

Research Briefing: Key findings from Year 1

OPERATION SOTERIA: **Pillar 3 Embedding procedural justice and engaging victim-survivors**

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Summary

This briefing presents key findings from Year 1 of Operation Soteria (Pillar 3), a Home Office funded project designed to transform policing responses to rape and other sexual offences in England and Wales. Pillar 3 focused specifically on improving police engagement with victims and embedding procedurally just practices. In-depth data was gathered from five police forces using an extensive range of methods and national consultations with 'expert by experience' victim-survivor groups.

Key points

- Police engagement with victim-survivors is inconsistent, with some problematic practices observed
- There is a failure to fully uphold victim-survivors' rights and interests set out in the Victims Code
- Victim-survivor privacy rights may be ignored or undermined, sometimes inadvertently
- There remains evidence of myths about rape and victim-survivor credibility
- Specialist support services are not always valued and relationships with them are variable
- Poor victim-survivor treatment was linked to a lack of police specialism, resources, and officer burnout
- Good police practice in engaging with victims was observed against the odds

Background

Research demonstrates that the criminal justice process can retraumatise victim-survivors of sexual violence. The Rape Review (2021) recognised this, noting that “the trauma of the crime and their subsequent experience leads many victims to disengage from the criminal justice process ... We know that victims and the organisations that support them have felt badly let down”¹. The well-established failings of the criminal justice system in sexual violence have contributed to low confidence in policing. In a survey by the Victims’ Commissioner², only 14% of 491 victim-survivors agreed that justice can be obtained by reporting to police.

Traditionally, rape reform has focused on improving case outcomes, such as charge rates or volumes. However, this alone does not meaningfully or comprehensively reflect the needs of victim-survivors. As one victim-survivor who we spoke to put it:

“My case ended in a guilty verdict with a ten-year sentence, but when people ask me about my experience it isn’t ‘yay he got put in prison’, it’s ‘well I was let down at this point, and this point, and at this point, and this point’” (Victim-Survivor, Force B).

In its first year, Pillar 3 therefore sought to develop an in-depth understanding of police practices in relation to rape and other sexual offences and explore how victim-survivors experience of engaging with the police can be improved by embedding procedural justice. The insights generated from this work informed the development practical tools to uplift police responses to victim-survivors as part of a new National Operating Model for police responses to RASSO launched in 2023. Key findings about police practices are outlined in this briefing. Please see further outputs on the Pillar 3 [project page](#), including a dedicated briefing on procedural justice, or contact us for further information.

N.B. Please note, this briefing comprises a summary of findings from Year 1 of Operation Soteria. Since the project spans three years, we anticipate the initial results presented here may be refined and evolve to a degree as our work continues.

¹ HM Government (2021), *End-to-end rape review report on findings and actions*, HM Stationery Office (pp. i-ii).

² Victims Commissioner (2020), *Rape survivors and the criminal justice system*, Victim Commissioner’s Office.

Methodology

Pillar 3 completed 'Deep Dives' in four police forces. The exact data sources varied between each Deep Dive depending on access and availability, but our sample across the year comprised:

- 324 hours of ethnographic observations with 14 investigation units.
- 34 hours of video recorded interviews (VRIs) with victim-survivors in 27 cases.
- 17 x focus groups with police officers and staff from dispatch, response, and investigation teams.
- 15 x interviews or focus groups with support workers from third sector providers, mostly Independent Sexual Violence Advisers (ISVAs).
- 14 hours of body worn video (BWV) from first contact with 16 victim-survivors.
- 8 x consultations with victim-survivors from local expert-by-experience panels on Y1 findings.
- 8 x interviews with senior police managers holding responsibility for strategic decisions about resourcing and KPIs.
- Mapping 108 internal policy and guidance documents relating to victim-survivors.

Nationally, we also consulted 42 victim-survivors across five expert-by-experience panels about their views of procedural justice theory.

Findings

1. Police engagement with victim-survivors is inconsistent

In all deep dives and the national expert-by-experience panels, we heard about variation in the quality of police responses to sexual violence. Victim-survivors expected that most experiences would be negative and felt 'lucky' if they avoided this:

"It's a postcode lottery and it depends on the officer you get." (Victim-Survivor, Force C)

ISVAs and victim-survivors recognised the efforts of many police officers to provide a good service. However, we also heard about deeply traumatic experiences of reporting to police:

"I did everything I could and everything I was asked by the police, but dealing with them has been the worst and most traumatic experience. They are inhumane, misogynistic, thoughtless and cruel... I have been violated and scrutinised, my blood was taken, swabs from all parts of my body, people looking at my genitals, touching me, my phone and belongings taken and never returned. My history taken and reviewed and judged for any scraps of information they could use against me." (Victim-Survivor, Force A).

Therefore, while some victim-survivors are treated well, others are not, and this inconsistency was highlighted as something that must be addressed:

"It shouldn't be one out of ten police officers treat a victim with respect, it should be ten out of ten police officers treat a, treat a victim with respect. Ten out of ten victims would call the police again. It shouldn't be one out of ten victims." (Victim-Survivor, Force B)

2. Failure to meet victim-survivors' Victims Code rights

All forces recognised the importance of the Victims' Code of Practice (Victims' Code). However, forces failed to fully and consistently uphold victim-survivors' rights and interests, as set out in the Victims Code. For example, as part of the Victim's Code commitment to information about the investigation, Force D had an internal target of updates every seven days. Force B also checked whether there had been updates at least every 28 days as part of routine case reviews by senior officers. Similarly, they had forms to encourage officers to consider when and how to engage with victim-survivors, for example, whether certain days or times should be avoided because of their religious affiliation, domestic situation, medication, or other circumstances. Awareness and use of the form were patchy, but it showed a push for tailored and considerate engagement of victim-survivors.

However, elsewhere, the Victims' Code right to updates at least every 28-days was considered a luxury:

"The Victims' Code. We never adhere to it." (Police Officer, Force C)

"The communication has been rubbish and even highlighting on the Victim Code the things that they're supposed to do, nothing's changed. And they apologise or they, I feel like they minimise and make excuses really, rather than addressing the concerns. But I just don't feel like anybody cares." (Victim-Survivor, Force C)

The Victims' Code also outlines the right for victim-survivors to be supported to understand the justice process and communicate well, however, all forces found it difficult to quickly secure high-quality interpreters and intermediaries. There were also examples across forces of inconsiderate and unsuitable communication with victim-survivors, for example informing them of charging decisions late at night via an unexpected phone call or text message and with no follow up support (Force A).

3. Victim-survivor privacy rights may be ignored or undermined

Our observations and police focus groups across four pathfinder forces suggested that victim-survivors' phones are routinely downloaded during their video-recorded interview. Officers often said they were doing this to support victim-survivors by ensuring they were not left without a phone, recognising that this would be hugely disruptive.

However, this inadvertently means that most victim-survivors were being asked for their phone before either their own or the suspect's interviews had been completed. This seems to contradict the 'thinking approach' set out in *R v Bater-James* (2020) and subsequent legal reforms, as it is unlikely that there is a 'clearly identifiable foundation' for belief that the phone contains relevant evidence at this early stage. Force D's internal guidance even encouraged phones to be taken at the point of first response, before the investigation began. Therefore, although officers may have been seeking to put victim-survivors at the heart of their decisions about digital evidence, this was having unanticipated negative consequences.

The impact of disproportionate phone downloads is well-explained elsewhere (for example, the Information Commissioner's 2020 report³). Our findings add further support to this body of work, highlighting the need to carefully consider digital evidence⁴, particularly where the same scrutiny was not put on the suspect:

3 Information Commissioner's Office (2020) Mobile phone data extraction by police forces in England and Wales: Investigation report. Available at: https://ico.org.uk/media/about-the-ico/documents/2617838/ico-report-on-mpe-in-england-and-wales-v1_1.pdf

4 This does not mean that digital evidence holds no investigative power, and in fact we heard from victim-survivors who were "begging the police: 'please will you take me phones'" (Victim-Survivor, National Panel 5).

"Mobile phones were not even invented when I was abused but they had my phone for seven months and messages were used against me in court. I felt as if I was under investigation." (Victim-Survivor, Force A)

There was also little awareness amongst officers about the need for data access to be 'strictly necessary' and not accessible via other practicable means. No forces first used less invasive techniques, such as screenshots. Similarly, there was very limited evidence of routine use of the National Police Chiefs' Council Digital Processing Notices (DPNs), and some suggestion that DPNs might only be completed at the point of referring a case to the CPS, rather than at the point of access to digital devices.

There remained a sense among police in all forces that some requests for digital evidence and third-party material remain wide-ranging:

"For victims we will request everything, school records, social services records, everything, but for the suspect we don't. We will look at if he's been accused of a sexual offence before, but we will look at the credibility of the victim, 'I definitely think we scrutinize the victim more than suspects'." (Observations, Force D)

This later quote reflects the comments we heard in all forces that police officers felt the CPS would routinely request extensive sensitive data about the victim-survivor. There was frustration about these perceived requests from the CPS because of the potential negative impacts on both investigation times and the victim-survivor. Force B had undergone recent training that was perceived as highly successful in empowering officers to challenge CPS requests for disproportionate evidence:

"I had one for that court case last week, where CPS was saying 'oh can we get all third party', and I'm saying, 'well, what for what? What information have you got that I don't have, that

means that we have to get this third party?' and they didn't have anything. And the defence again had said, oh, we'd like to review all third party, and again there was no reason for it. It was just a fishing trip. Um, so I think we are quite good at pushing back on that and saying 'it's not, it's not required' and like you said, would only go and get the third party if we absolutely need to." (Police Officer, Force B)

Both digital evidence and requests for third-party material led to delays in the investigation.

4. There remains evidence of myths about rape and victim-survivor credibility

Echoing the findings of Pillar One, many officers highlighted the importance of challenging rape myths, understanding different victim contexts, and looking for vulnerability rather than making 'credibility' judgements about a victim-survivor. This was particularly notable in Force B, where rape myths were strongly acknowledged and challenged. However, a significant minority of officers during deep dives openly made statements rooted in myths:

"[Unit] should investigate real rapes, S1 and 2s ['stranger' rapes], and DA [domestic abuse] rapes, which clog up the system, should be investigated by the DA team." (Police officer, Force A)

Others said that while they knew the realities of rape, juries are influenced by ideas used by the defence about a victim's 'personality or their lifestyle' (Police Officer, Force D) and so they still influence case outcomes. This contradicts official policy, which states that referral to CPS should be based on what a reasonable jury might think, not a typical one.

There was also belief among some officers of there being a significant number of 'false allegations' coming to police attention, contrary to available evidence. For example, senior management in Force C said that "the system is clogged up with false allegations". This may be why they (as well as Force D) began several victim-survivor interviews with a discussion about truth and lies. This discussion

should only occur where the witness is under 18 or has communication / learning disabilities that could impact their ability to distinguish between fact and fiction:

"It is important that we all tell the truth" (VRI, Force D)

"I am not going to insult your intelligence here, but obviously you understand the difference between telling the truth and telling a lie and the consequences of those actions." The officer asks the victim-survivor to give a simple example of the consequences of telling a lie "Obviously ... [I know the] difference between bullshit and telling the truth... I get what you are saying, I know lies, I know the truth." (VRI, Force C)

5. Specialist support services are not always valued and relationships with them are variable

All forces had ambivalent relationships with their local third sector support services, although we found some examples of excellent partnership working (and the subsequent benefits for victim-survivors⁵). For example, Force D used crisis support workers to provide emotional help for victim-survivors during the video recorded interviews. Specialist support, particularly ISVAs, were noted by some officers as extremely helpful for engaging with victim-survivors, providing "tremendous support" (Police Officer, Force D). However, communication was variable and depended on individual officers, with updates being described as either "really thorough, very basic, or not at all" (ISVA, Force D).

Some officers had limited understanding about support services or the distinctions between different support roles. For example, officers from Force B talked about Independent Domestic Violence Advisors when they meant ISVAs, and some victims were briefed about ISVAs as providing counselling, although this is not part of their role.

To address this, ISVAs tended to offer police training, but the high turnover of officers meant that this did not solve problems of awareness. High turnover also reduced partnership working because it meant that personal relationships could not be cultivated:

"A lot of the existing officers are no longer there and there is just always a high turnover of new officers, some of them don't understand our roles, some of them don't know who we are." (ISVA, Force C)

"I wouldn't even know where to find an ISVA's phone number." (Police Officer, Force B)

In some locations, partnership working with ISVA services had completely broken down, as police officers felt that challenges to their practice 'overstepped' the ISVA role. Such advocacy was viewed as personal criticism of the officers, rather than being an 'essential element' of the ISVA role⁶.

Limited funding and high demand also created extensive waiting lists across the force areas for victim-survivors seeking to access ISVA services. Appropriate and sustainable funding is needed across the third sector. There was an almost total exclusion of independent 'by and for' services observed in police partnership working, and when asked about local services, police officers focused on SARCs and then ISVAs. 'By and for' services are more likely to be accessed by minoritised victim-survivors, so it is important to widen partnership working to better engage the whole community. There are also gaps in specialist support, for example our consultation panel with neurodivergent and learning-disabled victim-survivors highlighted a lack of provision tailored to these individuals.

⁵ Victim-Survivors told us about the benefits of ISVAs: "I am lucky I had an ISVA, lucky I had one from the start. My ISVA was on my side supporting me from the very beginning, this is vital" (Victim-Survivor, Force A).

⁶ Home Office (2017), The Role of the Independent Sexual Violence Adviser: Essential Elements. HM Stationery Office [section 5.12].

6. Poor victim-survivor treatment was linked to a lack of police specialism, resources, and officer burnout

Echoing the findings of Pillars One, Two and Four, all forces struggled to recognise the additional time and specialism needed to engage with victim-survivors of sexual offences, leaving senior managers unable to accurately assess caseloads. This lack of sufficient resources meant that engaging with victim-survivors was deprioritised:

"Officers say initial contact with victims is usually good, but it then tails off because they don't have enough time to dedicate to contacting victims." (Observations, Force D)

Victim-survivors were also made aware of workload pressures upon officers. For example, 'live' cases taking precedence over non-recent cases in every force, creating delays and a sense of hierarchy for cases perceived as 'live':

"The answer I got from [asking for updates] was because it's a historical case, 'yours is not the only case'. This is from word to word, 'yours is not the only case we've got to deal with. There are 20 other cases sitting in front of you'." (Victim-Survivor, Force C)

Indeed, victim-survivors talked about feeling they were "just a number" (Victim-Survivor, Force C) or an 'inconvenience' (Victim-Survivor, Force A). Others noted being made to feel like a burden or losing trust as a result of multiple handovers to different officers. A high turnover of staff also means that victim-survivors feel passed around:

"I think there must be 10 different officers I've now spoken to. [laughs] Nobody really knows about the case. Nobody cares" (Victim-Survivor, Force C)

Compassion fatigue, burnout, and secondary trauma amongst officers appeared to create further barriers to the sensitive and dignified treatment of victim-survivors:

"I've decided to care less, as it's the only way to get through" (Police Officer, Force A)

Vacancies in the team were hard to fill, for example several officers in Force B talked about the challenges of recruiting, and Force D recently advertised posts but received no applications. Officers shared negative views of rape investigation teams held by themselves and colleagues:

"An officer says that he was previously in CID and 'to be honest' used to consider RASSO the 'pink and fluffy' cases as they were victim focused, and that he avoided them in favour of burglary and robbery. He tells me it's a really different way of working. He says that they are built to want to catch the baddies so in RASSO motivation can be harder." (Observations, Force D)

"When I joined [unit], I was warned off it by a number of officers from across the forces who said, what you doing that for? That's a punishment posting... And sometimes you say, oh, well, you know, if I'm going to kick and scream about doing X, Y and Z, I'm already at [unit] what more can they do to you?" (Police Officer, Force C)

Officers also tended to be relatively inexperienced, and concerns were expressed about a lack of training:

"We do have a very young workforce now on [unit], I think my shift alone consists of about 80% of people with less than 2 years' service in. And when a sexual offence job comes in, there's almost like this panic of like 'oh my god, what do I do'." (Police Officer, Force B)

"[Officer says] because all the DSs don't have RASSO experience, they're teaching each other what they don't actually know, and the DCs are being supervised by people who don't understand RASSO cases. It's like the blind leading the blind. All the experienced officers have left. There is also not enough RASSO training. They don't have enough officers trained in doing VRIs [video interviews] and they only do them when they think a case is 'going

somewhere'." (Observations, Force C)

7. Good practice in engaging with victims was observed against the odds

Despite the lack of experience, high staff turnover, and limited resourcing, most officers that we spoke to were motivated to 'do a good job' for victim-survivors. In the observations, we saw some examples of officers building rapport with victim-survivors and the police focus groups highlighted the importance of building trust.

In the body-worn video (BWV) and video recorded interviews (VRIs), we noted further attempts to build rapport, although these were not always successful. For example, one BWV showed the police officer ensuring she sat down so that she was at the same level as the victim-survivor, she introduced herself and the process, then offered space to ask questions (BWV Review, Force B). In other cases, the BWV showed dismissiveness towards the victim-survivors, awkwardness and a focus on completing evidential requirements.

Force D had particularly good practice around their VRIs. While there were still areas for improvement, the interviewing officers offered a chance to talk about the 'whole story' and gave space for victim-survivors to talk about the wider relationship contexts that explained the interpersonal dynamics of the alleged abuse. They also asked victim-survivors what they were feeling at each point of the abuse, providing further space for voice. Officers also tended to ask victim-survivors what they wanted out of the investigation, which may be difficult to answer but shows an attempt to engage with victim-survivors' interests beyond simply a conviction outcome.

Where we identified good practice, this tended to be driven by individuals at the expense to their own wellbeing, and despite a perception of limited buy-in from Chief Constables or other senior managers. For example, Force C featured a highly 'burnt out' workforce, with unit managers who were working unsustainable hours to set up nationally leading innovations.

Most police officers we spoke to and observed wanted to provide a good service for victim-survivors. They highlighted the importance of treating victim-survivors well, listening to them and making them feel heard. Doing a 'good job' for victim-survivors was often described as a rewarding part of their role, and officers often expressed frustration at having limited time to engage with victim-survivors and offer them support. There were few formal ways through which forces recognised the importance of victim-survivor treatment which was disempowering for officers, with one describing their force as "massively statistic-driven" (Police Officer, Force B).

Next steps

Victim-survivors are receiving inconsistent and poor treatment during police sexual violence investigations. Police forces must prioritise the improved treatment of victims, and extend recognition of 'good' police work and 'success' to include best practice in engaging with victims. A key way of doing this is to embed a procedural justice approach across all aspects of the police response, which would promote fair processes in the criminal justice systems that centre the rights and interests of victim-survivors. In Years 2 and 3, Pillar 3 built on this evidence-base and contributed to the RASSO National Operating Model for police forces in England and Wales. See [here](#) for further details.



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Further Information

Please contact [Dr Olivia Smith](#) for further information about this work.

Project

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