

The Rt Hon Geoffrey Cox QC MP
Attorney General
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London
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Sent by email: ago.privateoffice@attorneygeneral.gov.uk

30 January 2020

Dear Rt Hon Geoffrey Cox QC MP,

Serious concerns re HMCPsi rape inspection report (December 2019) and whether it fulfils needs of the ongoing Criminal Justice Board 'Rape Review'

We write to express deep concern at the content and conclusions of the recent HMCPsi rape inspection report (published 17 December 2019), which as you know is not a standalone periodic report, but a critical element of the ongoing Criminal Justice Board review of justice outcomes in rape cases across the justice system.

We write as organisations who support thousands of women who report rape to the police, and as women who have campaigned for better access to justice for women in rape cases for many years. We wish to emphasise that we do not question a HM Inspectorate report lightly, and we are among those most in need of these critical, independent scrutiny bodies. But on this occasion we feel it would be wrong not to voice our grave concerns given what is at stake for individual women, and men, reporting rape, and for the ongoing scrutiny of system level failure.

Please find enclosed a short briefing document compiled by the End Violence Against Women Coalition, whose concerns and recommendations we wish to endorse. In particular, we urge you and other CJB members presiding over the Rape Review to consider whether the questions HMCPsi was charged with examining have been satisfactorily answered. We draw your attention to these key concerns raised in the enclosed document:

- The very poor and inconclusive examination of “admin finalised” (AF) cases, a relatively new designation but already a very significant proportion of all cases which do not proceed, which leaves the reader with no sense of the actual process or the quality of decision-making in these cases;
- The worrying inaccuracy regarding what rape related training took place where, when and led by who;
- The arguably poor methodology of the HMCPsi report, including the reviewing ‘AF’ files without regard to the matching police files; and a staff survey which did not touch on CPS leadership and recent training on rape;
- Inconclusive remarks about “risk aversion” and an arguable lack of actual curiosity about just what is happening with rape prosecutions, despite the report’s 193 pages.

We believe HMCPSI has failed to answer the questions set and that as such the Rape Review will not have adequate information on which to base any forward recommendations and next steps. We are extremely disappointed by this, not least as some of us raised concerns about the proposed methodology at an early stage.

There is too much at stake for survivors of rape and those who may seek justice in the future to base next steps on inadequate analysis of current problems. We urge you to reject the HMCPSI report as a satisfactory answer to the Rape Review priority three questions, and to urgently examine alternative ways of investigating what needs to be known in order to make credible recommendations at the end of the Rape Review. These alternatives should ensure a level of external, expert scrutiny and oversight. We would suggest this includes the voices of the civil sector, academics and barristers.

We are available to discuss this paper and our views in more detail at your convenience, and we look forward to hearing from you.

Yours,

Sarah Green, Director, The End Violence Against Women Coalition

Dr C. Quinn, CEO, Rape Crisis England & Wales

Adina Claire, Acting Co-Chief Executive, Women's Aid Federation of England

Eleri Butler, Chief Executive, Welsh Women's Aid

Estelle Du Boulay, Director, Rights of Women

Fay Maxtead OBE, CEO, The Survivors Trust

cc Rt Hon Priti Patel MP, Rt Hon Robert Buckland QC MP, Victoria Atkins MP, Wendy Morton MP, Kevin McGinty, Chief Inspector of HM Crown Prosecution Service