

Performance and Resources Scrutiny Programme 2021

Report to the Office of the Police, Fire and Crime Commissioner for Essex

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1.0 Purpose of Report

The purpose of this report is to provide the Office of the Police, Fire, and Crime Commissioner (OPFCC) with an assessment of Essex Police performance across recent years including the number of rape and sexual offence records (both recent and non-recent) reported and recorded, compared with other MSG Forces.

2.0 Activity

- 2.1 Send delegates to those Forces with the best solved rate/solved outcome nationally to understand how they are achieving that and whether there is learning to take.
- 2.2 New ISVA referral process will see a move towards automatic referral following triage, ensuring early engagement with an ISVA. It is anticipated this will lead to a significant increase in victims accessing specialist support through this approach, which has been shared with regional forces.
- 2.3 Bespoke service for underrepresented groups to encourage reporting, commissioned agencies to consider completing the VPS with victims, evaluation panel to review bids Oct/Nov 2022.
- 2.4 Monitor VCOP compliance. How are commissioned services providing an enhanced service to vulnerable, intimidated and persistently targeted victims (VIPS)
- 2.5 Innovation team asked to identify any examples nationally of successful perpetrator reduction schemes.
- 2.6 Proposed new mental health team will proactively identify and support high risk vulnerable repeat victims, a mixture of civilian and Police staff.
- 2.7 DCI David Browning tasked with visiting colleagues at Nottingham to understand their approach to safe spaces within licensed premises (as a preventative element), to see if this is something that can be replicated in Essex.

3.0 Executive Summary

Essex Police is an outlier in terms of the number of rape offences recorded, logging the most rape offences of all the 8 MSG Forces. Essex Police implements an ethical approach to recording offences in line with the HOCRs which is governed by legislation. We are one of a very small number of Forces graded as outstanding by HMICFRS for crime data accuracy.

Since 2016 the increase in recorded rape presents significant challenges to investigators trying to manage sheer volume of cases. There has been a **153%** increase in overall recorded rape from 2016 – 2021, a trend that continues in 2022.

DA Related Rapes have also increased exponentially, a 244% growth from July 2016 to July 2022.

Despite these increases Essex continues to significantly outperform other eastern region forces in median investigation length for rape investigations and our solved outcome figures place us 5th in the MSG rankings.

Our reporting is significantly higher than other Forces (bringing our overall solved rate down) due in part to the efficiency of the Essex Crime Registrars. Out of the 8 MSG Forces Essex recorded nearly 100% more rapes than the average total (98.99%), 208 more than the next highest Force and a 1,956 more than the lowest figure.

4.0 Introduction/Background

Crime & Public Protection investigate rape and serious sexual offences. Specialist officers and staff are split across 4 teams dealing with children, adults, complex and non-recent rape and a proactive CSE team.

Rape is a devastating crime; however, offences rarely generate significant national attention, there is a lack of understanding from the public, and even within the Criminal Justice process, about how trauma may affect a victim and how it affects each of us differently¹, and common misconceptions around myths and stereotypes², making this one of the hardest crimes to charge and prosecute.

To try and understand the findings in this report, you must first understand what rape is, the legal definition and the implication of this on crime recording and investigations.

The offence as per the Sexual Offences Act 2003 states

(1) A person (A) commits an offence if—

(a) he intentionally penetrates the vagina, anus, or mouth of another person (B) with his penis,

(b) B does not consent to the penetration, and

(c) A does not reasonably believe that B consents.

(2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

(3) Sections 75 and 76 apply to an offence under this section.

A common theme in disclosures particularly through the Q19 DASH risk assessment question set, is that that victim only agreed to have sex because that act was preferable to the consequences of refusing which is rape.

The direct question regarding sexual offences (Q.19) that exists on the DASH does not feature on the DARA. The move from DASH to DARA is therefore likely to reduce the number of reported Rapes when the complainant is no longer prompted to provide a specific response.

¹ [Effects of trauma - Mind](#)

² [Myths vs facts | Rape Crisis England & Wales](#)

Op Soteria Bluestone³ is a national academic study funded by the Home Office looking at different ways in which nationally the Police and Judiciary can improve, the study has been feeding back over the last 18 months and Essex have been involved from the start monitoring their progress, findings and sharing learning.

Many of the recommendations from the project are in fact already in place within Essex, so in many respects, Essex is ahead of the curve, particularly having long established specialist teams investigating these high harm offences, a trauma informed approach to dealing with victims and a solid working relationship with both ISVA's and the CPS.

As a victim focussed organisation it is important to recognise and respect that not all victims seek a criminal justice outcome, some did not even want to report to Police at all and their details were shared by third parties.

When considering performance, it is vital to take a holistic approach, examining our relationships with the judiciary, rape survivor organisations and victim engagement.

5.0 Current Work and Performance

Essex Police undertake preventative measures to tackle repeat reports of Rape. Op Yalta is victim based and Op Ratify is for perpetrators. C&PP draw on external and internal colleagues to provide appropriate steps to achieve the best outcome.

Preventative measures around vulnerable victims, Violence Against Women and Girls and the Night-time economy and CSE.

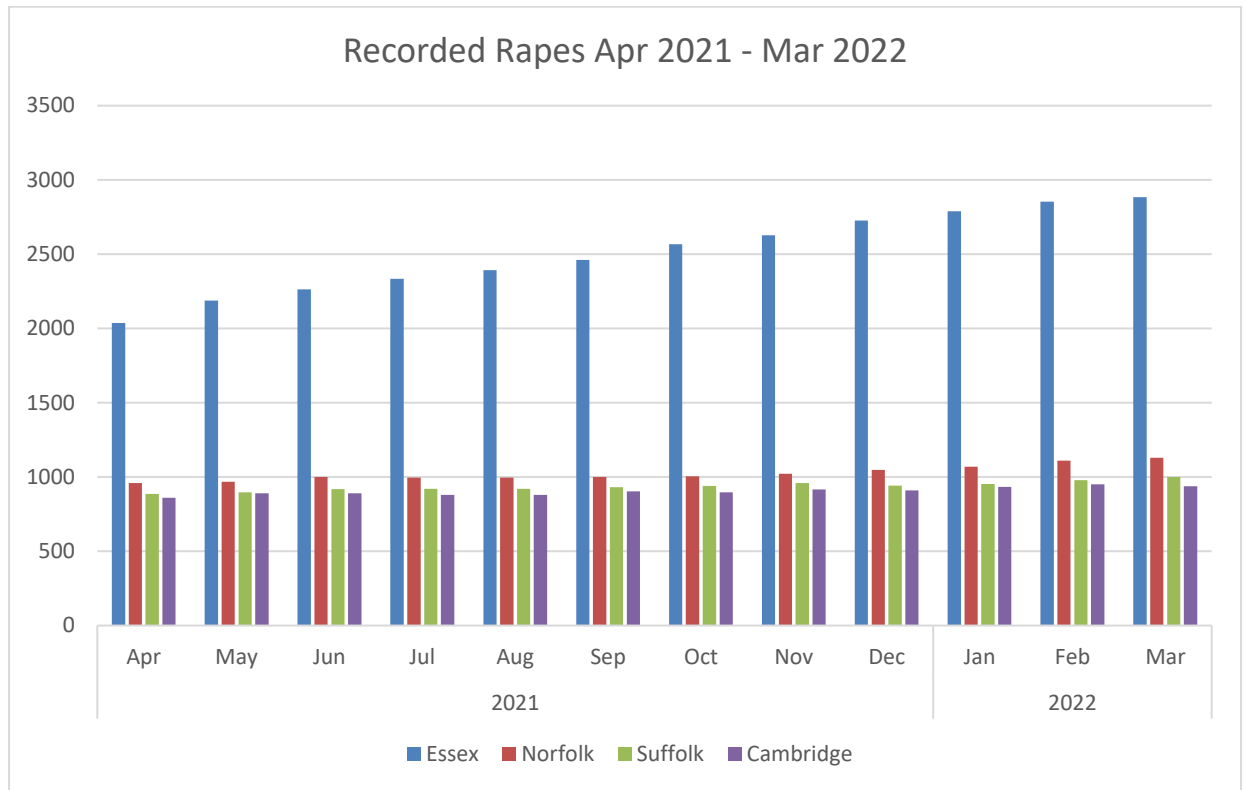
The National vulnerability action plan sets out 5 key areas for improvement.

1. Supporting RASSO Victims
2. Casework Quality and progression
3. Digital capability and disclosure
4. Our people and expertise
5. Stakeholder engagement

These themes are reflected in the eastern region governance board and in our own vulnerability action plan, ensuring that we are consistently reflecting the nationally identified topic areas aligning our work and strategy.

³ [Operation Soteria Bluestone | College of Policing](#)

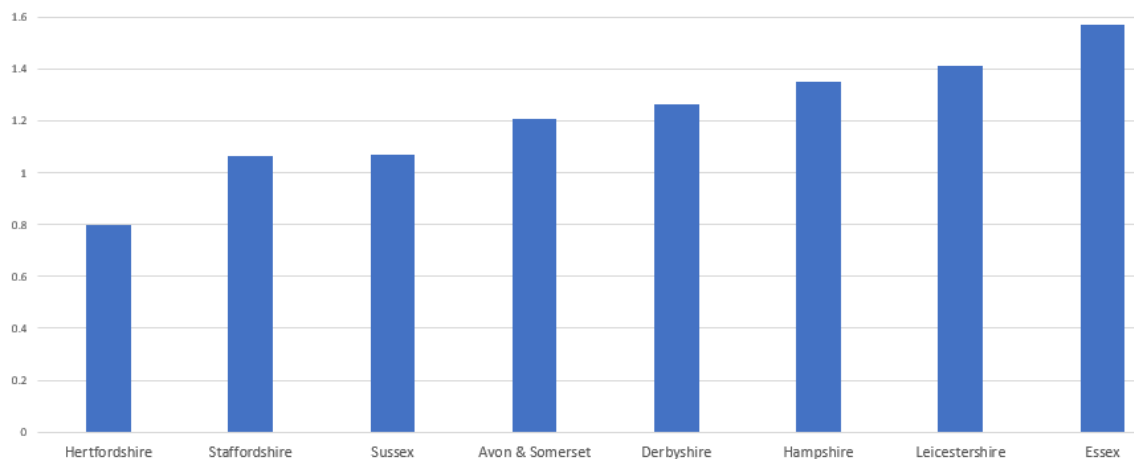
Recorded Rapes Table 1:



Recorded rapes shown above in figure 1 demonstrates the significant disparity between Essex and other East of England Forces in terms of the number of investigations. This data reflects our CPS Region (different to MSG)

This disparity is again reflected in our MSG comparison table 2 below.

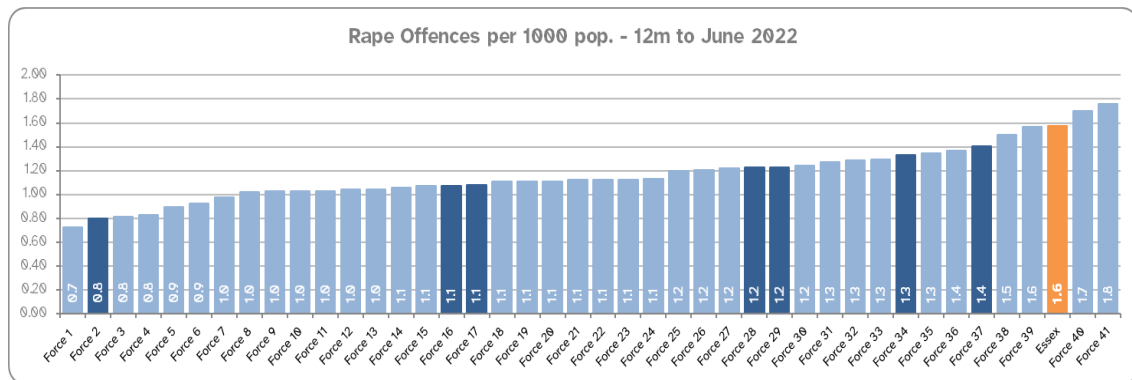
Recorded Rapes Table 2 (June 2021 – May 2022):



We are not seeing an increase in recent rape offences, but an increase in non-recent and DA related cases. HMIC has graded Essex Police as ‘Outstanding’ on Crime Data Accuracy⁴.

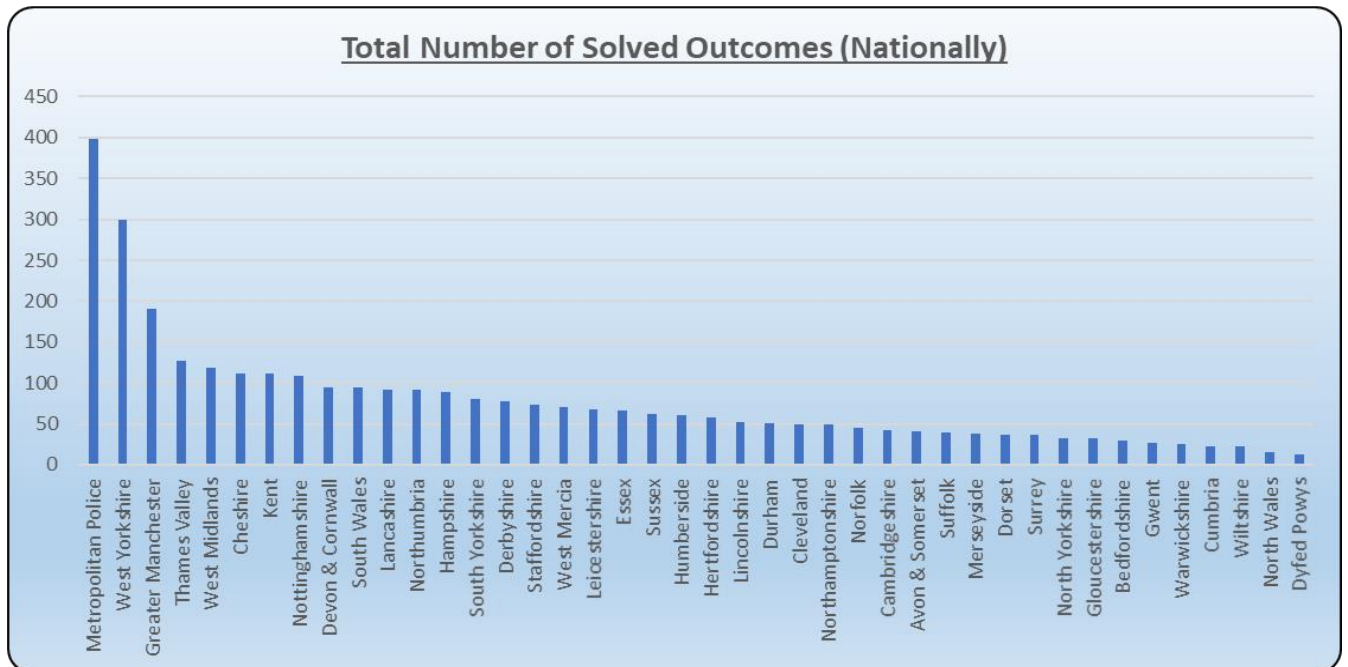
When comparing Essex with other Forces the position is shown as below.

Table 3 is the England/Wales comparison of recorded rape per 1000 population and perhaps illustrates that higher recording accuracy will lead to higher rates. Table 3:



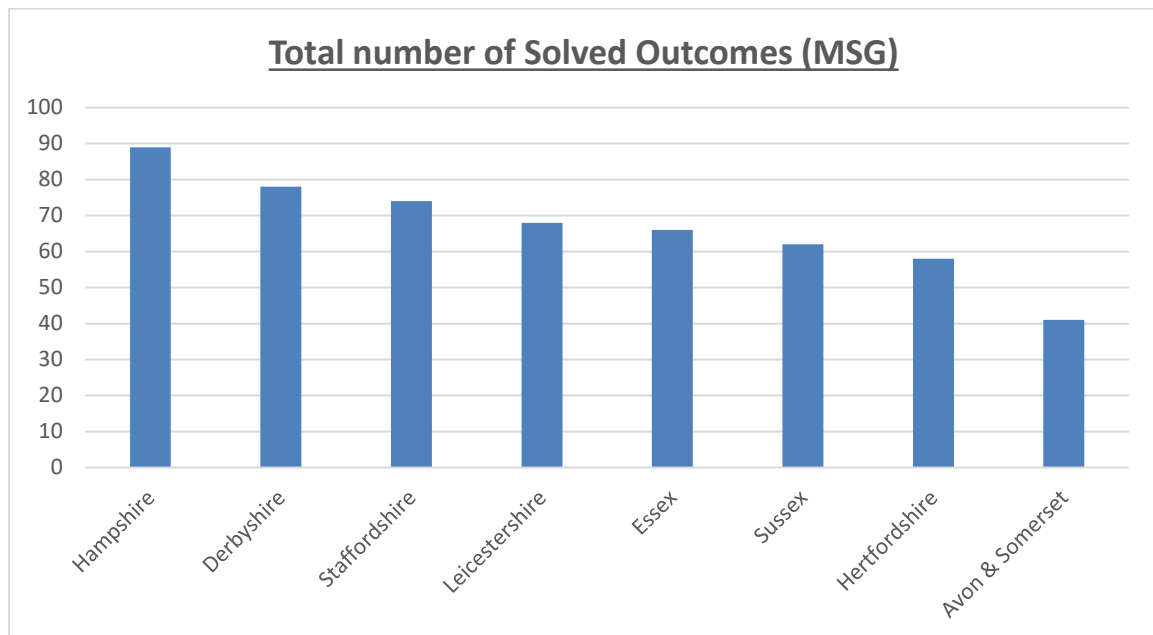
Essex Police ranks 19th out of 42 Forces for rape solved outcomes, and 39th for solved rape.

Table 4. Total national number of solved rape outcomes – 12 months to May 2022



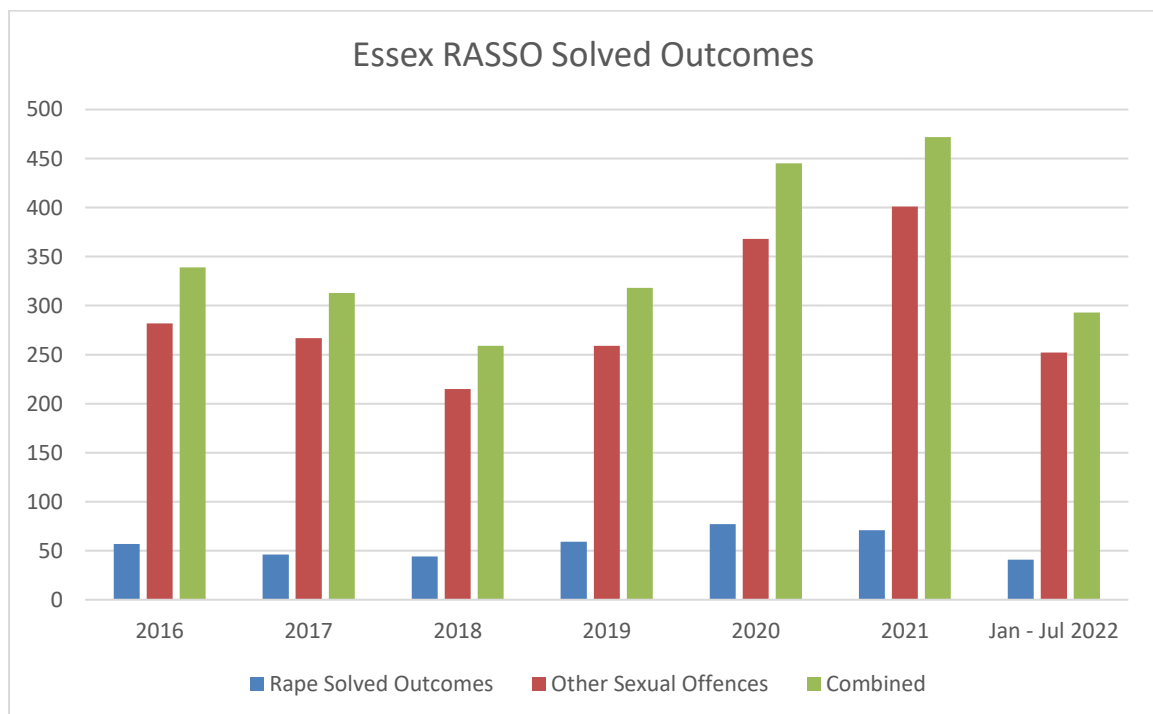
⁴ [Essex Police’s crime recording arrangements graded ‘outstanding’ by Inspectorate - HMICFRS \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/)

Table 5 Total number of solved outcomes MSG comparison – 12 months to May 2022



When considering the total number of solved outcomes in isolation, across MSG Forces (taking away the overall number of rapes recorded) Essex ranks 5th out of the 8 (See Fig. 4).

Annual Essex RASSO Solved Outcomes Table 6:



This illustrates how year on year since 2016 Essex has continued to increase the number of solved outcomes for Rape and other serious sexual offences, with a particular increase from 2020 onwards, pushing us into the top half bracket nationally.

6.0 Implications (Issues)

- **POCA Bid submitted April 2022** – for purchase of 6 standalone laptops with relevant software to enable PPIU teams to download, view and generate evidential reports from these data downloads. Efficient and effective working practice piloted in Harlow PPIU - increasing timeliness of investigations, reducing volume of requests into DFU hubs, digitally enabling and equipping staff
- **Cellebrite Responder Project** - multi-agency working group formed for practitioner input to shape operational use of new data extraction devices. Devices awaiting accreditation and will enable data extraction of victims' phones at scene and suspects' phones whilst in custody. Reduce need to take phones from victim (significant issue raised by victims in Gov End to End Rape Review⁵ – invasion of privacy) and will hopefully encourage more victims to support criminal prosecutions.
- **New ISVA Referral Process** –moving away from 'consent' based referral to new default position - following initial triage – where **all RASSO** crimes are referred direct to ISVA to make first contact to promote their service. Anticipate significant increase in victims accessing specialist support through this approach – DPA compliant – ISA drafted – approach shared with regional forces. Currently an ISVA visits North PPIU once a week, however a more permanent solution is in progress which will see ISVA's co-located with investigators in the South which will commence by November. ISVA's will be working with officers and victims for a streamlined direct approach.
- In keeping with advice and guidance from the College of Policing Essex will be removing the controversial Q19 from the DASH risk assessment, consultation has concluded, and training will be required before the new risk assessment is officially rolled out.
- **Introduction of the B.O.L.D Project (Better Outcomes Through Linked Data).** Designed as a cross-departmental data sharing initiative looking at reducing reoffending and victims. The aims are to link Police data with that of other criminal justice agencies (CPS, Probation, HMCTS) and third sector to drive operational decision making. Currently there is a pilot with North Essex Probation Service to enable them to react quicker to offenders in breach of their licence. In regard to victims, the aspiration is to share data across agencies to analyse the victim's journey though the CJ system to enable opportunities to look at post and pre charge attrition rates and the effectiveness of victim's services to help us improve their experience.

6.1 Links to Police and Crime Plan Priorities

The PFCC Police and Crime Plan 2021 – 2022 specifies 12 Policing priorities

1. Further investment in Crime Prevention
2. Reducing Drug driven Violence
3. Protecting Vulnerable people and breaking cycle of Domestic Abuse

⁵ [End-to-End Rape Review Report on Findings and Actions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/84244/end-to-end-rape-review-report-on-findings-and-actions.pdf)

4. Reducing Violence against Women and Girls
5. Improving support for victims of crime
6. Protecting rural and isolated areas
7. Preventing Dog theft
8. Preventing Business Crime, fraud, and cyber crime
9. Improving Safety on our roads
10. Encouraging volunteers and community support
11. Supporting our officers and staff
12. Increasing Collaboration

The work of C&PP is diverse but links most with priorities 3, 4, 5 and 11.

3. Protecting vulnerable people and breaking the cycle of domestic abuse.

A victim strategy is set to ensure the right support agencies are identified and referrals submitted appropriately, a safeguarding plan is also completed with the victim where required, which may necessitate support from other partner agencies such as housing depending on the circumstances.

All eligible victims are offered the support of an ISVA/IDVA who can facilitate specialist counselling and support the victim throughout the investigation and beyond.

Op Jaguar at Colchester scheduled for fresher's week (Oct 2022), the operation will see officers engaging with students at multiple sites, promoting sexual offence and alcohol safety awareness, consent guidance and promote spiking safety tools available in the venues to name a few.

Community lunch groups continue twice a week in the West, with 3 partnership pop ups coming up in the next few weeks. Op Kim links directly with Op Makesafe with test purchase style operations across Thurrock which most hotels failed.

Op Ask is a pilot flagging the addresses on STORM where a child resides who is subject to a care plan, after it was found that children were being missed when officers were called to the address for matters not obviously linked to DA/CA etc.

4. Reducing Violence against women and girls

Through the victim's voice panel, we are giving victims a platform for them to share their experiences, demonstrating to staff the impact they can have on a victim, explaining the necessity of a trauma informed approach, and challenging rape myths and stereotypes.

The community engagement group allows us to directly speak to the community support groups representing minority groups that historically have been hard to reach. Women from a minority background particularly with mental health issues are significantly more likely to disengage from the investigation.

This group encourages minority community representatives to ask questions about the work of C&PP, the CPS and the ISVA service. Different topics are discussed with the aim of dispelling myths, increasing confidence, and understanding what the blockers to reporting might be and how we can support and reduce sexual violence against women.

Newsletters are circulated to members after the group which can be displayed prominently or shared electronically broadening our reach further, these are designed to be easy to read and easy to translate.

We are now live with our victim referral and support tender process. The service specification includes a requirement that "As a minimum the following support should be available: Victim Personal Statement (VPS) Business Impact Statement (BIS)[1] – Provide the ability to promote and explain a VPS. Referring to the investigating officer when the victim wishes to complete a VPS/BIS. Where appropriate, support a victim to write a VPS. The evaluation panel will review the bids that come in for this service in Oct/November 2022.

Contact management are implementing a victim needs assessment, a mandatory requirement as per a previous VWAG meeting.

The 'Street Safe' pilot has been launched online allowing anyone to report anonymously any public place where they have felt unsafe

5. Improving support for victims of crime

Officers and staff within C&PP work extremely closely with the ISVA service and other agencies and partners to support victims of crime, for example a group of Essex Police and CPS volunteers raised over £27,000 for Embrace Child Victims of Crime this year⁶, highlighting internally and externally the work that the charity does and Essex Polices links to them.

Support is also shown through the way investigations are conducted, with the case law R V Bater-James⁷ shared with all staff and written into the Standard Operating Procedure (SOP) itself. The principles not only empower and support staff but also victims and witnesses reducing the feeling of being under investigation themselves, this combined with the cellbrite software and the commitment from DFU to continue to process RASSO victims' phones within 24 hours means that victims are better supported and less likely to feel scrutinised themselves.

Funding was secured for 6 officers across the Command to complete a 3-day course at Triangle⁸, these officers are trained in advanced communication techniques, specifically aimed at very young or traumatised children or those with speech impairments. A member of the learning & Development team was also sent on this course and will use this new knowledge and learning to update all training and guidance in this area.

More funding is being sought through POCA to allow for more officers to receive this specialised training.

⁶ [Essex Police's £27,000 Snowdon feat - Embrace - CVOC \(embracevoc.org.uk\)](https://www.embracevoc.org.uk)

⁷ [Extraction of material from digital devices | College of Policing](#)

⁸ [FQC Development Programme | Triangle](#)

Joint post charge visits with CPS to reduce the number of victims disengaging from the judicial process have also now been implemented.

11. Supporting our officers and staff

We have seen staff supported and upskilled through the likes of the Training & Skills board and ABE improvement board, with more Triangle trained officers available to support the teams dealing with very young or vulnerable victims and witnesses. And an increase in collaborative working with both Children's Social Care and the CPS both of whom also sit on the ABE improvement board.

Continuing from the trauma informed practice training, Psychotherapist Zoe Lodrick⁹ has presented two intensive sessions to C&PP staff on the psychology of the sex offender, incorporating a trauma informed approach and offender centric investigations.

Staff across the Force have been shown a presentation to help them understand the new 'intimidated' element of the special measure section 28, how it will affect them and their investigations. This is the final piece of section 28 after the first part, section 16, was launched in August 2020.

6.2 **Demand**

Figure 1. Recorded rape investigations demonstrate the continued annual increase in reporting yet data from Rape Crisis¹⁰ tells us that still, only 4 out of 5 women are reporting rape. As we continue to strive for better support for victims, more engagement with hard-to-reach communities and sharing the victims voice of their experiences we should expect this number to rise as we increase confidence in reporting.

Essex Police is 30 Detective Constables short; we are currently working to increase our Dc's which is a priority in resource planning. There are firm plans in place to use the PUP uplift to deliver the required numbers.

6.3 **Risks/Mitigation**

None Identified

6.4 **Equality and/or Human Rights Implications**

Rt Hon Suella Braverman QC MP gave a speech on 10th August 2022 regarding the equality act and single sex spaces¹¹. In her speech she recognises the difficulties public bodies have understanding their obligations and provides clarity.

From a C&PP perspective it is reassuring to see women only spaces such as rape crisis centres and refuges protected are protected and may lawfully exclude both men

⁹ [HOME | Zoe Lodrick](#)

¹⁰ [Statistics about sexual violence and abuse | Rape Crisis England & Wales](#)

¹¹ [Suella Delivers Speech on Equalities and Human Rights | Suella Braverman](#)

and trans-women, as the benefit they confer sufficiently justifies the direct discrimination.

6.5 Health and Safety Implications

None identified

7.0 Consultation/Engagement

Assistant Performance Analyst Mark Shaw
Criminal Intelligence Analyst Gemma Harford
Operational Development Support Officer Emma Heighton
Detective Chief Inspector David Browning
Detective Superintendent Neil Pudney

8.0 Actions for Improvement

- RASSO Strategic Governance Board
Meet every 6 weeks – review performance against national RASSO Action Plan – regional Operational Group in place to drive improvements on key themes:
 1. Victim Engagement
 2. File Quality - FQ strand lead and embedded RASSO Ds
 3. Digital Capability & Disclosure
 4. Staff Investment
 5. Collaboration
 6. Offender Centric Approach
- PPIU Standard Operating Procedure (SOP)
Sets clear expectations on investigative quality – embedded guidance documents – working toolkit and revised recently to drive improvements in proportionate investigations and offender centric approach.
- NPCC best practice integrated into performance framework
Rolling DS, DI and DSU reviews at 28 days, 3 months, and 6 months.
- DS/DI Investigative Review Templates
Delivering consistency and better-quality investigative reviews, case action plans and direction.
- Bail Extensions
All 28-day requests reviewed by DSU Head of PPIU Investigations – consistency and compliance check with SOP.
- Investigation timeliness
Essex lead eastern region in RASSO cases.

- Proportionate Investigations
Case Law – R v Bater-James included within SOP to drive culture change and deliver proportionate investigative approach as still tendency amongst staff to carry out unnecessary enquires.
- Outcome 15 review
DSU commissioned review with over 200 cases re-assessed and just a handful re-opened for further enquiries.
- Early Advice submissions to CPS
EA established with MOU in place and continually monitored through performance framework and RASSO Governance Board.
- HMICFRS Recommendation – Protected Characteristics
Currently there is no specific field on Athena for gender reassignment. This is being explored by the national Athena group. In the meantime, staff are directed to capture this within the self-defined ethnicity field.
- HMICFRS Recommendation – Understanding victims' reasons for withdrawal
Victim Closure document completion high, partnership DIs tasked with reviewing results, ongoing work exploring expanding force wide through MS Teams or Frevo forms.
- HMICFRS Recommendation – Forces to ensure Victims offered early VPS
The DS/DI review template now includes the reminder that victims should be offered the opportunity to make a victim personal statement (VPS) at the earliest possible time, with the option of updating closer to trial.

9.0 Future Work/Development and Expected Outcome

- Joint Training on new AG guidelines¹² (RASSO NVAP Action)
Disclosure continues to be challenge, face to face training most effective yet high demands on L&D means this work is not scheduled to start until September and will be delivered by means of 'bitesize' videos.
- Monitoring U10 Cases (RASSO NVAP Action)
PAU produce a monthly report identifying all cases involving children 17 yrs and under, and whether those cases have been submitted to the CPS for EA yet. This is being circulated monthly and is still in the early stages of testing.
- HH Judge Leigh and District Judge Woollard have both been interviewed by the media dept presenting their 'view from the bench' on improvements that can be made and importance of protocols surrounding young people in the justice system and ABE interviews. These will be launched through the VCA and will count towards maintaining accreditation.

¹² <https://www.gov.uk/government/publications/attorney-generals-guidelines-on-disclosure>

- Information Commissioners Office opinion on processing victims' data¹³
Third party material (TPM) policy & procedure being written taking into consideration the recommendations from the ICO.
- Rollout of new special measure coming into force September 2022
Sec 28 Youth Justice and Criminal Evidence Act 1999¹⁴ part 2, Section 17 intimidated witnesses affects C&PP and the wider force as the legislation applies to victims in fear or distress of giving evidence concerning sexual offences, offences under the modern slavery act, and was written to include victims of domestic abuse however that element is being opposed by the NPCC currently and will not be included at present.

¹³ [Information Commissioner calls for an end to the excessive collection of personal information from victims of rape and serious sexual assault | ICO](#)

¹⁴ [Youth Justice and Criminal Evidence Act 1999 \(legislation.gov.uk\)](#)