

VC analysis of victims' reasons for withdrawing sexual offence complaints

15 August 2019

This analysis provides insights into the attrition of sexual offences complaints through the criminal justice system. Specifically, the analysis presents findings about victims' reasons for withdrawing sexual offence complaints from investigation. Our findings are based on analysis of an Essex Rape and Sexual Abuse Partnership administrative dataset shared with the Office of the Victims' Commissioner for England and Wales. References to Rape Crisis' data in this document pertain to the Essex Rape Crisis Partnership. Further details about Essex Rape and Sexual Abuse Partnership, the methodology and data is included in the Appendix.

A) The profile of victims and their experience of sexual offences

Our analysis of the dataset indicates that 4,840 experiences of sexual offences for all Rape Crisis service users were reported to the police. In terms of where these complaints were reported: 4,086 cases were reported to Essex Police force and 774 were to other police forces (including police forces in in Scotland, outside of UK, and 94 complaints where there is no police force listed). The figures below refer to complaints reported to all police forces.

We have used the 'case started' date for the following analysis. This is the date when Rape Crisis began working with sexual offence victims. We have focused our analysis on victims who began working with Rape Crisis between January 2016 to the end of June 2019. Over 90% of the sexual offences complaints made by this group were reported to the police from 2014 onwards. This includes sexual offences occurring years or decades previously. To focus on victims who have been in contact with Rape Crisis in more recent years, we have excluded 267 cases where the victim first started working with Rape Crisis between 2001 and 2015. The following analysis is based on the remaining total of 4,573 complaints.

We initially looked at some key demographic information about these victims.

Victims:

- There were 3,441 victims for all 4,573 experiences of sexual offences.
- 27% of victims reported two or more experiences of sexual offences to the police¹;

Gender:

- 90% of the experiences involved female victims and 9% were male victims.
- 1% included non-binary, transgender female and transgender male victims;

Age

- 80% of the experiences involved adult victims, 15% were young persons, and 5% were children;

Experiences of sexual offences:

- 58% of victims reported rape; 27% were adult and child survivors of sexual abuse; 13% experienced sexual violence and 1% experienced sexual exploitation.
- The remaining experiences involved either domestic violence, stalking and harassment or no incident (all less than 1%).

B) Police crime classification of victims' sexual offences complaints

We analysed the police crime classification for all 4,573 complaints reported to the police. We looked at police outcomes, in terms of whether an investigation was sent to the CPS and where the police concluded there was no further action. For these experiences of sexual offences, we found:

- 39% of experiences were reported to the police but the **outcome was unknown**ⁱⁱ
- There was **no further action** by the police in 36% of experiences
- 12% of experiences were **sent to the CPS** for decision
- 9% were **under police investigation**

We analysed the reasons no further action was taken by the police. Nearly all the 1,592 experiences with 'no crime reason' were where there was 'no further action' for the Police Crime Classification. There were few complaints that the police concluded there was no crime - Outcome 16 (n. 22). The main reason that the police were no longer investigating victims' complaints were that the:

- police and CPS **evidential tests were not met** (55%, or 878 complaints)
- **witnesses withdrew** the allegation (33%, or 521 complaints)

For the remaining complaints, relatively few failed a threshold test (5%), the police were unable to trace the offender (2%), or the complaints failed the public interest test (2%). The remaining eight percent of cases included several reasons, such as the perpetrator died during the investigation or the perpetrator was under the age of criminal responsibility.

Table 1. Reasons that sexual offences complaints were no longer under police investigation

	Percentage	Total complaints
Failed evidential test	55%	878
Witness withdrew	33%	521
Failed threshold test	5%	72
Unable to trace offender	2%	29
Failed public interest test	2%	28
False allegation	1%	18
Perpetrator died during investigation	1%	18
Perpetrator under age of criminal responsibility	1%	17
Disengaged with Police	1%	9
Victim died during investigation	0%	2
Total (no longer under investigation)		1592

Source: Rape Crisis Essex

1. Data refers to victims who accessed Rape Crisis services between January 2016 and June 2019. The complaints were reported to the police over a longer historical period.

C) Victims' reasons for withdrawing sexual offences complaints

Lastly, we analysed the reasons for withdrawing about each of the 521 complaints. Rape Crisis practitioners select one, or several, reasons for each complaint, when recording this data. The available reasons in this field are based on Rape Crisis' experience of working with victims and survivors, and their expertise with understanding the varied reasons that an allegation might be withdrawn. We initially disaggregated the reasons and prepared figures for each of the eighteen reasons that victims withdraw complaints.

Victims and survivors cite multiple reasons for withdrawal a complaint, so the following percentages do not add up to one hundred percent. We found:

- In 26% of complaints, victims felt that **the criminal justice system process would be too distressing;**
- In 21% of complaints, victims had **disclosure privacy concerns**. This includes concerns about digital downloads, GP records, hospital records, school records, employment records, combination of negative press coverage and victim & survivor experiences;
- In 21 of complaints, victims expressed the **need to move on** from the experience and the police investigation;
- In 13% of complaints, victims expressed fear about whether, as a result of their involvement with the criminal justice system, the complaint would have a **negative impact on their mental health and well-being;**
- In 13% of complaints, victims said that they had a **lack of support from family, friends or employers** about continuing to engage with the criminal justice system.

There were several other reasons related to a victims' experience of the criminal justice system. We found that victims said they had withdrawn because they felt disbelieved and judged (7%), they feared giving evidence in court/court process (6%), they had a negative experience of the criminal justice system (2%), they had experienced intensive questioning in interviews (1%), and, finally, due to delays in police process (1%).

D) Summary

This analysis has explored the outcomes of police investigations into complaints of sexual offences. The analysis highlighted the barriers to the progression of sexual offences complaints in the criminal justice system. Notably, we found that Rape Crisis service users in Essex had withdrawn one third of complaints reported to the police. This was the second most common reason that sexual offences complaints were no longer being investigated.

When we looked at the reasons that victims withdrew their complaints, we found few victims said they withdrew due to feelings of shame or delays in police processes. Instead, one in four persons who withdrew a complaint expressed a general fear that engaging with the criminal justice system process would be too distressing. We also found that one in five complaints were withdrawn due to disclosure privacy concerns. This includes concerns that victims had about digital downloads and allowing access to various other records, e.g. medical records, hospital records, school records, employment records, etc.

Our findings underline the need to further understand victims' concerns about engaging with the investigation of sexual offences complaints. We have identified some of the main barriers that victims perceived to be discouraging their engagement with the criminal justice system. As our

analysis has indicated, it is necessary to understand the reasons that lead victims to feel that they should withdraw their complaints.

E) Appendix: Methodology

This analysis was conducted using data from Essex Rape Crisis Partnership. The Partnership is comprised of three fully accredited Rape Crisis England & Wales member Centres. These Centres are South Essex Rape and Incest Crisis Centre (SERICC), Southend Rape Crisis Centre (SOSRC), and Centre for Action on Rape and Abuse (CARA). References to Rape Crisis' data in this document pertain to the Essex Rape Crisis Partnership.

The analysis involved the preparation of descriptive statistics on the outcomes of police investigations and reasons that victims withdraw sexual offence complaints reported to the police. Throughout the analysis, staff at Rape Crisis provided advice about the structure of the dataset, offered valuable suggestions and feedback.

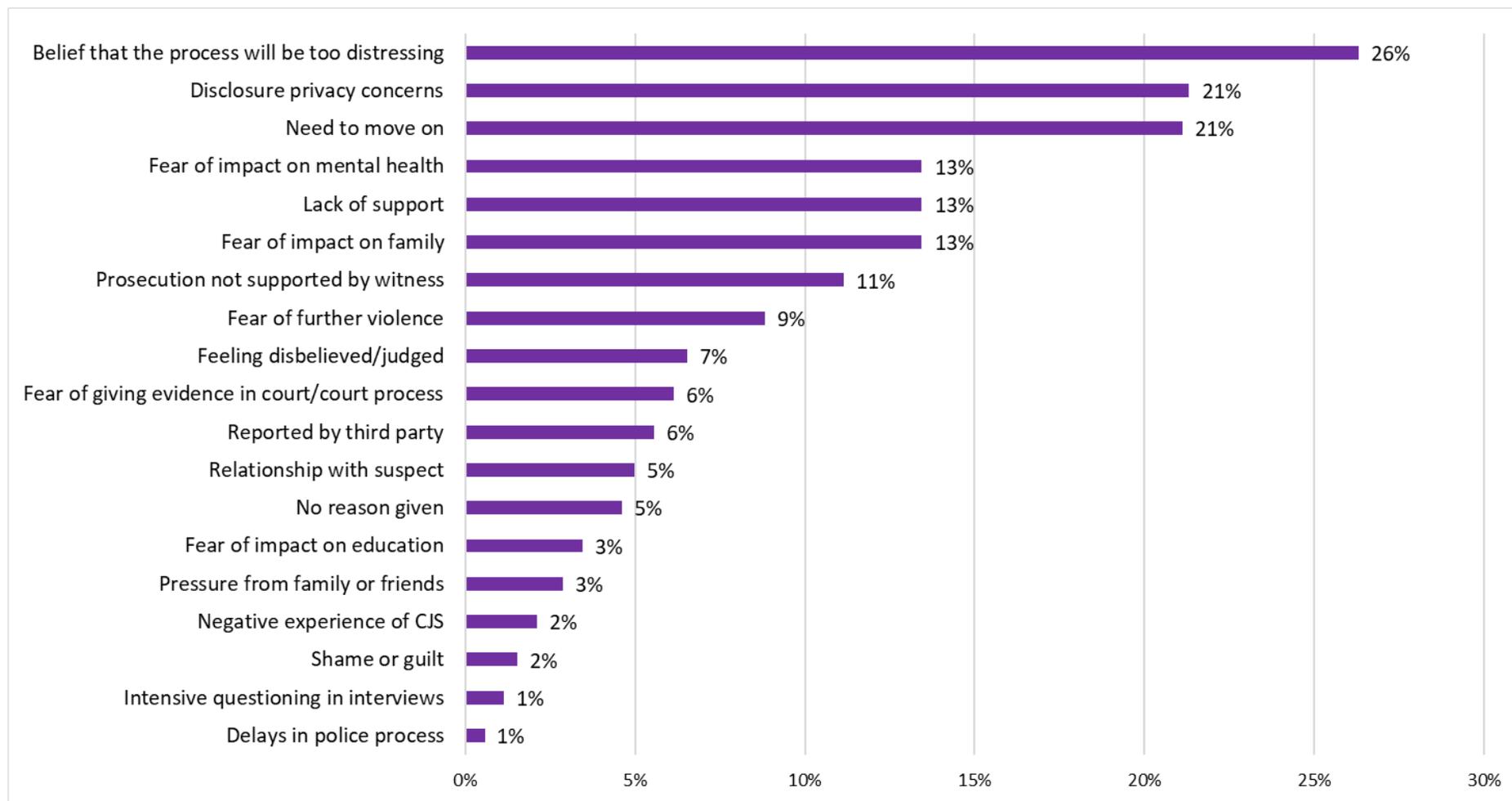
The descriptive statistics are based on 4,573 experiences of sexual offences that Rape Crisis service users reported to the police. This analysis includes complaints where the complainant started working with Rape Crisis between January 2016 and June 2019. Some care should be taken when interpreting these results due to the nature of the sample. The sample includes victims who are residents in Essex and who, mostly, reported complaints to Essex Police. Due to the lack of available data from other police force areas, we are not able to compare our findings to estimate their generalisability. Further analysis of police data would be needed to present annual totals for complaint withdrawal.

The strength of this dataset and the following analysis is the possibility of exploring the reasons that victims gave for withdrawing complaints, regardless of when each complaint was reported to the police. The dataset includes victims and survivors that have worked with Essex Rape and sexual abuse partnership and who have reported a sexual offence to police. This information is collated by frontline Rape Crisis practitioners through a bespoke data base that was introduced in 2005 and is used in more than half of the Rape Crisis England & Wales network. During the last three years, all sexual violence victims in Essex are referred to Rape Crisis, which means the dataset is representative of sexual violence victims in Essex.

Rape Crisis datasets have been previously used to profile the experience of the criminal justice system. Analysis of Rape Crisis data by Jo Lovett and Liz Kelly from London Metropolitan University identified the key characteristics of service users and their experience of sexual violence using a dataset comprising over 33,000 individualsⁱⁱⁱ. Analysis of Rape Crisis data in 2014 by the Home Office highlighted the high levels of attrition through the criminal justice system^{iv}. The Home Office described the centre as holding 'one of the most comprehensive data sets about sexual violence victims' in 2014. The Home Office analysis noted the strengths of using Rape Crisis datasets is its large sample size, the database is continuously updated and the wide range of demographic and incident information available. The limitations of the dataset include missing data and data quality decreasing further back in time.

The three centres in the Essex Partnership collect data for administrative purposes, such as reports to funders and commissioners, rather than for publication for research purposes. The case management database is filled in by counsellors and Independent Sexual Violence Advocates (ISVAs). Quality control for the Essex partnership is provided by a data lead in SERICC and DPMS champions across the Rape Crisis member centres. We understand that missing data is largely due to the changing nature of cases and the delay in receiving information from the criminal justice system.

Chart 1. Reasons given for witness withdrawal of sexual offence complaints between January 2016 and June 2019¹



Source: Rape Crisis Essex

1. Data refers to victims who accessed Rape Crisis services between January 2016 and June 2019. The complaints were reported to the police over a longer historical period.

References

ⁱ Twenty-four percent of victims reported two incidents, three percent reported three incidents, one percent reported four incidents, less than one percent reported five incidents, and less than one percent reported six incidents.

ⁱⁱ This includes which were reported, but there is no further criminal justice system involvement. Essex Rape Crisis are often not updated by the police or the client may be unaware of the outcome.

ⁱⁱⁱ Lovett, Jo, and Liz Kelly (2016) 'Hidden Depths: a detailed study of Rape Crisis data'. London Metropolitan University and Rape Crisis.

^{iv} Home Office (2014) 'Analysis of Sexual Violence Victims' Experience of the Criminal Justice System'. Author: Olivia Hesketh, Crime and Policing Analysis Unit.