

Goldstein Submission 2024

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Operation Soteria – Improving outcomes for victims of rape and sexual offences.

1. Summary (399 words)

Problem This project addressed inadequate outcomes for the victims of rape and sexual offences following repeated national reviews which demonstrated conviction rates were falling to an all-time low.

Scanning The police agency was subject to a 3-month period of scrutiny from over 40 academics which highlighted improvements which were required in the investigation of rape and sexual offences, alongside some good practice. Improvements were required in the training and support provided to responders and investigators particularly as there was a lack of focus on the suspect in investigations and inadequacies in recognising the trauma suffered by victims.

Analysis Application of the problem analysis triangle highlighted an inadequate approach to victims in rape investigations. The police were wrongly assessing the credibility of a victim's account and paying little attention to the behaviour of the offender, thereby missing significant evidence and undermining victims. This highlighted the importance of seeing typical patterns of grooming behaviours in relationship-based crime whether that be over a brief encounter or a prolonged period. This emphasised the responsibility of the police and Crown Prosecution Service (CPS) to avoid rape myths and gather evidence of offending by focussing on the offender.

Response To influence immediate cultural shift amongst responders and investigators, research from Dr Tidmarsh was used to promote understanding the 'Whole Story' of sexual crime, rather than looking at the offence in isolation. This cultural change was best delivered through improved guidance and training which was completed in conjunction with the CPS and victim support agencies. Victim-survivors shared their lived experience which provided powerful testimony in changing participant's attitudes.

Assessment The agency maintained a constantly improving resolved rate for rape and sexual offences and remains one of the top performing forces in the country. Comparing a pre and post Soteria 12-month period, the number of sexual crimes assigned a charge or summons outcome increased by 67% with sustained improvements to date. There was also a significant improvement in charges for domestic related sexual crime more than doubling, increasing from 24 charges Pre-Soteria to 55 charges Post-Soteria. The training received very positive feedback from the independent Inspectorate. Investigators who had been trained delivered greater improvement in resolved rates than those who had not received the training. Given the current damaged state of legitimacy in UK policing, this POP initiative has attracted national ministerial attention as a means of repairing trust and confidence in the police.

2. Description (3944 words)

Operation Soteria – Improving outcomes for victims of rape and sexual offences.

A. Scanning:

Problem identification: There are unsatisfactory outcome rates for rape and sexual offences leading to reduced confidence in the police from victim-survivors and wider communities.

In December 2021, the London Rape Review was published by Claire Waxman, London's Independent Victim's Commissioner. It highlighted that victim confidence had been shattered, with 65% withdrawing from or feeling unable to continue with the justice process. 64% of these were in the first 30 days, which represented a 46% increase on the 2019 Review. Only 1% of cases in each of the three time periods studied reached court, which represented a near total failure to deliver justice. A 'No Further Action' decision was 12 times more likely in cases where there were inconsistencies in a victim's account, suggesting harmful rape myths are still deeply entrenched in the system.

At the same time, Operation Soteria was launched by the Home Office as a police-academic collaborative programme with the aim of driving transformational change in the investigation of rape. Durham Constabulary was one of four 'pathfinder' police forces visited by academics during Year One of the project. In-depth observations and analysis, termed

'deep dives' were conducted to develop an evidence base for a new Rape and Serious Sexual Offences (RASSO) National Operating Model. (The definition of a Serious Sexual Offence includes any of the following offences committed against any person: Rape, Sexual assault by penetration, Sexual assault where the assault is particularly serious or features of the offence are aggravated and Causing a person to engage in a sexual act without consent).

A six-pillar approach was developed to drive improvement (shown in Fig 1.) with the aim of improving outcomes for victims, including, but not limited to, justice outcomes. This provided a framework to research, analyse, and improve the police response to dealing with RASSO in single agencies and across England and Wales. These were:

- Pillar 1 -Suspect focused investigations;
- Pillar 2 -Repeat suspects;
- Pillar 3 -Procedural Justice approach to victim engagement;
- Pillar 4 -Learning, development and officer well-being;
- Pillar 5 -Data and performance; and
- Pillar 6 -Digital Forensics.

Between 10th January and 21st March 2022, rigorous multi-method research was conducted by a team of academics in Durham Constabulary. The police agency worked with over 40 academics who examined a cross section of data including:

- All rape and serious sexual offences reported between January 2018 and November 2021 (6,386 crimes, 5,362 victims and 4,206 named suspects).
- 44 case file reviews. These were subject to a police internal peer review based on an academic coding framework and parallel reviews from investigators, police supervisors and academics. This included analysis of recorded interviews conducted with victims.
- Observation of 12 shifts with those officers and investigators who dealt with victims or rapes and sexual offences.
- Analysis of police body worn videos in 9 cases

- 150 outcomes case file reviews where the case had not resulted in a criminal prosecution.
- Observations of the RASSO training course used by the force.
- 29 Interviews and 13 focus groups with officers of all ranks and roles, Independent Sexual Violence Advisors, support service providers, 2 victim-survivor feedback consultations, and an interview with the Crown Prosecution Service (CPS).
- 1 police officer survey which resulted in 84 responses.
- Document reviews of all force internal RASSO-related documents.

Key findings were reported at the end of March 2022 and identified the following learning points.

1. There was good practice in safeguarding, victim care, challenging of rape myths, and tackling perpetrators. This was linked to good processes and forms in dealing with RASSO cases. However, at times, the perceived rigidity of the processes and forms would get in the way of good practice in victim engagement and evidence gathering. Opportunities to acquire and apply specialist knowledge to exercise professional judgment when this happens were limited due to a deficit in learning in development.
2. Many examples of good practice were identified, but not consistently applied in all cases. Repeat suspects were only slightly more likely to be charged than one-off suspects resulting in missed opportunities for enhanced suspect-focused approaches.
3. There were strong starts to investigations followed by 'long drifts'. Principles for prioritising cases when resources were insufficient. There was a need for greater consideration of repeat suspects, and a problem was identified of slow progression of 'de-prioritised' cases.
4. There were tensions between a fundamentally positive finding: 'we take every report seriously which means that the police should always investigate all avenues of inquiry', and have a 'relentless focus on offender disruption' 'improving outcomes' on the one side and on the other, the importance of victim voice and agency,

maintaining victim trust and their future willingness to report or engage, particularly where the victim does not want a criminal justice investigation. This highlighted the requirement to review of outcome codes where no further action is taken against the suspect. It also highlighted the need for officer's professional judgement to make good decisions when suspect focused prevention and maintaining victim trust are in conflict with one another. Therefore, there was a tension between 'suspect-focus' and 'victim agency' and trust which requires officers to have specialist knowledge to promote good decisions when the two conflict.

5. The RASSO training was deemed to be inadequate, with a lack of *specialist* RASSO learning & development.
6. There were good processes, active challenging of rape myths, suspect-focussed initiatives linked to good practice in investigations.
7. There was good understanding of vulnerability, the needs of victims, and safeguarding measures. Investigations had a good dual focus linked to good practice in victim engagement. The Independent Sexual Violence Advisor (ISVA) and police relationship was under-used in further improving victim care, suggesting further improvements were possible.
8. The safeguarding unit within Durham offers learning to other police agencies for where to locate RASSO investigations due to the effectiveness of having a sound understanding of domestic abuse when dealing with rape and sexual offences.

Profile of Sexual Offending

The profile of rape and sexual offences in the policing area is that demand consists of around 40% rape offences and 60% serious sexual offences: with around 750 recorded rape offences and 1,100 serious sexual offences recorded per 12 month period. The majority of victims are female. Most RASSO perpetrators are known to their victim in some capacity prior to the offence. The most common suspect-relationship categories are intimate partners in rape offences and associates in serious sexual offences. The volume of recorded RASSO crime per month over time shows a long-term upwards trend in recorded RASSO crime (Figure 2). Recorded RASSO crime levels since the end of Covid-19 night-time economy restrictions in July 2021 are higher than pre-Pandemic levels. Multiple factors could be contributing to increases in recorded RASSO crimes in recent years including: the murder of Sarah Everard and subsequent 'Everyone's Invited' site gaining media attention; various high-profile cases

concerning the Metropolitan Police; increased time spent online¹ since Covid-19 enabling online offences; and multiple Durham Constabulary media campaigns encouraging reporting.

B: Analysis

Following force-specific feedback delivered by visiting academics, Durham Constabulary devised a POP plan in May 2022 with the following objectives to facilitate immediate improvements in responding to and investigating rape and sexual offences:

1. Maintain and improve rape and sexual offence resolved rates.
2. Improve investigator's specialist knowledge.
3. Use data more effectively to improve performance management and analysis.

PAT Analysis

Applying the Problem Analysis Triangle identified a confusion in this police agency, and across UK policing, whereby the Victim-Survivor in rape and serious sexual offences was in many ways wrongly being treated by responders and investigators as the offender. This meant that investigators were taking a blinkered approach in not looking beyond what the victim had done before, during and after the offence. This led to a distortion and handicapped the investigation as too much emphasis was placed on the credibility of the victim resulting in victims being left feeling blamed and ashamed and a lack of focus on the suspect. Victims were being blamed for being intoxicated, providing inconsistencies in their accounts or delaying the reporting of their offence. This not only alienated victim-survivors but also increased distrust in policing. Significantly it left offenders free to continue offending. This perpetuated Myths in policing and society that victims were to blame for sexual offending.

Therefore, a fundamental shift was required from the Problem Analysis Triangle which required moving the emphasis on questioning the credibility of victims in sexual offences to

¹ Salway, R., Walker, R., Sansum, K. *et al.* Screen-viewing behaviours of children before and after the 2020–21 COVID-19 lockdowns in the UK: a mixed methods study. *BMC Public Health* **23**, 116 (2023). <https://doi.org/10.1186/s12889-023-14976-6>

focussing on the behaviours and actions of the offender. This focus on the offender was a crucial and a central point in changing the culture of officers in the policing agency and across other criminal justice agencies which would transform the quality of investigations and start to re-build trust and confidence in the UK policing's response in dealing with sexual offences.

Guardians of the victims were identified as the police responders and investigators but also Independent Sexual Violence Advisors (ISVAs) and Independent Domestic Violence Advisors (IDVAs) who were employed as agents independent of the police to support victim-survivors through the criminal justice process.

Handlers of the offenders were identified as specialist police investigators who had the responsibility of recognising the behaviours of offenders within their investigations. The handlers also extended to the Crown Prosecution Service who made decisions on whether offenders should be charged.

Managers of locations were relevant where sexual offending took place in public spaces and for example, recognised the importance of providing support to potential victims in night-time economy venues. However, a third of sexual offending was taking place in domestic setting and therefore there was an absence of managers in these locations, thereby increasing the vulnerability of victims.

Super users were identified as the Home Office, the national government department, which in turn, commissioned a set of super users as an academic team across six British universities to work with police agencies to improve the response and investigation of rape.

Key features of the problem

Features of the victim were identified as:

- One third of RASSO offences occurred within domestic abuse relationships (34.9%) between 2018-21. 28.5% of RASSO offences involves the suspect as an intimate partner.
- There was a different overall profile of cases in Durham compared to the Metropolitan Police Service. In Durham there were fewer rapes than serious sexual

offences (41%/59% split) and fewer stranger rapes (4%). There was a relatively high proportion (18%) of offences against male victims.

- Non recent abuse of children was more pronounced in the Durham profile due to substantial historic cases against children with 72% of rapes against U13s occurring over 5 years before being reported.

Features of the offender were identified as:

- A quarter of repeat suspects only committed RASSO offences, nearly 75% engaged in cross-over offending across other types of crime.
- Offenders' criminal histories included (but were not limited to) RASSO, violence against the person, theft, and arson and criminal damage.
- Nearly 14% of suspects committed RASSO offences against both males and females.
- Almost a quarter of repeat suspects had offended across different relationship types, and nearly 40% of suspects had offended against victims of different ages.
- Despite repeat suspects being twice as likely to be charged when considering all offending, when looking at RASSO only, repeat suspects were only slightly more likely to be charged than one-offs (8.8% vs. 6.0%).

Features of the location were identified as:

- Recognition that the majority of sexual attacks were taking place behind closed doors, including those which were domestic related.
- The use of virtual spaces with social media regularly being used for grooming and the risk was identified that short term grooming disguised stranger offences.

Features of the process were identified as:

- Investigating officers faced timely burdens of redaction and disclosure requirements for pre-charge prosecution files.
- The agency had a higher charge rate than other forces and charges were reached twice as quickly in Durham as in the Metropolitan Police Service (282 vs 547 days).

Capacity and capability features were identified as:

- The challenge to meet both immediate demands of imminent investigations (custody / responding to recent crime) versus the demand from longer term protracted investigation with then normalisation of burn-out and stress amongst officers.

- Investigators required more effective training and there was a disconnect between strategic and operational level in the agency.

Overall, the analysis provided positive conclusions that there was a holistic approach to victims with rape investigations incorporating effective safeguarding measures. Effective investigations were facilitated by investigators who had a range of responsibilities for investigating vulnerability.

Therefore, analysis resulted in prioritising key areas of improvement of improving the training provided to police responders and investigators, improving the wellbeing and resourcing of the the investigation teams, and improving offender focus and disruption of offenders through improved guidance.

C: Response

One of the key responses was based on material from *'The Whole Story, Investigating Sexual Crime: Truth Lies and the Path to Justice'* by Dr Patrick Tidmarsh (2021). This included methodologies in conducting suspect focussed investigations, identifying the wider grooming techniques typically used by offenders in gaining power and control over victims to exploit the victim's vulnerabilities. The offender would typically isolate victims before committing the sexual act and manipulation and control would continue during the period after the offence had occurred. The actions of the offender were central to understanding the crime and included 5 paradigms which are common amongst offenders who commit sexual crime. Firstly, the dangerous world theory, which recognises that offenders see the adult world as difficult to navigate, provoking anxiety which causes offenders to seek relationships with children and young people. Secondly, Uncontrollability Theory where offenders always identify offending as someone else's fault. Thirdly, Entitlement Theory where offenders create illusions that they are entitled to sexually abuse due to the challenges or difficult duties they have experienced. Fourthly, Sexual Objectification where offenders see illegal or unethical behaviour as the norm. Finally, the Nature of Harm Theory, where offenders persuade themselves that their illegal activity hasn't caused harm.

The Tidmarsh research provided the theoretical basis for a range of responses as outlined below:

- **Investigation Plans and Reviews** - In addressing the requirement for improving the guidance provided to responders and investigators, a new Investigation Plan template and review templates were introduced to incorporate greater emphasis on victim engagement and offender disruption. These provided clarity on the improved standards of investigation required and were provided to all investigators with a full briefing. The plans placed greater emphasis on understanding and disrupting the offender at an early stage of the investigation.
- **Responder guidance** - Clearer principles were provided in dealing with complainants of sexual offences with practical steps in the use of Body Worn Video recordings. This ensured a proportionate and sensitive approach was taken to secure the complainant's initial account with training inputs for initial responders.
- **Investigator Training** – A 2-day training course was delivered with either Dr Patrick Tidmarsh in person, or using video material with all investigation managers, supervisors, detective constables and civilian investigators. 209 individuals were trained and this consolidated learning around taking an offender focussed approach to investigations, understanding how trauma may impact upon the victim's actions and ensuring that grooming processes are identified through practical application of the evidence-based research. The training incorporated best practice regarding avoiding rape myths; victim interviewing; suspect interviewing; file building; presentation of the evidential case; investigation disclosure; early CPS advice; reasonable lines of enquiry; and digital investigation. Additional training was also rolled out across investigators to improve the approach to child, vulnerable and intimidated witnesses.
- **Enhanced offender disruption** was delivered through improved use of basic police powers and the increased use of civil orders.

Other response activity included:

- **Improved performance management structures** were introduced for investigations with the introduction of Detective Chief Inspector led Scrutiny Panels where a deep

dive approach was taken to review a small number of rape investigations and used to maximise learning amongst practitioners. This ensured the training was effectively being applied in the field.

- **A victim's advice booklet** was introduced to provide clear guidance to victims of the criminal justice processes and support mechanisms.
- **Lived experience briefings** were delivered to all investigators. This included a victim survivor who suffered the offence of rape over 20 years ago sharing her thinking and challenging investigators to think differently. 'Understanding Domestic Abuse' training delivered to all operational staff contained inputs from four separate victim survivors of coercion and control and domestic homicide.
- **Investigator Resourcing** was increased and an improved shift pattern was introduced.
- **Wellbeing measures** were introduced for investigative teams including peer led trauma informed support, specialist trauma impact support training for all investigators, well-being packs for late working and the provision of health and wellbeing clinics.
- **A working group** of frontline officers was established to assist in improving service delivery through more effective consultation and feedback mechanisms to strategic managers.
- **Technology** was improved with embedded mobile phone download kiosks available in local police stations which facilitated timely turn arounds of mobile phone downloads and their return to victims within a few hours. An investigator consultation group was established with user-friendly guidance developed for the use of technology RASSO investigations.
- **Effective working with the Crown Prosecution Service (CPS)** was established with regular Improvement meetings held, providing opportunity for challenge and review of performance data, discontinued cases, and detailed feedback from trials which resulted in not guilty verdicts. This embedded a joined-up learning environment where improvements were highlighted at the organisational level. There was an emphasis on opening up earlier face to face consultations between Lawyers and Investigators using Microsoft Teams with the delivery of Early Case Planning

Conferences; No Further Action Review Panels and Early Advice clinics to ensure lawyers were supporting investigators with advice from the very earliest stages of an investigation.

Overall, the most impactful elements of the response was the improved investigation plan guidance and the 2 day training sessions.

D: Assessment

The first objective of improving rape crime outcomes and resolved rates was achieved with the agency consistently being ranked in the top 4, from 44 police forces, over the past two years. Assessment was conducted comparing Pre-Soteria and Post-Soteria Data. 'Pre-Soteria' refers to data generated from RASSO crimes recorded (and/or resolved) in the 12 months 1st August 2021 to the 31st July 2022. 'Post-Soteria' refers to data generated from RASSO crimes recorded (and/or resolved) 1st August 2022 to the 31st July 2023.

A demand profile showed that whilst there was some variation in the make-up of demand between Pre and Post-Soteria, overall, demand between the two periods is generally similar across Pre and Post-Soteria periods. Similar volumes of RASSO crimes were recorded Pre and Post-Soteria (1,822 and 1,875 crimes respectively), with a small increase Post-Soteria of 53 crimes (2.9%).

The number of RASSO crimes assigned a charge or summons outcome increased by 67% from Pre Soteria (n=129) to Post-Soteria (n=216) with similar increases in both rape offences and serious sexual offences (see figure 3). There was a 4.7% increase in overall RASSO resolved rate. The average rape offence resolved rate for the last six months of Post-Soteria was 15.3% compared to the average resolve rate of 9.4% for the first six months of Post-Soteria (see figure 4). This performance has been sustained as figure 5 demonstrates the continued increase in the resolved rate for rape and national rank orderings or remaining in the top 4 over the past 12 months.

Resolved rates for rape offences occurring within intimate partner relationships increased by 7.8% and by 10.4% for sexual offences. Charges for domestic related RASSO crime have more than doubled, increasing from 24 charges Pre-Soteria to 55 charges Post-Soteria.

The second objective of improving investigators' specialist knowledge was achieved with the independent feedback from the Inspectorate of Constabulary in November 2023 that following examination of documentary evidence, focus groups and observation of the training commented that the force,

'has gone over and above with Rape and Sexual Offence Training. Face to face training which includes Lived experience in the CPD training is a stand-out to embed and strengthen Soteria. The fact that CPS partners are also invited is a very healthy approach'.

Preliminary findings suggest that officers who received the 2 day training have seen a greater improvement in resolved rates than those who have not received the training. Using resolved rates as a measure of effectiveness of training, preliminary analysis has been carried out looking at two control groups:

- 1) Officers who have received the training
- 2) Officers who have not received the training.

Whilst both cohorts have seen an improvement in resolved rates, cohort 1 had a larger improvement in resolved crime rates, which could indicate the training is positively affecting outcomes. Trained officers have a collective resolved crime rate of 9.5% Pre-Soteria, compared to 16.4% Post-Soteria, showing an increase of 6.9%. Non trained officers have a collective resolved crime rate of 10.6% Pre-Soteria, compared to and 13.6% Post-Soteria, showing a lower increase of 3%.

A Kirpatrick level 2 evaluation was used for the 2 day training demonstrating attendees reported an increased overall confidence level of 14.56% in their understanding of relationship-based crime, sexual myths and misconceptions, grooming/coercive control and dealing effectively with sexual offence investigations (see figure 6). Feedback from attendees also confirmed that 83% had used the knowledge and skills gained three months after their attendance.

The third objective of using data more effectively to improve performance management and analysis is evidenced through the data provided in the above evaluation.

This POP initiative is part of a national programme to improve the policing response to dealing with rape and sexual offences. This is essential in rebuilding trust following the tragic murder of 33-year-old Sarah Everard, who on the 3rd March 2021, was kidnapped in London whilst walking home. She was stopped by off-duty Police Officer Wayne Couzens, who identified himself as a police officer, handcuffed her, and subsequently raped and strangled her, before burning her body and disposing of her remains. A further case involved David Carrick, an officer who worked for the Metropolitan Police, pleaded guilty to multiple counts of rape between 2002 and 2021. In 2023, he was sentenced to life imprisonment, with a minimum term of more than thirty years.

These events have rocked the legitimacy of British policing, and therefore this problem solving initiative provides clear evidence of an approach which will slowly rebuild the confidence and trust of victim-survivors and local communities. It is therefore of national significance to policing. This is indicated by the interest from the UK government with a team from the Home Office visiting Durham Constabulary on the 7th December 2022, a special briefing provided to the Safeguarding Minister, Laura Farris MP, on the 5th February 2024 and a subsequent planned visit by the Home Secretary in May 2024.

Finally, independent feedback from the Inspectorate of Constabulary in November 2023 provided clear insight into the progress made by the force through the following feedback:

'This is a highly engaged force with informed and passionate staff. There is good reach at regional and national level for Soteria which is improving RASSO and Violence Against Women and Girls offences. The Soteria Improvement Plan is clear, costed and comprehensive and there are business owners across all pillars. Vision for Soteria and transformational change is really strong, with a real sense of cultural change across departments. Wellbeing and training support is really strong, workloads are generally manageable and there is evidence of a step change as a result of Soteria. Investigators have very good engagement with victims to make sure that they understand and are appropriately supported afterwards.'

3. Agency and Officer Information:

Durham Constabulary, UK

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3. Appendices:

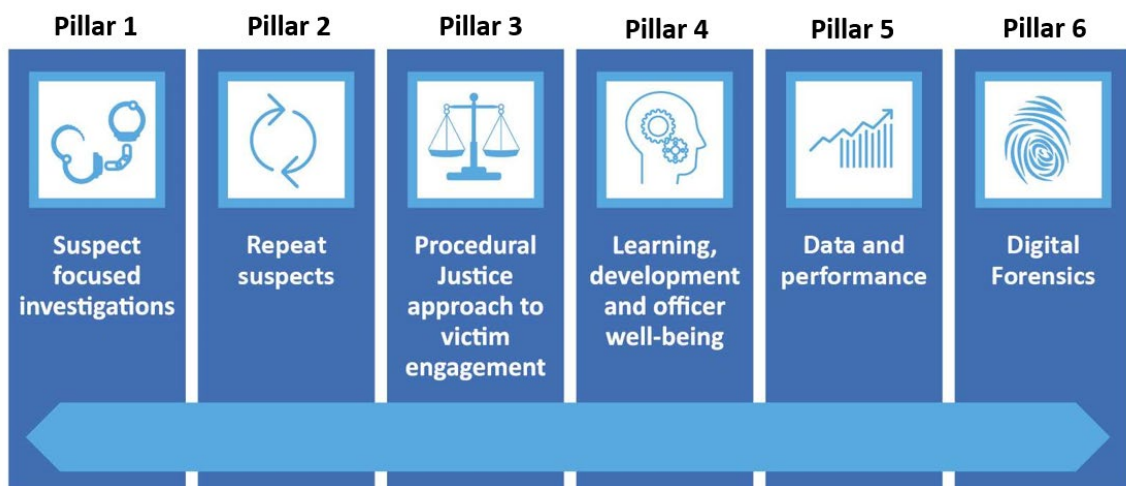


Figure 1: Six pillars of improvement identified by Operation Soteria

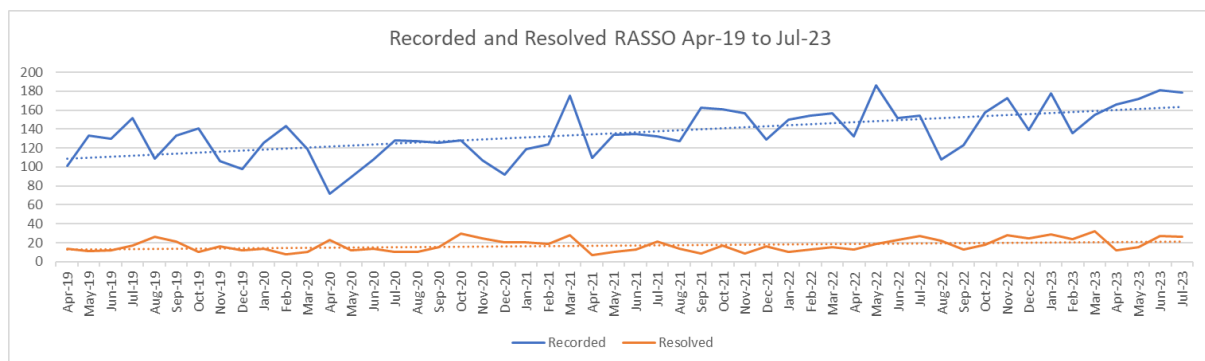


Figure 2: Graph shows volume of RASSO offences recorded and resolved per month between Apr 19 to Jul 23

Outcomes (RASSO)	Pre-Soteria	Post-Soteria	Volume change	% increase
RESOLVED	184	278	94	51%
1. Charged or Summoned	129	216	87	67%
2. Cautioned - Youth	2	1	-1	-50%
3. Cautioned - Adult	6	6	0	0%
5. Offender has Died	11	13	2	18%
8. Community Resolution	5	12	7	140%
9. Not in the Public Interest - CPS	1	1	0	0%
10. Not in the Public Interest - Police	1	4	3	300%
11. Named Suspect Identified - Suspect Below Age of Criminal Responsibility	11	5	-6	-55%
12. Named Suspect Identified - Suspect Too Ill to Prosecute	9	13	4	44%
13. Named Suspect Identified - Victim or Key Witness is Dead or Too Ill	0	1	1	
22. Diversionary, Educational or Intervention Activity	9	6	-3	-33%
NOT RESOLVED - CLOSED INVESTIGATION	1490	1526	36	2%
14. Suspect NOT identified - Evidential Difficulties: Victim Declines or Unable to Sup	124	131	7	6%
15. Named Suspect Identified - Evidential Difficulties: Victim Supportive	497	379	-118	-24%
16. Named Suspect Identified - Evidential Difficulties: Victim NOT Supportive	539	593	54	10%
18. Investigation Complete - No Suspect Identified	223	264	41	18%
20. Further Action by Another Body or Agency	83	114	31	37%
21. Further Investigation is Not in the Public Interest - Police	24	45	21	88%
Total Detected Crime	1674	1804	130	8%
Total Recorded Crime	1822	1875	53	3%
Resolved Rate	10.1%	14.8%	4.7%	4.7%
Charge Rate	7.1%	11.5%	4.4%	4.4%

Figure 3: Volume differences in RASSO outcomes Pre and Post-Soteria

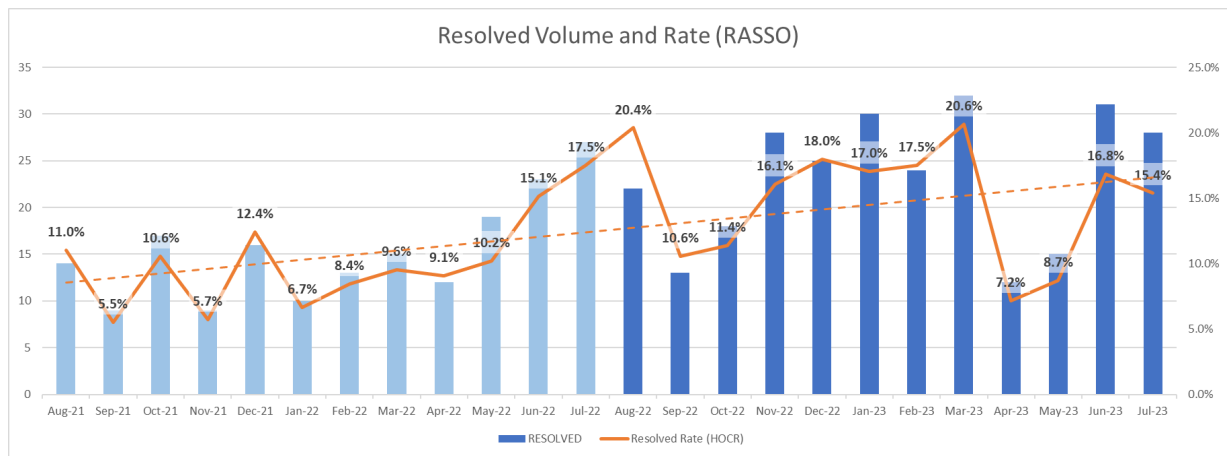


Figure 4: RASSO resolved volume and rate over time, 01/08/2021 - 31/07/2023

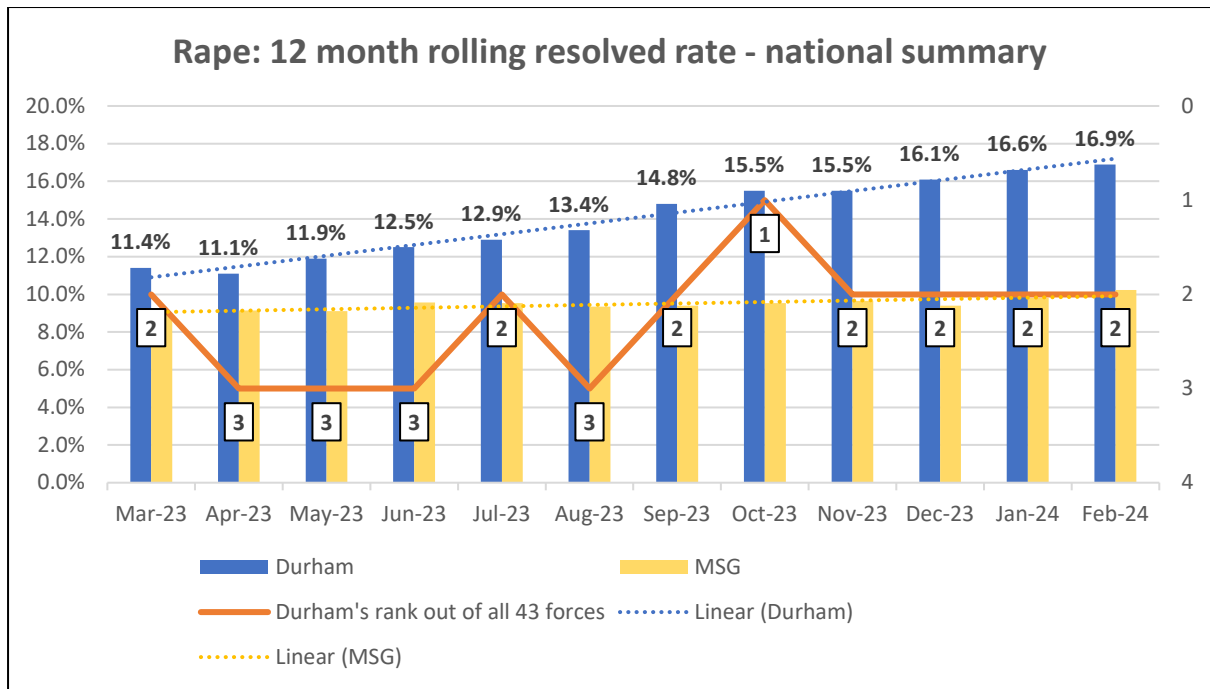


Figure 5: Rape resolved rate past 12 months

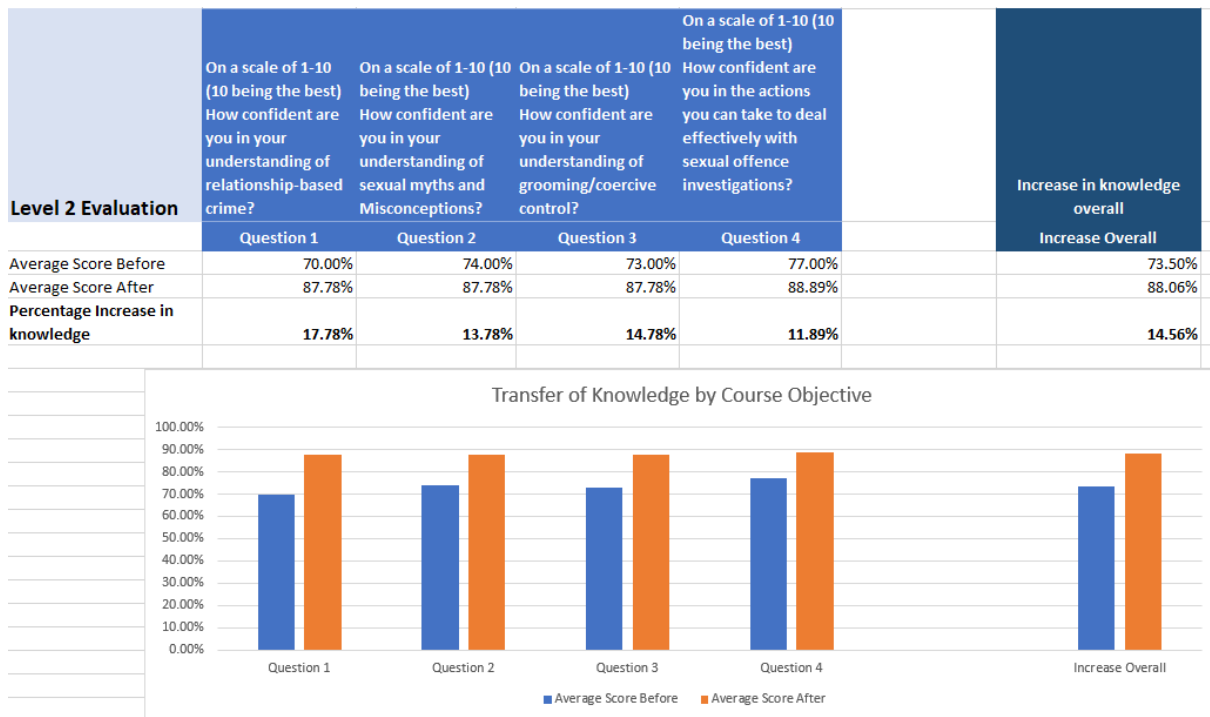


Figure 6: Kirkpatrick Level 2 Training Evaluation