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Trust, Integrity and Ethics Committee Thursday 29 October 2015 Rape No Crimes Review Report

Members of the TIE committee carried out a review of historic rape cases classified as 'no crime' to ascertain whether this was the correct decision in the light of recent changes to the requirement for Additional Verifiable Information (AVI) that demonstrates that it would have been impossible for the rape to have occurred. The intention was for the committee to make recommendations in relation to those cases that should be reviewed by senior officers.

Three members of the committee carried out this task, with support from Martin Lakeman, Strategic Co-ordinator of the Domestic Abuse and Sexual Violence for Worcestershire Forum; Jocelyn Anderson, Chief Executive Officer of the West Mercia Rape & Sexual Abuse Support Centre; and Tony Mumford, Centre Manager of the Warwickshire Sexual Assault Referral Centre.

The committee should be aware of the following key points:

- 35 cases were reviewed in total.
- 22 cases were found to have been correctly classified as 'no crime'.
- 10 cases were found to have been incorrectly classified as 'no crime'.
- 3 cases were not classed as rape and therefore were not classified.

In the cases of incorrect classification the committee found no evidence of a deliberate misuse of the 'no crime' decision. There were three main legitimate reasons identified for the decision:

- the crime occurred out of the police authority area;
- the crime was linked to another, similar crime reported at the same time and therefore qualified to be 'no crimed'.
- the Additional Verifiable Information (AVI) was substantial and adequate.

In the cases of inappropriate classification as 'no-crime', the committee found the following main reasons:

- AVI was inadequate.
- the case lacked authorisation for 'no-crime' at the appropriate level of seniority.

The committee would like the PCCs to note the following concerns:

- a number of cases had gaps in the investigative evidence, notably where witnesses had not been interviewed despite it being suggested in the notes that their evidence would be essential to the case;
- in some cases the victim's retraction of his or her allegation was accepted as sufficient AVI.

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A number of cases involved vulnerable adults and the committee would like their concern noted about the potential criminalisation of vulnerable adults who could be charged with wasting police time for reporting a crime. The committee feel strongly that further guidance should be offered to officers dealing with vulnerable adults and that a more co-ordinated response with social care should be encouraged to ensure that vulnerable adults receive the support they need.

Furthermore we would like to recommend that there is an on-going dip sampling review of rape cases that have been filed as undetected.