

GWENT POLICE

GWENT POLICE SERIOUS SEXUAL OFFENCES POLICY



Introduction

This policy outlines the aims adopted by Gwent Police for the investigation of rape and serious sexual offences. The procedure to this policy is a separate document which provides the detailed processes underpinning such investigations ensuring that they thoroughly conform to nationally approved standards.

The intention of the process will be to maintain high standards of investigation and enhance the reputation of Gwent Police, thereby increasing public confidence in the police service.

1.0 Aims of Policy

- To improve the outcomes for victims of rape
- To improve the standard of investigation and prosecution of rape offences
- To improve the quality of treatment for victims who make complaints of rape
- To take effective action against offenders so that they can be held accountable through the criminal justice system
- To increase the confidence in the criminal justice system and encourage more victims to report rape to the police
- To increase the proportion of cases which result in charge, court case and conviction
- To use existing national systems to record information and intelligence that will assist in the identification of linked offences
- To adopt a proactive multi-agency approach in the provision of services to victims

The legal obligations underpinning the above priorities include the duties within the Human Rights Act 1998, which incorporates the European Convention On Human Rights 1950 (ECHR) to protect individuals, without discrimination, from inhuman and degrading treatment.

Both the Convention and other legislation, such as the Race Relations Act 1976 (as amended) place a clear responsibility on public authorities to fulfil these obligations without discriminating on any grounds. All victims of serious

sexual offences should receive the appropriate quality of service according to their individual needs. All allegations should be properly investigated and offenders held accountable through the criminal justice system, without discrimination.

Chief Officers should establish and implement policies that ensure the police responses to serious sexual offences fully support and achieve these priorities. Police staff should maintain and enhance public confidence by delivering these priorities to a high professional standard.

To provide improved victim care throughout the investigation process and to fulfil the above priorities and obligations, partnership working with criminal justice agencies and other statutory and voluntary sector services is essential.

The guidance provides the Police Service with clear information about the investigation of serious sexual offences. It is structured to follow the pattern of reporting, responding to, and investigating serious sexual offences. It also contains information about the role of specially trained officers (SOLO's) and Sexual Assault Referral Centres (SARCs). Management issues are summarised at the end of each section.

For Chief Officers the following strategic issues emerge from the guidance:

- Implementing a comprehensive force policy that incorporates the Guidance on Investigating Serious Sexual Offences and ensures
- Compliance with the Human Rights Act 1998, Race Relations Act 1976 (as amended) and other anti-discrimination legislation
- Developing and sustaining prosecution team partnerships which improve investigations and prosecutions, thereby obtaining better outcomes for victims of rape
- Developing information systems which support the implementation of the guidance
- Developing and sustaining partnerships which provide improved multi-agency victim care services
- Focusing on police responsibility for the investigation of serious sexual offences and the fulfilment of that role in the criminal justice system to ensure that offenders are held to account
- Ensuring that the training needs of all staff are met.

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.

2.0 The Legal Basis

The legal obligations underpinning this policy and related procedures are:-

Human Rights Act and the European Convention of Human Rights 1951 (ECHR) to protect life and to protect individuals from inhuman and degrading treatment.

Also the following Acts relate to sexual offences:-

[Sexual Offences \(Amendment\) Act 1976](#)

[Sexual Offences \(Amendment\) Act 1992](#)

[Sexual Offences \(Amendment\) Act 2000](#)

[Sexual Offences \(Conspiracy and Incitement\) Act 1996](#)

[Sexual Offences Act 1956](#)

[Sexual Offences Act 1967](#)

[Sexual Offences Act 1985](#)

[Sexual Offences Act 1993](#)

[Sexual Offences Act 2003](#)

3.0 Human Rights Certificate of Compliance

The policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions. The following articles may be engaged :- Articles 2, 3, 6, 8, 9, 10, 11, 14.

4.0 Compliance with The Welsh Language Scheme

This policy should aims to comply with the organisations Welsh language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the language scheme.

5.0 Risk Assessment and health and safety Considerations

The Gwent Police Service Dynamic Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

6.0 Identification Section

Policy Title: Serious Sexual Offences

Reference: 224/2 a issue 3

ACPO LEAD: ACC

Service Area Owner: Crime

Department Responsible: Serious Sexual Crime

Links to other Policies/Procedure: Stranger Rape, Domestic Violence, Force Crime Strategy, NIM, Crime Recording, Data Protection, Information Security, Race Equality Scheme, Disability Equality Scheme, Victim Support Referral, Taking of Forensic Samples, Multi Agency Public Protection Arrangements, Hate Crime, Health and Safety, Child Protection.

Policy Implementation Date: 27 July 2009 DCC

Policy Review Date: July 2011