



Ministry
of Justice

Rt Hon Dame Diana Johnson MP
Home Affairs Committee

By Email Only

The Right Honourable
Alex Chalk KC MP
Lord Chancellor & Secretary
of State for Justice

The Right Honourable
Suella Braverman KC MP
Secretary of State for the
Home Department

MoJ ref: 106696

7 July 2023

Dear Diana,

IMPROVING THE CRIMINAL JUSTICE SYSTEM RESPONSE TO RAPE

We are writing to inform you of important work the government is undertaking to improve the criminal justice system response to rape, and announcements we will soon make to ensure we go further and faster to tackle this horrific crime. Please find an embargoed copy of the Rape Review progress report alongside this letter.

Two years on from the publication of the original Rape Review Action Plan, we are publishing our latest six-monthly update which sets out significant progress we have made in delivering on our commitments. Since the last update we have:

- Introduced the landmark Victims and Prisoners Bill to Parliament in March, bringing forward measures to better serve victims and protect the public.
- Committed to legislate in the Bill to ensure that all requests for Third Party Material (TPM), such as medical records or therapy notes, are necessary and proportionate.
- Recruited 20,951 additional Police officers across England and Wales since 2019, ensuring the police have the resources available to dedicate to priority issues such as rape.
- Received the Law Commission consultation on the use of evidence in sexual offence prosecutions, which includes their provisional proposals to tackle rape myths in the trial process.
- Secured over £11m of funding for digital extraction technology which allows all Police forces and British Transport Police to undertake extractions from mobile phones at a time and location convenient to the victim and assists forces with meeting the commitment that adult victims of rape will not be without a phone for more than 24 hours.

We are also committing to further advancements in supporting survivors as they engage with the court process.

We legislated to permit the remote observation of sentencing hearings through the Police, Crime, Sentencing and Courts Act 2022. We also introduced Section 28 to allow victims to pre-record their

evidence and spare them the trauma of attending court in person. We now intend to build on the success of these crucial changes to the court system.

For many victims, sentencing hearings are an integral part of the criminal justice system, and an important opportunity to see justice done, but the experience of attending court in person, alongside the defendant's family or supporters, can be distressing.

We will ensure that at the three Specialist Sexual Violence Support Crown Courts (Newcastle, Leeds and Snaresbrook), the option to remotely observe a sentencing hearing, through video link, is available, subject to the agreement of the presiding judge, to any adult rape victim who needs this provision.

Latest progress in the data

The data in the report provides clear evidence of progress to drive up police referrals, charge rates, and Crown Court receipts. We are making sustained progress towards the Rape Review's ambition to return volumes of cases being referred to the police, charged by the CPS, and going to court, to at least 2016 levels. A return to 2016 levels is ambitious, as it marked a year where adult rape convictions were 30% higher than in 2010. The latest data shows that we have hit two of our ambitions already, and remain on track to hit the other:

- Adult rape cases referred by the police to the (CPS) (for either early advice or a charging decision) continue to increase, with **1,079 total police referrals in the fourth quarter of 2022, exceeding our ambition of 766** and up by 134% from the quarterly average in 2019, when the Rape Review was commissioned.
- Adult rape cases charged by the CPS have been increasing, with **472 suspects charged between October and December 2022, close to our target of 538** and nearly double the quarterly average in 2019.
- The number of adult rape Crown Court receipts continued to increase in the first quarter of 2023 with **605 Crown Court receipts, exceeding our ambition of 553**. It is also up by 162% from the quarterly average in 2019.

And despite the barristers' strike impacting court action in 2022, **adult rape prosecutions continue to rise, up 44% in the last calendar year**, almost double what was achieved during 2019, and higher than the rate achieved in 2010.

Operation Soteria

We are pleased to announce progress made through Operation Soteria. This is an ambitious joint Home Office and CPS programme to transform the way that rape investigations and prosecutions are handled and progressed, with a focus on investigating the suspect rather than the victim. Through close collaboration between frontline policing, prosecutors and academics, the programme has developed new National Operating Models for the investigation and prosecution of rape and serious sexual offences.

All police forces in England and Wales have committed to implement this new approach and will be supported to do so by a new Joint Unit, established by the Home Office and the National Police Chiefs' Council, which will oversee implementation of the new approach and monitor progress. In addition, the Home Secretary has commissioned His Majesty's Inspectorate of Constabulary and Fire and Rescue to conduct a thematic inspection on forces' implementation of the Model.

With this clearly evidenced progress in mind, we know there is still much more work to do. Victim attrition remains high, and timeliness of cases progressing through the system remains a challenge. We are clear that we have much more work to do to build survivors' confidence in the system. We also have a duty to ensure that victims are not deterred from coming forwards by the misleading use of statistics about conviction rates or inaccurate statements that rape has "effectively been decriminalised". We are determined to maintain the momentum of the past two years and ensure that we continue to tackle these challenges head on. We have extended and published the actions within our existing eight levers to the end of this Parliament, ensuring we continue to deliver improvements to the system response to rape. The report sets this out in more detail.

The Rape Review Action Plan was never intended to be static. We will continue to be transparent and accountable to victims, the victim support sector and the public as to what we are doing, when and why. We want to increase public confidence in the system we are rebuilding and we want victims to feel empowered and come forward. We are constantly listening, learning, and developing new ways to improve the system response to rape.

Thank you for your ongoing engagement on these important issues. This is a top priority for this government and we are determined to deliver the support and access to justice that survivors deserve.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Alex Chalk'.

RT HON ALEX CHALK KC MP

LORD CHANCELLOR AND SECRETARY OF STATE FOR JUSTICE

A handwritten signature in blue ink, appearing to read 'Suella Braverman'.

RT HON SUELLA BRAVERMAN KC MP

SECRETARY OF STATE FOR THE HOME DEPARTMENT