

Rt Hon Robert Buckland MP  
Secretary of State for Justice  
102 Petty France London  
SW1H 9AJ



Tuesday 30<sup>th</sup> June 2020

Dear Rt Hon Robert Buckland MP

### **Re Vital New Evidence for the Government 'Rape Review'**

We write as a group of women's organisations working to end domestic and sexual violence and all forms of violence against women and girls, regarding the ongoing government Rape Review with which we wish to share vital new, and as yet unpublished, evidence.

As you will be aware there is ongoing enormous concern about the woefully low charging rate for rape, which led to your Criminal Justice Board establishing a 'Rape Review' and has resulted in the CPS facing multiple litigation threats.

We wish to share with you compelling evidence which we consider vital to inform the Rape Review as its findings and recommendations are developed. Many of these documents form the basis of the End Violence Against Women Coalition's (EVAW) Judicial Review of the CPS for their failure to prosecute rape, and also include a new briefing drawn from the research conducted by Imkaan in their report 'Reclaiming Voice: Minoritised Women and Sexual Violence Key Findings'.

Key documents that form the EVAW JR Court Bundle include:

- Statement of Facts & Grounds
- CPS Whistleblower's Statement
- A dossier of Case Studies of 20 survivors documenting their experiences with the CPS
- Expert Statistical Evidence

This evidence clearly shows that the decision making and leadership within the CPS requires the highest level of scrutiny and ambitious reform by the Rape Review.

We are concerned that the Review has been too reliant on the HMCPSI report published in December 2019, when our evidence and a leaked CPS internal report earlier this year contain contradictory findings (the latter particularly in relation to the use of 'administratively finalised' as a case designation and in regards to disclosure requests.)

The Imkaan briefing 'Key findings on sexual violence and Black and minoritised women's interactions with the Criminal Justice System' (Reclaiming Voice, 2020) draws on the findings connected to women's engagement with the CJS as part of their help-seeking journey and is based on the first national study conducted on this scale in the UK. It outlines the context and effects of

sexual violence on Black and minoritised women survivors and presents case studies to detail the negative experiences of their engagement with the police and wider justice system.

As Chair of the Criminal Justice Board, we hope that you find this evidence compelling and will want to take urgent action to ensure this information and our concerns are shared with the Criminal Justice Board and Rape Review teams.

We wrote to you in July of last year to express concerns about the absence of leadership on this issue, and we re-echo this call here. The Review needs highest level attendance, more frequent meetings, and deliberations as a matter of urgency. It also needs to make better use of voluntary sector and survivor group experts who have not yet been adequately consulted.

We have been engaged stakeholders with the Rape Review team throughout its work, but have expressed concerns that the scope is too limited and has so far not included sufficient focus on juries and the courts, as well as the barriers that prevent women from reporting in the first place. Critically the review also appears to be absent of any meaningful equalities analysis.

We note the report 'Assessing the Risk of Harm to Children and Parents in Private Law Children's cases', its recommendations and accompanying implementation plan from the Ministry of Justice published this week. The use of a panel of independent experts is one we support and we ask that this is immediately introduced to the Rape Review in order that it has the independent oversight this work requires.

We hope you understand why the tone of this plea is so urgent. The review which was originally intended to report in the Spring has been delayed, but those of us who have worked in this area for many years, and whose lives are dedicated to supporting survivors, are still expecting the Rape Review to provide comprehensive answers and solutions to the current crisis in the criminal justice system's treatment of rape. We look forward to hearing from you and are available to meet with you or your advisors at any time, and can provide more data and case examples of what is going wrong.

Yours sincerely,

**Sarah Green**

Director, End Violence Against Women Coalition

**Baljit Banga**

Executive Director, Imkaan

**Harriet Wistrich**

Director, Centre for Women's Justice

**Dr C Quinn**

CEO, Rape Crisis England & Wales