

## Contents

Introduction .....	2
The Scope of the Report .....	2
The Focus of the CPS Response .....	3
Working together to improve the Criminal Justice response to rape – Joint CPS and Police Liaison ....	3
Early Investigative Advice (EIA).....	4
Victim and Witness Issues.....	5
Specialist Advocates.....	6
Training .....	7
Welfare .....	8
Monitoring and compliance.....	8
RASSO Structure.....	9
Specialist Staff.....	10
Appendices.....	11
TABLE 1 – Summary of responses to HMCPSI Recommendations .....	11
Chronology of Rasso Actions.....	16

## Introduction

1. HMCPSI has today published a report on the Crown Prosecution Service (CPS) handling of rape and serious sexual offences (“the Report”). This document is the CPS response to the recommendations set out by the Inspectorate.
2. The CPS is committed to continually improving the prosecution of rape and serious sexual offences and the service the CPS provides in these serious crimes. The volume of rape prosecutions completed in 2014-15 rose to 4,536 – a rise of 645 prosecutions (16.6%) from 2013-14, reaching the highest volume ever. The volume of convictions reached 2,581 - a rise of 9.9% since 2013-14 and also reaching the highest volume ever<sup>1</sup>.
3. The Report acknowledges that the CPS has undertaken a considerable amount of work to prioritise the improvement of rape prosecutions and endorses the recommendations of the CPS internal review - into the structure of CPS teams and how the CPS responds to rape - which was completed in December 2014.
4. The CPS has taken a leading role, working in partnership with Criminal Justice colleagues where appropriate, to deliver changes to how the Criminal Justice System deals with rape.
5. The majority of recommendations in the Report had already been identified, prior to the commencement of the Inspection, during the course of that internal review and were in various stages of implementation.
6. The actions from the internal review have either been completed or work is underway on the recommendations made. The CPS recognises, however, that the Report also offers useful feedback, on aspects of its work which can be further improved, and confirmation of work done.
7. From 2013 the CPS has developed a staged approach to improving rape prosecutions:
  - identifying the key issues in 2013-14;
  - developing tools and skills for prosecutors in 2014-15; and
  - implementing and delivering further improvements during 2015-16;This work will continue into 2016-17 and beyond as the CPS seeks to continuously improve and the CPS will incorporate the feedback from the Report, where appropriate.
8. It is important to note that, since 2014, the CPS has faced an unprecedented increase in the volume of rape and serious sexual cases.

## The Scope of the Report

9. The Report considers the structure of the CPS Rape and Serious Sexual Offence (RASSO) units which were set up in 2013 and evaluates the quality of the casework based on a sample of cases

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<sup>1</sup> Violence Against Women and Girls (VAWG) Crime Report 2014-15. CPS data on successful rape prosecutions include not only cases initially charged and flagged as rape, but also cases where a conviction was obtained for an alternative or lesser offence. The data is used for CPS case management purposes, alongside the MoJ data on convictions of cases charged and convicted for rape. The flag is applied from the onset of the case; this flag will remain in place even if the rape charge is subsequently amended, for victim care purposes.

finalised between April and September 2014. The fieldwork was undertaken between January and May 2015.

10. It does not therefore take into account the changes which had recently been implemented, or were in the process of being implemented, at the time of the inspection nor any improvement activity undertaken by the CPS after the fieldwork but prior to publication of the Report. Some of the finalised cases that were considered would have started before or during the development of the new RASSO units and would not necessarily have reflected more recent practice.
11. A chronology of the work the CPS has undertaken/or is progressing, compared with a timeline of Inspection activity, is detailed in Annex A.
12. The HMCPSI Report may therefore be better understood in the light of changes which were already underway but outside the scope of the inspection.

## **The Focus of the CPS Response**

13. The Report sets out five recommendations which closely reflect our current programme of activity. Our response to each recommendation is set out in the table below.

## **Working together to improve the Criminal Justice response to rape – Joint CPS and Police Liaison**

14. In 2012-13 a fall in the volume of rape referrals from the police to the CPS led to significant activity to improve the Criminal Justice System response to rape.
15. Until 2013 rape cases were handled by prosecutors in each CPS Area who had received specialist training but who carried a mixed caseload of work. As part of the CPS response to the fall in volumes, the CPS recognised the benefits that dedicated units would bring to improving the CPS service to victims of rape.
16. In 2013 each CPS Area was tasked with setting up a RASSO team that required dedicated specialist prosecutors to undertake only rape and sexual abuse cases. Plans were included to review the unit capacity and capability after 12 months. This was formalised as the RASSO internal review of 2014.
17. The HMCPSI Report endorses the CPS use of dedicated units of specialist prosecutors to handle rape and serious sexual offences cases.
18. In April 2014 the CPS set up a National Rape Scrutiny Panel, attended by police, prosecutors, academics and victims' groups, to consider how to further address the fall in the volume of rape referrals, prosecutions and convictions. The Panel published a detailed CPS/Police Joint National Rape Action Plan in June 2014 which identified a programme of activity to deliver improvements in investigation and prosecution outcomes.
19. The Joint National Rape Action Plan included a significant programme of work with the police and other stakeholders. This included:
  - guidance on the provision of early investigative advice and charging (October 2014);
  - an internal review of RASSO Units (completed December 2014); and

- a joint national Police/CPS rape conference (January 2015) to launch:
    - the toolkits to assist investigators and prosecutors on consent and the handling of vulnerable victims;
    - a revised CPS /Police National Rape Protocol.
20. This work, which addressed quantitative and cultural changes, contributed to a reversal of the fall in volumes in 2014-15, reaching the highest volumes ever of prosecutions and convictions.
21. In addition, from January 2015, further specialist training was developed with delivery beginning in May 2015. Details of the programme of training activity for specialist prosecutors are provided later in this response. Additional guidance was also provided in April 2015 which reinforced the application of the evidential test of the Code and the merits-based approach to decision making. This was further reinforced at the Regional Police/CPS workshops held between July and October 2015.<sup>2</sup>
22. The Director of Public Prosecutions (DPP), Alison Saunders, CB, and the Commissioner for the Metropolitan Police Service, Sir Bernard Hogan-Howe, also commissioned a comprehensive independent report into the handling of the investigation and prosecution of rape in London. The insight provided by Dame Elish Angiolini DBE QC in her report, published in June 2015, helped strengthen the national action plan further.
23. In September 2015 the CPS and Police set up a joint National Rape Steering Group, supported by a joint Delivery Board to drive forward a co-ordinated programme of work, including the recommendations made by Dame Elish and the actions in the Joint Police/CPS National Rape Action Plan. The Steering Group comprises the Director, CPS Chief Executive and the national policing leads for adult sexual abuse, child sexual abuse and criminal justice. The scope of the Steering Group is *“to implement an enhanced model for RASSO working, designed to deliver prompt, high quality early investigative advice, quality investigations and evidence gathering, prompt charging decisions, and consistent case preparation up to and including at court.”*

## Early Investigative Advice (EIA)

24. The HMCPSI Report sets out a series of recommendations in relation to the provision of early advice to investigators by specialist prosecutors.
25. The CPS internal RASSO Review also highlighted the importance of early advice to the development of robust and effective case strategies ensuring proportionate and focused case building by investigators.
26. Revised guidance was prepared for police and prosecutors in October 2014 and was endorsed by the DPP at the National Rape Conference in January 2015. The revised guidance formed the cornerstone of a series of joint CPS/Police regional workshops that were taking place at the time of

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<sup>2</sup> CPS Legal Guidance states *“In applying the Code prosecutors are required to make judgements and should do so based on objective factors. The merits based approach requires prosecutors to approach cases with an understanding that not every point that may be made by the defence will be a good point, let alone a point fatal to the prosecution. Cases do not fail the Code test merely because they are difficult. The review process should always involve assessing what the defence may be and factors which may potentially undermine the prosecution case. If such factors have been properly considered, and are not objectively undermining, the prosecution should be robust in the face of challenges.”*

the Inspection fieldwork in 2015 and has been incorporated into version 6 of the Director's Guidance on Charging due for publication in 2016.

27. In early 2015 the police in South Yorkshire, Nottingham and Norfolk commissioned academics from Nottingham University to evaluate the use of dedicated lawyers embedded in police stations to offer EIA direct to police investigators. There are currently three pilot sites. The first evaluation of these pilots is expected in March 2016. This will assess the specific benefits and outcomes of delivering early investigative advice in police sites. Following the Dame Elish review recommendations, CPS London are also piloting an on-demand service for EIA at some police stations. The experience from the pilot sites has informed the development of the enhanced operating model commissioned by the National Steering Group.
28. At the time the inspection process was ongoing, the National Rape Steering Group and Delivery Board commissioned the development of an optimum model for RASSO working between the CPS and the Police, with a view to establishing clear and consistent arrangements for EIA, the production and delivery of evidential and unused material, as well as the provision of continuity of prosecutor in charging and case progression. That work is on-going. It also focuses on improving police file quality, an issue also identified by HMCPSI, and ultimately the outcomes of cases referred to the CPS. Once the enhanced approach to joint working, including EIA is finalised, it will be underpinned by a set of standard operating practices and Memoranda of Understanding (national and local).
29. As a national organisation the CPS accepts that a single integrated gatekeeping and EIA process with the police is desirable. Achieving such an outcome is, however, extremely difficult at present as each individual police force has responsibility for supervising the content and quality of evidential files passed to the CPS. The CPS will work with police colleagues to achieve the best outcome to improve the service we provide.

## Victim and Witness Issues

30. The provision of a quality service to victims and witnesses was at the heart of the development of the Joint National Rape Action Plan and remains central to CPS improvement activity. In drafting the Joint National Rape Action Plan, the CPS worked with, and continues to work with, third sector organisations in this regard.
31. Research into the withdrawal of victim support for prosecutions was carried out with stakeholders in October 2014. The research identified that court listing practices and timeliness of trials was a key factor in victim withdrawal. Analysis of data on timeliness of charging and trial listings collected during November 2014 was provided to Areas in April 2015 highlighting issues of concern. Areas were requested to raise these issues with Criminal Justice System (CJS) partners; providing any updates as part of the Violence Against Women and Girls (VAWG) Assurance return<sup>3</sup>. In addition, the Director of Public Prosecutions raised listing issues with the Senior Presiding Judge in July 2015.
32. The Joint National Rape Action Plan identified steps to improve the service to victims and witnesses including the suggestion that an early special measures meeting take place between the specialist prosecutor and the victim. Work is underway to include these steps within the standard operating practices of the RASSO units which are being developed.

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<sup>3</sup> The Violence Against Women and Girls Assurance return is a bi-annual internal performance report provided by each CPS area.

33. Victim and Witness issues were addressed during regional workshops. Areas were encouraged to invite Independent Sexual Violence Advisors (ISVAs) and representatives of other groups to attend the workshops and, in some areas, ISVAs gave presentations to investigators and prosecutors about their role and the impact of rape and the court process on victims of rape. The importance of considering the use of pre-trial witness Interviews in all rape cases was also addressed within the workshops.
34. The CPS has undertaken to increase the presence of CPS staff at court who will be available to assist witnesses and victims attending court to give evidence. Additionally, the CPS is currently piloting guidance (for national roll out by 30 June 2016) intended to set out the role played by prosecutors at, or before court, in ensuring that witnesses give their best evidence.
35. Training on the handling of vulnerable witnesses is being developed by the Bar Council and will be delivered to all CPS advocates, including Advocates on the Rape panel, in due course.
36. Lessons from the Victim's Right to Review scheme were shared with RASSO units in December 2014 to highlight areas for improvement. Issues included addressing consent issues; requesting and using other evidence; explaining delays in reporting; ensuring full assessment of the evidence from both the offender and victim; understanding of the complex issues in non-recent cases of rape or in cases involving vulnerable victims and addressing child sexual abuse issues thoroughly. The training programmes subsequently developed incorporated the identified lessons.

## Specialist Advocates

37. The CPS is supported in the work it does by Counsel (barristers) from the external bar and QCs who are regularly instructed to prosecute rape and child sexual abuse trials on its behalf.
38. In 2014, the CPS internal RASSO Review identified the importance of monitoring both internal specialist RASSO Crown Advocates and Counsel to ensure only advocates of the highest quality are instructed.
39. In September 2014, the CPS updated the *Errant Conduct and Poor Performance guidance* which provides a framework for addressing Counsel's performance, where it falls below acceptable standards. Specialist Crown Advocates are subject to internal advocacy assessment and internal CPS performance evaluation under the Individual Quality Assessment (IQA) scheme (see below).
40. Accreditation and performance of Counsel on the panel is overseen by the circuit-wide Joint Advocate Selection Committee, which is chaired by a local Chief Crown Prosecutor and includes the Circuit Leader in its membership.
41. The CPS requires Counsel instructed in rape cases to be accredited rape specialists and to be registered on the Rape and Child Sexual Abuse Panel. Membership of the panel is due to be renewed in 2016 and the CPS will shortly embark on discussions with the Bar Council to strengthen the accreditation process and to ensure that the CPS retains and supports Counsel on the panel. The CPS will also be amending the scheme to ensure that all new Counsel appointed to the Rape and Child Sexual Abuse Panel serve a 12 month probationary period before their accredited rape specialist status is confirmed.
42. Counsel from the external bar are instructed by CPS specialist RASSO teams who select the most suitable counsel for the case in hand. Further work is being developed to monitor the effectiveness

of both internal and external advocates. Work is already underway with the external bar to progress aspects of this recommendation from the HMCSI Report.

43. Continuity of Counsel in cases that progress to trial is highly desirable but is often only achievable in cases which are given fixed trial dates by the court. The listing of cases at the Crown Court is a matter for the courts.
44. The HMCSI Report highlights the challenges faced by the CPS when trials are moved to a different date, or to a different court, at short notice and without prior consultation with the parties involved. The CPS understands and shares the frustration of victims and witnesses when this occurs. The availability of Counsel and factors that lead to the late return of cases to the CPS have been the subject of recent discussions between the Director of Public Prosecutions, the Senior Presiding Judge and the Chairman of the Bar Council. The CPS will consider what additional steps it might take to address the Inspectorate's findings and to minimise the late return of cases by Counsel.
45. From time to time in the more complex cases, and as noted in the Report, Counsel has been instructed by the CPS to provide pre-charge advice on rape cases. The CPS always retains charging authority in such cases but instructs accredited rape Counsel, from the Rape and Child Sexual Abuse Panel and skilled in this type of work, to provide advice. This planned approach was part of the response required to manage the high volumes of outstanding advice work resulting from the increased caseload in 2014-15. In 2015, the CPS significantly increased the number of specialist staff in RASSO units by 83 prosecutors.
46. The "Training" section below provides detail of training for advocates.

## Training

47. Ensuring that staff have the tools and skills necessary to prosecute effectively is a CPS priority.
48. In 2014, the Joint Police/CPS National Rape Action Plan set out the need for a comprehensive training programme for specialist prosecutors and the recommendations in the Report have either been met or are being met, via that programme.
49. Development of the training material began following the January 2015 conference. A chronology of the training the CPS has delivered is set out below:
  - July to October 2015 – joint Police/CPS regional workshops took place in all CPS areas and involved specialist prosecutors and frontline police investigators. The workshops focused on raising awareness of myths and stereotypes in rape cases, the shift to an offender-centric approach to investigations and prosecutions, victim and witness issues, third party material, the provision of early investigative advice and implementation of the national rape protocol.
  - May to November 2015 – face-to-face training was delivered to all RASSO unit prosecutors on prosecuting alleged false allegations of rape.
  - July 2015 and continuing – face-to-face training has been delivered or is being delivered on the use of the Consent and Vulnerable Victim Toolkits. This training is aimed at all RASSO unit prosecutors and specialist CPS advocates.
  - Since September 2015, the CPS has set out an induction programme for new specialist prosecutors and, as part of the programme, delivered a series of 2 day training courses to

ensure that all rape specialist prosecutors in CPS RASSO teams have received face-to-face training;

- Filming of a training video on myths and stereotypes and offender-centric investigation and prosecutions took place in November 2015. This will be used as part of the induction and refresher training for prosecutors and advocates during 2016.

50. The CPS is already developing additional resources to support our specialist prosecutors for delivery during 2016, which include:

- Updated legal guidance;
- A 'knowledge hub' on the internal CPS Intranet site, to provide a better vehicle for prosecutors to share casework examples and to provide them with additional reference material to assist in case building;
- Updated e-learning modules;
- Refresher training for all rape prosecutors and specialist advocates to include the application of the Code and the merits based approach, the third party protocol and case building in rape cases;
- Updated induction training for Crown Advocates wishing to undertake RASSO advocacy;
- Induction and refresher youth training for all RASSO specialists.

51. The plans, made in respect of RASSO Units, have already been extended to ensure that CPS Complex Casework Units are involved in all RASSO training and that CPS Direct staff benefit from appropriate refresher training. The CPS agrees with the Inspectorate's recommendation that training should also be developed for all paralegal staff handling RASSO work and will begin work on developing a programme of training for delivery in 2016.

52. The accreditation process for Counsel from the external bar has been enhanced and Counsel will be required to demonstrate that they have met specific CPS training requirements when applying to join the panel. Access to CPS e-learning has been introduced to enable external Counsel to use CPS training material. The content available to advocates will be extended over time and the CPS will include rape training material. Plans are also underway with regard to training, for all Crown Court Advocates, relating to the handling of vulnerable victims.

## Welfare

53. RASSO prosecutors deal with some of the most sensitive and complex cases. The internal RASSO review emphasised the importance of support for the CPS specialist teams and, in early 2015, the CPS commissioned the development and provision of a bespoke service from an external supplier. In September 2015 the RASSO welfare programme for all RASSO specialist staff was launched. This built on the requirements set out in the 2013 RASSO Unit Minimum Standards Framework.

## Monitoring and compliance

54. The Report confirms most of the recommendations of the CPS internal review which identified improvements to the way the CPS operates RASSO Units.

55. The CPS internal review identified that the national electronic Case Management System (CMS) should be more fully utilised to support scrutiny of performance and quality.



56. The CPS recognises that there have been inconsistencies across Areas in how the teams have been set up on CMS and how they were structured. All RASSO units have now been established as units on CMS and comprehensive management and performance information is now available. CMS (and the accompanying Management Information System (MIS)) provides casework and performance data. The CPS is in the process of recording all key information relating to RASSO Units and associated staffing on the Corporate Information System (CIS). CIS provides staffing and financial data which will be available from April 2016.
57. The CPS accepts that it is important to record and report on the numbers of EIA requests not subsequently referred to the CPS by the police for a Full Code decision and are working with CMS experts to ascertain the most effective method for achieving this. This is currently addressed in the standard processes designed for all units that undertake charging activity using one of the existing case finalisation codes.
58. The CPS also recognises the importance of a consistent approach to delivering improvements. As noted, the National RASSO Delivery Board is working to develop a business model which will be adopted by all Areas to deliver a standardised process for RASSO cases, including how we engage with the police from the outset of the case. Following final consultation across the service, this will be rolled out to all CPS areas and will improve the monitoring of performance and compliance with CPS policies.
59. The Individual Quality Assessment (IQA) regime is a CPS quality assurance mechanism and is the process carried out by CPS managers to assess compliance with policy and guidance and to deliver improved casework quality.
60. Areas will continue to be held to account for RASSO performance through quarterly area performance review meetings and through the bi-annual Violence Against Women and Girls (VAWG) assurance process, overseen personally by the DPP.
61. Data is shared and reported on holistically through the annual Her Majesty's Inspectorate of Constabulary (HMIC) Rape Reports published on behalf of the cross agency Rape Monitoring Group. This data, across the police, CPS and MoJ is provided at Police Force level to enable a fuller and more thorough analysis of how rape is dealt with in each local area.
62. Local measures relating to performance in rape cases have been agreed for consultation with police colleagues through the Criminal Justice Business Area Reference Group. These will be included in the new Prosecution Team Performance Management national data pack and, if agreed, will provide a measure monitoring rolling annual rape conviction rates at police force level. It is proposed to launch these measures in March in time for the beginning of the 2016-17 financial year.

## **RASSO Structure**

63. National minimum standards were designed to support the early stages of the RASSO unit development in 2013. The minimum standards (Annex D of the HMCPSI Report) were designed as a starting point to ensure that the specialist teams incorporated the same minimum casework and enabled a benchmark for unified service delivery to be set nationally.
64. Units were largely embedded by early 2014 and reviewed that year to further assess the capacity and capability needs. The CPS internal review, completed in December 2014, highlighted that the minimum standards did not of themselves deliver a consistent approach to the structure of CPS

RASSO units across all Areas. The internal review also highlighted the need to create a resource model which ensured that units were adequately staffed to cope with the increasing caseloads of the previous year.

65. The work that began in 2014 to address the fall in volumes of rape cases from 2014, contributed to increased referrals with increasingly complex casework and an unprecedented and sustained rise in national casework volumes.
66. A National Resource Model/Tool was drawn up, as referenced in the Report, to identify what resources were needed to deal effectively with the rise in workload. This led to a national campaign to recruit a further 102 specialist prosecutors. 83 additional prosecutors are now either in post or awaiting pre-employment checks to be completed. A further phase of recruitment is due to take place. With additional specialist staff introduced into RASSO teams the CPS has increased its management and casework capability. The CPS has agreed to introduce the rotation of its specialist staff in the RASSO teams.

## Specialist Staff

67. The CPS is committed to ensuring specialists prosecute RASSO cases. The minimum standards issued in October 2013 to support the development of RASSO units makes it clear that Youth Court rape and sexual offence cases are to be dealt with by rape specialists who are also youth specialists. Further work is being undertaken to ensure that youth specialist training is available and this forms part of the wider rape training programme.
68. The CPS internal review in December 2014 identified the need for clarification of the roles of specialist staff in the RASSO Units and the Report endorses this recommendation. This work has been substantially progressed through the development and implementation of the National Resource Model for RASSO units.
69. A national internal operating model is being developed, supported by the National Resource Model. The operating model includes details of the specialist roles, implementation of the digital case management system and standard operating procedures for RASSO units, as well as the on-going training and welfare programme.
70. Further work has already been completed to align RASSO unit head job descriptions within the wider, national Prosecutor Structure Review and resource model. Work has also begun to standardise casework managerial roles in RASSO units and this preliminary work will be completed in February 2016 before wider roll out as part of the national internal operating model for RASSO units. Additional consideration will be given to the Inspectorate's recommendations in respect of standardising prosecutor and paralegal staff job descriptions.
71. In the executive summary of the report the Inspectorate recognised the commitment and professionalism of our staff. The CPS very much welcomes this finding and wishes to take the opportunity to commend the valuable contribution made by our staff in respect of the Criminal Justice response to rape and serious sexual offences.

## Appendices

**TABLE 1 – Summary of responses to HMCPSI Recommendations**

HMCPSI recommendation	CPS actions
<b>Recommendation 1</b>	<b>The CPS has a long standing commitment that all CPS Areas will deliver early investigative advice in all but the simplest rape and serious sexual offence cases. This recommendation mirrors 1, 2, and 4 of the CPS internal RASSO review.</b>
Guidance is developed to clarify the purpose and provision of early investigative advice (EIA) to the police and the process to be followed.	<ul style="list-style-type: none"> <li>• Guidance on EIA and charging in rape cases was published and issued to police and CPS RASSO units in October 2014 to supplement the 5th edition of the Director’s Guidance on charging and will be included, updated as required, in the next iteration of the Director’s Guidance 6th edition due for publication in 2016.</li> <li>• The use of early investigative advice in practice was addressed within the police/CPS regional workshops and discussed with front line police and prosecutors delivered during 2015.</li> <li>• There are three pilot areas which have an embedded RASSO lawyer in local police accommodation to offer early investigative advice. These pilots are supported by academics from Nottingham University and the first evaluation of these pilots is expected in March. The evaluation of the pilots will inform the national approach. Following the Dame Elish Angiolini DBE QC review, CPS London are piloting a dedicated service to provide specialist early investigative advice to police investigators in some police sites.</li> <li>• Joint Police/CPS work has been underway since September 2015 to develop the principles and processes to underpin the effective delivery of early investigative advice by CPS Rape specialists to investigators, enhancing the continuity and timeliness of both the advice and charging stages.</li> </ul>
CPS headquarters explore the possibility of an integrated gatekeeping and EIA process with the police, taking account of and accommodating the variety of police models.	<ul style="list-style-type: none"> <li>• As a national organisation the CPS accepts that a single integrated gatekeeping and EIA process with the police is desirable. Achieving such an outcome is, however, extremely difficult at present as each individual police force has responsibility for supervising the content and quality of evidential files passed to the CPS. The CPS will work with police colleagues to achieve the best outcome to improve the service we provide.</li> </ul>
A new protocol should be developed and signed with each police force, capturing expectations for gatekeeping, early investigative advice, file quality and mechanisms for non-compliance.	<ul style="list-style-type: none"> <li>• A revised version of the joint Police/CPS National Rape protocol was issued in January 2015. Memoranda of Understanding (national and local) will be developed to reflect the enhanced model for EIA, file standards, gatekeeping etc.</li> </ul>

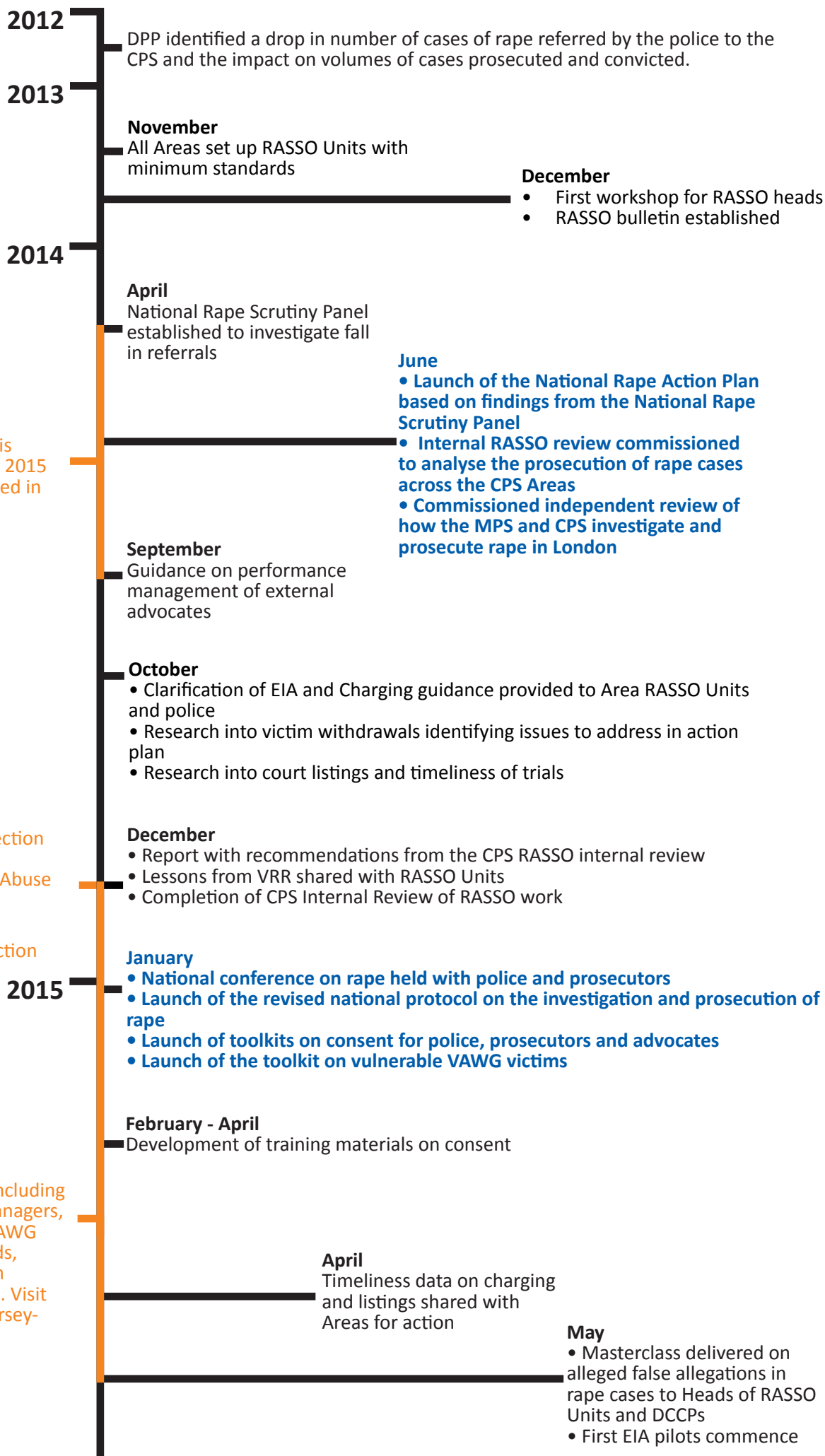
<p><b>Recommendation 2</b></p>	<p><b>The CPS instructs only experienced Advocates who have been selected to join the Rape and Child Sexual Abuse Panel or QCs to prosecute cases of rape and serious sexual assaults including child sexual abuse. This recommendation mirrors 21, 22, 23, 24, 25 ,27 and 28 of the of the CPS internal RASSO review.</b></p>
<p>CPS Headquarters develop a process to ensure membership of the rape panel includes advocates of the right skill set, enabling Areas to have access to a sufficient number of advocates to cover the available work and a mechanism to ensure the panel is updated.</p>	<ul style="list-style-type: none"> <li>• In September 2014 the CPS published revised guidance on dealing with counsel who do not discharge their duties to the required level.</li> <li>• E learning, now available to external advocates will be extended over time and this will include rape training modules in due course. Plans are also underway with regard to advocacy training, for all Crown Court Advocates, relating to vulnerable victims.</li> </ul>
<p>Guidance is developed on the various available mechanisms that can be used to monitor the effectiveness of advocates, and how the indicators should be used to inform membership of the rape panel.</p>	<ul style="list-style-type: none"> <li>• Further work is being developed to monitor the effectiveness of advocates. Work is already underway with the external bar to progress aspects of this recommendation.</li> <li>• Membership of the rape panel is to be renewed in 2016 and discussions will be held with the Bar Council and Criminal Bar Association.</li> <li>• Appointment to the Rape and Child Sexual Abuse Panel is now subject to a 12 month probationary period to ensure the effectiveness of advocates before the appointment is confirmed.</li> </ul>
<p><b>Recommendation 3</b></p>	<p><b>The Joint National Rape Action Plan set out a significant programme of training. This recommendation mirrors 8, 9, 17, 18 and 20 of the of the CPS internal RASSO review.</b></p>
<p>All RASSO lawyers to undergo refresher training, including the role of the merits based approach in the context of the Code for Crown Prosecutors.</p>	<ul style="list-style-type: none"> <li>• Additional guidance was issued to address the application of the Code and the merits-based approach in April 2015. The merits based approach and case building is a key module within the refresher training which is being developed for delivery in 2016.</li> <li>• Plans are in hand to deliver further training to CCUs and CPS Direct RASSO specialists. This consists of consent training and refresher training and will be delivered by June 2016.</li> </ul>
<p>National training to be made available to support Areas ensuring new staff deployed to a RASSO unit have access to appropriate training.</p>	<ul style="list-style-type: none"> <li>• A rolling programme of further courses is planned for 2016 which includes a series of 2 day face-to-face induction training courses for all RASSO lawyers new to RASSO work or rotating into the unit.</li> </ul>
<p>Develop and deliver a training course for RASSO unit paralegal staff, and to non-specialist paralegal staff who cover RASSO work.</p>	<ul style="list-style-type: none"> <li>• The CPS agrees training should also be developed for all paralegal staff handling RASSO work. This will be delivered by the end of 2016.</li> </ul>

Bespoke training is developed and delivered to RASSO unit heads on the application of individual quality assessments (IQA).	<ul style="list-style-type: none"> <li>• Training for unit heads on the use of the IQA scheme was delivered in January 2016 through a face-to-face workshop. The workshop included how IQA supports compliance with policy and the merits based approach.</li> </ul>
Welfare training is developed and provided to members of the RASSO team.	<ul style="list-style-type: none"> <li>• A full programme to deliver welfare support to RASSO units has been developed and commenced in September 2015. Managers have undertaken initial sessions and a number of workshops are planned for all RASSO staff during January and February 2016.</li> </ul>
All RASSO lawyers undertake training on youth casework.	<ul style="list-style-type: none"> <li>• In some Areas all specialist prosecutors are youth trained but in others only a proportion hold this specialism. An induction course is planned for those who are not currently youth prosecutors and the development of youth refresher training material to update existing youth specialists is in hand.</li> </ul>
<b>Recommendation 4</b>	<b>This recommendation mirrors recommendations 3, 14 - 16 set out in the CPS internal RASSO review.</b>
All RASSO units are identified accurately on the case management system (CMS) and the corporate information system (CIS) to facilitate the collection of accurate data.	<ul style="list-style-type: none"> <li>• All RASSO units have now been established as units on CMS and therefore management information is now available through MIS (Management Information System).</li> <li>• The decision has been taken to record all RASSO units on CIS and work is now taking place to implement this.</li> </ul>
All staff deployed to an Area RASSO unit are allocated to the unit on CIS.	<ul style="list-style-type: none"> <li>• Staff deployed to a RASSO unit will therefore be recorded against a unit on CIS and data will be available from April 2016 onwards.</li> </ul>
Creation of a finalisation code on CMS to capture the finalisation of EIA files not subsequently referred to the CPS by the police as pre-charge advice files.	<ul style="list-style-type: none"> <li>• The CPS accepts that it is important to record and report on the numbers of EIA not subsequently referred to the CPS by the police as pre-charge advice files. The CPS will work with its IT system provider and other CMS experts to ascertain the most effective method for achieving this. This is currently assessed in the standard processes designed for all units that undertake charging activity using one of the existing case finalisation codes.</li> </ul>
Ensure quality assurance mechanisms capture compliance with policy and legal guidance and there are sanctions for CPS Areas for non-compliance.	<ul style="list-style-type: none"> <li>• The IQA regime has been developed as a quality assurance mechanism and will be used to assess compliance with policy and guidance and to deliver improved casework quality. There will also be systems to monitor non-compliance. Areas will continue to be held to account for RASSO performance through the bi-annual VAWG assurance process and through the quarterly APR meetings.</li> </ul>

<p>CPS work to develop a joint performance data set for each police force area and an effective mechanism for discussion between agencies at CPS Area level to facilitate improvement in performance.</p>	<ul style="list-style-type: none"> <li>• Data is shared and reported on holistically through the annual Her Majesty's Inspectorate and Constabulary (HMIC) Rape Reports published on behalf of the cross agency Rape Monitoring Group. This data, across the police, CPS and MoJ is provided at Police Force level to enable a fuller and more thorough analysis of how rape is dealt with in each local area.</li> </ul> <p>Local measures relating to performance in rape cases have been agreed for consultation with police colleagues through the Criminal Justice Business Area Reference Group. These will be included in the new Prosecution Team Performance Management national data pack and, if agreed, will provide a measure monitoring rolling annual rape conviction rates at police force level. It is proposed to launch these measures in March in time for the beginning of the 2016-17 financial year.</p>
<p><b>Recommendation 5</b></p>	<p><b>This recommendation mirrors recommendations 7, 10 – 13, 19 and 24 set out in the CPS internal RASSO review.</b></p>
<p>CPS Headquarters provides detailed guidance of the recommended national model to be deployed locally, including clear expectations for service delivery.</p>	<ul style="list-style-type: none"> <li>• The CPS has given a public commitment that RASSO casework is dealt with by specialist prosecutors within RASSO units. A National Resource Model has been developed and formed the basis of the resourcing review conducted in 2015. A national operating model is in the process of being developed linked to the National Resource Model.</li> </ul>
<p>The model should provide for succession arrangements and include a mechanism for delivering rotation in the RASSO units.</p>	<ul style="list-style-type: none"> <li>• In addition, as part of the work to adopt the CPS internal review recommendations, succession and capability of the RASSO units have been addressed and a revised rape training programme supports the wider expectations for service delivery. The CPS has agreed to introduce the rotation of its specialist staff in the RASSO teams.</li> </ul>
<p>CPS should explore ways of moving work between geographical locations to provide greater resilience.</p>	<ul style="list-style-type: none"> <li>• Further consideration will be given to this recommendation.</li> </ul> <p>The Inspectorate's recommendations endorse the importance of digital working, building on the work the CPS has already done in its comprehensive digital programme. This will enhance the resilience of RASSO units and complete the significant achievements of the CPS in the flexible approach to casework.</p>
<p>The RASSO resource model is published, applied and used at Area level to ensure appropriate resourcing of RASSO units but capturing the risks to the organisation in terms of other casework that cannot be resourced.</p>	<ul style="list-style-type: none"> <li>• Further consideration will be given to this recommendation.</li> </ul>

<p>There is clarification of roles and responsibilities with job descriptions for all cadres within a RASSO unit to include the unit head, the specialist lawyer, paralegal and administrative staff. It should also capture the role.</p>	<ul style="list-style-type: none"> <li>• Further work has already been completed to align RASSO unit head job descriptions within the wider, national Prosecutor Structure Review and resource model. Work has also begun to standardise casework managerial roles in RASSO units and this preliminary work will be completed in February before wider roll out as part of the enhanced operating model for RASSO units. Additional consideration will be given to the Inspectorate's recommendations in respect of standardising prosecutor and caseworker job descriptions.</li> </ul>
<p>There is clarification of the role and responsibilities of any trained RASSO lawyer outside the RASSO team.</p>	<ul style="list-style-type: none"> <li>• Further consideration will be given to this recommendation which will be incorporated within the development of the CPS rotation principles for RASSO units.</li> </ul>
<p>Clear guidance is developed about the role of the second opinion in cases, whether there is any element of compulsion and where it is used at Area level how this is aligned to the expectations for the task under the new RASSO resource model developed by CPS Headquarters.</p>	<ul style="list-style-type: none"> <li>• Clear guidance has been given to Area RASSO units and VAWG leads regarding the role of the second opinion. This is no longer mandated.</li> </ul>
<p>Clear guidance about where and how RASSO youth casework is handled in CPS Areas.</p>	<ul style="list-style-type: none"> <li>• The minimum standards issued in October 2013 to support the development of RASSO units is clear that Youth Court rape and sexual offence cases are to be dealt with by Rape Specialists who are also youth specialists. Further work has been undertaken to ensure that youth specialist training is available and this forms part of the wider Rape training programme.</li> </ul>

Key;  
 Right - CPS  
 Left - HMCPSI  
 Inspection activity



**April - September**  
 Cases finalised during this period were selected for 2015 inspection. Areas informed in early 2015.

**December**  
 Publication of joint inspection report on Achieving Best Evidence in Child Sexual Abuse cases

**December - January**  
 Areas informed of inspection

**January - May**  
 Field work of inspectors including speaking with 6 areas: managers, operations staff, ABMs, VAWG coordinators, CPS HQ leads, judiciary and officers from specialist units and teams. Visit to co-located Unity in Mersey-Cheshire



