

Unmesh Desai AM

**London Assembly Member for City and East
Chair of the Police and Crime Committee**



Sophie Linden

Deputy Mayor for Policing and Crime
MOPAC
(Via email)

**City Hall
More London Estate
London
SE1 2AA**

1 November 2019

Dear Sophie

Sexual offences and rape

The capital is grappling with an alarming rise in the number of recorded rape and sexual offences. With over 13,400 offences recorded by the Met this year so far, nearly double that of eight years ago, the true level of these most serious crimes is becoming more apparent. This has implications for the response of the police, the wider criminal justice system and specialist support services.

We recently looked at the impact that the introduction of Basic Command Units (BCUs) has had on the Met's response to rape and sexual offences, as well as the broader ongoing pressures across the criminal justice system in tackling these crimes. We spoke to officers working in BCUs about their experiences and heard from specialist support services about the impact of the change on their work and on the experiences of survivors.

We were impressed by the dedication and commitment of those we heard from. Officers and specialist support services are working tirelessly to support as many survivors as possible and get them justice in a complex, pressured and changing environment. But the range of issues they raised with us were of great concern. In addition to ongoing issues with investigations, evidence and prosecutions, a reduction in the timeliness and quality of communication between the police, specialist services and survivors appears to be emerging following the transition to the new working arrangements. This may risk higher attrition rates and a reduction in reporting over time.

We heard how important it is for survivors of rape and sexual offences to have access to swift and effective support, coupled with a high-quality criminal justice response. As things stand, both appear to be falling short. While efforts to improve reporting and provision for survivors—as committed to by the Mayor—are essential, they will not have the maximum impact if the justice system, including the police, cannot deliver a consistent, high quality service.

Here we highlight the areas where we have the greatest concern. In the long term, if not rectified, these issues risk damaging the good work already taking place and reducing the number of victims and survivors coming forward to receive the justice they deserve.

1. The Mayor's approach to rape and sexual offences must focus more strongly on victim confidence

We welcome the Mayor's commitment to support efforts that encourage greater reporting of any form of sexual harassment and violence. It is apparent that the true number of rape and sexual offences is still unknown, meaning it is more important than ever that people are encouraged to report to the police if they experience any such crime.¹

We were interested to hear that the recent rise in reported rape and sexual offences, is, in your assessment, “not pointing to the confidence of victims to come forward” but in the main towards better recording practices by the Met.² MOPAC's ‘Beneath the numbers’ report suggested that “the findings of this analysis will feed into MOPAC's and our partners’ approach to tackling VAWG”, which includes influencing the willingness of survivors to come forward.³ What is disappointing is that we have heard little since that assessment as to how MOPAC and the Mayor will be addressing this issue of confidence.

We also heard that the decisions the Met takes on cases could hamper confidence and future efforts to tackle these crimes. It was suggested to us that the number of reports being categorised as ‘No Further Action’ by the Met is potentially affecting confidence; and the decrease in charging and prosecutions by the courts may eventually lead to higher attrition rates and a reduction in reporting. We were given an example from one Rape Crisis Centre, which saw 33 decisions to charge among the survivors it supported in 2017, but in 2018 there was one decision to charge. MOPAC has itself found that nearly one in five of the rape allegations examined in 2016 were not classified by the police as a crime and over half of victims and survivors decided to withdraw their allegation.⁴

Six months on from MOPAC's ‘Beneath the numbers’ assessment, and taking the London rape review into consideration, we would like to see further information as to how the Mayor's approach to tackling rape and sexual offences will change, especially to address these issues of confidence and reporting. **We recommend that you report back to this committee by December 2019 with your plans to address the issues identified in MOPAC's recent ‘Beneath the numbers’ report and London Rape Review, along with any changes to your approach in tackling VAWG.**

¹ MOPAC, [Beneath the Numbers An exploration of the increases of recorded Domestic Abuse and Sexual Offences](#), 27 February 2019

² Meeting of the Police and Crime Committee, [6 March 2019](#)

³ MOPAC, [Beneath the Numbers An exploration of the increases of recorded Domestic Abuse and Sexual Offences](#), 27 February 2019

⁴ MOPAC, [The London Rape Review. A review of cases from 2016](#), July 2019

2. The demand on police officers dealing with rape and sexual offences is well recognised: steps are needed to alleviate that pressure and mitigate further problems in the future

The impact of an increased number of reported offences is being felt across the whole criminal justice system, especially within the police. We visited two BCUs to hear from officers first-hand about their experiences of handling rape and sexual offence investigations. What we heard was of great concern, especially in terms of the demand placed on officers. We heard, for example, that Sexual Offence Investigative Technique (SOIT) officers are dealing with high caseloads, meaning they are undertaking significant amounts of overtime; and that senior officers including Detective Superintendents and Inspectors have high supervisory ratios, resulting in them delivering a managerial function and being unable to involve themselves in supporting investigations.

We accept that the increase in demand on officers is not wholly attributable to the BCU model. Assistant Commissioner Mark Simmons suggested that officers are dealing with, on average, a similar number of rape offences compared to previous arrangements, and you yourself suggested that increased workloads are the result of an increase in demand, a decrease in officer numbers and “a real pressure on detective numbers.”⁵

However, the BCU model may be compounding the issue. Officers that would have dealt with rape offences under the previous model now also deal with all sexual offences. And we heard that because of the “overwhelming” number of domestic abuse cases within BCUs, officers working on sexual offence and rape investigations often must stop their work to support domestic abuse cases, for example in interviewing suspects in custody. We understand that one of the purposes of the BCU model was to provide a level of flexibility across the various safeguarding elements, but reciprocal support across the different investigative teams appears to be extremely difficult.

Concerns about the demand on officers will not be new to you. You told us in July 2019 that you had visited two BCUs and heard about workloads, among other issues. You also told us that you hold regular meetings with the Met and issues of demand are discussed at your quarterly Oversight Board meetings and we assume that this is part of the action being taken to meet the Mayor’s commitment to “scrutinise the workload of officers involved in VAWG cases”.⁶ We recognise that the financial pressures facing the Met have left it stretched when facing rising demand. But nonetheless we are left with questions as to what you have done and intend to do with the information you receive and discuss as part of your oversight role; and how you are addressing the apparent disconnect between the views of senior leadership in the Met and the experiences of those on the front line. We are also concerned to know more about how MOPAC and the Met are seeking to future-proof the BCU safeguarding model, when demand is likely to keep increasing for the foreseeable future. **We recommend that, by December 2019, you provide this committee with MOPAC’s latest assessment of the adequacy of BCU safeguarding arrangements. If no recent assessment has been carried out, a review should be undertaken by the end of this financial year with a view to making any necessary improvements to the BCU safeguarding model.**

⁵ Meeting of the Police and Crime Committee, [3 July 2019](#)

⁶ Mayor of London, [A safer city for all Londoners](#), March 2017

3. The BCU model risks exacerbating a reduction in victim satisfaction with the police

The increase in demand, coupled with the Met's arrangements for investigations, appears to be exacerbating a deterioration in communication between the police and survivors, and specialist services and the police.

Both SOIT officers and Rape Crisis Centres spoke to us about the difficulties in getting updates on investigations from Met officers. We heard that after a crime report and initial contact by the police, survivors sometimes hear nothing for months and there can often be a six-month delay in receiving updates. We question, therefore, whether the Met is meeting its obligations under the Victims Code of Practice. It was suggested that the shift patterns of officers was partly a cause for these kinds of delays, meaning the officer that 'owns' the investigation is often unavailable and can take several days to respond to queries. We also heard concerns that since the introduction of BCUs some officers working in safeguarding teams lack experience in dealing with sexual offences and rape, with fewer specialists than before because of the BCU roll out.

Rape Crisis Centre representatives told us that they would like to see police officers improve communication with survivors, including showing them more dignity and respect and not treating them as 'one of many'. We heard from the Central South BCU that a review was to be undertaken into how officers are deployed onto cases. **We recommend that you report back to this committee by December 2019 on that review. We also recommend that you provide this committee with MOPAC's latest assessment of communication between the police and survivors of sexual offences and rape, including how any identified issues are going to be addressed. If no recent assessment has been carried out, we ask that a review be undertaken in consultation with front line officers, victims and specialist support services by the end of this financial year with a view to recommending improvements to the BCU safeguarding model.**

4. The Met is struggling to keep up with the growth in digital evidence and complexity of cases. MOPAC needs to get a grip on this problem

The Met has said that the increase in sexual offences and the demand on officers "has been compounded by an exponential growth in digital evidence (such as text messages) for each individual case".⁷ We heard that this "is going to be a continuing demand and a continuing pressure", and as such, is one that will require scrutiny and effective future planning.⁸

We asked officers for their views about the ways in which the Met accesses digital data as part of its investigations. This includes data downloads within the BCU, where the download is relatively simple, or at the Met's forensics lab where full downloads of data are needed, or deleted messages need to be recovered.

The backlog for data extraction within the Met's Forensic lab is an issue that has concerned us for some time and continues to do so. We heard that there can be delays of around six to nine months, meaning that survivors are not only faced with lengthy investigations, but must be given replacement devices, as their own devices must be retained by the police. **We**

⁷ Metropolitan Police, [Business Plan 2018-2021](#)

⁸ Assistant Commissioner Mark Simmons at meeting of the Police and Crime Committee, [3 July 2019](#)

recommend that MOPAC and the Met review and consider additional investment in the Met's Forensics lab in order to ensure a speedier turnaround of digital data, and that MOPAC reports back to this committee by December 2019 on the outcome of those considerations.

In addition, we are concerned about the arrangements for digital data extraction at the BCU level. We heard that a number of officers are trained in the use of the digital kiosks within police stations, but at one BCU we visited, heard that there was only one officer trained in the use of the kiosks, leading to delays in evidence gathering. We also heard that no more officers are being trained ahead of a new generation machine being rolled out.

MOPAC's annual report in 2017-18 states that significant investment has been made into technologies such as digital forensic kiosks "to enable the quicker recovery of data from mobile devices".⁹ Little is mentioned of digital forensics in the latest annual report and while investment has been made, the outcomes are not yet being delivered. When we asked for an update on the roll out from the Met in July 2019, no timeline for the introduction of the new machines could be provided. We heard that they were only just being tested and are awaiting confirmation as to when they will be fully operational.¹⁰ **We recommend that by December 2019 MOPAC review the number of officers trained in the use of the current digital kiosks across BCUs, to ensure that there is sufficient resource in the period before the roll out of new technology. We also recommend that MOPAC confirm with this committee the details of the roll out of the new digital forensic kiosks by December 2019.**

Speeding up the rate at which evidence can be downloaded only deals with part of problem. It has no impact on the length of time it takes for officers to review that evidence. We welcome, therefore, the efforts of the Met and the Crown Prosecution Service to put in place more effective processes around the disclosure and collection of digital evidence following the collapse of the R v Allan court case in December 2017, by agreeing 'reasonable lines of enquiry' when searching for evidence and limiting the amount of data that needs to be collected. Officers suggested to us that there has not been enough use of these new parameters yet to determine whether it is having an impact. **We recommend that by March 2020 MOPAC report back to the committee on the impact of revised processes for the disclosure and collection of evidence, including on the timeliness of cases.**

We hope you find our findings and recommendations helpful. We would appreciate a response to each specific recommendation, setting out how you will implement each one, by 29 November 2019.

Yours sincerely



Unmesh Desai AM
Chair of the Police and Crime Committee

⁹ MOPAC, [Annual Report 2018-19](#), 29 August 2019

¹⁰ Meeting of the Police and Crime Committee, [3 July 2019](#)