comprehensive data review of the perpetrator programmes it has been funding.

Chair: We will probably take that. We know that it is not—

Laura Farris: Yes, and I am very happy to return to you because I have made that request.

Q259 **Chair:** Thank you. Do we know whether the availability of those programmes is even meeting the demand for the programmes?

Laura Farris: One of the things to remember is that sometimes a perpetrator programme is, for example, something you have to do in prison. Even if there is demand for it, it does not necessarily mean the person is going in with a heart and mind desperate to go into a perpetrator programme; it is just a tick box they have to do as part of the rehabilitation system in prison. In fact, that is one of the questions I have asked about how many people are really actively engaging in this stuff because they believe they have a characteristic they would like to change? Or how many are just—

Q260 **Chair:** Going through the motions?

Laura Farris: Going through the motions, yes. I am much more interested to tell you now in the safeguarding powers the police have, because these are highly effective if they are used right. Also, the management of offenders afterwards, and I have talked about MAPPA and the sex offenders register, which the evidence shows is effective at preventing the most serious crimes; that is where the evidence sits, that it does seem to be very effective. We are also doing other things which you will know about, like closing the conditions in which a perpetrator can change their name, just closing off some of those loopholes that might have allowed somebody to slip through the system, and we have been looking very carefully at that.

Q261 **Carolyn Harris:** Given everything you have just said, the organisation Respect told us the Government do not value the infrastructure that the



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third sector contributes to the perpetrator intervention space. Is that a fair assessment?

Laura Farris: The Government are giving a huge amount of money to perpetrator programmes at the moment. The Home Office funds it by about £19 million a year. I have met Jo Todd; I thought she was really impressive. I really enjoyed hearing about her work, and I know she occupies an important role overall. There is definitely not a lack of engagement, but what I have been a bit concerned about—I have only been in post for a few months—is a lack of evidence. It is really important that we look at who has been into a perpetrator programme and who is reoffending. We do not hold that data, and it is hard for me to say we are unequivocally committed to perpetrator programmes when we are not actually sure how well they work. That is just a true fact and why I have requested that data.

Q262 **Carolyn Harris:** Would you say it was fair that there is nothing you can learn from programmes that they put on because they are not providing enough data to actually inform your decision making?

Laura Farris: I think that was an answer that Jo Todd gave to you, because I did look at the transcript of what she said. Somebody asked her about data, and she conceded there was not very much. She talked about whether people felt safe, and we need to go a bit further than that, actually. We need to look, I am afraid, at the black-letter reoffending rate—

Q263 **Carolyn Harris:** Do you feel you could learn something from the role they play? Are they doing anything that you can learn from?

Laura Farris: That is a very fair point and one of the things that when we met—which was before I was a Minister—she talked about a greater role for boys and men and I just made that point myself. So, yes, of course, and we absolutely value her expertise, their expertise. That is not a closing down; it is simply saying there is an urgent need now for an evidence base for this work.

Q264 **Carolyn Harris:** The Victims' Commissioner for England and Wales told us victims are not given information about interventions their perpetrators may have received or participated in. Is that a concern that you recognise, and should the victims be kept up to date as to what their perpetrators are having to go through as part of their sentence, their punishment, or whatever you want to call it?

Laura Farris: I did not know that, and I will take that away. Let me just make one point about the DAPO pilot that I was talking about before, which is beginning in May. One of the things very much envisaged under that pilot—that was a multiple domestic abuse remedy where you could get many orders in one scheme—it is anticipated that participation on a perpetrator programme could be a condition of that pilot. So, not only is there, for example, a non-molestation order or other restrictions on their



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movement, there could be positive obligations, which is one of the reasons it is such an unusual legal remedy.

Normally you just stop people from doing things, you do not positively require them to, and victims will know about that. I am very happy to catch up with the Victims' Commissioner on that point, but you will see a developing pathway on victims knowing more about what is being required because it would be part of the DAPO. As you can probably tell from my answers, we are putting quite a lot of hope into this because it is a route to swifter, more comprehensive and more effective justice for domestic abuse victims, basically.

Q265 **Carolyn Harris:** Given you have already said there is not enough data coming out of the intervention programmes—

Laura Farris: There may be. I have requested it, but it is not something that has been presented so far. We need to see that data.

Q266 **Carolyn Harris:** Did that play a role in you deciding to come forward with your own set of standards rather than adopting Respect's?

Laura Farris: Carolyn, I think you know I have been very interested in this area of the law since I was elected, and I have worked closely with the Children's Commissioner on issues such as pornography. I have been to presentations she has given in Parliament, in the Lords, in the Commons, where she has told an audience absolutely staggering stories of child-on-child perpetrated sexual abuse, where the children have accepted the reason they did what they did was because they saw it in porn.

Actually, another consideration I should have drawn to your attention when I was giving that answer is that we have a child sexual exploitation unit in the Home Office. We meet once a month and there is an amazing team of officers who tell me what they are up to and how they are developing their response—really impressive work—and one of the things they say is the fastest growing cohort of perpetrators of child sexual abuse is now other children and, again, they agree that pornography has a link to that. So, I did not just make it up; the evidence is really worrying around that.

Q267 **Carolyn Harris:** The Respect set of standards has been used for 15 years. So do you believe the set you have introduced is going to be better and will outlive Respect's set, widely used across the sector?

Laura Farris: I have already said I am very respectful to Jo Todd and the work she is doing, but the reality is we have a problem with this area of the law. There is room for imaginative policymaking and it is not unreasonable to draw on other influences, like the Children's Commissioner—

Carolyn Harris: It is no disrespect—



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Laura Farris: Of course not.

Q268 **Carolyn Harris:** It is cynicism about the set of standards. They have been accused of not being victim-focused, particularly in terms of raising awareness of the impact of abuse on women and children survivors. What kind of reviewing process will you have over the standards, and how will you make sure organisations are adhering to them?

Laura Farris: I have to fairly reflect the fact that third sector victims organisations sometimes take a different view of perpetrator programmes to the providers of perpetrator programmes. They are not all aligned on that. I have to reflect that; I have heard that as a Minister. It is also true to say that I will be looking very carefully at the reoffending rate that comes from perpetrator programmes. I would also say this: I suppose there are certain limitations in the tools you have as a Minister and, in relation to victims, my focus is on their protection and the things that improve either their prospect of getting justice or the safeguarding tools that are available to them. I suppose if I am given a choice between victim and perpetrator focus, my focus is more heavily towards victims. I will make that concession now.

Q269 **Kim Johnson:** The average wait time for rape cases to go to court now is 18 months, and a fifth of those cases in the last quarter were halted on the day. I want to know, from your point of view, what impact that has on the mental health of victims, and what you are doing about it?

Laura Farris: It is an excellent question, and I will answer it as fully as I can. Even though I am really pleased with the progress that is being made in rape prosecutions and convictions, it is the case that there are delays in the Crown court. The reason for that is because, during covid, a decision was taken to continue with full juries of 12 people because it was considered that the absolute touchstone of the right to a fair trial was to have your liberty decided by a jury. Not every country did that, but it was a decision we made and, when I look back and reflect on it, it was still the right decision. The best route to getting justice, which has to be our priority, is through jury trials, but there is a backlog, particularly in the Crown court, although it is coming down.

The average time from when the CPS reach a charging decision to having the case disposed of is one year and 54-days. That is the average waiting time. You said 18 months from start to finish. Before covid, or even going back a decade, it would never have been immediate that you would get a rape trial, it was always nine months to 12 months. So we are talking a matter of months not years.

We are doing everything we can to accelerate justice for rape, and I will set out a few of those things, all of which are important. We are recruiting more Crown court judges, and we are on track—by the 2024-25 year—to have 1,000 more Crown court judges working in the system. We have also kept the 20 Nightingale courts open; they were the emergency courts set up to deal with the unusual circumstances of covid.



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We have also accepted all the recommendations of the Criminal Legal Aid Review. We have increased pay for practitioners for defence and prosecuting lawyers by 15%, because we completely value the integral role that the lawyers and professionals play in the service. We hope that that is going to contribute to getting cases down.

Another really important thing to draw your attention to is that we do have some older cases in the system, which the Senior Presiding Judge wrote to the Lord Chancellor about two weeks ago. There are 181 cases in England and Wales that are more than two years old, and he made a commitment that every single one of those cases will have been reviewed by July. There can be some complex reasons why a case takes a long time, and I will give you two. In his letter, the Senior Presiding Judge stated that some of them were collapsed trials; in other words, the jury did not reach a verdict, they were split and need a retrial. Some of the old cases have had that.

The other cases which are particularly slow in the system are historic child sexual abuse cases. We want somebody to come forward at any stage in their life; there is no limitation period that applies to the offence of rape. However, if you come forward in your 40s and make an allegation about something that happened to you when you were, say, 10, the investigations for those cases are slower, more difficult, and can take longer.

Another category of rape which can be slow are the grooming gang cases. To give you one example of why a case might take time: the Greater Manchester Police have an ongoing matter where they are putting together a group of defendants in a grooming case who do not all know each other. They had to make a difficult decision about the categorisation of who was appropriate to be defendants to the same case, even though not all those defendants had met each other, but it is one rape trial. Do you understand the complexity? Some rape cases are highly irregular and that can contribute to why they take longer.

Q270 Kim Johnson: There has been some suggestion that we are seeing an increase in the number of defendants in RASSO cases pleading not guilty as a result of the backlogs and pressure on the prison estate. What do you think is the impact on the victims?

Laura Farris: One of the truths about rape prosecutions is that defendants nearly always plead not guilty, and they nearly always have done. The reason for that is because the social stigma of being a rapist is so high that there is no incentive. Even though there are discounts available for early guilty pleas, which you might get in a domestic burglary, for example, it is not the same kind of offence as rape. We have looked really carefully at this and discussed it within the MoJ but, ultimately, we almost never see anybody plead guilty to rape—early guilty pleas. It is rare and it has always been rare. It has never really changed and that is because of the social stigma of being a rapist.



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Q271 **Kim Johnson:** Of prosecuting counsel, 64% have said they will not be reapplying to be on the RASSO list, and 34% of defence RASSO counsel have said they no longer want to conduct these cases. Could you explain what happens to RASSO cases if there is no counsel available?

Laura Farris: We have been having discussions in the MoJ with senior practitioners at the Bar and the Criminal Bar Association to see what we can do. We concede immediately that this requires our urgent attention. One point I would make, which links to something else I have said, is that RASSO cases are overwhelmingly conducted by female practitioners and that is because, when people are looking for defence, they say they want a woman.

One thing that I have raised, and I also said this when I was on the Justice Committee, is that, more than any other crime, really only women lawyers are made to do this work. We need a bit more diversity. We would have a bigger pool if we had both sexes doing the work. However, you will find that the overwhelming majority of RASSO practitioners are female, and that is because the defence think, if they are defended by a female barrister, they are more likely to be found not guilty.

Q272 **Kim Johnson:** The CBA have said that funding is a core reason for the number of barristers doing RASSO work. If the Government are serious about tackling rape, why are they not adequately funding the barristers needed to do the work?

Laura Farris: We did talk about funding, and actually the rates are higher than when I was in practice; they have gone up. I am not saying it is the most lucrative work, but I am not sure that funding is the issue.

There is a bit of an issue with the intensity of going from rape case, to rape case, to rape case, to rape case. If you look into the detail of that review, the biggest reason why people were saying they did not want to continue doing it was wellbeing not money. That is one of the issues I have. I am not making a political point, but Labour have suggested they are going to introduce rape courts. You would really struggle to find judges who want to sit in court and do rape, rape, rape, rape because this is really tough, gruelling, and emotionally draining work.

A lot of people, whether they are practitioners or judges, would prefer a more diverse practice because of the emotional challenge that comes from doing RASSO cases. We need to be more honest about discussing the wellbeing element and what it feels like to be spending your professional life dealing with some unbelievably difficult and gruelling cases.

Q273 **Kim Johnson:** A couple of questions on the use of section 28 in rape and serious sexual assault cases. Earlier this year, the Lady Chief Justice called for the use of Section 28 in rape and serious sexual assault cases to be paused due to concerns its use may reduce the likelihood of conviction. Do you share the Baroness's concerns?



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Laura Farris: This is a really interesting question, and I was an early advocate for section 28 which came out of my time on the Home Affairs Committee; we did an inquiry into rape. The Shadow Home Secretary was the chair of the Committee at the time, and we heard evidence from legal professionals who had undertaken rape reviews in Wales, Scotland and Northern Ireland. They did not agree on everything on the prosecution of rape, but one of the things they strongly agreed on was the use of section 28 as a way of giving victims the chance to give their evidence ahead of trial, without having to confront the perpetrator, behind closed doors, privately, and to get their involvement over and done with earlier so that the trial could then move on without them; obviously, that was not why it was done. It was in our final report and will be a matter of public record. The MoJ took it up and it has been rolled out. When I speak to victim support groups, it is true to say that section 28 is not for everyone but the victims who have done it have given positive feedback.

I am aware of some preliminary data from Professor Cheryl Thomas KC which has suggested that it does not lead to as high a conviction rate. I am listening carefully to legal practitioners who say that it interrupts trials and makes it difficult to get a listing date for the hearing because they have to do a day of section 28. We are listening to all that. The only thing I would say, and we do respect Professor Thomas a huge amount at the MoJ, is that it was an interim finding. The MoJ is doing its own piece of work.

I am going to bring Amy in, but just to simply say, it is quite powerful to be able to say to a victim, "You don't have to face him; you can give your evidence and be cross-examined in a private room. Your case may not come on for another six months, but you don't have to do anything. You are protected." It does not surprise me that victims say that that can be a supportive environment, and that is a very important starting point. Amy will talk about the review that we are doing into the data because it does matter. Of course it matters.

Amy Randall: I do not have a huge amount to add, Minister. We are doing a comprehensive analytical review. We did a process evaluation last year, which we very much accept was limited, because we were always going to be doing this much bigger, full analytical review that will be published by the end of the year.

A lot of senior people who have spoken on this issue at various Committees and in the public have said, "Until we know, we should be pausing any further rollout or changes." That is also our position. We are not looking to make changes now until we know what the analytical review says, and we will go from there once we have that.

Q274 **Kim Johnson:** Do you have any information at the moment on whether it is having an impact on convictions or not?



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Amy Randall: Within the MoJ, we have no evidence on that at the moment. The analysts are working through it, but there is nothing to share. As the Minister said, there is Professor Thomas's interim findings; she wanted to give a flavour to the JC as part of their inquiry. One of the big problems is that, until the analytical work is completed, which will be hugely useful, we are working with anecdotes which, as the Minister says, are really positive from victims groups and more mixed from other groups

Laura Farris: I believe I am right in saying that a judge has the discretion to order section 28, so it is not the case that every rape victim is funnelled down the compulsory pre-evidence route, but some victims choose it. Historically, it has been a procedure that has been reserved for vulnerable witnesses. It is always used for children which works well, because children do not respond favourably to the big court environment, and the way they are cross-examined is different: everything is different about the way you get evidence from them. So, already, it is something the victim does not have to choose. I know where you are going with your questions, does it reduce the risk of getting a successful conviction? That is where we are going to be focusing our attention.

Amy Randall: If I may just add, particular Ministers pre-dating Minister Farris were making decisions about rollout. In many ways they were very focused on a cohort that would never have proceeded with a trial if it were not for the existence of section 28. In a way that is the group we cannot control for because, hopefully, we will get more people through the system who otherwise would have gone, "I cannot bear the thought of a live trial and therefore I will withdraw."

Q275 **Kim Johnson:** It was rolled out as a pilot project and it has been extended, but there has been some criticism around the technology. I am curious as to why you decided to go ahead in terms of a wide-scale rollout when there have been some issues and concerns, and the impact it is having on vulnerable victims?

Amy Randall: Previous Ministers were incredibly taken by the arguments made by victims groups about the importance of having this in place. Minister Argar gave evidence at the Justice Committee last year about the decisions that were taken then and how important Ministers felt it was to have it available.

The technology is there in every courtroom; we know that there are issues in some courtrooms. It is something we are continuing to look at in various different ways in terms of technology upgrades, something HMCTS is working on. We understand there are issues, and we are definitely not turning a blind eye to that.

Laura Farris: I have to repeat the point, though, when you speak to victims groups, they are positive in general about section 28. I have probed them, what are their concerns? Did they feel that the victims felt that they had not told their story, or they did not feel that they received



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justice? We have not had that feedback. That is not the final answer on this but, when we speak to victims groups, section 28 is viewed positively.

Q276 **Kim Johnson:** Have they fed back in terms of the court technology?

Laura Farris: I have had some feedback from barristers. In context, the other thing barristers mentioned—I want to be fair to them—is that it is unhelpful when you have busy Crown courts to have a day when you have to do all the preparation for the trial, get ready for cross-examination, and then return to the trial much later. It would be easier, in terms of their diaries and managing the case, just to do it all in one go. That is a different perspective to the victim who may find it really powerful to be able to tell their story in a room on their own. We have to balance all that. Of course, we are mindful of the fact that the Crown court has got delays and we do not want to be throwing grit into the machine unnecessarily.

Q277 **Chair:** I want to follow up on this around court facilities. We can do Committee hearings by Zoom, and the technology—she says, touching wood—very seldom fails us. So why in 2023, it would have been last year, the trials last year, we are still early in '24, were we getting evidence from the University of Nottingham were saying that in observation of trials technology was often not working, it was of poor quality, that transcripts were required of videos because the audio was so poor? Why is more investment not going into decent kit, when to be quite frank, it ought not be impossible to have an audio recording that is the same quality as you or I would get on our iPhone?

Laura Farris: Chair, just from my days in practice—which ended in 2019—you practically could not get any video facilities at all in court then. It has progressed a lot, and we did well in the budget, we have a dedicated budget for technical upgrades. We have had meetings about that and that upgrade process has begun. It began with covid, where we started remote hearings for the first time, something that would have been unthinkable, unworkable, a complete anathema to all kinds of courts.

Q278 **Chair:** How much money is going into investing in the tech?

Amy Randall: I am sorry, I do not have that offhand.

Laura Farris: We can get back to you on that because we have had a meeting. I am aware that we actually have got a designated budget for it, and we have discussed this very issue. But I am sorry, I do not have the figure.

Q279 **Chair:** That is very helpful. You yourself, Minister, have pointed out several times that it is female barristers prosecuting and defending this. This Committee has done an enormous amount of work on the menopause and had the Bar Council do some roundtables with us. I am just going to read to you what they then said to us. This is women



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barristers: "Improvements to court estate and facilities, including hygienic and working toilet facilities, and temperature control in courtrooms. These improvements affect not only barristers, but also court users, staff, juries, etc."

Last time I had to do jury service, it was at Southampton Crown Court. The jury room was like an oven, and we were told that the heating could not be turned off, until one of my fellow jurors, who was a heating engineer, managed to do it. I raised this with the Attorney General, herself a barrister, who told me that she had experienced appalling court facilities that did not make a conducive working environment to women. If we have a problem where most of the prosecutors and defenders are women, and most of the court facilities are not conducive for women to be working in it, how can it be any surprise to anybody that female barristers are not wishing to do this work anymore?

Laura Farris: Well, that is a very, very good question. We have a £220 million court upgrade programme that is under way at the moment; there are definitely courts where there could be improvements, and you may have just given a few examples. I do not think women are leaving the profession because of court conditions, but there is a problem with attrition at the Bar from women. This is stuff that I used to say all the time on the Justice Committee; Kirsten and I were on it together actually. There is a bit of a problem with diversity, particularly at the top of the Bar, and in RASSO all the way through. You have made really good points, which I will feed into whoever is in charge of our court upgrade programme, but I just want to reassure you the funding is there, and there is a programme of work. Amy will correct me if I have missed anything.

Amy Randall: I do not think so, no.

Laura Farris: And sensible things like proper air con and facilities. I would add another one for pregnant barristers, not always happy to be on their feet.

Q280 **Chair:** You just said it, there is a problem with diversity at the Bar.

Laura Farris: There has been an attrition issue for ever. We are moving away from violence against women, and we are talking about women in a particular sector, but there are equal pay issues at the Bar, and yes, there is a problem with attrition. You do not need to take a Minister's word for it, look at any barrister's chambers anywhere in the country, and you will see that at the top of it there are far more male practitioners than there are female. But at the beginning, in the early years, you will see a diverse Bar; that is common.

Q281 **Chair:** Institutions like the Garrick being all male impact on that.

Laura Farris: The reasons are that a lot of being a barrister involves travelling around the country, and not all women have children, of course, but those that do often then decide they do not want that life.



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Also, you are self-employed, and historically that can be really difficult after you have had maternity leave, so there can be problems with rebuilding your practice. There are probably wiser heads at the Bar Council than me who could say what happens, but it is still very poor to look at different practitioners' chambers and see that a lot of women are not there at the top. The women who make it through on to the Supreme Court—I know there are a couple now—are still the exception. That is something where the legal profession does lag behind maybe even our world, although that is not perfect.

Chair: Far from it.

Laura Farris: But yes, I take your point and I agree with exactly what you are saying.

Q282 **Chair:** Thank you. I had an email two days ago from a young woman who was assaulted in January 2022, had a trial date set for March 2024, and was informed on Monday that the case had been vacated, and it would be a further nine months until that case can be heard by a jury. It is going to be three years before she has her case heard. What message should we be sending to victims as to how that is going to speed up?

Laura Farris: Thank you, Chair, because that was also a question from you, Kim, and I did not answer it. That is a very urgent issue that we are looking at in the MoJ. I just want to make clear that listing is a judicial function, and they are meant to prioritise cases with vulnerable victims. It is always alarming to us to hear about somebody waiting for a rape trial where the case has been postponed, although I have to be clear that is not within the MoJ's realm of control. I know that the Lord Chancellor has had conversations with the LCJ—the Lady Chief Justice—about this issue. I know that this is something that there is a real focus on.

One of the issues is that priority is given to cases with a pre-trial custody profile. In other words, if the defendant is on remand, that case gets prioritised because they have lost their liberty awaiting trial. That is not always the case with rape cases. Often the defendant is at large in the community, and that has created some tensions. When we hear cases such as the example you have just given us, and other examples we hear, often what has really happened is that there has been a postponement on eve of trial. The police has done its job right, the CPS has done its job right, everybody was set up for trial, and then there was a postponement. Within the absolute limits of what we are able to influence, we are very keenly aware of that issue, and we feel its importance and I would not wish to minimise it. Although, I must repeat that listing is a judicial function.

Q283 **Kirsten Oswald:** Minister, you have talked about access to pornographic images, non-consensual intimate images. I would like to look more at that. The act of posting a non-consensual intimate image online is illegal, but strangely the act of reposting it, which obviously increases exponentially the reach of the non-consensual images, is not. Do you



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think that loophole should be closed?

Laura Farris: We have a sharing offence, which we created in the Online Safety Act. The intimate images provisions commenced on 31 January, and the sharing of a non-consensual intimate image is now an offence.

Q284 **Kirsten Oswald:** Okay, so you are not concerned in the way I am about this because you think that that issue has been resolved. Is that fair to say?

Laura Farris: It is a very good question. I would have understood a repost as a share. If I am wrong about that, I ought to get back to the Committee and clarify.

Kirsten Oswald: That would be helpful.

Laura Farris: But my understanding is that a repost would be a sharing of an image, and it would be a further offence. But I will absolutely clarify that.

Q285 **Chair:** We heard very clearly from the Revenge Porn Helpline.

Laura Farris: That a repost was not a share?

Q286 **Chair:** A repost was not a share. If that is the case, how quickly could anybody in this place move to close that loophole?

Laura Farris: There are two questions there.

Amy Randall: Sorry, I do not know. I would have to check that and come back.

Laura Farris: Can we check that and come back to you?

Q287 **Chair:** We would be interested, if that is a loophole that needs shutting.

Laura Farris: Yes. I had focused on the word "sharing", and I would have understood a reposting offence to be a sharing offence.

Q288 **Kirsten Oswald:** You can perhaps see the concern, where if this is indeed the issue that we think it is, and there is a lack of clarity on your part, there will surely be lack of clarity on other parts too. It would be good to hear further about that.

Laura Farris: I will undertake to take that up for you. I am really glad you have raised the image stuff. The commencement of those provisions on the Online Safety Act, the sharing offence, the cyber flashing offence; the first person has been sentenced to a custodial sentence yesterday for cyber flashing. That is an offence that had gone under the radar for a very long time, almost just part of being a young woman was to experience that. We have got that onto the statute book, we have got it going, and we are now seeing people getting custodial sentences as well. That is really important: this is not just grubby behaviour; you will feel a severe penalty if you do something like that.



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Q289 Kirsten Oswald: Okay, that is helpful to hear that progress. You have said earlier today, though, that you do not think enough is being done in general in this space. I wonder what your views are on making non-consensual intimate image content illegal, so that internet service providers are required to block the content and platforms are required to remove it. Do you think that should happen and is that something you would look at doing?

Laura Farris: Yes, and this is covered by the Online Safety Act. With the Criminal Justice Bill that is going through the House at the moment, we are moving from an intent-based theory of intimate image abuse to a consent-based model. There will now be a base offence for any intimate image that is taken of a person without their consent; the maximum penalty for that is six months. If it is established on top of that, that the image was taken for the purpose of causing alarm, humiliation, or distress, then that is a more serious offence attracting a maximum custodial penalty of two years. Then there are the sharing offences, which are set out in the Online Safety Act. The Online Safety Act had to be limited to sharing because it was basically a communications Act, and so it needed that. That is where I am going to come back to you on the reposting example that you gave. The law is now pretty robust in both non-consensual intimate image-making offences and sharing offences.

Q290 Kirsten Oswald: What about the internet service providers in all this, though? That is the bit of my question that you did not answer. Do you think that internet service providers should be required to block the content and that platforms should be required to remove it? Is that something that the Government will look at?

Laura Farris: I am just having a look. There is an order of priority, is there not? I made a note of it before I prepared for this.

Q291 Kirsten Oswald: I imagine if that was something that had happened to any of us, then that might be a significant priority, because the hosting of such an image on an internet platform, where however many more people could look at it, would be something that would be of grave concern, I would think.

Laura Farris: The reassurances, and I just distil the principles on the Online Safety Act, they have an obligation, their absolute priority is to remove illegal content, and that includes harassment or stalking activity. We know that a large proportion of stalking takes place online—

Kirsten Oswald: That is not what I am asking about, Minister.

Laura Farris: I know. The second thing that the internet service providers have to show is that they have effective systems to take down other unlawful content aimed at women: cyber flashing being an example, intimate image abuse being another example. The purpose of that, which was set out in the accompanying notes to the Bill, was to stop perpetrators using the internet as a weapon. There is a removal obligation on the internet service providers.



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Q292 **Kirsten Oswald:** It might be useful to go back to that and to write to us on that as well, if you do not mind me saying so, because I do not think—

Laura Farris: You do not think it goes far enough?

Kirsten Oswald: With the greatest of respect, you are not answering my question. There is detail that is missing there. I want to know if the Government are going to consider making non-consensual intimate image content illegal, so that internet service providers can then be required to block the content and platforms to remove it. We have not quite got there. But let me move on to maybe a more theoretical question to you, Minister. Do you think that a registry, operating in the same way that the registry for child abuse images does, might be a suitable mechanism to identify, classify and therefore allow for the removal of non-consensual intimate images?

Laura Farris: That is a really good idea.

Q293 **Kirsten Oswald:** Okay, thank you. I am going to move on to a final topic and look at abortion safe zones in England and Wales. I wonder if you think it would be fair to say that the UK Government are trying to water down the Public Order Act 1986, by allowing silent prayer within abortion buffer zones in the draft non-statutory guidance.

Laura Farris: I was somebody who voted for that legislation. But you have engaged competing rights under the Human Rights Act 1998. There is freedom of expression, and silent prayer is obviously going to be a particularly difficult category, because the proportionality exercise requires you to ask how far that encroaches on another person's freedom. The Government are not trying to water it down, they are trying to judge where the line falls between competing rights and obligations, and silent prayer is a difficult category on that. I should make clear though, I do not speak for the Government on this, because abortion issues are a free conscience matter and that should not be conflated. But I have a bit of a background in human rights law, and I understand that sometimes it is easy to say, "Well, I don't like this," but actually when you look at the Human Rights Act, they can pray in aid of a different provision under that, and there is a fine line to be drawn.

Q294 **Kirsten Oswald:** Obviously, I am asking about it in the context of the Public Order Act, so it is a reasonable line of inquiry. But you are basically saying no, you do not think it has been watered down.

Laura Farris: I am speaking more on a personal level. It engages quite a difficult issue; it is right on the edge. That is quite often the case where human rights questions become difficult: that both sides have a reasonable claim. You are in that space for this. But I do not think the Government are trying to water it down. The Government do not really have a view on abortion, and in any political party you will have politicians with different views, and that is respected.

Q295 **Kirsten Oswald:** Nobody will disagree that there will be a range of



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views, but specifically looking at the Public Order Act, you do not think that there is an aim to water it down?

Laura Farris: No.

Q296 **Kirsten Oswald:** Does that mean that you disagree with the Equality and Human Rights Commission's observation that paragraph 2.7 of the non-statutory guidance could be wrongly understood to be providing an exemption for silent prayer, which is obviously a different angle?

Laura Farris: Can you read me that paragraph?

Kirsten Oswald: No.

Laura Farris: Oh, okay. Well, I am not sure what paragraph 2.7 says. I know the Equality and Human Rights Commission well, I am not unfamiliar with their work. I would just like to see how they phrase it and I would like to consider it in that context.

Q297 **Kirsten Oswald:** Putting the specifics of the wording aside, the principle of the question remains. Do you think that there is a potential misunderstanding that there is an exemption being cut out for silent prayer?

Laura Farris: This has not really been drawn to my attention, and I would need to consider it. I will revert to the Committee on this if this is an outstanding concern. The purpose of the legislation—I remember being in the debate for it—was that some people were being barracked on their way to seeking lawful and safe abortion services. I remember it was the Member for Ealing who brought it forward, and I remember how she presented it, and it was about stopping women from being, as I say, barracked on their way in. Lots of Members understood it and supported it on that basis. You cannot stop abortion being a controversial issue where people will have competing views. I do not know enough about this, and I do not know what paragraph 2.7 says.

Q298 **Kirsten Oswald:** I am just trying to get to the facts of the issues that I am raising, rather than going into the variety of opinions, which we would all agree are there. Can you confirm to me, though, that all protests, including silent prayer, will be banned in abortion buffer zones?

Laura Farris: I honestly do not know where silent prayer falls on this. I cannot immediately see that somebody standing silently with their eyes closed in prayer would amount to an offence under the Public Order Act. But I could be completely incorrect about that, because I have not read the Act and I do not know what the Equality and Human Rights Commission said. I have to be honest.

Q299 **Kirsten Oswald:** Final point from me, then: can you tell us when the legislation passed by Parliament last year will be implemented?

Laura Farris: Will be commenced? Yes, that is a good question. Do we know?



Amy Randall: Sorry, not on abortion, no.

Laura Farris: We can get an answer on that.

Q300 **Chair:** Can I just say that—as you might expect me to, having both spoken in that debate and voted in favour of the legislation—I am going to follow up on this? I was very clear that it was Parliament’s will that women accessing lawful healthcare should be protected from harassment. While I can see there are competing human rights issues at stake here, if the Home Office is going to take the view that silent prayer is not harassing women accessing lawful healthcare, at what point is too many people engaging in silent prayer harassment?

Laura Farris: I do not know exactly what the Equality and Human Rights Commission said on this. But you are right, you are going to be at the margins with things like this because there will be a legitimate argument around freedom of religious belief, freedom of expression, which is not interfering with anybody else’s right to get an abortion. Then there is the example that you have chosen, which could obviously cross a line. There are difficult cases in this area of the law, or any equivalent area of the law, that will sit at the margin. I am happy to take back to the Home Office how we are going to define where that boundary falls. But it is not wrong or inappropriate that competing fundamental considerations are weighed in the balance when preparing guidance. And as I say, the Home Office is not thwarting this issue at all, nor do the Government have a position. Their role is to faithfully implement the will of—

Q301 **Chair:** In this instance, when there was a meaningful vote in Parliament, surely the role of government, the role of the Home Office, is to implement the will of Parliament.

Laura Farris: You are asking a question which I can see falls close to the boundary, and I will have a look at that and see. I will particularly consider what the Equality and Human Rights Commission said; I will come back to you on that point. I cannot give a better answer than that at this point, on legislation that has not yet been commenced. You are raising hypotheticals, but it is reasonable that you do and it is fair that we—

Q302 **Chair:** But we are not raising hypotheticals. Parliament’s will was that there should be buffer zones to protect women accessing lawful healthcare, and from the perspective of certainly part of this Committee, it feels like there is a dragging of feet, it feels like there is some wriggling away from the protections that Parliament wanted to put in place. It is only fair that this Committee puts down a very firm marker, that it was the will of Parliament that women should be protected from harassment when they are trying to access what is perfectly lawful healthcare.

Laura Farris: It is a fair question; I will revert.

Chair: If silent prayer is to be permitted, this Committee would be very interested to know how many people praying silently is too many?



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Laura Farris: I will get back to you.

Chair: Thank you. There are a number of issues that you are going to get back to us on.

Laura Farris: Do we have a note of them? We do.

Chair: Yes, there are some officials busily noting everything behind you. Can I thank all three of you for your evidence? I am conscious that the Minister has been put very much in the hot seat herself, but that is as it should be. If there is anything else that you would like to add afterwards in writing, then please do feel free to do so. I will bring the meeting to a close and thank you for your evidence.