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Rt Hon Dame Diana Johnson MP
Chair
Home Affairs Committee
House of Commons
London SW1A 0AA

Baroness Hamwee
Chair
Justice and Home Affairs Committee
House of Lords,
London SW1A 0PW

15 April 2024

Dear Dame Diana and Lady Hamwee,

PUBLICATION OF CASE FILE REVIEW OF POLICE REQUESTS FOR THIRD PARTY MATERIAL IN RAPE INVESTIGATIONS

I am today publishing on gov.uk the “Third Party Material Case File Review Report”, a publication that outlines the findings from a data collection exercise of 139 investigations of rapes of adult and children from eight forces across England between January-March 2023.

As you will be aware, the Government’s End-to-End Rape Review (2021) identified that police requests for Third Party Material (TPM) during rape and other sexual offence investigations can be intrusive, disproportionate and that the length of time it takes for third parties to provide the material can result in delays to investigations. As a result, TPM was added as lever 8 in the Government’s End to End Rape Review progress update (June 2022).

The Home Office committed to gather empirical data on TPM requests to inform legislative and non-legislative measures to improve how police make these requests.

The key findings of the report are:

- a. Many (62%) of the 342 requests for TPM did not contain any limits to the range of information requested (such as a timeframe).
- b. 29% of the 139 cases within the case file review contained a request for counselling records.
- c. When the reason for making a TPM request was recorded within the case file, nearly a third (32%) focused on establishing perceived victim reliability or credibility instead of focusing on the incident itself.

- d. Most (71%) of the rationales that focussed on the reliability or credibility of the victim were for requests made about victims aged under 18 at the time of the incident.
- e. 75% of third party material requests were made pre-charge, the most common week TPM was requested was the first week after the incident was recorded suggesting that the majority of requests were made by police rather than CPS or defence.
- f. 3% of the third party material requests were assessed to have caused a delay to the investigation.

We are publishing the report to inform debate of the Victims and Prisoners Bill at the Lords Report Stage – scheduled to commence on Tuesday 16 April.

I have attached a copy of the Case File Review Report for your information and will arrange for a copy of both this letter and the Report to be placed in the Libraries of both Houses.

Yours sincerely

A handwritten signature in black ink that reads "Laura Farris". The signature is written in a cursive, slightly slanted style.

Laura Farris MP
Minister for Victims and Safeguarding