

# WHAT'S CHANGED?

## Government's 'End-to-End' Rape Review – Two Years On

A report by Centre for Women's Justice, the End Violence Against Women Coalition, Imkaan and Rape Crisis England and Wales



*imkaan*



# EXECUTIVE SUMMARY

We are a group of leading women's organisations who, for decades, have worked to improve support and access to justice for survivors of rape and sexual abuse, and to tackle the societal structures which underpin the persistence of violence against women and girls (VAWG) today. Our work includes campaigning, advising, advocating for, and delivering specialist services to victims and survivors of rape and sexual abuse.

In 2020, we jointly published *'The Decriminalisation of Rape: Why the justice system is failing rape survivors and what needs to change'*. This 80-page report presented an analysis of what is going wrong in the criminal justice system's response to rape, with recommendations for change.

In June 2021, the government subsequently published its 'end-to-end' review of the criminal justice system's handling of rape cases in England and Wales. The government's stated ambition was for a change of practice and longer-term culture change in the police and Crown Prosecution Service (CPS), to return the volumes of police referrals, CPS charges and rape cases reaching court to pre-2016 levels.<sup>1</sup>

The government had finally acknowledged the need for a significant shift in how rape cases are dealt with, with measurable outcomes and a timeframe. We welcomed the commitment to resource Operation Soteria<sup>2</sup> and to recommission vital specialist sexual violence and abuse services through the Rape and Sexual Abuse Support Fund. We also stated however, that the plans to return to 2016 volumes of rape cases lacked ambition, and raised concerns about a lack of commitment to the prevention of rape as well as tackling inequalities in prevalence and outcomes.

**We are now two years on, marking the stated end point of the government's Rape Review Action Plan. It is a critical time to ask the question: what has the government achieved and what more is there to do?**

This briefing provides an assessment of key developments in the government's approach to tackling rape and sexual abuse and the treatment of victims and survivors in the criminal justice system. Overall, whilst we are encouraged to see the start of positive change in several areas of the

1 The ambition was stated as follows "...[C]hange of practice and longer-term cultural change in the police and CPS that enables an increase in volumes of rape cases reaching court to return to pre-2016 levels, with a corresponding ambition for police referrals and cases charged by the CPS." Ministry of Justice (2021). [End-to-End Rape Review Report on Findings and Actions](#).

2 [Operation Soteria](#) is a large-scale and unique government-funded research project. Independent academic research teams have worked within police forces to understand what is happening in rape investigations and what changes need to be made. They are creating a national operating model for all police forces, to support them to transform their approach to investigating rape. There is also a smaller CPS tranche of work.

criminal justice system, it is clear that far too many victims and survivors continue to be failed, and the scale of the required changes needs much more effort and ongoing investment. This will rely on long-term political will, leadership and scrutiny.

Much hope lies in the successful implementation of Soteria and the new National Operating Model (NOM)<sup>3</sup> in particular – and it is vital that its potential is not scuppered by inadequate funding and oversight. We are still seeking greater progress on both charge rates and the courts' response to the increased number of cases going to trial, where the frequent rescheduling of trials continues to cause significant delays and distress for survivors. There is also an opportunity now for legislative reform to improve survivors' experiences in the justice system. We hope that better protections for counselling notes and the provision of independent legal advice and representation will be secured through the Victims and Prisoners Bill.

The landscape of service provision now includes the 24/7 Rape and Sexual Abuse Support Line which provides a much-needed service offering emotional support and information. This is a positive addition but is distinct from the long-term wraparound counselling and advocacy required for victims and survivors to rebuild their lives after sexual violence and abuse. Since our last report, there have been some additional funding contributions which have been welcomed by the sector, but there continues to be a vast gap between the funding available and the very high demand for specialist sexual violence and abuse services, including those run *by and for* Black and minoritised women and marginalised groups. High rates of self-referrals to Rape Crisis services demonstrate that victims and survivors of sexual violence and abuse require access to independent, specialist services within the community.

Disappointingly, it remains the case that any ambition to prevent rape and sexual abuse occurring in the first instance remains glaringly absent from the government's approach, meaning the prevalence of these harms remains disturbingly high. It is also disappointing to see a continued lack of urgency to map and address any disproportionality in prevalence and inequality in outcomes experienced by Black and minoritised and other marginalised groups – with inadequate data collection and a lack of research into who accesses the criminal justice system.

And finally, at a time when accountability and scrutiny are more important than ever, and in light of the recent exposure of police-perpetrated abuse and the scale of misogyny, sexism, racism, homophobia and ableism within policing,<sup>4</sup> we are mindful of the impact of developments elsewhere which risk undermining any commitments to cultural change. For example, the government's decisions to afford police officers ever more powers, and the ongoing threats to key mechanisms of accountability such as the Human Rights Act and European Court of Human Rights.

Our 2020 *Decriminalisation of Rape* report outlined our vision for women and girls, and for all survivors of sexual violence and abuse. This briefing provides a high-level overview of select developments across key areas to assess what has changed since then and recommends that the following actions are now progressed by government, criminal justice system leaders and local commissioners.

[For full recommendations, please see pages 24-25.](#)

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3 At the time of writing, the National Operating Model (NOM) is being designed and created by the academics and practitioners who form the Operation Soteria team.

4 Baroness Casey of Blackstock (2023) [Baroness Casey Review: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service.](#)

# INTRODUCTION

Since the publication of the Rape Review in June 2021, multiple reports, inspections, and inquiries have been published seeking to address how rape is investigated and prosecuted. We have also seen the mass exposure of police-perpetrated abuse, and further revelations about the scale of misogyny, sexism, racism, homophobia and ableism within policing, as illustrated by the Casey Review earlier this year.

The findings expose the underbelly of policing and the extent to which the police are failing in their duties to women and girls every day, with numerous recommendations highlighting the need for wide-ranging changes. Tackling this issue requires long-term and dedicated work, and we are realistic in our expectations: there are no quick fixes. Systemic transformation requires ongoing and renewed commitment from officers, prosecutors, government and senior leaders in the criminal justice system (CJS).

Significant and relevant reports include:

- > HMICFRS and HMCPST, *A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase one: From report to police or CPS decision to take no further action*, July 2021
- > HMICFRS and HMCPST, *A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase two: Post-charge*, February 2022
- > The Home Affairs Committee, *Inquiry into the Investigation and Prosecution of Rape*, April 2022
- > The Independent Inquiry into Child Sexual Abuse, *Final Report*, October 2022
- > College of Policing and the National Police Chief's Council: *Review of themes, learnings and recommendations on police-perpetrated violence against women and girls*, October 2022
- > *An inspection of vetting, misconduct, and misogyny in the police service*, November 2022
- > Professor Betsy Stanko (OBE), *Operation Soteria Year One Report*, December 2022
- > Baroness Louise Casey, *An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service*, March 2023

What is consistent across these reports and inquiries is an acknowledgment that the scale of culture change required within the criminal justice system is significant. Notably, the Operation Soteria Year One report<sup>5</sup> uncovered many of the features of policing that women's organisations have long experienced: notably that police forces have not treated rape and other sexual offences (RASSO) as a specialist area of work and many officers lack the basic skills or understanding to carry out competent investigations, in a context of high caseloads and workforce turnover. The Soteria findings also confirmed that victims and survivors are disbelieved, blamed and stereotyped during the investigation process; a feature also recognised by the IICSA final report which found that failures to fully investigate were driven by assumptions about the perceived credibility of child rape and sexual abuse survivors.<sup>6</sup>

Long-term and radical change is needed to improve this appalling situation and ensure the rights of women and girls are respected and upheld.

## WHERE ARE WE NOW?

### What does the data say

The government's stated ambition for their 'end-to-end' Rape Review was to return the volumes of police referrals, CPS charges and rape cases reaching court to pre-2016 levels. However, although charging rates have improved since 2021, they remain at alarmingly low levels. The gradual increase in the number of suspects charged since the Rape Review falls far short of reaching 2016 levels, as shown by the graphs below.

In the first annual figures following the Rape Review, the total cases charged had increased from 1,955 to 2,223.<sup>7</sup> In the twelve months to December 2022, the figure had reached only 2,788;<sup>8</sup> an annual total that remains well below the almost 4,000 charged in the year 2015/16. At this rate of increase, it will be many years before we reach 2015/16 charging levels, which in itself does not take into account reported rapes having more than doubled in the same period.

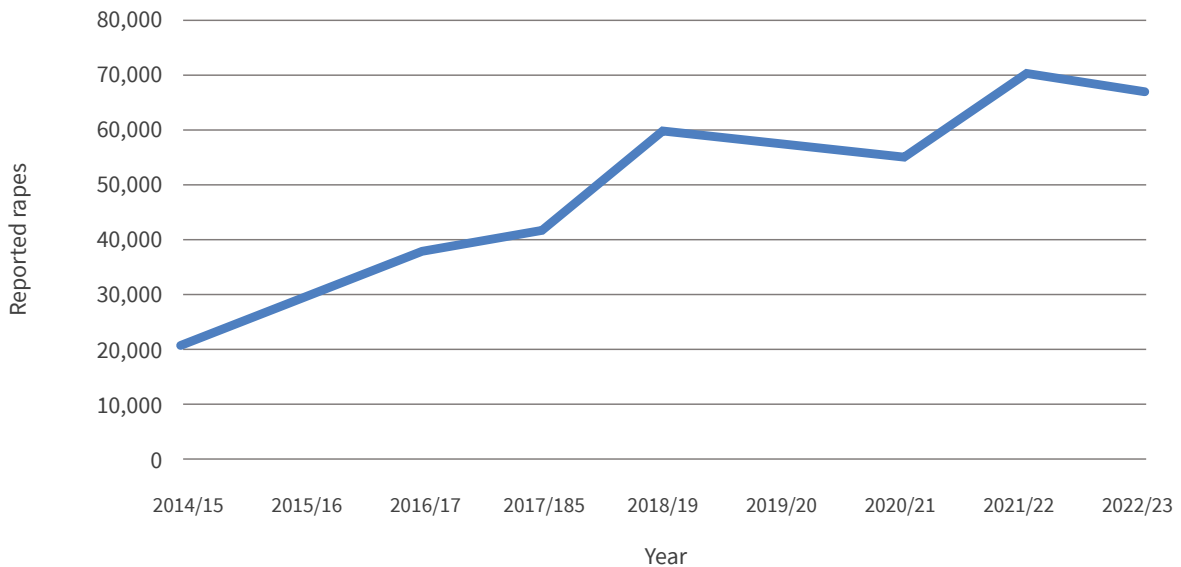
5 Home Office (2022) [Operation Soteria Year One Report](#).

6 "...there were failures to investigate fully due to assumptions about the credibility of the child. Some children, particularly those in care, were often considered as being less worthy of belief which led to a less than thorough investigation." The Independent Inquiry into Child Sexual Abuse (2022). [The Report of the Independent Inquiry into Child Sexual Abuse](#).

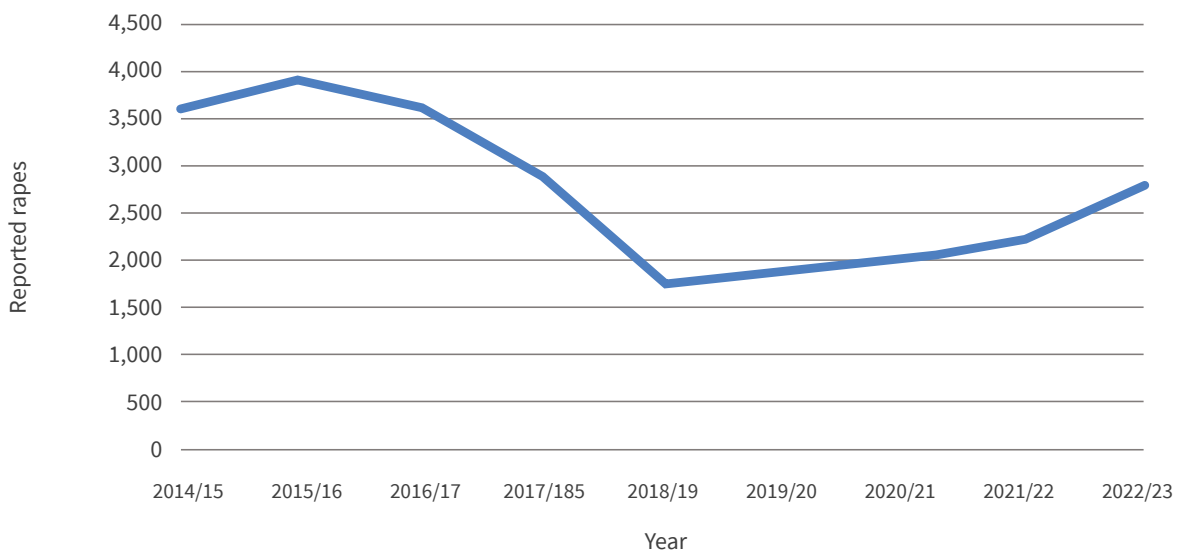
7 CPS (2022) [CPS data summary 2021-22 \(April 2021 to March 2022\)](#).

8 CPS (2022) [CPS Pre-Charge Data Tables for year ending December 2022](#) [The figures for year ending December 2022 are the most recent published figures available at time of publication].

## Rapes reported to the Police



## Proceeded to prosecution



One key barrier to significant increases in charging rates is the low proportion of cases referred from the police to the CPS for consideration. The most recently published figures show that in the year ending December 2022, only 4,897 cases were referred.<sup>9</sup> There has been some increase in the rate of police referrals, but it is still dwarfed by the number of rapes being reported (67,000 in the year to December 2022,<sup>10</sup> a figure that has increased year-on-year from around 30,000 in 2015/16). We continue to see cases which clearly should have been referred to the CPS being closed by the police. There needs to be a significant shift in police decision-making, to enable a greater number of referrals to the CPS for charge.

<sup>9</sup> CPS (2022) [CPS Pre-Charge Data Tables, for the year ending December 2022](#).

<sup>10</sup> Office for National Statistics (2022) [ONS Crime in England and Wales year ending December 22](#).

# WHERE ARE WE NOW?

## Progress and Gaps

Below we have outlined a series of developments and ongoing gaps that we have identified in the government's approach to tackling rape and sexual abuse; many of which stem from our 2020 *Decriminalisation of Rape* report recommendations.

## ACCOUNTABILITY AND LONG-TERM COMMITMENT

### Engaged leadership

In the week following the publication of our report '[The Decriminalisation of Rape](#)' (November 2020), in which we had outlined the need for a named responsible Minister for oversight and scrutiny of the criminal justice system treatment of rape, we welcomed the then-Minister for Crime being formally ascribed responsibility for the Rape Review. There have been two governments since then, and concerningly, since early autumn of 2022, there has been no formal stakeholder engagement meetings or progress updates on the Rape Review's implementation. The Victims' Commissioner post has also remained empty since September 2022, meaning there has been no national independent advocate for victims and survivors in a period when trust and confidence in the justice system is at an all-time low.

We reiterate our recommendation for effective leadership, transparency and accountability around rape and sexual abuse in the justice system, with key stakeholders from the specialist support sector informed and consulted on an ongoing basis.

## Data transparency

The Rape Review committed to creating accountability through data transparency. The Criminal Justice Dashboards (formerly scorecards) were actioned but have gone through various iterations since.

There continues to be some very significant issues with data transparency, as the data displayed on the dashboards speak to multiple data sets, some of which are publicly available, many of which are not. It has been observed that at some points there has been additional data included, only to be removed later. It remains very challenging to use the data effectively, in order to have a better understanding of the proportion of police-reported rapes. We also continue to see a failure by CJS agencies to collect and report disaggregated data on the protected characteristics of victims and survivors. Without this data we cannot be reassured that any improvements apply to all victims and survivors, especially those who are disproportionately failed by the criminal justice system – for example Black and minoritised women, disabled women, LGBTQ+, and migrant survivors (please see section below: *Research on who accesses the criminal justice system*).

Fundamentally, it is still not possible to track a case through the system from report to court. This is a significant long-term problem, that must change if we are to improve responses to victim-survivors.

## Operation Soteria scrutiny and continuation of funding

Operation Soteria offers a once-in-a-generation opportunity to transform rape investigations and victims' experiences when seeking justice. It was the central and most significant recommendation in the Rape Review. The scrutiny and independent oversight provided by researchers of Soteria has been said to be the most transformative aspect.<sup>11</sup> We are encouraged by the early findings of Soteria and the positive impact it has had so far in improving the police response to rape, and in some areas, improving charge rates.

However, we are deeply concerned by the suggestion that funding for academic involvement for a third and final year of the project is not guaranteed. We ask that the Home Office gives sufficient time to enable the full completion of the National Operating Model to the required standard. We also ask for assurances that robust academic intervention will continue to be integrated into the police forces who have signed up to undergo Soteria via a process of self-assessment. It is well understood that one of the successes of Operation Soteria so far is in the identification of issues that will help to disrupt cultures and processes that contribute to a toxic police culture, poor management and performance.

It is vital that Soteria maintains impetus, and that independent scrutiny provided by independent academics continues. Short-term objectives must not hinder its very significant potential to create change. Without the central element of academic scrutiny and 'disruption', there is a high risk of the programme falling short of its transformative potential. We call for the continued resourcing of Soteria to enable widespread systemic and sustainable change in every police force. Victims and survivors who report require and deserve an appropriate response, wherever they are based.

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11 Topping, A. (2022) ['Everyone wants to get involved': inside a new police approach to tackling rape](#). The Guardian.



## Upholding victims' rights

The Rape Review promised action to ensure the delivery of victims' rights under the Victims' Code within 6 months of June 2021. However, measures proposed in the Victims and Prisoners Bill in 2023 have been met with disappointment due to the absence of robust mechanisms for its compliance or enforcement. The proposed legislation goes no further in this regard than what exists in law already. In practice, we continue to witness the frequent disregard of rights under the Victims' Code, for example police failures to keep victims informed about the investigation and prosecution, to provide reasons for decisions not to charge the suspect, and failure to tell survivors of their right to challenge this under the Victims' Right to Review scheme.

Since the government's End-to-End Rape Review, we have been keeping an eye to broader policy and legislative developments which impact on violence against women and girls, including rape and sexual abuse. We have been particularly concerned by legislation which delivers the police immense powers around protest,<sup>12</sup> as well as ongoing threats to the Human Rights Act (HRA) and access to the European Court of Human Rights (ECHR). There appears to be a disconnect between the government's commitments to long-term culture change within policing connected to the review, and its decisions in this regard.

Handing the police greater powers through legislation such as the Public Order Act runs counter to the urgent and recognised need to improve performance and culture within policing, and will likely have a disproportionately harmful impact on Black and minoritised communities. Meanwhile, the HRA and ECHR act as vital mechanisms for accountability for victims and survivors – in many instances, the HRA is the only tool for victims and survivors of rape and sexual abuse to challenge the police on poor practice and seek justice where they fail.<sup>13</sup> Attempts to replace the HRA altogether or to disapply it in parts, through other bits of legislation such as the Victims and Prisoners Bill and Illegal Migration Bill, severely undermines progress to tackle rape and sexual abuse. There must be a commitment to the universality of human rights and recognition of their role in upholding the rights of victims and survivors.

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12 Rights of Women (2022) [Women's rights organisations oppose the Public Order Bill: the right to protest is a feminist issue.](#)

13 VAWG Sector Organisations (2022) [Women's Rights are Human Rights: Statement on Human Rights Day.](#)

## CRIMINAL JUSTICE SYSTEM – OPERATIONAL DEVELOPMENTS & GAPS

### Suspect-focussed investigation

Ensuring that investigations are focused on suspects, rather than victims, is at the heart of Soteria's National Operating Model (NOM). However, currently the majority of police forces continue the practice of interrogating victim credibility as their primary investigative strategy. There are initial positive indications in one force (Avon and Somerset Police), but nationwide, rape survivors are still being subjected to invasive and unnecessary investigation. This needs to end, but will be dependent on the effective roll-out and implementation of the NOM.

### Early Advice (EA) from prosecutors

Rates of police seeking Early Advice (EA) from prosecutors remain very low, despite the fact that the Director of Public Prosecutions (DPP) Guidance recommends it in every rape case.<sup>14</sup> In the July 2021 HMICFRS Joint Thematic Inspection of the Police and CPS Response to Rape, EA was used in only 12 out of 90 reviewed case files, and we are concerned that Early Advice continues to be significantly underused.<sup>15</sup> It is crucial that Early Advice operates appropriately, and that the rationale for making decisions is recorded.

### Requests for survivors' personal data

*“I'd given my phone, my therapy records, my social care records, my everything to this case. I feel like I am the one being investigated whilst he roams the streets. This has been horrific for my mental health.... I spent a long time with him being traumatised yet even longer by the police and CPS being re-traumatised.”<sup>16</sup>*

Alex, rape survivor

14 CPS (2020) [Charging \(The Director's Guidance\) 6<sup>th</sup> Edition, December 2020](#).

15 HMICFRS (2021) [Joint Thematic Inspection of the Police and CPS Response to Rape](#).

16 Rape Crisis England & Wales (2023) [Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog](#).

### i. Digital “strip search”

Overly broad mobile phone data requests remain an issue, though there have been improvements. Some forces have reduced the length of time survivors are being deprived of their phones, with new technology allowing police to carry out mobile phone downloads quickly. However, the improved timeliness of this process does not always involve an improvement in the requests themselves: many survivors are still facing unfocussed requests for their mobile phone data, often at the very start of an investigation before clear lines of enquiry can be identified. Officers should only be making specific requests based on reasonable lines of enquiry. We acknowledge the new limits on mobile phone data extraction introduced in the Police, Crime, Sentencing and Courts Act 2022,<sup>17</sup> and the statutory Code of Practice limiting extraction from vulnerable survivors except where ‘strictly necessary’<sup>18</sup> – but implementation of these measures remains a challenge.

### ii. Third-party materials and counselling records requests

In the Rape Review, the government stated its intention to improve the proportionality of requests for third-party materials and counselling records. However, there remains huge variation in terms of disproportionate requests: in many force areas survivors continue to receive blanket requests for personal data including therapy records, despite some improvement in other areas. We acknowledge the 2022 CPS Guidance on Pre-Trial Therapy<sup>19</sup> and the Attorney General’s 2022 Guidelines on Disclosure,<sup>20</sup> but there remains a significant lack of clarity about reliance on survivors’ ‘consent’ to disclose third party records. The Information Commissioner’s Office 2022 Report, ‘Who’s Under Investigation? The Processing of Victims’ Personal Data in Rape and Serious Sexual Offence Investigations’,<sup>21</sup> recommended that all police forces cease using ‘consent’ as a means to obtain third-party records, given that survivors cannot give genuinely free and informed consent during the investigation process. The CPS’ guidance directly contradicts this, relying on ‘agreement’ from a survivor as a basis to take forward a request for therapy records.

We welcome the Law Commission’s proposal that the threshold for disclosure of all victims’ personal records should be increased, with increased judicial scrutiny and a higher threshold for admissibility in court.<sup>22</sup> We are calling for an even higher threshold, specifically for therapy records, but this does not represent a blanket ban on accessing therapy notes, nor does it undermine a defendant’s right to a fair trial. What it does do, is recognise the particular confidentiality of the therapy process, which is essential for survivors to feel free to access therapy and progress their recovery.<sup>23</sup> The Victims and Prisoners Bill provides an ideal opportunity for government to deliver on this ask.

17 [Police, Crime, Sentencing and Courts Bill 2022, s37.](#)

18 Home Office (2023) [Extraction of Information from Electronic Devices: Code of Practice.](#)

19 CPS (2022) [Pre-Trial Therapy – Legal Guidance.](#)

20 Attorney General’s Office (2020) [Guidelines on Disclosure.](#)

21 Information Commissioner (2022) [Who’s Under Investigation? The Processing of Victims’ Personal Data in Rape and Serious Sexual Offence Investigations’.](#)

22 Law Commission (May 2023) [Law Commission Consultation on Evidence in Sexual Offences Prosecutions.](#)

23 Rape Crisis England & Wales, Centre for Women’s Justice, End Violence Against Women Coalition (2023) [Keep Counselling Confidential: The Problems and Solutions with the Disclosure of Counselling Notes.](#)

## Independent legal advice for survivors

Following the Rape Review, the Ministry of Justice carried out a consultation on independent legal advice in June 2022, but has not put forward any proposals since. This is disappointing given the time that has passed, and victims and survivors' continuing need for legal support during rape investigations. A successful pilot carried out in Northumbria has shown the enormous potential benefit to survivors, and to the criminal justice process as a whole, from this intervention. We welcome the Law Commission's proposal that survivors receive independent legal advice and representation on applications to access their personal records, or to introduce evidence of past sexual behaviour. In our view, this should include legal support on all issues affecting survivors during their criminal justice journey, to give survivors greater confidence in a range of situations that cause them to lose faith in the process; for example failures to obtain suspects' bad character evidence, special measures and Section 28, and victims' right to review, among other issues.<sup>24</sup>

## Section 28

In December 2021, the government announced a national roll-out of pre-recorded evidence and cross-examination for survivors of rape and sexual offences. We welcomed the introduction of Section 28 hearings across England and Wales as an option for vulnerable and intimidated victims and survivors to give evidence outside of the courtroom arena. Many survivors have shared that the experience of giving their evidence away from an intimidating court setting is less traumatic and nerve-wracking. In addition, we know that many victims and survivors who have been able to access Section 28 feel able to move forward from what has happened to them and begin their counselling and therapy once they have provided their evidence.

We have evidence from Rape Crisis Centres that some issues are arising. We hear that applications for Section 28 hearings are not consistently granted. We are also concerned that key updates are not communicated with victims and survivors once their Section 28 has been completed. We have heard from survivors that they are often not properly updated when trials are adjourned or relisted, which exacerbates feelings of distress from, and neglect by, the criminal justice system. We have captured case studies of survivors, such as Ola\* who arrived at court to watch a hearing, only to be told that it had already happened the day prior. She says she was made to feel irrelevant to the rest of the trial. We know of a case where a Section 28 hearing was delayed multiple times, resulting in the 14-year-old survivor withdrawing from the criminal justice system.

We uphold that Section 28 can be a major improvement and continue to monitor its use. However, judges must grant it to the survivors who ask for it. Section 28 is also not a solution to the problems with trial delays and the ever-increasing backlog. Some victims and survivors feel they are still waiting in limbo for the trial to proceed and are living in fear of their perpetrator(s).<sup>25</sup>

*Amy\* is a survivor of child sexual abuse by the father of her friend. The incident happened in 2019, when she was a pupil at secondary school, and had a serious impact on her mental health and ability*

24 Rape Crisis England & Wales, Centre for Women's Justice, End Violence Against Women Coalition (May 2023) Independent Legal Advice and Representation for Survivors of Sexual Violence and Abuse: <https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/2023/05/11th-May-final-ILAR-briefing.pdf>.

25 Rape Crisis England & Wales (2023) [Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog](#).

*to study – which in turn impacted her education outcomes. Amy gave pre-recorded evidence during a Section 28 hearing in 2021 and the trial was due to go ahead in June 2022. Due to the barristers' strikes, however, the trial was delayed and is now not due to go ahead until February 2024. Despite giving her evidence in 2021, Amy has struggled to move forward whilst there is still an open court case. She is currently at college but is continuing to struggle and described the wait as a never-ending nightmare: "I just feel so upset that I have to wait this long for justice and an outcome. I feel like I can't move forward from this; it's just horrible."<sup>26</sup>*

## Specialist sexual offences courts and court backlogs

In June 2022, the Justice Secretary at the time announced that three courts would be ascribed the title of “specialist rape courts”, where rape victims would receive “enhanced support”.<sup>27</sup> A year after this announcement however, there is little evidence of any enhanced support from frontline ISVAs and court staff. ISVA services local to the designated courts were only informed that the plans will restart towards the end of May 2023.

There is recognition of the lengthy delays faced by sexual violence and abuse victim-survivors waiting for the trial of their perpetrator(s), but a year on from the announcement and two years since the Rape Review was published, the experience of attending court has not improved and the growing backlog of cases waiting has worsened. The most recent quarterly data (at the time of writing) shows that whilst the overall backlog of all cases in the Crown Courts is marginally decreasing, the backlog of adult rape cases in the Crown Court increased by 9% and stands at a record high.<sup>28</sup> At the end of 2022, rape cases in the backlog had increased by 80% since the end of 2020.<sup>29</sup>

In April 2023, Rape Crisis England & Wales launched “[Breaking Point](#)”, which detailed the traumatic state of limbo which sexual violence and abuse survivors are subjected to whilst waiting for the trial to go ahead.<sup>30</sup> Data showed that survivors often had trial dates rescheduled at the last minute, and on multiple occasions. It also detailed case studies of where survivors were not informed of key date and time changes at all. There are currently not enough criminal barristers to defend and prosecute these cases, nor enough judges. This leads to postponed trials and further stress for traumatised victims and survivors in the pursuit of justice.

It is now more urgent than ever to consider how to improve the timeliness of rape and sexual offence trials. We recommend a pilot of judge-only trials in areas with the longest waiting times for rape and sexual offence trials, as an efficient and economical possibility. This could include trialling judges sitting with an expert panel, as in civil discrimination cases. Scotland is currently preparing to take forward judge-only trials, following Lady Dorrian’s review.<sup>31</sup>

26 Case study (p.47) in Rape Crisis England & Wales (2023) [Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog](#).

27 Ministry of Justice (2022) [New pilots to boost support for rape victims in court – Press Release](#).

28 Gov (2022) [Pivot table for the number of receipts, disposals and cases outstanding for trial cases in the Crown Court in England and Wales: by Case Type, Offence Group, Region, LCJB area, Crown Court, Year and Quarter. Time Period: Q1 \(Jan-Mar\) 2014 to Q4 \(Oct-Dec\)](#)

29 Ibid.

30 Rape Crisis England & Wales (2023) [Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog](#).

31 Scottish Courts and Tribunal Service (2021) [Improving the Management of Sexual Offence Cases](#).

## Myths, stereotypes, and victim-shaming in court

*“I will be on the stand, I think I am on trial. I am on trial. They want me to stand up there and re-traumatise myself and speak about the most shaming and disgusting things. I am worried this is going to be the most traumatic, shaming, and humiliating thing in my life.”<sup>32</sup>*

Rebecca, survivor

Our 2020 *Decriminalisation of Rape* report made a strong case for actions to address the harm, blame, and shame that survivors of sexual violence are subjected to, through individual and institutional bias and assumptions that create and reinforce harmful rape myths and stereotypes related to age, sex, gender, race/ethnicity, social class, disability and sexuality – both within the CJS and society as a whole. However, the government’s Rape Review was not truly “end-to-end”, as it did not address the horrific treatment of victims and survivors in trials.

The Law Commission was commissioned in 2021 to carry out work on rape myths and stereotypes, and the consultation opened in May 2023. Whilst we welcomed this important work and have been involved and engaged with the pre-consultation process, we are also concerned that the formal consultation has only just started after two years, and what this means for the potential length of time for its formal recommendations.

Two key recommendations from our report form part of the Law Commission consultation, concerning independent legal advice and representation, and for counselling notes not to be admissible except under very specific circumstances. Given the delayed process and the Victims and Prisoners Bill now running concurrent to the consultation, the Bill provides the most opportune vehicle to progress these actions for the benefit of victims and survivors.

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32 Rape Crisis England & Wales (2023) [Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog](#).

## RESEARCH ON WHO ACCESSES THE CRIMINAL JUSTICE SYSTEM

Many decades of evidence and insight from the specialist sexual violence sector and the Black and minoritised *led by and for* sector shows that women from Black, minoritised and marginalised communities have a disproportionately negative experience of the police, courts and justice system and face multiple barriers at an individual, institutional and community level. This prevents many survivors of sexual violence and abuse from engaging with the CJS in the first place. We know that in general, Black and other marginalised groups are under-represented within the CJS and are less likely to seek resolution through the CJS for rape compared to the white, heterosexual population.<sup>33</sup> We also know that for some groups of women, i.e. women with no recourse to public funds, refugee and asylum-seeking women, the prospect of justice is even less likely and is severely limited by the absence of safe pathways to report, a hostile environment and a lack of a firewall to prevent data-sharing between the police and immigration enforcement.<sup>34</sup> Furthermore, recent research has shown that the police are failing to comply with their obligations under the Equality Act 2010 to eliminate discrimination, harassment, and victimisation when interacting with survivors facing communication barriers – negatively impacting their experiences of safety and access to justice.<sup>35</sup>

This is why we asked the government to fund policy-influencing research to better understand who *does and does not access* the CJS as a first step, and to further investigate the experiences of Black and minoritised victim-survivors who have experience of CJS interventions. In order to make progress towards addressing such disparities, we must ask what, how and where inequalities manifest across the protected characteristics before, during and after victim-survivor interactions with the CJS. We called for these research findings to inform the development of separate and specific equalities-based scorecards to run in parallel with the rape scorecards now known as data dashboards. We also recommended a parallel investigation of what rape and sexual abuse victim-survivors actually want from the justice system, from other agencies, and their communities. None of these calls have been taken forward to date.

During the Rape Review, the Ministry of Justice funded and independently commissioned research, published in 2023, on what constitutes safe, inclusive and appropriate practice for agencies when engaging with disabled adult victim-survivors of sexual violence.<sup>36</sup> This research provides much needed new insights, which importantly have been identified and defined by disabled victims of sexual violence themselves. The study points to the gap in and urgent need for more effective and accessible engagement, referral, and support recovery pathways for disabled adult victims and survivors of sexual violence. We welcome the findings of this research and strongly feel that this must be used to drive more effective future commissioning of specialist support centring the needs of disabled victims and survivors of sexual violence.

33 Walker, S.J.L., Hester, M., McPhee, D., Patsios, D., Williams, A., Bates, L. and Rumney, P., (2021) Rape, inequality and the criminal justice response in England: The importance of age and gender. *Criminology & criminal justice*, 21(3), pp.297-315.

34 See [Step Up Migrant Women Campaign](#).

35 LAWRS, Imkaan, Rape Crisis England and Wales, EVAW et al (2023) [Listen to us! Communication barriers: How statutory bodies are failing Black, Minoritised, Migrant, Deaf and Disabled women and girls' victims/survivors of VAWG](#)

36 Hollomotz, A., Burch, L., & Bashall, R. (2023) Formal support needs of disabled adult sexual violence victim-survivors: A qualitative research report. Ministry of Justice.

Whilst we welcome this research, we were concerned that the government had shifted the research focus and responsibility to the many issues faced by under-resourced specialist support providers, whilst potentially minimising or deflecting from parallel fundamental issues which are a cause and consequence of an underperforming justice system, such as poor police cultures; low reporting, charging and prosecution rates; and adverse outcomes linked to high levels of attrition. We are concerned that without the political will and leadership to identify and address inequalities across all minoritised communities, these issues remain invisible, lack focus and become de-prioritised.

We urgently need ongoing research into *who and who does not* access the justice system and why, what victim-survivors want from the system and to support their recovery, more consistent data collection across the CJS, and equalities data scorecards to help us to better understand where and how discrimination and bias are perpetuated in order to help create more effective policy and practice. The need for robust data collection is reinforced by Operation Soteria, which flagged data on race and ethnicity as one of the weakest areas of knowledge, despite the fact that according to figures from the most recent Crime Survey for England and Wales, “those in the Black or Black British and Mixed ethnic groups were significantly more likely than those in the White, Asian or Other ethnic groups to experience sexual assault within the last year”.<sup>37</sup> The findings of the Casey report, which highlighted endemic racist, homophobic and misogynistic police culture, points to the urgency of the situation and the need for systemic change.<sup>38</sup> Without a meaningful commitment and systemic approach to access to justice and fair treatment for all, minoritised survivors of sexual violence will continue to be failed by an effectively two-tier justice system.

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37 Office for National Statistics (2021) [Sexual Offences Victim Characteristics, England and Wales: Year Ending March 2020, Section 5 \[March 2021\]](#).

38 Baroness Casey of Blackstock (2023) [Baroness Casey Review: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service](#).



## FUNDING AND COMMISSIONING FOR:

- > **SPECIALIST SEXUAL VIOLENCE AND ABUSE SERVICES**
- > **BLACK AND MINORITISED LED AND MANAGED ENDING VAWG SERVICES**

### i. Specialist sexual violence and abuse counselling and therapy

In our 2020 report, we asked for “Access to specialist, high quality, non-medicalised counselling and therapy as and when victim/survivors need it”. When we say “non-medicalised”, we mean specialist counselling and therapy that acknowledges, recognises and validates those subjected to the profound impacts of rape and sexual abuse trauma, and supports victims and survivors to cope with life after sexual violence.

Counselling and therapeutic services are vitally important to survivors. It remains relevant to cite the IICSA report on support services, in which their extensive data showed that:

*“across all support services, the most highly rated by survey respondents were counselling provided by a charity/voluntary organisation specialising in child sexual abuse and sexual abuse and/or rape support services provided by a specialist charity/voluntary organisation”.*<sup>39</sup>

The most recent available data however, shows that 14,000 victims and survivors are waiting for a Rape Crisis service. 80% of those currently on Rape Crisis waiting lists seek specialist counselling and therapy.

Support services are often linked to victims and survivors’ participation within the criminal justice system, and a large majority of victims and survivors will never report their sexual violence and abuse.

It is clear that the future commissioning of specialist counselling provision, particularly for children who have survived rape and sexual abuse and adults who survived rape and sexual abuse as children, must be in accordance with the wishes of victims and survivors, and therefore sit within highly specialist Rape Crisis Centres and not generic services. High volumes of cases from education and health services are referred into Rape Crisis services, who rarely receive funding at local or national levels.

There is significant interest in putting aside the wishes of victims and survivors in preference of seemingly “simple” multi-agency arrangements. We reiterate what we stated in 2020:

***“Efforts to consolidate services into ‘one hub’ models where social services, police, ISVA and counselling services operate together, should be resisted, as not only will this kind of service response act as a barrier to women and girls with insecure immigration status, and women and girls involved in prostitution/sex work, but specialisation and independence will be lost. Independence is critical to victims/survivors who find themselves subject to agency scrutiny and harm during their interactions with the CJS.”***

Victims and survivors must be able to access therapeutic support and counselling whenever they may need it, regardless of whether they are engaged in the criminal justice system. In particular, the lack of meaningful funding from health commissioners is problematic. Since our 2020 report, there is a new legislative requirement for Integrated Care Boards to address the particular needs of victims of abuse. In the NHS Guidance on developing a joint forward plan, it states that:

***“The plan must set out any steps that the ICB proposes to take to address the particular needs of victims of abuse (including domestic and sexual abuse, whether children or adults).”<sup>40</sup>***

We continue to urge health commissioners to recognise specialist sexual violence and abuse services as experts in sexual violence trauma counselling, and to support their funding.

## **ii. Independent, holistic and victim-survivor centred specialist support for Black and minoritised women and girls**

A critical pathway to justice for women and girls is access to independent, expert-led, trauma-informed, holistic sexual violence and *by and for* support that helps women and girls to find safety, rebuild their lives and recover long-term. However, funding for *by and for* organisations is too often short-term and lacks an intersectional and trauma-informed approach, destabilising the sustainability of the Black and minoritised led and managed sector.

We know that Black and minoritised women are at heightened risk of VAWG, with Black or Black British and Mixed ethnic groups significantly more likely than those in the White, Asian or Other ethnic groups to experience sexual assault within the last year.<sup>41</sup> Recovery and healing from sexual violence/VAWG is undoubtedly also more compromised for victim-survivors who are repeatedly failed and re-traumatised by the CJS and other statutory agencies as a result of poor attitudes and

40 Page 19 – NHS (2022) [Guidance on developing the joint forward plan](#).

41 Office for National Statistics (2021) [Sexual Offences Victim Characteristics, England and Wales: Year Ending March 2020, Section 5 \[March 2021\]](#).

responses, and lack of institutional honesty and accountability. In Imkaan's 2020 report, *Reclaiming Voice*, specialist VAWG caseworkers spoke of the importance of providing survivors with access to independent and trusted institutional advocacy alongside practical, housing, therapeutic and resilience building support.

For Black Caribbean survivors of sexual violence, support pre and post CJS outcome is particularly important as they are likely to have poorer CJS outcomes because of the higher levels of racism endured during their interactions with the police, prosecutors, the judiciary and juries.<sup>42</sup>

Evidence from the Domestic Abuse Commissioner's report *A Patchwork of Provision*<sup>43</sup> reinforces the findings from Imkaan's research in 2015,<sup>44</sup> as well as its earlier work; finding that victims and survivors feel safer, heard, more in control and understood when they receive support from Black and minoritised led and managed *by and for* organisations. In contrast, generic providers are less able to respond appropriately due to a relative lack of nuanced or intersectional understanding of the needs of minoritised groups.

For those working in the criminal justice system, there are likely to be more positive outcomes for victim-survivors when women and girls are engaged early, in a timely manner, with appropriate specialist support through sexual violence and Black and minoritised led and managed ending-VAWG providers. This is crucial to helping women feel more informed about key stages of the CJS process, will produce better quality police statements and should help to reduce CJS disengagement or attrition.

However, funding pathways are currently too narrowly defined by commissioners and under the assumption that support should mainly be prioritised at crisis point, or time-limited to women's engagement with the CJS. Consequently, funding is too often short-term and lacks an intersectional and trauma-informed approach; destabilising the sustainability of the Black and minoritised led and managed sector who instead are forced to operate in 'crisis' mode. This severely limits effective and trauma-informed support pathways for Black and minoritised women subjected to sexual violence/VAWG.<sup>45</sup>

Imkaan found that at the onset of the pandemic, its member organisations were already operating with a significant funding shortfall of 39% alongside increased service demand. *A Patchwork of Provision* by the Domestic Abuse Commissioner echoes these findings by identifying that only 51% of Black and minoritised survivors who wanted access to specialist *by and for* support were able to access it.<sup>46</sup> Ring-fenced funding pathways that are designed by funders and commissioners to centre the support needs and experiences of minoritised victim-survivors have much more positive outcomes and help to build more equitable funding structures. Funders and commissioners must support ring-fenced and flexible funding models that support the sustainability of independent specialist sexual violence and *by and for* services that victim-survivors can access flexibly and at the point of need.<sup>47</sup>

42 Thiara and Roy (2020) [Reclaiming Voice: Minoritised Women and Sexual Violence](#). Imkaan.

43 Domestic Abuse Commissioner (2022) [A Patchwork of Provision](#).

44 Imkaan (2015) [State of the Sector: Contextualising the current experiences of BME ending violence against women and girls organisations](#).

45 Imkaan (2023) ["Our sector, our voice, our work": Programme Evaluation Report](#).

46 Domestic Abuse Commissioner (2022) [A Patchwork of Provision](#).

47 Ibid.

### iii. 24/7 Rape & Sexual Abuse Support Line

A 24/7 support line formed part of the recommendations in the Rape Review, and Rape Crisis England & Wales were awarded the grant in the Spring of 2022. The service was soft launched, with beta testing starting with the phone service in June 2022, and the full launch of the service including 24/7 webchat in December 2022. Specialist Rape Crisis workers operate the line, and feedback from victims and survivors has been overwhelmingly positive so far, with recipients of support citing that they feel believed and validated. The line was busy from launch and continues to face increased demand.

### iv. The recommissioning of the Rape and Sexual Abuse Support Fund

The Rape and Sexual Abuse Support Fund remains a crucial part of core funding, providing some much-needed stability to the sexual violence and abuse sector since its establishment. The Ministry of Justice is the only government department to offer vital core funding to specialist sexual violence and abuse services.

Previously, there was commitment that the Rape and Sexual Abuse Support Fund would be a multi-year grant, but the most recent round is commissioned for just twenty months, with plans to possibly extend it subject to further spending reviews. This uncertainty around future funding does not provide services with the stability they require to know whether they are able to recruit and retain specialist trained staff to carry out specialist trauma-informed work and progress through existing waiting lists.

This example of short-term funding is out of step with current government policy and commitments.

The Victims Funding Strategy recognises:

***“Key to addressing these challenges is recognising the importance of multi-year funding. The availability and confirmation of longer-term funding will lead to sustainability of the victim support sector and allow commissioners to commit to funding services for longer.”***

The VAWG Strategy (which includes men and boys) states:

***“the needs of victims and survivors are at the heart of the Government’s approach to tackling violence against women and girls. Ensuring they can access quality, timely support is vital.”***

When demand continues to increase, it is crucial that specialist services are resourced to meet the need.

## PREVENTION

We believe a different world is possible – a society where women and girls can live their lives free from violence and the threat of violence. To create this world, we need much greater ambitions towards understanding and implementing measures to prevent and reduce rape and sexual abuse in the first place. A meaningful analysis would consider women and girls' social inequalities and the need for wide-ranging policy and cultural changes.

As outlined in *The Decriminalisation of Rape* report, on prevention of sexual violence: “[i]t is hard to overstate how absent this question and approach is in current public policy making”, and this remains the case. Although the Rape Review recognises that early intervention is “crucial to reducing the number of rape and sexual violence offences”, and references work in other areas of government such as mandating Relationships, Sex and Health Education (RSHE) curriculum and the prevention strand of the VAWG strategy, it also acknowledges that “more needs to be done”. We are yet to see significant commitment to doing more.

Far greater investment is required in areas such as work with children and young people, and joined up thinking and funding across government departments. Despite RSHE becoming mandatory in 2020 for example, we have seen chronic under-resourcing and de-prioritisation of this work, and children and young people are still reporting they are not receiving the type of education they need.<sup>48</sup> We are still awaiting the publication of two pieces of research commissioned by the Department of Education (DfE) into addressing sexual violence in schools, and updated DfE guidance on the issue.

What we need is a Whole School Approach<sup>49</sup> – embedding gender equality with training for all school staff on sexual violence and abuse, training for teachers on how to deliver RSHE, and giving both young people and staff the skills to respond to, challenge and prevent violence against women and girls within their establishment and the local community. Such an approach was recommended in Ofsted’s damning 2021 report into sexual abuse in schools,<sup>50</sup> yet we have seen little progress.

We also need to see long-term investment in prevention work beyond our schools. In our 2020 report, we called for an ongoing and government-backed public awareness campaign about consent and rape myths. In 2022, we welcomed the government’s ‘Enough!’ campaign, which aims to shape the attitudes that drive and normalise this abuse so that women and girls don’t become victims in the first place. But if we are to see transformation at a societal level, this work to change attitudes and behaviours must be long-term and properly funded. It must also be shaped by organisations specialising in violence against women and girls, including those led *by and for* Black and minoritised women, as marginalised women experience disproportionate rates of VAWG. We therefore continue to recommend further investment in government-backed public awareness campaigns that seek to tackle the cultural norms and inequalities that underpin sexual violence and on issues such as consent.

48 End Violence Against Women Coalition (2023) [Sexual harassment at school: New film co-created with young people supported by latest data.](#)

49 End Violence Against Women Coalition (2023) [New report: It's #AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls.](#)

50 Ofsted (2021) [Review of Sexual Abuse in Schools and Colleges.](#)

# CONCLUSION

This briefing has honed in on some key developments since 2020/21 to assess what's changed since the government's End-to-End Rape Review, with a focus on criminal justice developments and key areas of progress and gaps.

We are encouraged by some early green shoots of positive change in many areas of the criminal justice system. However, as this briefing highlights, continued investment, political will, leadership and scrutiny is required if we are to meet the scale of the challenge at hand. There remain some long-standing issues where progress is stagnant or stalling.

As outlined, much hope currently rests in the successful implementation of Soteria and a new National Operating Model providing guidance to all police forces on how to improve rape investigations. We need to ensure a robust accountability framework is in place as part of that work. We also urgently need to see significant improvements in charge rates and the courts' response to increasing numbers of cases gradually coming through, in a context where multiple re-scheduled trials continue to cause very significant delays and distress for victims and survivors.

Whilst additional funding into the sector has been welcomed, there continues to be a vast gap between funding and the high demand for specialist services. All commissioners, but particularly health commissioners, need to understand and act on their duty to commission Rape Crisis Centres and specialist *by and for* Black and minoritised women's services, and recognise the value and expertise of these services. It remains the case that there are inequalities in prevalence and outcomes for Black and minoritised and other marginalised groups, and the lack of urgency and action to address this continues to fail too many women and girls.

Finally, meaningful and long-term commitment to exploring how we prevent rape and sexual abuse remains largely theoretical. Without any action in this regard, more women and girls will continue to be victimised.

At a time when accountability and scrutiny is more important than ever, we have concerns that the commitment to culture change in policing will be weakened by the government's decisions elsewhere to afford police officers ever more powers, and the ongoing threat to undermine mechanisms of accountability such as the Human Rights Act.

We will continue our commitment to creating a better world and to supporting women and girls who have survived rape and sexual abuse.

# RECOMMENDATIONS

## For the Government

- > Continue funding for academic input during Operation Soteria's Year 3 implementation stage
- > Establish a national hub to provide legal advice to survivors on key issues in the rape investigation and trial process, including but not limited to requests for their personal records and evidence relating to past sexual behaviour
- > Introduce new protections for therapy records to prevent disclosure unless they have substantial probative value, along with judicial scrutiny. This should be incorporated into the Victims and Prisoners' Bill
- > Introduce new legal measures to enforce compliance with the Victims' Code, including civil liability for breaches and increased personal accountability for senior officers where there are wholesale failings within their units
- > Continue to report on progress with unmet Rape Review objectives, ensuring key stakeholders receive updates and are consulted with on an ongoing basis to ensure accountability through external and independent scrutiny
- > Make improvements to the criminal justice dashboard and begin to track cases through the criminal justice system
- > Commission independent research into *who and who does not* access the justice system, and *why*
- > Work with the judiciary, specialist sexual violence and abuse sector and other agencies to develop a pilot of judge-only trials, including a possible model of judges sitting with an expert panel, in areas with the longest waiting times for rape and sexual offence trials
- > Commission substantial research into and policy development on how to prevent rape and sexual abuse
- > Commit to a cross-governmental strategy with resource for violence against women and girls prevention work
- > Government to resource the implementation of a Whole School Approach to tackling violence against women and girls
- > Department for Education to publish their two pieces of research and guidance into addressing sexual violence in schools

- > Continued ongoing and government-backed public awareness campaign about consent and rape myths, building on the success of the 'Enough!' campaign
- > Introduction of a firewall between statutory services and immigration enforcement for survivors of VAWG

## For Criminal Justice Agencies

- > Police forces to increase referrals to the CPS for formal charging decisions
- > Early Advice to be used across the board
- > An end to disproportionate requests for survivors' personal data, including mobile phone download and third-party materials such as medical, education and social services records
- > All police rape investigations should have the oversight of a senior RASSO specialist and officers should be provided with RASSO training addressing rape myths and delivering suspect-focussed investigations
- > Work with sector specialists to develop a pilot of an equalities dashboard

## For Commissioners

- > Funders and commissioners must support ring-fenced and flexible funding models that support the sustainability of independent specialist sexual violence and *by and for* services that victim-survivors can access flexibly and at the point of need
- > Access to specialist, high quality, non-medicalised counselling and therapy as and when victim-survivors need it, with appropriate contributions from health commissioners at local and national levels
- > We call for sustainable, multi-year funding to address historic gaps and under-funding for Black and minoritised led and managed / *by and for* organisations. We call for the extension of the current Rape and Sexual Abuse Support Fund into 2026



# APPENDIX

## Key terms

**Black and minoritised** – We use the term “Black and minoritised” victims and survivors to “signify women who are discursively constructed as ‘minorities’ through processes of marginalisation and exclusion. We recognise that it is a broad term that can overlook differences”.<sup>51</sup>

**Black and minoritised led-and-managed ending VAWG services** – These organisations are led and managed by Black and minoritised women, and address the needs of Black and minoritised women because of a core organisational intention to design support responses around women who are likely to be the most marginalised in society.

**Specialist sexual violence and abuse services** – when we use this term, we are referring to services that have working with victims and survivors of sexual violence and abuse as a primary organisational purpose, and are independent, trauma-informed, and offer ‘wraparound’ support for victims and survivors of all forms of sexual violence, including survivors of child rape and sexual abuse. Rape Crisis Centres are an example of these kinds of services.

**Holistic, wraparound support** – this kind of support is offered by Rape Crisis Centres and Black and minoritised led-and-managed ending VAWG services. It refers to how we work with victims and survivors; we see them as whole people who often have needs around health, education, housing, food, addiction, immigration, justice and more. Services providing holistic, wraparound support respond and advocate for women and girls in a range of ways, according to the individuals’ needs.

**Why we mainly refer to women and girls** – we talk mainly about women and girls who are victims and survivors of rape and sexual abuse, as we are specialist organisations with expertise working with and for women and girls. Although the large majority of victims and survivors of sexual violence and abuse are women and girls, it is just as serious and traumatic for men and boys who are subjected to rape and sexual abuse. Our analysis and recommendations are very relevant to all victims and survivors, and should lead to better access to justice for all. We acknowledge and respect those with expertise on men’s victimisation, who will have their own gender-specific analysis.

**Victims and survivors** – we describe individuals who have been subjected to rape and sexual abuse as ‘victims’ and ‘survivors’, in acknowledgement of the different ways individuals define what they have been subjected to, and how this shapes their identities and lives.

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<sup>51</sup> As defined by Imkaan in “Reclaiming Voice”, 2020.



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