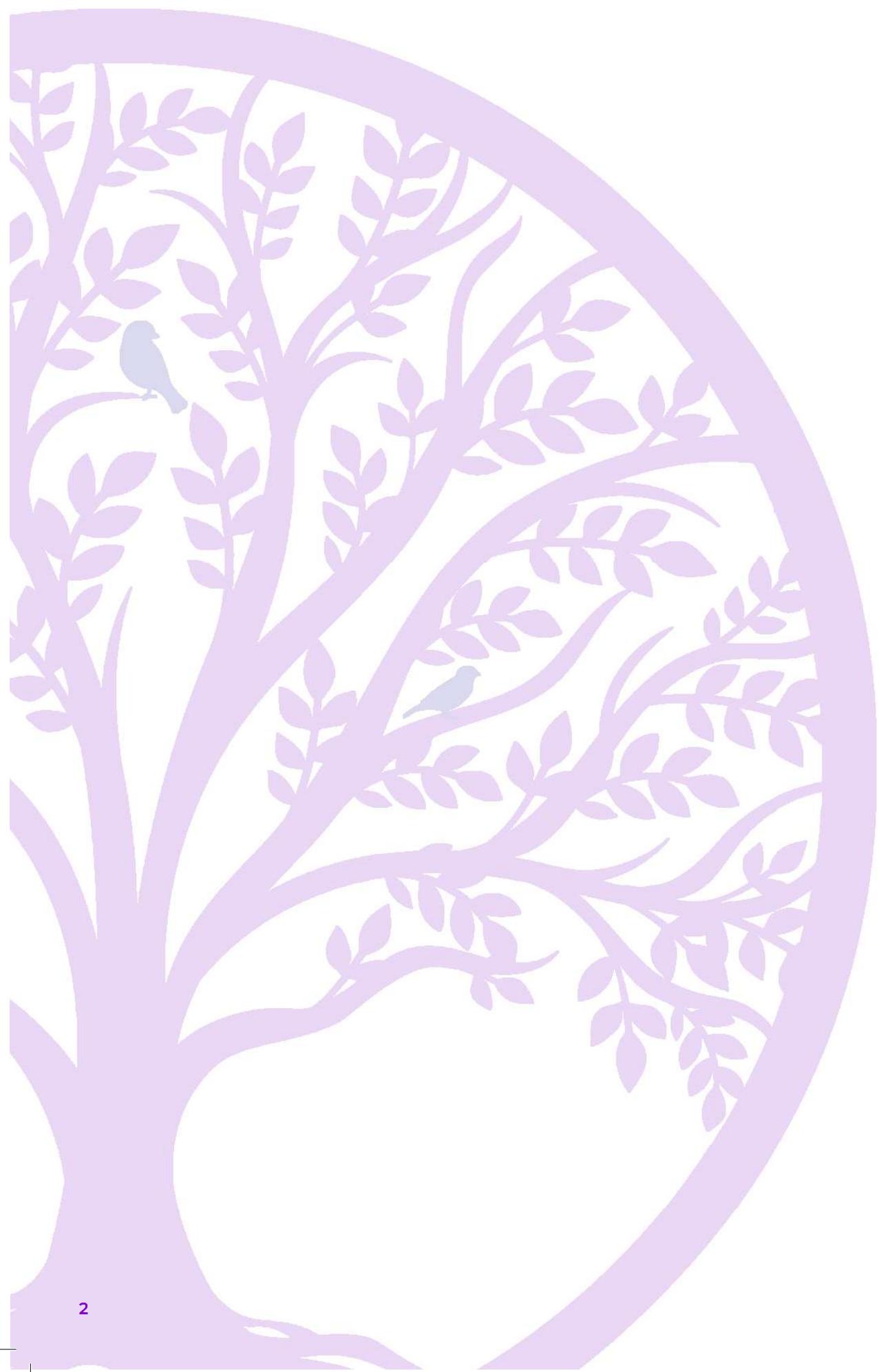


**INFORMATION
AND SUPPORT
GUIDE**

**REPORTING
SEXUAL
OFFENCES**



Contents

This leaflet will help you to understand:

The stages of a police investigation	04
Frequently Asked Questions (FAQs)	09
How to report sexual assault and rape that happened some time ago	15
How to access support services	18
Victims' Code	19
Glossary	20

Your health
and wellbeing
will always be a
priority

STEP 1

Initial report



A report is made, forensic evidence is gathered (where possible) and support referrals will be offered

Once an initial report has been made to us, we will first take any necessary action to ensure your safety.

We will take details of what has happened to you, this is known as an initial victim account report (IVAR). We will then take an early evidence kit (EEK). This involves us taking urine and mouth rinse samples for both forensic and toxicology purposes. An EEK will not be taken in historic cases.

If there is any recent forensic evidence to collect in your case, you may be asked to go for a medical examination at a Sexual Assault Referral Centre, for example Safe place Merseyside, but only if it is necessary and only with your consent.

The activities in Step 1 mean we can start our investigation, secure vital evidence and protect you and other people from any further harm.

You will be appointed a Specially Trained Officer (STO) to assist you throughout the process.

We will offer to refer you to a specialist support service, for example to an Independent Sexual Violence Advisor (ISVA), who can also support you throughout the criminal justice process and act as your single point of contact, with us and witness support, if you wish.

You can also self-refer to these support services. We have listed some trusted support service agencies for you on page 18.

STEP 2



**A video interview
is obtained. The
investigation continues
gathering further
evidence**

The activities within Step 2 will give us more information about the crime you have reported. After your initial report, you will be asked to give a video account. This is sometimes called an 'Achieving Best Evidence' (ABE). This is where you will be asked to recall the event(s) in as much detail as possible, to help with the investigation.

With your consent, the ABE will be video recorded. If the case goes to trial, the video can be played in court instead of you having to give your account in person.

During this step we may ask for your consent to secure evidence from your phone, social media accounts or ask you about relevant records held by other organisations. If we require your mobile telephone, this will be returned to you within 24 hours.

You will be kept updated about your case progress and can continue to access independent, confidential support.

STEP 3

Building the case

We build the case and may work with the Crown Prosecution Service (CPS)

At this point, it may feel like things slow down. Our aim in this step is to build the strongest case possible against the suspect which can often take a long time, sometimes months. However, you will still be kept updated about the progress of your case, as per a contact plan which we will set up with you.

If there is enough evidence we will ask the Crown Prosecution Service (CPS) for their opinion about charging a suspect with offence(s) and share with them the evidence we have collected.

It may be that police feel there is insufficient evidence to continue with a prosecution, in which case we will not refer to the CPS, and will make a decision to close the investigation. You will be informed fully of the reasons why we believe we are unable to proceed at that time.

Your ISVA will always ensure you are kept updated and feel comfortable



STEP 4

Prosecution decision

A decision is made on whether the suspect(s) will be charged and face trial. You have a right to appeal this decision

In this phase, all the available evidence is assessed thoroughly and a decision is made about whether there is enough evidence for the case to go to court.

The case might be closed at this stage, if it is decided there is not enough evidence available for there to be a realistic prospect that the suspect could be convicted if the case went to court.

A case may also be closed if a prosecution is prevented or 'not in the public interest', for example if the suspect is too old or sick to stand trial.

If you do not agree with the decision to close your case, you are entitled to seek a review of the decision under the Victims' Right to Review (VRR) Scheme.

If it is decided there is enough evidence to take your case to court, you can receive support

from an ISVA and the Witness Liaison service throughout the trial process. The accused could be found guilty or not guilty.

If the accused is found guilty, they may receive a sentence from the court. The court can order different types of punishment, and some cases may not result in the offender going to prison.

If the offender goes to prison, the probation service can continue to manage this person with conditions once they are released. The Witness Liaison service is responsible for keeping you informed of when the offender will be eligible for parole (released from prison).

Whatever the outcome of the case, we will support you throughout the process.

SAFETY

In addition to the four phases of the investigation, we will also be conducting other work to ensure your safety and the safety of others. This will involve conducting risk and safeguarding assessments.

The information you provide may be used to prevent future offending and safeguard others, both in the UK and abroad.

There are also personal civil orders that you can apply for. You can ask your dedicated ISVA or Specially Trained Officer if you want to know more about these processes.

Frequently asked questions

Q What happens at the forensic medical examination?

A If you are reporting a recent rape or sexual assault that has taken place within the past seven days, we might suggest that you have a medical examination to collect forensic evidence. If a forensic medical examination is needed and you consent to having it, this will take place at 'SAFE PLACE', Merseyside, a Sexual Assault Referral Centre (SARC).

Although you can report a sexual assault at any time, there is only a limited timeframe in which the forensic evidence can be taken.

At Safe Place, a Crisis Worker will support you through the medical examination process. A Forensic Medical Examiner (FME) who is a doctor will carry out the examination. They are specially trained to do this as sensitively as possible. The Doctor will take your medical history and fully explain what will happen, for example the use of the swabs.

The purpose of the examination is firstly to ensure your medical welfare, secondly to record any injuries and take the evidential samples which may help with the investigation. A Specially Trained Officer will collect the swabs at the end of the forensic medical.

If you have self-referred, the above procedure will be exactly the same, however Safe Place will store the swabs, then if you decide at a later date to report the incident to Police, the swabs you have already given will be shared with Police.

Please discuss this with the Crisis worker if you want to learn more about this option.

To help preserve the forensic evidence you should avoid washing, eating, or drinking prior to the examination.

You can shower and change your clothes at Safe Place if you wish.

Frequently asked questions

The Specially Trained Officer (STO) will keep in contact with you

Q Will you need to download information from my phone or social media accounts?

A We have a legal duty to investigate 'all reasonable lines of enquiry'. This means gathering all information directly relevant to the crime, which sometimes includes downloading relevant information (data) from your phone or social media accounts. If a phone/social media download is required, an officer will seek your written consent to access your phone and give you written information explaining what specific data they want to access and why. This will be returned back to you within 24 hours. If a suspect gets charged, any information that may be used by the prosecution in court, including phone and social media data, must be provided to the defence and therefore can become known to the suspect.

Q Will the suspect have their phone taken?

A This will depend on the case. We have a legal duty to investigate all reasonable lines of enquiry, which may include downloading and reviewing relevant information on the phone of any suspect.

Q What happens if I do not want to give the police access to my phone, social media accounts, medical or personal records?

A We will only download or access your phone, social media accounts or other personal records with your consent and only take what is directly relevant to the crime. If you do not wish to give officers access to this information, they will discuss with you your reasons for not handing over your phone/ disclosing particular

Frequently asked questions

records and try to address your concerns. It may be that your reasons will be brought up in court, to explain why we did not obtain information from your phone. If a suspect is charged and the case goes to trial, the defence could suggest that there is relevant information in your records or on your digital devices such as your phone.

Q Who do police need to contact as part of the investigation and who will be told I have reported a crime?

A We take great care in protecting the anonymity of victims and witnesses of crime. If there are witnesses in your case, we may contact them and may have to tell some of them your name, if gathering information about your case is impossible without doing so. If a suspect is interviewed,

we need to tell them your name. If you are under the age of 16, we will need to inform your parent(s) or guardian. It is against the law for anyone to publish your name or details that might identify you (including on social media), because people who report sexual offences are automatically given the right to anonymity for life.

Q How long does it take to complete the investigation?

A There is no fixed timeframe, but police investigations can be lengthy and will take months rather than weeks. In a small number of cases the investigation can take much longer, for example where new evidence comes to light or there are delays in obtaining relevant evidence.

The Code of Practice for Victims means you have the right to be kept informed about your case and to receive regular updates

Frequently asked questions

Q Will I have to go to court?

A If a suspect is charged and pleads 'not guilty' it is very likely that you will be asked to give evidence in court. There are 'Special Measures' in place to make giving evidence in court easier for you, for example by giving evidence from behind a screen or via a live video link. Other Special Measure options can include: the pre-recorded ABE (see step 2) being played in court instead of you giving your account in person; you giving evidence in private by having the public gallery cleared; and the use of interpreters or intermediaries to help you give your evidence. These special measures will be decided together with you ahead of time, to ensure the measures in place are right for you.

If you wish, you will be able to visit the court before the trial to have a look around and have the court process explained to you.

An STO will arrange a pre-court visit with you, so you can familiarise yourself with the court. An Independent Sexual Violence Advisor (ISVA), as well as the Witness Service, can support you before and during a trial.

Frequently asked questions

Q I'm not sure I want to report to the police. Is there someone I can talk this through with?

A Making a report can feel daunting. If you would like to talk through your decision before reporting to us, you can contact the Sexual Assault Referral Centre (SARC) called 'Safe Place'. You don't have to make a report to us if you choose not to.

Q Am I doing the right thing by reporting to the police?

A Every report is valuable. Even if you decide that you do not wish to participate in a full investigation or criminal prosecution, reporting an incident to us can still be helpful. Your report could help protect you or others from harm, identify potential serial perpetrators and build a better understanding of crime, even if what you are reporting happened a long time ago. Once you have reported a crime, you can withdraw your

complaint any time. You do not have to go through with a full police investigation or prosecution in court if you do not want to. Either way, the information you provide to us can still be used to identify crime patterns, locations or serial perpetrators, especially if you are able to give us a formal statement.

Q What are my rights as a victim of crime?

A As a victim of crime, you have rights and entitlements when you report your crime to us. You will find more information about this on page 19.

Q Where can I get support?

A ISVAs can provide competent, compassionate and independent support throughout the investigation and court process. You can also access ISVA support if you have not reported what has happened to you to the police.

Frequently asked questions

Q Can I receive therapy?

A You can receive independent, confidential therapy at any stage of the report process, including while the investigation is ongoing, however if there is an ongoing investigation and your case goes to court, we will have to let the Crown Prosecution Service know that you received therapy, and they may request access to relevant parts of the counselling notes, which may then be disclosed to the defence. You can discuss any concerns you might have about the possibility of counselling notes being disclosed with your therapist and counsellor. Fundamentally, it is important for you to get any help you need as soon as you need it, rather than waiting until the investigation is over.

Q Can I talk to my friends and family about the case?

A To protect the strength of your evidence, it is very important that you do not discuss the details of what you have told us with anyone else. However, you can talk to family and friends about how you are feeling so that they can support you.

Q Will this be in the news?

A It is against the law for anyone, including journalists, to publish your name or any details that might identify you, including on social media. This is because those who report sexual offences to the police are automatically given the right to anonymity for life. If you go to trial, courts are open to the public and there may be a reporter present who wishes to report on the case, but the media are not allowed to publish your name or any information that might identify

Frequently asked questions

you. Sometimes we put out a press release about a case where it is thought to be in the public interest (for example seeking witnesses or other potential victims), but you cannot be named publicly by the police. We take the protection of your anonymity very seriously and are experienced in protecting victim anonymity.

Q If I no longer want to go through with the investigation, can I stop the process or take my report back?

A You can withdraw your support of the investigation at any time. You do not need to continue participating with the police investigation or support a prosecution if you do not want to. You can always request for your case to be reopened at a later point if you change your mind. Even if

you do not wish to progress with the investigation, every report made can help us learn about offenders, crime patterns, locations, and might help us to identify serial perpetrators and prevent them from causing further harm. Telling us the reason why you no longer want to carry on can also help us improve how we support victims of crime.

Q Can I still report sexual assault and rape that happened some time ago?

A You can report a sexual assault or rape that happened at any time to us, even if this was months, years or decades ago. We take every report seriously, no matter how much time has passed.

Accessing support

It is always your choice. If you decide not to report you can still seek advice and support from services for survivors of sexual violence

If you have been a victim of sexual assault or rape, you can access specialist support services. These services are free of charge and available to anyone. You do not need a referral or to have reported an incident to us before you access these specialist support services.

These services can support you in a variety of ways, including offering a confidential discussion if you are thinking of making a police report, but are unsure what that involves and would like to discuss it. If you do decide to report to us, you can receive support throughout the investigation and court processes.

Alternative reporting options

You can choose to make an anonymous report to us through the Sexual Assault Referral Centre called Safe Place, or the Independent Sexual Violence Advisor service, rather than coming directly to us.

With no police involvement, a specialist doctor at Safe Place can examine you to check that you are ok and look for DNA evidence, which they will store to support your case. This gives you the option of making a formal police report at a later time if you choose to.

Information for the person reporting

The Unity Team and the Protecting Vulnerable Persons Unit (PVPU) will be dealing with your investigation. These departments have specialised teams of detectives and sexual offence liaison officers who deal with victims of rape and serious sexual assault.

The Unity team can be contacted on 0151 777 1382

Your relevant PVPU

can be contacted on: _____

Your reporting

area is: _____

Alternatively, you can contact us by calling 101, quoting the details below and ask to be put through to the relevant department.

Your incident log

reference number is: _____

Your niche / crime

reference number is: _____

- The Unity team / PVPU dealing with your investigation will contact you to arrange a forensic medical examination.
- Please observe the forensic advice given to you by the attending officer prior to this examination. We understand that you will want to bathe/wash, but we strongly advise that you wait until after the forensic medical has been completed.
- You will be allocated an officer as a single point of contact throughout the investigation.
- Following the medical you will be given time to rest and your nominated officer will contact you in order to arrange for you to provide a formal account by way of a video interview.
- The investigation is already underway and you will be updated with any significant progress made.
- You will be offered the assistance of a support worker, known as an ISVA (Independent Sexual Violence Advisor). They will support you emotionally and arrange any further support that you may need.

We understand that this is a difficult time for you and Merseyside Police are here to offer any support you may need.

Support services



Safe Place Merseyside
6 David Lewis St,
Liverpool L1 4AP

TEL: 0151 295 3550
24 hours a day, 365 days a year



Changing Lives
TEL: 0191 273 8891

Merseyside Police Unity Team
0151 777 1382



RASA Merseyside
Washington Parade
Bootle L20 4TZ

TEL: 0151 558 1801

Witness Care
TEL: 0151 777 1885



RASASC
Knowsley: 0151 218 7960
St. Helens: 01744 877987



Victims' Code

Right 1:

To be able to understand and to be understood.

Right 2:

To have the details of the crime recorded without unjustified delay.

Right 3:

To be provided with information when reporting the crime.

Right 4:

To be referred to services that support victims and have services and support tailored to your needs.

Rights 5:

To be provided with information about compensation.

Right 6:

To be provided with information about the investigation and prosecution.

Right 7:

To make a Victim Personal Statement.

Right 8:

To be given information about the trial, trial process and your role as a witness.

Right 9:

To be given information about the outcome of the case and any appeals.

Right 10:

To be paid expenses and have property returned.

Right 11:

To be given information about the offender following a conviction.

Right 12:

To make a complaint about your Rights not being met.

Glossary

This section includes words and terms you may come across if you report, or are thinking of reporting an experience of sexual assault or rape to the police. Always let the police or support services you are engaging with know if there is anything you don't understand, or if you have any questions. It is their job to explain the criminal justice process to you.

Achieving Best Evidence (ABE)

An ABE is a formal statement that you can give the police in Phase 2 of the investigation.

You may be asked to recall in as much detail as possible what has happened and answer a few questions. With your consent, this statement is 'video-recorded' rather than written down by a Specially Trained Officer. If your case goes to court, a video-recorded ABE statement can be played in court, instead of you giving your evidence in person. Many victims find this easier.

Affirmation/oath

A declaration that someone is required to give before they give evidence in court, to swear that what they say will be the truth. An affirmation is non-religious. An oath is a religious version of this, sworn on a holy book.

Age of consent

The age of consent is the age at which a person is considered to be legally competent/able to consent to sexual acts. It is the minimum age of a person that another person is legally permitted to engage in sexual activity with. In England and Wales, the age of consent is 16 years.

Age of criminal responsibility

This is the minimum age that a person can be arrested and charged with a crime. In England and Wales, this age is 10 years.

Anonymous (of a person)

To remain unidentified by name.

Glossary

Anonymity

The condition of being anonymous.

Assault by penetration

This is a sexual assault where the perpetrator penetrates the victim with either a body part or an object, without belief that the victim has consented; for example, using hands or fingers.

Bail conditions

After a suspect is arrested for a crime, if they are 'granted bail' they may be allowed to go home or to a different, specific address until the date of their trial. They will only be released if they promise to adhere to bail conditions such as not contacting certain people, or reporting to a police station at certain times. See also 'Released Under Investigation.'

Barrister

A lawyer who presents the case in court. Both the defence and the prosecution will have a barrister. In criminal cases, barristers might wear robes and wigs, as often seen

on TV. 'Special measures' allow you to ask for these wigs and robes to be removed in court if you find them intimidating or distressing.

Civil Orders

There are lots of different types of civil orders. These could be orders that you can take out yourself, such as a non-molestation order or a restraining order. There are also civil orders that the police can apply for that aim to disrupt repeat offending by imposing conditions on a person who has demonstrated a pattern of concerning behaviour, such as a Criminal Behaviour Order.

Code of Practice for Victims

An official document that sets out victim's rights and sets minimum standards that organisations like the police and the CPS have to provide to victims of crime. (See page 19)

Complainant

A person who brings a case against another in a court of law.

Glossary

Consent

This means you giving your permission for something to happen. Consent should be informed and willing. Having the freedom to consent means having the freedom to make a choice, knowing nothing bad will happen to you if you decline. Having the 'capacity to consent' means an individual is able to understand the implications and consequences of their choice, and is able to communicate this choice to another.

Court

A building where trials take place. These buildings usually have several court rooms within them, so it is likely that more than one trial will take place there in a single day.

Cross-examination

This is where the barristers ask questions at the trial, for example the prosecution barrister may ask the witness or defendant questions, and the defence barrister may ask the victim or witness questions.

Crown Prosecution Service (CPS)

An independent group of lawyers who decide whether cases submitted by the police will go to court. The CPS then prepare cases which are going forward to trial.

Defendant

A person who has been accused of a crime and is standing trial.

Evidence

This may be anything which helps to prove or explain the events which have led to a trial.

Independent Sexual Violence Advisor (ISVA)

Specialist advisors who give independent help, advice and support to victims of rape or sexual assault, regardless of whether they want to report to the police or not.

Glossary

Initial Victim Account Report (IVAR)

This is the first statement victims give to the police when they make their report. It may be quite brief, for example telling the officer what happened, where it took place, and providing any details known about the suspect.

Intermediary

An intermediary is someone who helps vulnerable victims and witnesses (for example who might have a learning difficulty or mental health condition, or who is a child/young person) communicate with the police, the Crime Prosecution Service or people in court. They are registered professionals who specialise in communication skills and are likely to have a background in psychology, speech and language therapy, social work or mental health.

Judge

The person who oversees a trial and ensures that everything is happening according to the law. The judge may also determine a sentence for those who are found guilty of a crime.

Jury

A group of twelve members of the public (randomly selected) who listen to all the evidence presented throughout a trial. They decide whether the defendant is guilty or not guilty.

Officer in Case (OIC)

A Police Officer who leads the investigation process in a case.

Penetration

In sexual assault or rape, this is the insertion of a body part or object into the vagina, anus or mouth.

Perpetrator

The person, or people, who have committed a criminal offence.

Plea

An accused person's formal reply to a charge in a criminal court, the choices being guilty or not guilty.

Police investigation

After a crime is reported, the process of a police investigation may begin, where the police collect evidence and speak with witnesses and suspects.

Glossary

Pre-trial preparation hearing

A hearing that takes place in court after someone is charged with an offence, during which they must enter a plea to each of the charges listed. Other administrative duties will also be dealt with by both barristers during this hearing, to get the case ready to go to trial. The victim is not required to attend this hearing.

Pre-trial visit

An optional visit to the court before the trial, to have a look around and have the court process explained to you.

Prosecute

To conduct legal proceedings in court against a person or organisation.

Prosecution

The prosecution is the team who present the victim's case and work towards prosecuting the alleged perpetrator.

Rape

When one person penetrates the mouth, vagina or anus of another individual with his penis, without the reasonable belief that the person is consenting, or able to consent. Examples of not being able to consent include being under the age of consent (13 years old) or being too intoxicated to consent.

Released Under Investigation (RUI)

People suspected of a crime may be 'Released Under Investigation' instead of being given a bail date to return to the police station. This means they have been released from custody without charge and no obligation to return on bail to the police station for the offence they were questioned about.

Remanded in custody

When a person has not yet been convicted of a crime but is detained in a prison until a trial or sentencing hearing will take place. The time they spend on remand will be taken off by the judge at sentencing should the individual be found guilty at trial.

Glossary

Restraining order

A court order issued to stop an individual from carrying out a particular action for a certain period of time, especially approaching or contacting a specified person.

Sentence (of a crime)

The penalty given to an individual who has been found guilty of a crime at the end of the court process.

Sexual Assault Referral Centre (SARC)

This is a medical facility where victims sometimes go shortly after an incident of rape or sexual assault, to have a medical examination carried out by a specialist doctor.

With the victim's consent, medical forensic evidence (DNA samples) can be collected during this examination, for example from vaginal swabs or a mouth rinse. The SARC will store this DNA evidence to support the victim's case, giving them the option of making a formal

police report at a later time if they choose to. If already reported, a Specially Trained Officer will collect the swabs.

The SARC can also provide victims with medical support including emergency contraception, and may also provide counselling or advocacy.

Suspect

A person who has been accused, or is suspected of having committed a crime, and who is under police investigation.

Trial

The process where evidence is presented to a jury, who then find an individual guilty or not guilty.

Verdict

A jury's final decision about whether the defendant is guilty or not guilty is called the 'verdict'.

When the jury has decided they will deliver their verdict to the judge, who will then decide on the appropriate sentence.

Glossary

Victim

An individual who a crime has happened to. In court this person might also be called the complainant.

Victim Personal Statement (VPS)

This is read out/played after sentencing of the perpetrator if he/she is found to be guilty. This is a statement detailing the victim's point of view on how the crime has affected them. It is up to the victim to decide if he/she wants to give a VPS and wants it read out/played.

Victims' Right to Review (VRR)

A scheme that entitles victims of sexual offences to have a police or CPS decision to close the case without charging a suspect explained to them.

Victim and Witness Care Officer (VWCO)

Witness care officers are allocated cases when a suspect has been charged and the case is going to trial. VWCOs are responsible for ensuring victims and witnesses are informed about dates of court hearings and outcomes.

Witness

A person who is asked to give evidence in court, about something they may have witnessed or been told about.

Witness liaison

See Witness Care Officer.

Witness Service

A team of staff based in the court whose job is to support prosecution witnesses, and their families and friends, to deal with the experience of going to court and giving evidence.

Notes

