

Press release



Prosecuting Sexual Offences

On 10th June, JUSTICE launches its latest working party report, ***Prosecuting Sexual Offences***, chaired by HH Peter Rook QC.

Recent years have seen a surge in sexual offence allegations. The uncovering of non-recent crimes, a rise in reporting, shifting cultural attitudes and the internet have all contributed to a large increase of cases entering the criminal justice system. In turn, this increase has thrown into the spotlight the complexities of prosecuting sexual offences. The report calls for important reforms to protect complainants and vulnerable individuals and recommends stronger obligations on internet companies to safeguard children and stop online sexual offences from taking place.

The nature and scale of the offences reported has meant that ever-increasing resources are needed to investigate and prosecute. Widely publicised incidents of cases collapsing due to non-disclosure of unused material exemplify the difficulties being caused. The Working Party considered how sexual offences might be prosecuted more effectively and justly in these difficult circumstances and how to protect the rights of complainants and vulnerable people.

An approach that understands what causes sexual offending and seeks to address this through efforts that prevent crime, use alternatives to prosecution and reduce reoffending, is key. For the many prosecutions that must proceed, strategies to cope with mass data, improved treatment of complainants and vulnerable witnesses and better communication between police, CPS and defence lawyers are required. Through a holistic response to sexual offence allegations, the Working Party considers that the burden these offences place on the criminal justice system will decrease.

HH Peter Rook QC, chair of the working party, said:

“We have sought to identify areas where greater efficiency can be achieved without in any way eroding fair trial. We found that there is substantial scope for alleviating the pressures upon the criminal justice system by improving our response to sexual offending and treatment of those it has harmed.”

Our 57 recommendations across investigations, prosecution and sentencing include:

- internet companies should be required to report to Companies House what they are doing to stop sexual offences taking place on their platforms. A director of a company that fails to do this should be held criminally liable.
- a pre-charge scheme should be piloted for individuals who have viewed indecent images of children and do not have a relevant criminal record, focussing on improving life skills. Failure to complete the scheme could result in prosecution;
- police video recorded interviews should be tailored to the needs of vulnerable witnesses in terms of location, questioning and structure, to improve the quality of their evidence;

- there should be a dedicated hearing to assess the needs of complainants giving evidence and pre-recorded evidence should be available for all sexual offence cases;
- the Judicial College and the Inns of Court College of Advocacy should consider joint training to achieve the appropriate treatment of vulnerable witnesses and their best quality evidence;
- help set higher standards for working with vulnerable witnesses and defendants in sexual offence cases;
- in Scotland, more vulnerable witness-friendly suites should be constructed in different areas of the country, to reduce journey times and increase capacity.

Andrea Coomber, Director of JUSTICE, said:

“At a time where sexual offence allegations are putting the Criminal Justice System under increased strain and causing distress to victims, it is particularly important to not only ensure that procedures are efficient but also to identify ways to stop sexual offending occurring in the first place. This report highlights the need for a holistic approach to sexual offences that encompasses education, prevention and effective rehabilitation.”

Notes for editors

1. JUSTICE has a long history of using Working Parties of its membership to effect systemic changes within the legal system. For example, the Ombudsman system and Criminal Injuries Compensation Board were set up on the recommendation of previous JUSTICE Working Parties.
2. This Working Party was generously supported by Corker Binning and the Dawes Trust.
3. This Working Party, set up and supported by JUSTICE and drawn from its membership, included experts from the legal profession and beyond. The Working Party was chaired by HH Peter Rook QC and its members were Hon. Prof. Geraldine Akerman, Dame Vera Baird QC, Solicitor Nick Barnard, Retired Judge Inigo Bing, Sir David Calvert-Smith, Peter Carter QC, District Crown Prosecutor Tina Dempster, Patricia Hitchcock QC, Barrister Paul Jarvis, Offender Manager Nickolas Lankey, Professor Michael Lamb, Judge Angela Rafferty QC (until January 2019), Solicitor Danielle Reece-Greenhalgh, Dr Sinéad Ring, Barrister Christopher Rose, Solicitor Anna Rothwell, Barrister Lucy Tapper, Barrister Julia Faure Walker, Charles Yates (National Crime Agency). Subgroup members were Tony Cook (National Crime Agency), Barrister Mark Kelly and Barrister David Matthew. The Scottish Group was chaired by Sheriff Nigel Morrison QC, Lesley Boal (Police Scotland), Professor Michele Burman, Solicitor-Advocate Simon Collins, Advocate Victoria Dow, Advocate Matt Jackson, Assistant Procurator Fiscal Gertie Wallace.
4. JUSTICE is an all-party law reform and human rights organisation working to strengthen the justice system in the United Kingdom. For more information, please visit www.justice.org.uk
5. Please direct queries to Jodie Blackstock, Legal Director on jblackstock@justice.org.uk