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## 'The criminal justice response to child sexual abuse; time for a national consensus'

06 Mar 2013

### CPS and ACPO call for national consensus on tackling child sexual abuse

A package of radical measures to transform the way the criminal justice system tackles child sexual abuse is being announced today by the Director of Public Prosecutions and the ACPO lead on violence and public protection.


The Director of Public Prosecutions, Keir Starmer, QC, and Chief Constable David Whatton are today setting out an overhaul of guidance, a programme of training, and proposals for a panel of officers and prosecutors to look at past decisions if requested.

Keir Starmer QC said: "Police and prosecutors have significantly improved the way we investigate and prosecute sexual offences in recent years, particularly those involving children. The results have been encouraging with more cases being brought to court, higher conviction rates and more defendants pleading guilty. Yet, despite all this, events over the last 12 months raise fundamental questions about our approach to these cases.

Mr Starmer added: "We are clear that the yardsticks for testing the credibility and reliability of victims in sexual abuse cases do not serve the police or prosecutors well and risk leaving an identifiable group of vulnerable victims unprotected by the criminal law.

In a speech this evening (Wednesday) to charities, campaigners and government officials, the DPP will set out the results of discussions undertaken with leading police officers, including Chief Constable Whatton.

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Chief Constable David Whatton said: "By working shoulder to shoulder with the Crown Prosecution Service and the College of Policing, ACPO is keen to ensure that we continue to build on progress in the area of sex offence investigation.

"We have proposed a package of measures, including a rationalisation of guidance, training and consideration of a review panel mechanism to ensure we have truly learned from the lessons of the past.

Chief Constable Whatton continued: "The police service is acutely aware that trust and being believed are key to victims of sexual offences having the confidence to report such crimes. When victims do come forward it is important to ensure that we provide the best response and that includes supporting victim while at the same time ensuring that we do not compromise a fair trial process for the accused. Key to that is working closely with other parts of the criminal justice system to ensure we can secure best evidence and best criminal justice outcomes.

"All of these developments will be progressed with the support and challenge of victim support groups, and all will make a tangible improvement to the experience of those who report sex crimes.

**The CPS and ACPO have agreed the following:**

- **A radical clearing of the decks in relation to policy and guidance. All existing policy will be decommissioned, with one overarching and agreed approach to investigation and prosecution of sexual offences to be applicable in all police forces and agreed by the CPS. This will be supported by the College of Policing. The CPS will also draft new guidance to ensure consistent best practice, which will be open to public consultation.**
- **Training will ensure there is no gap between policy and practice. The training will be hands on and provide practical advice to police and prosecutors about when a complainant can and should be told about other complaints, among other things.**
- **To propose the formation of a national scoping panel, which will review complaints made in the past which were not pursued by police and prosecutors, if requested. The precise working of the panel is subject to approval by Chief Constables later this week.**

Mr Starmer said: "There is an urgent need for an informed national debate about the proper approach to the investigation and prosecution of sexual offences. That debate needs to extend well beyond the CPS and the police. Above all, a national consensus needs to be reached on the issues.

"We cannot afford another Savile moment in five or ten year's time. Whatever approach is now agreed it has to be fully informed, coherent,

consistently applied across the country and able to withstand the test of time.

To this end, ACPO and the CPS will host a series of roundtables with bodies and individuals with responsibility, interest or expertise in the field in order to explore and road test the revised guidance on investigating and prosecuting sexual assault cases.

Roundtables will convene in the coming weeks with judges; front line investigators; health and social services representatives; statutory bodies such as the Victim Commissioner and the Children's Commissioner; support and campaigning bodies such as the NSPCC, Refuge and CAADA; expert lawyers; and expert academics.

Mr Starmer added: "If the criteria for testing their credibility match the characteristics that make them vulnerable in the first place, we have a fundamental flaw in the approach to credibility.

"This has to change. But to over steer and remove any meaningful filter in these cases would be a great injustice to innocent suspects. My own view is that by changing the focus from one that is solely victim-specific to one that more critically tests the suspect as well, while at the same time working harder to explore patterns of behaviour and, where appropriate, links to other cases, we could find an answer.

"If this is to be a watershed moment, and if a firm line is going to be drawn in the sand, the approach adopted by police and prosecutors needs to be informed by the views of others, accepted and adopted consistently and to reflect as wide a consensus as it is possible to build.

"If all that we achieve in a set of guidelines which are jettisoned in five years because of further critical reports, we will have achieved nothing and we will have let victims, and indeed suspects, down in a profound way.

**For more information please contact:**

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