

CPS's early handling of rape cases must urgently improve, says HMCPSI

- Quality of decision making in rape cases requires significant improvement
- Prosecutors are failing to focus thinking on suspect behaviours and not prioritising victims at the early stage of cases
- There are variations in approach to rape case management across CPS Areas, contrary to the national operating model

The Crown Prosecution Service urgently need to improve their handling of rape cases at the early stage to reduce delays and increase the chances of conviction when cases get to court, and ensure victims are better supported, according to His Majesty's Crown Prosecution Inspectorate (HMCPSI).

HMCPSI have published today a thematic inspection into the quality of CPS's early advice and pre-charge decision making in adult rape cases.

This is HMCPSI's third report into how CPS prosecutes rape cases and follows the CPS's implementation of a national operating model in July 2023. The model was developed to improve how the police and CPS deal with adult rape cases, promoting earlier collaborative work to build stronger cases.

Inspectors found that the quality of prosecutors' case analysis was often weak and that the suspect-centric approach had not been embedded into case considerations.

This has hampered the ability for prosecutors to identify reasonable lines of enquiry and strengthen cases, over-focusing on victim credibility rather than thinking how they could strengthen the case through investigating the suspect.

Prosecutors also need to improve how victims' issues are considered and dealt with at the earliest stage in the case.

Under three in ten cases fully met the standard for active consideration of applications and ancillary matters to support victims. This included early consideration of special measures, victim personal statements (VPS) and restraining orders.

The inspection also identified significant variation across different CPS Areas in the handling of rape cases, including approach to early advice processes and in pre-charge decision timeliness.

Inspectors found that there had been closer collaboration between the police and prosecutors. However, HMCPSI could not find evidence of this consistently leading to better quality of decision making or an improvement in how cases could be built and strengthened to support victims.

HMCPSI Chief Inspector Anthony Rogers said:

"Rape is an abhorrent and devastating crime, causing victims to suffer long-term emotional and physical trauma that impacts every aspect of their lives. It is imperative that they are properly supported by the criminal justice system, which has received significant funding over the years, and the Crown Prosecution Service plays a vital role.

"We know that the volume of rape charges has increased at both a national and local level, and CPS staff are working hard to drive improvement in the quality of complex and distressing rape casework.

"However, our latest inspection shows that CPS urgently needs to improve. Their handling of rape cases at the pre-charge stage is not good enough – creating problems for cases as they proceed and risking a poor service to victims.

"Our priority is to support CPS improve their performance in such an important area and ensure all victims continue to come forward and report crimes, ensuring justice is served."

Professor Katrin Hohl OBE, Independent Advisor to the UK government on Criminal Justice Responses to Rape and Sexual Violence:

"This inspection brings some welcome news - more rape victims are coming forward, the CPS is making correct charging decisions, and, as a result, the number of rape charges has increased substantially.

"However, the inspection also found that the quality of pre-charge advice, case analysis and strategy was inadequate in two-thirds of cases. While this does not appear to negatively impact rape charging decisions, poor case quality causes trial delays and reduces the chances of conviction. This is letting victims down and contributes to the courts crisis.

"I am also deeply troubled by the weak victim support and poor consideration of protective orders and bail conditions to keep victims safe from their attackers. The CPS must urgently do better."

HMCPSP have made eight recommendations for the CPS to implement:

- By September 2025, on every adult rape case the CPS will offer a face-to-face or virtual meeting in every case referred for early advice before the early advice is finished.
- By September 2025, on every adult rape case where no meeting took place at early stage advice, the CPS will offer a face-to-face or virtual meeting in every case before the pre charge decision is finalised.
- By July 2026, the CPS will invest in development of Rape and Serious Sexual Offences (RASSO) prosecutors to improve casework quality by adding value through good quality prosecutorial decision-making demonstrating evidence-based suspect-centric case strategies.
- By July 2026, the CPS to have significantly improved the quality of early advice and pre-charge decision reviews.
- By October 2025, the CPS to have decided and communicated internally whether a victim communication letter explaining a decision to charge is compulsory in all adult rape cases.
- From October 2025, the CPS to ensure that as a minimum, pre-charge advice cases with three or more substantive action plans are on the agenda to be scrutinised at Rape and Serious Sexual Offences local joint operational improvement meetings to identify and address themes and issues.
- By October 2025, at local and strategic joint operational improvement meetings – the CPS must ensure that there is a clear, consistent and detailed recording of issues being raised at those meetings.
- By December 2025, the CPS to have developed and implemented a quality assurance regime in rape cases, that assesses and improves casework quality.