

Foreword by the Director of Public Prosecutions

Improving our approach to Violence against Women and Girls (VAWG) prosecutions has been a priority for the CPS for a number of years, so I am delighted that our performance has continued to improve year on year. For the first time, three out of four VAWG prosecutions now result in a conviction. Domestic violence, rape and sexual offence prosecutions have reached their highest conviction rate to date, for the second year running.

Our focus over the last few years has been honed to understand the vulnerability and intimidation of VAWG victims. A combination of factors has led to these improvements. Every CPS Area has integrated VAWG into their mainstream work through Area VAWG Coordinators, with clear ownership by their Chief Crown Prosecutors. The bi-annual VAWG Assurance process introduced in 2011 has also been crucial in securing continuous improvement in conviction rates and the quality of prosecutions of VAWG crimes.

We have worked to challenge the myths and stereotypes about rape victims, selecting and training specialist rape prosecutors to adopt a merits-based approach to cases. Our work in this area was supported by the report by Alison Levitt QC on *Charging perverting the course of justice and wasting police time in cases involving allegedly false rape and domestic violence allegations*, published in March 2013, which found that false allegations in these situations are rare.

In 2012-13 we also undertook some focused work on the difficult issues associated with child sexual exploitation and abuse, forced marriage, honour-based violence and Female Genital Mutilation.

I held a series of roundtables with key stakeholders including victim groups, the judiciary and the media, to help develop guidelines for the police and prosecutors on child sexual abuse (CSA). We have explicitly announced refocusing assessments of cases onto the credibility of the allegation and the suspect, rather than that of the victim. We have also established a new Child Sexual Abuse Review Panel with ACPO to review cases of historic child sexual abuse.

The support from stakeholders this year has been immense, not only on child sexual abuse, teenage relationship abuse and female genital mutilation but also through quarterly meetings of the VAWG External Consultation Group and the Community Accountability Forum.

Although the CPS has made significant progress on VAWG during the last five years, there is still more to do, so we remain committed to building on our achievements, learning from our mistakes and working with our stakeholders to ensure a better service for the victims of these abhorrent crimes.

Keir Starmer QC
Director of Public Prosecutions
July 2013

Out of all reasons for unsuccessful outcomes, the proportion due to jury acquittals rose slightly - from just 51.0% in 2011-12 to 56.3% in 2012-13. More work may be needed with partners to address public awareness and challenge myths and stereotypes, which have traditionally led to high jury acquittal rates in sexual offence cases.

Table 5: Completed rape prosecutions by outcome

	2007 - 08		2008 - 09		2009 - 10		2010 - 11		2011 - 12		2012-13	
	Volume	%	Volume	%	Volume	%	Volume	%	Volume	%	Volume	%
Convictions	2,021	57.7%	2,018	57.7%	2,270	59.4%	2,465	58.6%	2,414	62.5%	2,333	63.2%
Unsuccessful	1,482	42.3%	1,477	42.3%	1,549	40.6%	1,743	41.4%	1,450	37.5%	1,359	36.8%
Total	3,503		3,495		3,819		4,208		3,864		3,692	

Of all unsuccessful outcomes, those due to victim issues accounted for 12.5%. Six Areas reduced the proportion of unsuccessful cases due to victim issues. Year on year unsuccessful outcomes due to victim issues have fallen amounting to a fall of just under six ppt from 2007-08. This is thought to reflect the improved support for victims over the last few years as unsuccessful outcomes due to retractions have fallen from just under eight per cent in 2007-08 to just over four per cent in 2012-13.

Area performance

The table on page 65 provides rape prosecution data by Area. In 2012-13, the high performing Areas in relation to rape conviction rates, i.e. the highest proportion of successful cases, were as follows:

Table 6: All rape prosecutions by outcome highlighting the top three performing CPS Areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	2,333	63.2%	1,359	36.8%	3,692
Merseyside and Cheshire	90	70.9%	37	29.1%	127
East of England	136	67.7%	65	32.3%	201
East Midlands	188	67.6%	90	32.4%	278

Merseyside and Cheshire improved their conviction rate by 13.8ppt from the previous year, with Merseyside achieving 71.0% successful outcomes. In total, six Areas improved their prosecution outcomes. The Areas prosecuting the highest volume of rape cases were London 667 (with 55.0% successful outcomes – a fall of 1ppt from 2011-12); North West 455 (with 62.2% successful, a fall of 0.5ppt) and West Midlands 338 (with 67.2% successful – a rise of 5.2ppt from 2011-12). West Midlands has a conviction rate higher than the national average of 63.2%.

The following case illustrates the use of RASSO Units.

RASSO good practice

CPS South East established a Rape and Serious Sexual Offences unit in February 2012, with teams in each of its three Districts. There has been strong commitment from the senior management team to driving forward the unit. Service Level Agreements were updated to outline expectations from the CPS and the police force. Good practice and benefits were identified:

- Cases are discussed more regularly and early advice given to assist investigations and future prosecutions.
- Improvements in general performance and assistance to improved detection rates.
- Each force sees the rape coordinators as passionate about the RASSO subject and they are integral to the police scrutiny process.

They also received positive feedback from counsel instructed by the RASSO Units - identifying well prepared cases, with early obtaining and reviewing of unused material with relevant agencies. Support is provided to witnesses through regular offer of special measures meetings.

Trained rape specialist prosecutors and members of the Bar

By January 2013, a total of 819⁴⁵ rape specialist prosecutors were trained in the merits-based approach to deal with rape prosecutions. In March 2013 a further five courses were held, training 54 more specialists, bringing the total to 873.

In 2012-13 the CPS accredited a number of sexual offence courses run by the Bar for its members, and provided speakers to address CPS policy on prosecuting rape.

Rape advocates and interlocutory hearings

To ensure that all hearings in rape cases are prosecuted to the highest possible standard, the rape guidance now emphasises that the instructed advocate is expected to conduct all hearings, and not just the trial. This includes, wherever possible, interlocutory hearings including defence applications for bail. Where the instructed advocate is not available another accredited advocate from the same Chambers (or a CPS rape specialist in the case of an in-house HCA) should conduct the hearing having been briefed by the instructed advocate.

⁴⁵ 726 Area rape specialists, 88 CPS Direct and 5 Serious Crime Group.

