

**STRICTLY EMBARGOED UNTIL: 22:30 on Thursday 17 June 2021**

**Rape Crisis England & Wales  
Imkaan  
Centre for Women's Justice  
End Violence Against Women Coalition (EVAW)**



## **Government apologises for systemic failings on rape: leading women's groups disappointed with lack of ambition in plans to address them**

**After two-year wait, Government publishes highly anticipated 'end-to-end' review of Criminal Justice System (CJS) handling of rape cases in England and Wales**

**Specialist stakeholders acknowledge positive rhetoric and recognition of need for cultural shift but say plans lack urgency, detail and resourcing, and key equalities issues remain unaddressed**

A group of leading violence against women and girls (VAWG) organisations has expressed disappointment in response to the Government's Rape Review, published today (17 June 2021).

The Review was launched in Spring 2019, as a result of long-term campaigning by these groups - and the sexual violence and abuse victims and survivors they work with and support - around the chronically and catastrophically low rates of criminal justice in England and Wales for rape and other sexual offences.

Latest Home Office figures show 52,210 rapes were recorded in England and Wales in 2020, but only 843 resulted in a charge by the end of the year – fewer than 1 in 60 cases.

The Centre for Women's Justice, End Violence Against Women Coalition (EVAW), Imkaan and Rape Crisis England & Wales say the concerns they have long raised have been reflected in the strong language and encouraging aspects of the Review, and the Government's apology for systemic failings is important for victims and survivors.

The specialist women's groups feel the Review's recommendations do not go far enough, however, to tackle this urgent justice crisis with the speed and to the extent needed, or to address inequalities in the system.

**Amelia Handy, Policy Lead for Rape Crisis England & Wales said:**

"We were fully invested in the Government's Rape Review from the outset. For the sake of all rape victims and survivors - past, present and future – it is critical that it be a success.

When we became concerned about the lack of meaningful engagement with us as stakeholders - and crucially with victims and survivors themselves - we went so far as to produce our own in-depth 'shadow rape review', detailing numerous recommendations for improving the failing criminal justice system.<sup>1</sup>

To our disappointment, very few of these recommendations have been taken up by the Government. This is a missed opportunity to create the fundamental changes required to make the system fit for purpose.

Overall, while there are individual elements of the Government's report that are encouraging, it's hard to identify any big commitments that will radically and swiftly improve the experience of the justice system for victims and survivors."

The partnership's [\*The Decriminalisation of Rape report\*](#) was published in November 2020, and made a number of calls for radical change that have not been sufficiently addressed by the Government's Review, including:

- Meaningful equalities analysis – independent research into who does and doesn't report sexual offences to the police and why
- Urgent review of Crown Prosecution Service (CPS) governance to ensure accountability for poor charging decisions
- Radical review of a system that treats survivors as suspects and measures to ensure that only relevant disclosure is sought from those reporting
- Special Commission on the role and efficacy of juries in rape trials
- Publicly-funded and specialist-led public awareness and education campaign on rape myths and consent
- Access for survivors to specialist, independent and wraparound support and advocacy, which is not predicated on reporting to the police, including through services run by and for Black and minoritised women, Disabled survivors and others who experience disproportionate barriers to justice.

**Sumanta Roy, Head of Research, Evaluation and Development at Imkaan said:**

"Where is the leadership from the Police and CPS to show us that Black, minoritised victims of rape would feel confident to report rape and receive justice through the CJS? Without effective leadership and a focus on these issues this will send a message to perpetrators that they can continue to commit these crimes with impunity.

Without ring-fenced funding to address the historical under-funding of specialist independent support services for Black, minoritised women they will not have access to the support they need to address the trauma of rape and sexual violence. For example, across England and Wales only 7% of Black minoritised-led specialist organisations are funded to deliver ISVA support.

Unless the Government is prepared to ask questions about who is engaging with the criminal justice system, and crucially, who is not and why, it will continue to operate as a two-tier system which is not fit for purpose and works against survivors who experience the most marginalisation and barriers to justice."

**Harriet Wistrich, founder and Director of the Centre for Women's Justice said:**

"The Centre for Women's Justice had advised on dozens of rape cases where the evidence is compelling but the CPS decided not to charge. Many of the decisions seem

incomprehensible not least because dangerous and repeat offenders are not being prosecuted.

We provided the Rape Review team ample evidence from our judicial review of the Director of Public Prosecutions (DPP) to enable them to interrogate how and why the CPS has become risk averse. Whilst we are pleased that they have noted the appalling outcomes for the rape survivors in our dossier and acknowledged wholesale lack of confidence in the system, sadly there has been a failure to understand why the problem came about.

We welcome the acknowledgment that excessive disclosure requests are a massive interference of privacy and huge disincentive for victims to come forward to report but our experience is that the guidelines that have been in place on reasonable and necessary requests, police are failing to understand or implement them on too many occasions.”

The partnership of women’s groups welcomed the appointment of a ministerial lead for the Rape Review, Minister for Crime and Policing Kit Malthouse MP, which was one of the recommendations in its *Decriminalisation* report.

They acknowledged the ongoing commitment to review the performance of all criminal justice agencies and the threat that failures can lead to more radical solutions. They will hold the government to account on this commitment.

The VAWG groups also said they were encouraged by the Review’s commitment to developing better understanding of the impacts of trauma on rape victims across the CJS, by its recognition of the vital importance of specialist, independent advocacy and therapeutic support for victims and survivors, and by the important commitment to taking a more ‘suspect-focused’ approach to rape investigations.

They nonetheless expressed concern about an overall lack of urgency in the timescales put forward, and lack of reference to how implementation of any recommendations would be resourced.

**Andrea Simon, Director of the End Violence Against Women Coalition (EVAW) said:**

“There is clearly a desire to fix the justice system for rape survivors, but there is a distinct lack of urgency, measures which reflect the ambition needed and resourcing of plans to make this a fully-fledged reality.

Systemic failings in the criminal justice system have grievously impacted rape victims and survivors over many years and continue to impact those coming forward to the police every day. The two-year long Rape Review recommends a number of actions, but many will take up to 24 months. Women have been waiting for justice for too long already.

Whilst innovative pilots such as Project Soteria have potential, they do not come with a sustainable funding commitment and will not benefit the majority of victims across the country now. Transforming the response to rape cannot wait another two years for more trials and pilots to complete. Plans to introduce ‘scorecards’ could drive some of the much needed changes, but have to be matched with real accountability if agencies continue to underperform.

To rebuild the public confidence that has been so deeply damaged by the collapse in rape prosecutions, we urgently need to start seeing improvements, and investments in levelling up across the whole justice system.”

Imkaan, the Centre for Women's Justice, Rape Crisis England & Wales and EVAW reiterated that they remain committed to engaging with the Government, and holding them to account, to ensure the recommendations put forward by the Review can be successfully implemented, and also crucially built upon to improve the prospect of the systemic changes needed if victims and survivors are to receive justice.

## ENDS

### For media information, interviews, briefings:

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**Centre for Women's Justice** is a charity bringing together specialist lawyers, academics and other experts in the field of violence against women with those working on the frontline as activists, survivors and service providers, to bring strategic law challenges and ensure access to justice for victims of male violence.

**End Violence Against Women Coalition (EVAW)** is a leading coalition of more than 100 specialist women's support services, researchers, activists, survivors and NGOs working to end violence against women and girls in all its forms.

**Imkaan** is a UK-based, Black feminist organisation and the only national umbrella women's organisation dedicated to addressing violence against Black and minoritised women and girls i.e. women and girls who are defined in policy terms as Black and 'Minority Ethnic' (BME).

**Rape Crisis England & Wales** is the national membership organisation for a network of 39 Rape Crisis Centres, providing specialist support and advocacy to women and girls whose lives have been impacted by child sexual abuse, rape and all forms of sexual violence.

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<sup>i</sup> *The Decriminalisation of Rape: Why the justice system is failing rape survivors and what needs to change. A report by the Centre for Women's Justice, End Violence Against Women coalition, Imkaan, and Rape Crisis England & Wales in response to the England & Wales Government's 'End to End' Review of the Criminal Justice System's Response to Rape, November 2020:* <https://rapecrisis.org.uk/media/2396/c-decriminalisation-of-rape-report-cwj-evaw-imkaan-rcew-nov-2020.pdf>