

Operation Soteria: **Improving CPS Responses to Rape Complaints and Complainants**

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Alice King, Vanessa E. Munro
& Lotte Young Andrade

The University of Warwick

Background to, and Context of, The Research



A significant attrition rate, despite increased reporting, alongside the lack of timeliness of investigations, charging decisions, and trials, have raised difficult questions about justice for victims of sexual violence in England and Wales, particularly in recent years. Across both phases of its Joint Thematic Inspections of the Police and CPS's Response to Rape, published in 2021 and 2022, the HMICFRS and HMCPSI were clear: they concluded that the criminal justice system's response to rape lacked focus, and that there was an imbalance towards the greater scrutiny of complainants' conduct and credibility over that of suspects. They called for "an urgent, profound and fundamental shift in how cases are investigated and prosecuted," highlighting the need for substantial improvement in partnership working between police and CPS, with use of specialist training to facilitate a victim-centred approach, and a commitment to building strong cases through rigorous and targeted investigative strategy, and consistent decision-making (CJJI, 2021: 2). The Government's End to End Rape Review echoed the need for a rebalancing in investigative strategy to ensure a more robust assessment of the behaviour of the suspect and underscored that this would require more effective partnership working between police and the CPS. A substantial body of recent evidence has also documented alarmingly low levels of confidence amongst victim-survivors and the general public, recognising the acute need for improvement (Molina & Poppleton, 2020; VCO, 2021; CJJI, 2021). A consistent theme across these reviews has been the importance - but also absence - of a 'whole-system' and 'coordinated' approach to responding to rape complaints and complainants.

This is the context against which 'Operation Soteria' was designed and implemented. Reflecting an ambitious programme of activity across policing and the Crown Prosecution

Service, it aims to develop sustainable and systemic improvements that will ensure better handling and outcomes in adult rape cases. Driving the CPS's activities under Soteria has been, in particular, a commitment to improving police and prosecutorial understanding of the impact of trauma, ensuring more timely and sensitive communication with victims, and working in more effective partnership with Independent Sexual Violence Advisors (ISVAs) to support complainants in giving their best evidence. It has also undertaken to embed better practice in relation to early investigative advice, subject charging decision-making to increased scrutiny, and improve processes for monitoring and escalating (lack of) progression in investigations. Specific commitments were additionally made to provide better guidance on balancing the needs of an investigation with the right to privacy in respect of digital or third-party material and ensuring that suspects' behaviour, and the reasonableness of any belief in consent that they claimed to hold, is appropriately scrutinised, in line with legal tests.

This Summary Report outlines key findings in relation to a series of pilot activities implemented as part of Operation Soteria across 5 CPS 'pathfinder' areas, based on fieldwork undertaken from July 2022-November 2023. It explores the extent to which such initiatives have been, or are likely to be, successful in achieving change of the nature and scale that is acknowledged to be required, and highlights lessons to be learned as the CPS's new 'National Operating Model' (NOM), which was launched in July 2023, is rolled out as standard practice nationally.

A significantly more detailed Final Findings Project Report is available at wrap.warwick.ac.uk/183258 or via the QR code above.

Methods & Data

Conducted independently of the CPS, and in tandem with but distinct from academic evaluation of police activities under Operation Soteria, this research has adopted a multi-methods approach involving reliance on data from several sources. Alongside an extensive literature review of academic, policy and operational materials, the researchers benefitted from access to internal CPS Soteria Trackers that were completed on a monthly basis by pathfinder areas, as well as other relevant documentation including RASSO training manuals, memorandums of understanding with local police forces in respect of Early Advice, and reports from localised performance assessments of particular initiatives.

This data was analysed alongside a series of 146 semi-structured interviews with key stakeholders. Of these, 58 were with CPS colleagues across a range of roles and levels of seniority, 33 with counterparts in policing, 27 with third sector professionals working as ISVAs or running ISVA services, 16 with RASSO-qualified external counsel and 12 with sex-ticketed Crown Court judges.

Transcripts of interviews were triangulated with observations of 36 Early Advice Discussions, where a CPS reviewing lawyer considered investigative and prosecutorial strategy in a case with the officer in charge (OIC), 15 Scrutiny Panels in which decision-making and handling of RASSO cases was examined and evaluated by CPS, police and third sector participants

(spanning NFA Panels and RASSO-focussed Local Scrutiny & Involvement or Multi-Agency Panels), and 7 Forums designed to facilitate CPS / ISVA communication. Researchers also observed 4 RASSO training events, which included the core induction training required currently for incoming RASSO prosecutors.

In addition, we analysed 24 case files, selected at random and without filter beyond nature of charge (rape), involving an adult complainant, and referred to the CPS for review within the past 12-month period. Though a small sample, these case files were typically substantial documents that provided important additional insights, and they were situated as part of a broader cohort of 115 cases interacted with by the researchers in various ways across the study.

Data was coded thematically, with a focus on gaining a textured and in-depth qualitative understanding. This reflected our primary aim in the research which was less to track increases in referral rates or positive charge decisions, for example, where CPS internal performance monitoring may be better placed to analyse data on a larger scale, and more to understand the factors that facilitate effective partnership working; the adequacy of decision-making on lines of enquiry, disclosure and case progression; and the barriers to improvement at the individual and organisational level.

Early Advice and Partnership

Aim

Under the 'Early Partnership' workstream, the key aim is to build stronger investigations and prosecutions with shared development of reasonable lines of enquiry and proportionate approaches to digital and third-party material, in particular through increased use of Early Advice. It is anticipated that this will support increased (and more timely) referrals by police, improved file quality and higher charge volumes by the CPS.

"Where our prosecutors talk to police officers at an early stage, we see better outcomes, both in terms of volumes and numbers of charges and ... ultimately, conviction rates." (CPS 1).

"It shouldn't be a 'them and us'...we are both trying to achieve the same goal really." (CPS 43).

Provision and Uptake

Across pathfinders, the format, timing, and scope of Early Advice (EA) provision has varied under Soteria. A 'one-size-fits-all' approach to EA is likely to be challenging to achieve, given the different needs, resources and relationships across areas. However, a broad criterion for submission clearly led to a stronger uptake amongst officers, as illustrated by Areas C and E, compared to the initially more targeted approaches in Areas D and B. Intended timescales for handling EA requests ranged significantly across areas, from 24 hours to 21 days. Shorter timeframes, while ambitious in their attempt to avoid process delays, put immense demand on resources and additional pressure on workloads which will be harder to sustain if - as predicted - referrals continue to increase. Uptake and speed of EA provision should continue to be monitored, but information should also be more effectively captured about broad case types and key issues that are being referred, as this will assist both in identifying areas of greatest training need and in ensuring referrals are being made in cases where CPS input is likely to be most beneficial.

Relationship between Police and CPS

Although some of the tensions recounted to us are deep-rooted and will take time and commitment to improve, we found that EA meetings can contribute to a cultural shift in the ways in which the CPS and police work together. We saw examples of good practice from lawyers in acknowledging the time and care that officers had put into investigations or taking on board their contributions, but we also observed less promising practice, where lawyers engaged in EA discussions primarily as a monologue. Some reviewing lawyers expressed concern about taking on a 'supervisory role' (CPS 2) over the police, but at the same time some officers voiced frustration that their expertise was not adequately acknowledged. There remains a lack of clarity across pathfinders regarding the precise boundaries of, and parties' respective roles within, EA; and a balance still requires to be struck between consistent operational standards and localised flexibility to maximise their use and value.

Investigative Benefits of Early Advice

Across pathfinders, we found evidence that EA can have a positive impact on the pace and scope of police investigations. It was noted, in particular, that where the lawyer who provided the EA stayed with the case thereafter, this opened a channel of communication and made the process more efficient. It was widely suggested that the most common matters discussed in EA meetings centred around the parameters of disclosure requests, whether for digital or third-party material; and there was a sense amongst interviewees that EA had the potential to reduce 'digital fishing' and overly expansive disclosure excursions. As CPS 43 put it, "there seems to be a real focus now of, are we trawling for information or is this actually a reasonable line of enquiry." However, there remain concerns about approaches to disclosure, with those concerns often pulling in contradictory directions. On the one hand, some CPS colleagues complained that police were still routinely gathering disproportionate volumes of material before seeking their advice, while on the other hand, there was a sense amongst some police officers that reviewing lawyers were still setting parameters too widely. Across this study, we observed EA discussions that tended to support both these sets of concerns: what this demonstrates is that, while EA can assist in setting investigations on a robust but proportionate track in relation to disclosure strategy from an early stage, which

in turn can reduce wasted time and effort and – crucially – minimise intrusion and distress to victims, it cannot in itself be the solution to this challenge. Ongoing training, monitoring and review of investigative strategy and case progression, across both policing and the CPS, with a keen eye to disclosure, within and beyond the Early Advice space, is also going to be required.

Some participants identified a related concern in relation to the impact of EA in encouraging or being relied upon to endorse potentially premature 'No Further Action' (NFA) decisions by police in rape cases. In some of our observations, it was clear that lawyers were mindful of the need to navigate this risk. We also saw evidence in some cases of lawyers explicitly encouraging proactive case-building, with contributions that appeared to persuade officers who had been more pessimistic about the prospects for the case to engage in further investigation. In other EA observations, however, we observed lawyers who focussed almost exclusively on the evidential challenges of the case in a way that would be likely to be interpreted by officers as indicating little prospect of subsequent charge, despite there being lines of enquiry still open. In 'Advice 20,' for example, a lawyer who made contributions reflecting misunderstanding of trauma, use of force and the significance of inconsistencies in accounts of non-recent abuse, opened the EA with the comment (to an inexperienced police officer) that "this is one where I am going to invite you to NFA straight away."

In Summary

Making a success of EA requires substantial and ongoing investment in relationship-building with police, as well as increased resourcing to address the impact on workloads both of providing EA itself and of the anticipated flow-through of a higher volume of cases for charge decision as a consequence of that early partnership working to improve file quality. Without this, the benefits of EA cannot be harnessed, and progression delays will be postponed but not eliminated. Moreover, while EA creates a valuable opportunity to develop a shared approach to setting reasonable lines of enquiry and a robust but proportionate approach to disclosure, which can facilitate timely and effective case progression, in and of itself it does not address concerns about the adequacy of trauma-informed and suspect-focussed approaches, and our observations highlighted markedly variable practice in these respects.

No Further Action Scrutiny

Aim

To address concerns about the consistency and quality of progression decision-making, the aim of the 'NFA Scrutiny' workstream is said to be to improve confidence by bringing to light case decisions via review by external stakeholders, increase transparency and accountability, and create greater opportunity to identify and share learning to facilitate continuous improvement, for example in disapplying myths and stereotypes or maintaining a focus on the suspect's behaviour in assessing credibility and culpability in rape cases.

"The best way to learn is from your mistakes and from previous cases and ensure those don't happen again" (CPS 51).

"There's still an obsession about the victim's credibility" (Police 27).

NFA Scrutiny Panels

As with EA, there was considerable local variation in the frequency, format and remit of scrutiny panels across pathfinder areas. Our analysis reveals, however, that the effectiveness of panels will be improved by – a well-balanced evaluation of both police and CPS decision-making; a diverse panel membership that includes strong representation from ISVAs; good chairing that ensures a foundation of mutual professional respect, non-defensiveness and inclusive participation; attendance by senior personnel; consistency in scheduling notwithstanding competing demands on time; a realistic agenda that balances coverage of cases with depth of review; transparent processes for the selection of cases to be reviewed; consistent and effective mechanisms for communicating learning from panel discussions; and a focus not only on whether the decision was defensible but on the end-to-end handling of the case, including investigative strategy, partnership-working, and victim communication.

CPS Decision-Making

Extending beyond the immediate confines of NFA Scrutiny Panels, the study has also afforded a crucial opportunity to explore CPS decision-making in rape cases more broadly. Our findings highlight the existence of an ongoing disconnect between what lawyers understand, in theory, regarding trauma reactions and the danger of reliance on myths and stereotypes, and the way in which some cases were understood and evaluated in practice. In particular, we identified the following as areas of most pronounced concern regarding approaches to decision-making:

- A preoccupation with interrogating complainants' credibility over suspects' behaviour, and a lack of nuance regarding the relevance of factors such as mental ill-health to that credibility. We found evidence of wider myths and stereotypes about respectability at play, revealing a continued focus on victim credibility being 'undermined'.

- An inconsistent approach to documenting and recognising the impacts of coercive control or grooming behaviours on the perpetration of, and victims' responses to, RASSO offences. The wider contexts of abuse or coercion within which many rapes occur were not always adequately acknowledged in investigative and prosecutorial strategy. In many cases, this meant that abusive behaviours were not explored in detail or charged in their own right, which distorted victims' experiences and reduced the opportunity for effective offender-management. It also meant that the deleterious effects of abuse on victims' freedom to make a choice regarding sexual consent within the relationship were not interrogated, making prosecutors more hesitant to bring rape charges. We also witnessed victim-blaming attitudes in respect of responses to domestic abuse, and a tendency in some cases involving parties from minority ethnic backgrounds to deploy understandings of 'culture' that lacked nuance or specificity.
- A potential reliance on 'new' myths in relation to 'modern' or 'non-conventional' sexual practices. Consensual involvement in such practices was suggested to make establishing lack of consent to the reported incident more difficult, with well-established tropes regarding the 'respectable' victim potentially resurfacing in new forms.
- A risk of trivialising adolescent sexual abuse and associated safeguarding concerns. It was suggested that justice professionals did not take complaints of non-penetrative offences by young complainants sufficiently seriously when the suspect was also of young age, with a tendency to trivialise as 'banter' amongst young people that which would be considered to be predatory behaviour amongst adults. This undermined safeguarding considerations, and missed the opportunity to intervene at earlier stages in what might be escalating trajectories of offending.

In Summary

Our findings highlight the need for ongoing training and monitoring that is alert to the ways in which age-old stereotypes around victim credibility and respectability might resurface in new forms, and that proactively drives a contextual understanding of consent and belief in consent which interrogates both the suspect's behaviour as well as the effects of power dynamics tied to coercive control, grooming and other victim vulnerabilities.

Action Plan Monitoring

Aim

The aim of the 'Action Plan Monitoring' workstream is said to be to improve the timeliness with which rape complaints are investigated and progressed, including by ensuring proportionate disclosure enquiries and effective mechanisms for task management and escalation to avoid stagnation of rape investigations.

"The biggest thing is...what one lawyer expects will be totally different to another lawyer, especially...ways of doing disclosure" (Police 31).

"We don't want files going backwards and forwards" (CPS 34).

Reducing Action Plans and Delays

The protracted nature of rape investigations, the slow pace of progression towards prosecution and the fact that complainants often experience substantial delays in their justice journeys that prolong their distress, prevent closure and risk their withdrawal have been rightly criticised. By reducing the need for multiple Action Plans and ensuring that their content is tailored and proportionate, police and CPS can increase the timeliness of their contributions and improve communication with victims in respect of anticipated timescales. Under Operation Soteria, there have been initiatives to monitor the volume of Action Plans and impose a tighter 'grip' in relation to their delivery. In areas where the primary mode of engagement around Action Plans still involves the exchange of paperwork between police and CPS, it was clear that there continued to be significant challenges in terms of things being "misunderstood or misconstrued" (CPS 10) and a failure to "identify everything that needs doing on the first review" (CPS 9), which were often exacerbated by IT systems that were not always compatible. Some police expressed suspicion that lawyers issued additional Action Plans in some cases to manage their own timeliness targets.

Ensuring Proportionality of Action Plans

One of the most significant changes pointed to, as a result of Soteria as well as evolving legal guidance on the issue, was the development of a greater shared understanding between police and reviewing lawyers regarding appropriate parameters for third-party material and digital disclosure, and how this should feed into the development of more proportionate reasonable lines of enquiry within Action Plans. Across our data, we did identify examples of improved practice, which reinforced the suggestion of a shift from more extensive requests driven by a 'just in case' attitude that disproportionately harmed complainants. Equally, however, we also saw evidence of expansive requests still being made by lawyers without a clear or apparently compelling basis. For example, in 'Case File 19' where, in a case that involved a suspect that had not been known to the complainant prior to the evening in question, the lawyer advised that "the issue in this case is likely to be her credibility and reliability," and instructed the police to obtain her GP records, spanning over a decade, as well as her counselling records. We also identified variable practice in terms of the willingness of police or third sector professionals to 'push back' against Action Plans that they felt were disproportionate or



unreasonable; as well as a concern amongst some stakeholders about the extent to which more delimited investigative strategies may be undermined, or unhelpful, at trial stage.

Improving Oversight and Escalation

There have been various initiatives across pathfinders to improve escalation mechanisms in cases where an Action Plan has been set but there have been no subsequent updates. It was clear, however, that these were not yet consistently embedded across all areas and forces, imposed significant additional demands on Case Progression Managers' time, and had mixed results in terms of their effectiveness in re-establishing momentum. Some police noted that the monitoring process was typically designed in a one-directional way, with no complementary

mechanisms for escalation where delays occur with prosecutors, and police and CPS alike lamented that a "task-based" approach (CPS 6) to Actions Plans could reduce the opportunity for more responsive case management. Across pathfinders, there was also inconsistent practice in relation to what was previously referred to as 'Admin Finalisation' (now PRFI - 'Pending Response: Further Investigation'), in cases where it had become clear that longer timescales for Action Plan completion were required. Some pathfinders avoided use of PRFI, preferring to maintain oversight of case progression, whilst other areas remarked that its use was necessary to avoid lawyers becoming overwhelmed by the amount of cases formally 'on the books.' PRFI requires mechanisms by which the CPS continue to be informed, and police are motivated to maintain momentum; this clearly remains an ongoing challenge.

In Summary

There are clear benefits to increased dialogue between police and CPS in respect of Action Plans, rather than reliance on written modes of communication that can create misunderstanding and unnecessary delay. While there was evidence of greater shared understanding of the need for disclosure requests to be tailored, specific and proportionate, this was not consistently operationalised in practice. Processes for identifying and escalating stagnated cases have improved in some areas, but they require substantial resource to maintain momentum effectively.

Case Progression & Trial Readiness

Aim

Activities under the 'Case Progression and Trial Readiness' workstream are targeted towards timely and effective handling of cases to ensure fewer adjournments at pre-trial stage, as well as improving overall trial strategy and preparedness.

"You need the police to have a clear strategy from the beginning as they do the investigation. That strategy then passes to the lawyer who uses the same strategy, refining it as they prepare it for court, and then the barrister ultimately runs with that strategy" (CPS 22).

Development and Articulation of Trial Strategy

When asked what a 'well-prepared' case looked like, CPS lawyers tended to focus on practicalities - "being well organised, having nothing outstanding" (CPS 41), "having everything that you need on time" (CPS 31). Whilst important, preparing a case for trial is clearly about more than organising evidential bundles, dealing with disclosure documents, and making timely ancillary applications. CPS Legal Guidance states that prosecutors have a responsibility to articulate a trial strategy that sets out how the narrative of the case should be presented and addresses any myths and misconceptions that might arise or be used by the defence (2021: Chapter 4). Some lawyers recognised this, and we saw real-time development of this strategy in some EA discussions. However, concerns over whether lawyers had sufficient opportunity and training to 'think trial' were also raised. In the case files, there were, for example, situations where opportunities to build a more developed trial strategy that recognised the effects of coercive or controlling behaviour were apparently missed. Barristers often confirmed the lack of articulated trial strategy when they were instructed, though they were broadly of the view that it was not the responsibility nor role of reviewing lawyers to develop it, and - to the contrary - felt it was best left to counsel, given

their sense that reviewing lawyers often lacked sufficient trial experience to be able to devise strategy effectively.

Instruction of, Engagement with, Counsel

In a context in which previous Inspectorate reports identified substantial non-compliance with the requirement for the CPS to hold a conference with counsel in all RASSO cases, one aspect of Operation Soteria activity has been to ensure this happens as standard practice. In the study, we sought to explore the tone and parameters of those discussions, the extent to which views may diverge between reviewing lawyers and counsel on managing aspects of the case, and how such disputes are resolved. Our data suggested that the topics on which there may be heightened potential for conflict included complainants' use of special measures, the handling of disclosure strategy, and the approach to addressing possible myths and stereotypes. While some CPS interviewees were confident regarding the willingness and ability of their colleagues in RASSO units to challenge counsel advice when needed, the ability to do so was linked to having a cohort of "experienced lawyers" (CPS 9); and others expressed concern both about the potential for exchanges to become one-directional and the lack of feedback received by reviewing lawyers regarding how

case strategy was operationalised during the trial stage. In this latter respect, it was noted that reliance on Paralegal Officers to provide feedback, in the absence of lawyers' presence in the courtroom, imposed additional pressure in a context in which they were offered little specialist RASSO training to support them.

'External' Obstacles to Progression

There are acute challenges around court listings as a consequence of legal personnel scarcity and a sustained lack of investment in court infrastructure, which has created substantial trial backlogs, exacerbated further by the Covid-19 pandemic and recent strike action by criminal barristers. Though not within the remit of the CPS to resolve, the damaging effects of this delay and unpredictable disruption to victims' justice journeys are considerable, and undermine the potential for achieving genuine 'end-to-end' improvement.

In Summary

To the extent that it is the role of reviewing lawyers to devise and articulate trial strategy, they require opportunities to develop and update their experience of the courtroom. This will be important in addressing any points of disagreement that may arise amongst legal professionals regarding how best to handle cases, including in relation to complainants' use of special measures and barristers' approaches to disavowing jurors of potential myths and stereotypes. Increased courtroom attendance by CPS lawyers will also improve feedback loops and scope for learning.

Victim Support & Communication

Aim

In the context of a profound lack of victim confidence in the criminal justice process, the penultimate workstream of CPS Operation Soteria identifies the need to improve victim (and public) confidence, both by improving communication with complainants throughout the process and developing more effective partnerships with third sector specialist organisations and ISVAs, which it is anticipated will reduce the risk of victim withdrawal and support the giving of best evidence.

“I don’t think the training we have right now is sufficient to give the prosecutors the skills they need to write the letters they must and have the meetings, sensitive meetings, they need to have with these victims” (CPS 13).

Improving Partnerships with ISVAs

Dovetailing with the implementation by the CPS and National Police Chiefs’ Council of a new National ISVA Framework, there have been a variety of initiatives under Soteria intended to strengthen partnerships between reviewing lawyers and local ISVAs, and ensure better understanding of their respective roles. These have included designated ‘mailboxes’ intended to open up to ISVAs more flexible channels of reliable and direct communication with the CPS, as well as ISVA ‘forums’ that create a space in which concerns regarding overall practice can be raised with RASSO lawyers or case-specific arrangements relating, for example, to special measures, can be discussed ahead of trial. Some areas have also recruited dedicated Victim Liaison Officers whose role it is to act as a consistent point of contact within RASSO units for victims and ISVAs alike. There was a wide acknowledgment that these initiatives had significantly improved relationships. An increasing respect and recognition of ISVAs as professional partners was also evidenced in several of the panels and forums that we observed. At the same time, however, this is an evolving relationship, and we did observe discussions in which CPS and / or police still dominated, with ISVAs speaking or being asked for their input only

relatively infrequently. Composition of, and representation within, such forums can also be challenging where service provision is fractured or more specialised.

Communication between CPS and Victims

As part of a wider ‘Victim Transformation Programme’ (VTP), in February 2022, the CPS published a new Guide for RASSO Victims intended to set out, in accessible terms, how cases are handled when they come to the CPS and what support is available. Alongside this, under Soteria, pathfinder areas have implemented pilots involving new forms of direct communication with complainants (including ‘Hello Letters’ and ‘Familiarisation Meetings’), as well as initiatives intended to improve the quality of communications that already occur (in particular, ‘No Further Action Letters’). While ‘Hello Letters’ have varied in format, with some areas sending them directly from the reviewing lawyer and others from Victim Liaison Officers, the aim is to provide an initial point of introduction and contact when files are received by the CPS from the police. Though they have presented some challenging issues in terms of operationalising delivery of the letter in a way that ensures safe channels of access, and

providing appropriate resource to ensure that responses can be given in a timely manner to any victims who may reach out upon receipt, 'Hello Letters' were generally the initiative that attracted least concern amongst participants. By contrast, 'Familiarisation Meetings', though not an entirely novel concept to the CPS in RASSO cases, appear to have received a mixed reception from lawyers and victims alike. Providing an opportunity for lawyers and complainants to meet (ideally with the full prosecutorial team and any ISVA supporter) after the point at which charges have been brought, they were generally well-received by ISVAs in this study who had experience of attending them. However, uptake amongst complainants to date has been lower than anticipated: perhaps indicating a need for lawyers to offer them up more proactively or to reflect further on the barriers that might be preventing uptake. Meanwhile, several lawyers expressed concerns about how to manage the parameters of these meetings whilst maintaining appropriate prosecutorial independence, avoiding any suggestion of witness coaching or giving any misleading impression to the complainant that it is the role of the CPS to represent them during the prosecution.

In relation to the communication of decisions not to prosecute ('NFA Letters'), there are ongoing efforts at national level to develop improved templates that will assist lawyers in explaining their decisions in "simple language" (CPS 13), and ensuring that letters are accessible, clear in meaning, detailed in their explanation, and empathetic in tone. In several Soteria pathfinder areas, this has been supplemented by training provided by third sector specialists around effective communication with victims, as well as the involvement of ISVA experts to review draft or sample letters. Though our data has afforded relatively limited insight into 'NFA Letters,' our findings indicate that - though some progress has been made - there is still considerable room for improvement in ensuring trauma-informed communication on a consistent basis. The challenges here are significant, however, in a context in which several lawyers were clearly concerned about their lack of skills and training in communicating with complainants, as well as with the potential within their existing workloads to carve out adequate time to craft these letters with due care.

In Summary

The ambition to increase the institutional accountability and visibility of the CPS to victims is welcome, particularly in a context in which it was frequently described by our participants as a "faceless institution." However, more work is clearly required to embed and improve these victim-centred and victim-facing initiatives, and to support and train CPS staff to meet the challenges of this evolving aspect of their job role. In developing these activities further, it is also vital that insight from ISVA experts is situated alongside greater efforts from the CPS to hear directly from victims, and to ensure their representation in and across their different and intersectional registers.

Our People

Aim

The 'Our People' workstream recognises the importance of ensuring RASSO units are appropriately resourced with what the CPS describe as "well-trained, motivated and resilient" staff, and commits to the review of training pathways, wellbeing offers and learning and development. This workstream is foundational to the success of other CPS ambitions under Operation Soteria.

"Please just fund [the CPS] properly. It just makes life a lot easier and the justice system smoother" (Barrister 1).

"Finding people to man these units is really difficult. It's a really hard job...You have a big caseload, the stakes are really high" (CPS 8).

"You get quite de-sensitised because you have to...you have to put it in a little box and, you know, the things I've seen you just have to" (CPS 38).

Resourcing, Recruitment and Retention

Several participants underscored that the main thing that would ensure success under Soteria would be "more lawyers, smaller caseloads, the more time we have to dedicate to a case, the better things will be done...if the CPS wants to get things better, they need to have more people" (CPS 47). However, even where resourcing was made available to appoint additional lawyers into RASSO teams, it was clear from our data that recruiting suitably qualified applicants to those roles, and retaining them once they had been recruited, could be very challenging. Indeed, our research highlights a potential tension between redressing recruitment deficits and ensuring a suitably skilled and sustainable workforce. It also underscores the need for fulsome inductions, training and mentoring for incoming staff, as well as steps to "incentivise people to stay" (CPS 55) through recognition and support.

Emotional Labour and Wellbeing

One substantial risk to retention is tied to the demanding and stressful nature of RASSO work, including the emotional labour and risk of burn-out that this might pose. Existing CPS wellbeing interventions typically target more generic coping techniques, accompanied by the availability of additional support where requested. This not only assumes a strong relationship with line-managers, but places an onus on individuals, or teams of individuals, to develop the "psychological make-up that makes you able to absorb and deal with" RASSO work (CPS 1). This can embed trauma within organisations, both by setting an institutional benchmark for 'acceptable' levels of emotionality that may deter those in need of support from disclosing and by exposing peers to higher levels of distress through a shared responsibility to hold and manage colleagues' emotional responses. A structured process, involving routine and expert clinical supervision, is likely to be required. In addition to improving staff wellbeing and resilience, and increasing the likelihood of recruitment and retention within RASSO units, this will ensure a more sustainable foundation for effective and fair decision-making by reducing reliance on coping strategies grounded in distance and detachment that, in other contexts, have been linked to cultures of scepticism or victim-blaming.



Training, Learning and Development

In a context in which CPS colleagues' roles are shifting towards requiring greater partnership working with police and ISVAs, more involvement in early-stage case building, and greater visibility to and communication with complainants, the need to ensure effective and robust training is key. This is likely to require something more expansive and challenging than the existing mandatory induction offered

to RASSO prosecutors and a structured regime of continuing professional development for all staff, as well as bespoke provision of training for RASSO Paralegal Officers. To work most effectively, such training and development pathways should dovetail with increased mechanisms for oversight and scrutiny in relation to case strategy, progression and outcomes that have been discussed elsewhere in this report, including drawing learning meaningfully from multi-agency reviews.

In Summary

Difficulties of personnel scarcity and retention across the criminal justice system present ongoing challenges to ensuring a sustainable and specialist workforce. The emotionally demanding nature of RASSO work requires to be fully acknowledged and addressed at organisational level through improved structures for wellbeing. In addition, a robust programme of induction training and professional development for staff across RASSO units, including lawyers and paralegal officers, is required.

