1.0 Summary of Changes

This policy has been amended within section 2 to add an additional paragraph providing a link to the Essex Police Vulnerability Knowledge Library.

2.0 What this Policy is About

This policy describes how Essex Police will respond to all allegations of rape and other serious sexual offences irrespective of where they were committed, i.e. within the UK or abroad. It is an important part of our Rape Strategy which seeks to ensure an efficient, integrated, improving and cost effective approach to all such investigations. In particular, we will deal with victims and witnesses in an understanding, professional and ethical manner and our increased efforts will result in more successful investigations.

For more information about this area of vulnerability please look at the Essex Police Vulnerability Knowledge Library.

Compliance with this policy and any linked procedures is mandatory.

3.0 Statement of Policy

Essex Police recognise that rape and other serious sexual offences are probably the most traumatic assaults that can be inflicted upon any person. Any resulting physical injury may itself be considerable, but the psychological effect can be equally devastating. A victim of a rape or other serious sexual offence may be reluctant to report the matter to the police; they may have fears about how the allegation will be received and dealt with by the police. Victims can be assured that they will be supported throughout the investigative process and subsequent court proceedings.

We acknowledge the response from individual victims to offence of rape or other serious sexual offences will vary, so unexpected behaviour will not be interpreted as undermining their account. We also know that vulnerable victims (especially if suffering with mental ill health or learning difficulties) and those in violent domestic relationships may be victimised a number of times on separate occasions and possibly by different offenders. Indeed there is evidence that sex offenders target certain types of victims whom they regard as vulnerable. Police will not doubt further reports purely on the basis that the victim has made previous allegations.

All members of Essex Police will do everything they can to provide a caring and supportive response to allegations of rape or other serious sexual offences in order to minimise the victim’s trauma. Officers and staff will adopt the content of this policy and the associated procedures to ensure we are delivering the highest possible service to the victims and to their families.
We will conduct a thorough investigation using competent and trained staff seeking to identify any offender at the earliest opportunity ensuring the maximum protection is afforded to the victim and the public at large. Investigating officers will assess the account provided by all witnesses and will treat any report provided as accurate unless information is discovered capable of casting a real doubt on the allegations made.

Where information does come into our possession that raises an inconsistency concerning any account given by the victim of other witness we reserve the right to seek further explanation in a robust and professional manner. We will never seek to dismiss the account of the individual purely based on any particular protected characteristic or health condition.

Malicious false reports are sometimes made which have a devastating effect on the innocent party. We will seek to identify such instances at early opportunity through a professional investigation taking the appropriate action where necessary.

Officers and staff specifically trained to deal with such offences are available through the following teams:

Child Abuse Investigation Team:

- All child abuse investigations occurring within the family or extended family
- All child abuse investigations where the offender is entrusted with the care of the child at the time of the offence.
- Cases as outlined above but where the victim is now an adult and the abuse occurred whilst they were a child.
- All child abuse cases involving multiple offenders or victims.
- Child to Child abuse where the children are known to each other and at least one of them is under 13 years of age.
- Reported incidents of Child Sexual Exploitation listed below:
  - Cases, regardless of offence type (except SOIT & POLIT), involving multiple victims and / or multiple suspects;
  - All cases, regardless of offence type, involving a High Risk victim;
  - All cases where the suspect holds a position of trust in respect of the victim, as defined by section 21 of the Sexual Offences Act 2003;
  - Historical cases falling within the above categories;
  - Safeguarding or Information development actions (e.g. victim liaison, strategy meeting attendance, CCTV collection) tasked by the triage team and connected to the aforementioned offence categories.
Sexual Offences Investigation Team:

- Rape (or attempted) as defined by Section 1 Sexual offences Act 2003 (Sexual offences Act 1956 for pre 1.4.04 offences);
- Assault by Penetration (or attempted) as defined by Section 2 Sexual offences Act 2003.

The following offences (or attempts)/incidents should be referred to the SOIT Duty Officer:

- Critical Incidents where the substantial offence is sexual or there is a sexual motive to the offence;
- A series of minor sexual offences where it is considered that the incidents are preparatory to a serious sexual offence;
- Sexual assault where the assault is particularly serious or features of the offence are aggravated;
- Serious sexual offences that occur in establishments for vulnerable persons i.e. adult care homes;
- Any other sexual offence with the agreement of SOIT DCI due to threat harm or risk to victim, community or organisation.

Offences outside the terms of reference for CAIT and SOIT are investigated by teams within the Investigations command

4.0 Implications of the Policy

4.1 Finance / Staffing / Training / Other

Financial implications, if any, mainly arise from *not* complying with force policy i.e. the wasteful deployment of resources, un-necessary and costly forensic examinations, reviewing investigations that should have been resolved earlier and in responding to civil actions alleging negligence on the part of Essex Police.

No new posts/roles are being created as a direct result of this policy. Training in the response to, and investigation of, allegations of rape and serious sexual offences should form part of the force’s routine training and development programme for:

- Call takers;
- First Response Officers;
- Sexual Offences Trained Officers (SOTOS);
- Scenes of Crime Officers (SOCOS);
- Crime Investigators;
- Senior Detectives;
- Force Senior Investigation Officers.
The initial management of all allegations reported outside of core business hours will be the responsibility of Silver Commanders. In order to meet that requirement procedures concerning initial response will form part of their regular familiarisation training.

The Force has one Sexual Offences Investigation Team (SOIT), under the command of a Detective Chief Inspector. This team will respond to and investigate allegations of rape and other serious sexual offences.

4.2 Risk Assessment(s)

Generic Risk Assessments relating to the different roles likely to be undertaken already exist.

4.3 Equality Impact Assessment

This policy has been assessed with regard to an Equality Impact Assessment. As a result of this assessment it has been graded as having a low potential impact as the proposals in this policy would have no potential or actual differential impact on grounds of race, ethnicity, nationality, gender, transgender, disability, age, religion or belief or sexual orientation. All the procedures associated with this policy will have an EIA attached to them.

5.0 Consultation

During the development of this policy, formal consultation has taken place with the Policy Development Officer and the Rape and Serious Sexual Crime Group (RSSCG), which includes the Force Rape Champion (SOIT DCI), and representation from the following:

- Scenes of Crime;
- Sexual Offences Investigation Team;
- Essex Police College;
- Child Abuse Investigation Team (CAIT);
- County Prosecuting Solicitor (RASSO team in CPS);
- Media Department;
- Force Control Room.
6.0 Monitoring and Review

The policy will be monitored throughout its lifespan by the Force Rape Champion who is responsible for monitoring legislative or procedural changes at a national level, including force performance and any associated training issues. This ensures that the policy remains accurate and compliant with both legislation and national or local initiatives.

This policy will be reviewed by or on behalf of the Head of Crime and Public Protection annually.

7.0 Related Force Policies or Related Procedures

7.1 Related Procedures

- B 0600 Policy - Investigation of Crime
- A 0100 Policy – Recording of Incidents and Crimes
- D 0400 Policy – Critical Incidents
- B 1200 Policy – Child Abuse Investigations
- B 1700 Policy – Domestic Abuse
- B 0605 Procedure - Dealing with Vulnerable and Intimidated Witnesses within the Criminal Justice System
- D 0401 Procedure – Dealing with Critical Incidents
- B 1404 Procedure – Management of Potentially Dangerous Persons
- B 1701 Procedure – Domestic Abuse Initial Grading and Attendance
- B 1702 Procedure – Domestic Abuse Investigations

8.0 Other Source Documents, e.g. Legislation, Authorised Professional Practice (APP), Partnership Agreements (if applicable)

- Guidance on Investigating and Prosecuting Rape (NPCC 2009)
- Guidance on the Response to People with Mental Ill Health or Learning Disabilities - NPIA 2010
- Letter from CPSD re the launch of CPSD Rape Policy
- CPSD Rape Policy
- Rape Prosecutions Advice / Review Checklist
- Memorandum of Understanding between Essex CPS & Essex Police re Early Consultation in Rape Cases, plus Annex A & Annex B
- Authorised Professional Practice - Domestic Abuse
- Authorised Professional Practice – Rape and sexual offences
- Authorised Professional Practice – Child Abuse Investigations