

**Lessons from London: A Contemporary Examination of the Factors Affecting Attrition  
Among Rape Complaints**

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### **Abstract**

Severe levels of attrition in rape cases within the criminal justice system are widely recognised. Previous reviews (e.g., Hohl and Stanko, 2015) have provided information on the general profile of cases, their outcomes, and the relationship between the two, in attempts to understand these patterns. However, recent changes to the landscape of rape investigation (e.g., the impact of technology) justify a more contemporary assessment. The present study coded 446 cases of rape reported in London in April 2016, on a variety of victim, suspect, offence, and procedural characteristics, as well as case outcomes. We conducted descriptive analyses of case profiles and inferential examinations of the relationship between case characteristics and outcomes. Findings suggest the profile of victims, suspects, and the context of offences has remained mostly similar, with some noticeable changes (e.g., a larger array of victim vulnerabilities). Moreover, several existing, exacerbated, as well as novel procedural challenges present (e.g., delay due to workload, third party materials). Additionally, many rape-myth related case factors no longer predict case outcomes and officers instead may now engage in greater 'downstream' orientation, and anticipation of case uptake, when evaluating cases. Recommendations for policy and practice are discussed.

*Keywords:* rape, attrition, investigation, policing, rape myth, case review

## **Lessons from London: A Contemporary Examination of the Factors Affecting Attrition Among Rape Complaints**

There is widespread acknowledgement that cases of rape are subject to chronic and severe levels of attrition within the Criminal Justice System (CJS) of the United Kingdom (UK) (Hohl & Stanko, 2015; Horvath & Brown, 2009). In the current manuscript, rape is defined in line with the Sexual Offences Act (2003) as: If a person (“A”), with A's penis – penetrates to any extent, without (1) another person (“B”) consenting, and (2) without any reasonable belief that B consents, either intending to do so or reckless as to whether there is penetration, the vagina, anus or mouth of B then – A commits an offence, to be known as the offence of rape. Recent statistics show that, despite a 9% increase in incidences of rape reported to the police during the year ending March 2019, only 1.5% resulted in a charge or summons (Home Office, 2019). Such findings reinforce the recognition of a long-established ‘justice gap’ for rape victims (Lonsway & Archambault, 2012). Although the above issues arguably characterise myriad crimes (Lea et al., 2003), they impact sexual offences disproportionately (Roberts, 1996), resulting in the lowest conviction rate for rape cases across all crime types (Phillips & Brown, 1998), with the UK responsible for some of the worst conviction rates across Europe (Hohl & Stanko, 2015). The reasons for such high levels of attrition are multiple and complex, and relate to (among others): low levels of reporting from victims in the first instance (Daly & Bouhours, 2010; Kelly et al., 2005); the nature of the investigation process itself (Jordan, 2001, 2011), for example, the distress caused in having to recount the details of the rape, their dress, lifestyle, and behaviours (Brooks & Burman, 2017; McMillan, 2015); low levels of referral from police to prosecutors (Hohl & Stanko, 2015); the process of prosecution through the courts (Brooks & Burman, 2017; Kelly et al., 2005); and jury decision-making (Dinos et al., 2015). Moreover, many reviews have highlighted that, when cases are reported, the biggest sources of attrition are within the police investigative stage, and relate to both decisions by police officers and victims (e.g., withdrawal; Hohl & Stanko, 2015).

Previous reviews have identified specific case characteristics that may increase or decrease the likelihood of “negative” case outcomes during this stage of the criminal justice process (the most recent in the UK being Hohl & Stanko, 2015, using data from 2012), in an attempt to provide more targeted recommendations for police training and awareness. As noted, many of these characteristics related to judgements about the victim, specifically their credibility (including the presence of mental health issues, a previous allegation that had been coded as a ‘false allegation’, and a lack of physical resistance; Hohl & Stanko, 2015). However, several practice and policy changes implemented since Hohl and Stanko’s study necessitate a more up-to-date review. For example, most importantly, critical changes to the process for classifying case outcomes (specifically in the case of ‘no crime’ charges), arguably prompt a more contemporaneous examination of case attrition. Moreover, wider policy revisions in response to independent reviews (e.g., Angiolini, 2015) and the developing societal narrative surrounding the #MeToo movement and associated high-profile sexual assault cases, provide further cause for updated analysis.

The current study provides a contemporary examination of male-on-female rape cases reported to the Metropolitan Police Service (MPS) in London (UK) in April 2016. We applied a comprehensive coding framework to assess the victim, suspect, offence, and procedural characteristics of cases, with a particular focus on understanding which specific characteristics predicted attrition. The findings from this study will provide police forces and policymakers with a more comprehensive understanding of case characteristics and their impact, which may be used to inform evidenced-based policy and practice. The introduction proceeds as follows. First, we discuss the available literature and evidence-base into rape case attrition and the impact of specific case characteristics on case outcomes. We then discuss several recent developments that necessitate an updated review, before outlining the specific aims of the current study.

### **Attrition in Rape Cases**

Academic case reviews conducted over the past 35 years have provided consistent support for high levels of attrition in rape cases, as well as highlighting the stages of the criminal justice process at which the problem is most salient. Attrition, or the 'dropping out' of cases from the criminal justice system, can occur at any stage of the process, with the most common sources being: initial decisions to not report victimisation to authorities; victim withdrawal after initial engagement; police decision-making (i.e., designating that no crime has taken place, or that no further action can be taken); similar decisions taken by prosecutors once a case has been referred; and decisions provided by juries in court (i.e., acquittal). The largest of these sources is arguably low levels of reporting to authorities in the first instance, as estimates suggest approximately 80% of cases are unreported (Daly & Bouhours, 2010; Kelly et al., 2005; Wolitzky-Taylor et al., 2011). Following reporting, studies have shown the majority of attrition occurs within the police investigative phase, with only a small percentage of cases being referred to prosecutors (between 5-19%; Chambers & Miller, 1986; Grace et al., 1992; Harris & Grace, 1999; Hester & Lilley, 2017; Hohl & Stanko, 2015; Lea et al., 2003; Wright, 1984). Victim withdrawal has been identified as one of the largest sources of attrition, accounting for around half of case outcomes in some studies, followed by police decisions not to proceed with a case (Hohl & Stanko, 2015).

Overall, it has been argued that rape case outcomes have generally become less 'successful' over time, even when specific policy reforms have been implemented (Harris & Grace, 1999). For example, notable changes have been observed in the distribution of case outcomes during the investigative stage, with 'no crime' outcomes (instances in which an incident has been recorded by police as a crime, but it is later judged by the police that no crime has taken place) decreasing and 'no further action (NFA)' outcomes (Instances in which an incident has been recorded by police but there is insufficient evidence to bring anyone to justice at this time) increasing across the late 90s and 2000s (Hohl & Stanko, 2015; Lea et al., 2003). If and when cases are progressed past the investigative stage, further sources of attrition include a) a prosecutorial decision not to proceed, b) a case

dismissal, and c) a case acquittal (Lovett & Kelly, 2009; Lundrigan et al., 2019), although, so few cases are progressed, these routes account for a small percentage of overall attrition.

International, comparative research on case-flow within criminal justice systems provides further support for high levels of attrition in England and Wales, and highlights the relative extremity of this issue in comparison to several other, common-law, English speaking countries over time (albeit with differing legislative definitions of rape – the United States, Canada, Australia and England and Wales). For example, the United States demonstrates a fairly static level of case referral to court between early (1970-1989) and late time periods (1990-2005), along with an *increase* in conviction (across all sexual offences) once cases go to trial. Referrals in Australia follow a similar pattern, but instead show a decrease in conviction. Canada demonstrates a decrease in both referrals and convictions across the time period studied, with England and Wales demonstrating a more dramatic decrease for referrals (a reduction of 34 to 17% compared to 35 to 26%) and a less dramatic decrease for convictions (68 to 57% compared to 72 to 53%; Daly & Bohours, 2010). Such findings serve to demonstrate that attrition in rape cases in England and Wales is representative of international patterns, has become more severe over time, and represents the most extreme decrease and objective percentage of cases referred to court.

### **Police Decision-Making**

The causes and context of rape case attrition, particularly the role of police officers and the process of investigation, have garnered significant scrutiny. Concerns have been noted surrounding the pivotal role officers play in the investigative process (Kerstetter, 1990); their capacity to impact the progression of cases through the CJS (Spohn & Tellis, 2012); and the significant scope for discretion that has historically been afforded to police officers in relation to case decision-making (Page, 2008; Venema, 2016, 2019). Notwithstanding, as the primary point of contact and gatekeepers to criminal justice (Kerstetter, 1990), police officers are regarded as crucial determinants of victims' experiences of the CJS overall (Du Mont et al., 2003; Lonsway et al., 2001). Shaw,

Campbell, Cain, and Feeney (2017) summarise this position by stating that officers hold the key responsibility of bridging investigation and prosecution.

Recent evidence has shown that discretionary decisions made by officers are often influenced by individual attitudes (Murphy & Hine, 2019), with specific support noted for the role of rape myths. Rape myths are defined as 'descriptive or prescriptive beliefs about rape (i.e., its causes, context, consequences, perpetrators, victims, and their interaction) that serve to deny, downplay or justify sexual violence (Bohner, 1998, p.14). Such myths have been shown to impact officers' judgments of victims and perpetrators (Hine & Murphy, 2017, 2019), and to prompt mistrust of victims (Greuel, 2011; Hackett et al., 2008). Victims themselves routinely cite questioning associated with such myths, and the negative attitudes of officers as contributing to their negative experiences of the justice process, and the phenomenon of 'secondary victimisation' (Campbell, 2006; Chen & Ullman, 2010; Rich & Seffrin, 2012; Venema, 2019). Officers' attitudes and behaviours have also been shown to impact case progression and attrition, with cases including rape myth-related information achieving less successful criminal justice outcomes (Hohl & Stanko, 2015; Parratt & Pina, 2017; Sleath & Bull, 2017). As such, the response of police services to rape cases continues to be a significant area of concern.

### **The Relationship between Case Characteristics and Case Outcomes**

Several studies have provided information on the profile and context of rape cases, to improve understandings of the specific case characteristics that predict attrition (including those related to rape myths, and police decision-making). As such, preliminary links between particular characteristics and outcomes, some of which are representative of so called 'extra-legal' elements (e.g., information reflective of rape myths), have been established. For example, Lea and colleagues (2003) demonstrated an increased probability of police NFA outcomes when the victim and perpetrator were known to each other. This finding is reflective of the well-established myths purporting that 'real' rape cases only involve strangers (Estrich, 1987), and beliefs relating to inferred consent and miscommunication

between victims and perpetrators who are known to each other (Grubb & Harrower, 2008), that may influence officers decision-making (above and beyond the legal challenges in such cases, e.g., presence of confounding DNA evidence). Moreover, decisions of a 'lack of evidence' were made by police more frequently in instances of a victim having met with the suspect in a private place, while false allegation outcomes tended to be more frequent in cases where a victim was wilfully in the suspect's home (Lea et al., 2003). Again, the identification of such characteristics is important due to arguments that they may influence police decision-making in relation to both legal (i.e., no witnesses to the incident) and extra-legal reasons (e.g., responsibility placed on the victim for 'placing themselves' in a situation of risk).

Daly and Bouhours (2010) noted similar relationships in their cross-country, cross-sectional review, identifying several characteristics representative of well-evidenced rape myths which increased the likelihood of cases progressing. These included the character and credibility of the victim (Cohn et al., 2009), promptness of reporting (Ellison & Munro, 2009; Norfolk, 2011), a suspect who is a stranger (Grubb & Harrower, 2008), levels of victim injury and resistance (see Kassing & Prieto, 2003), and the presence of force or weapon (Estrich, 1987; Payne et al., 1999). They also noted that the strength of the effects for witness credibility and stranger relations decreased across the time period examined, while the strength of third-party witnesses, physical injuries, and weapon presence remained. As such, whilst it should be noted that all of the factors above present 'legal' as well as 'extra-legal' challenges, these findings suggest the impact of some rape myth-aligned characteristics (e.g., stranger relationship) on criminal justice outcomes has diminished over time, while the impact of others (e.g., presence of physical injuries) has not (Daly & Bouhours, 2010).

The most recent review of cases reported in 2012 (Hohl & Stanko, 2015) used a broader coding framework and provided information on a greater variety of characteristics than previous, including contextual and procedural elements of cases. For example, the authors were able to show that in 21% of cases the officers noted doubt about the case, and



in 15% there were capacity/staffing issues (i.e., officers experiencing high workload): findings which speak directly to concerns outlined in previous research regarding the role of police discretion. Their large-scale review also provides the most recent evidence within the UK of links between case characteristics and outcomes, many of which mirror findings from previous research. For example, when predicting victim withdrawal (accounting for 48% of all attrition) they found a number of factors significantly *increased* the likelihood of this outcome, including the communication/co-operation issues between officers and the victim (i.e., the victim failing to answer an officers calls), the suspect being of character and/or history that highlights them as an 'unrespectable person' (for example, having a police record), and the victim currently or previously being in an intimate relationship with the suspect (Hohl & Stanko, 2015). Other factors, such as attendance at a Sexual Assault Referral Centres (SARCs - specialist medical and forensic services providing space for interviews, forensic examination, and sexual health counselling; referred to as Haven centres in the London area) and the identification of a suspect, significantly *decreased* victim withdrawal, most likely associated with the increased likelihood of forensic opportunities.

Several case factors significantly *increased* the likelihood of a 'no-crime' outcome, including: a victim previously reporting a rape that was coded as a false allegation<sup>1</sup>; police noting the evidence casts doubt on the case; a victim providing testimony which was perceived as untruthful or inconsistent; a victim demonstrating a lack of understanding of consent; and a victim having mental health issues and learning difficulties (Hohl & Stanko, 2015). Furthermore, NFA decisions were more likely when characteristics that undermined victim credibility were present; for example, independent evidence undermining the victim's account, perceived inconsistencies in the victim's account, lack of physical resistance, a previous false allegation made by the victim, a history of consensual sex between the victim and suspect, victim mental health issues, and voluntary consumption of alcohol by victim all served to increase NFA risk (Hohl & Stanko, 2015). Such results provide further support for

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<sup>1</sup> A false allegation represents the reporting of a rape where there is evidence to support that no rape has taken place. For a review of the issues related to this definition and the counting of these cases see Kelly (2010).

the potential impact of characteristics which present both legal and 'extra-legal' challenges on case progression.

### **Recent Developments in Policy and Practice**

Taken together, the studies outlined above provide critical insight into the nature, context, and progression of rape cases. However, since 2012 (the reporting year of data utilised by Hohl & Stanko), there have been several key developments in UK policing policy and practice, as well as substantial changes in societal awareness and understanding of sexual violence, which mean the data are in need of considerable update. First, in practical terms, substantial revisions to Metropolitan Police Service (MPS) policy regarding the suitability and attribution of 'no-crime' outcomes were implemented in 2014, in an attempt to remove elements of officer discretion in the decision-making process and provide more specific structure to cases in which a crime cannot be confirmed. New classifications were introduced—specifically, 'Rape Not Confirmed', referring to cases where the victim or third party cannot be identified and therefore the rape cannot be verified and 'Rape-Contradictory Evidence' where credible evidence contradicting the rape claim exists—which were to be used in place of the old 'no-crime' outcome (Home Office, 2020). However, at present, it is unknown how these changes have impacted on the probability and frequency of different CJS outcomes. Such investigation is particularly important given that, despite the removal of a potentially overused and discretionary case outcome, referral rates to the CPS have steadily fallen between 2014-15 and 2019-20 (Home Office, 2019).

Second, the impact of several wider policy revisions made in response to highly publicised operations on high-profile cases is also unknown, for example, Operation Yewtree – the Police investigation into sexual abuse allegations, predominately the abuse of children, against the British media personality Jimmy Savile and others. Moreover, recommendations made in the Dame Eilish Angiolini Independent Review into the Investigation and Prosecution of Rape in London (Angiolini, 2015) are also yet to be formally assessed. These revisions included the implementation of widespread training reform within MPS for both first-responding and specialist officers, which specifically served to highlight and mitigate the

impact of rape myths and attitudes, alongside the development of various committees (e.g., the Multi-Agency Rape Investigation Improvement Group) and actions on resourcing (for more information see Angiolini, 2015). Additionally, since the last review in 2012 (Hohl & Stanko, 2015), the #Metoo movement, and the numerous high-profile cases of serious sexual assault that have accompanied it (O'Neil et al., 2018), have brought about important changes to societal awareness of multiple aspects of sexual violence. Third, and finally, recent developments regarding technology, and specifically the capacity of police to request victims' technology (including but not limited to mobile phones, laptops etc.) for evidential purposes in the UK further necessitates an updated review. Such devices contain a wealth of information (e.g., geographic data, social media data, various communication data), and request have thus prompted fierce debate and significant media attention regarding the necessity of such data for investigation and the negative impacts of this practice (e.g., BBC News, 2019).

### **Aims of the Current Study**

The current study provides a contemporary examination of a sample of male-on-female rape cases reported to the MPS in London (UK) in April 2016. The decision to focus solely on female victims better frames the current work in the context of existing literature, and recognises the complexity of issues faced by female and male victims of this crime which justify discrete consideration and examination of such cases separately (such as Hine et al., 2020). We applied a comprehensive coding framework to assess a variety of victim, suspect, offence, and procedural case characteristics, producing a comprehensive profile of rape cases. We had three principal aims:

- 1) To provide a more contemporaneous and comprehensive profile of the nature and context of rape cases within London, with a particular focus on the prevalence of a) rape myth-related factors and b) new procedural elements (i.e., technology requests)
- 2) To assess the proportion of outcomes attributed across cases, specifically in relation to the new policy framework on 'no crime' attributions

3) To assess the relationship between cases characteristics and case outcomes to identify risk factors for various attrition pathways

These findings will provide police forces and policymakers with a broader, more up-to-date understanding of case characteristics and their impact, which may be used to inform evidenced-based policy and practice locally, nationally, and internationally. Our findings will also serve as an important point of comparison in global practice. Next, we outline the coding framework and procedure for data collection.

## **Method**

### **Data Collection and Coding**

The data for this study comes from a review of all Metropolitan Police Service (MPS) allegations of rape reported during the month of April 2016. April ensures consistency with previous MPS reviews (all of which used data from April and May in the years 2005-2012). These months represented 'average' months in terms of volume of reported rapes, and thus were thought to be representative of all rape allegations over the year (Hohl & Stanko, 2015). According to Home Office statistics, cases take, on average, 18 months to progress from date of reporting to an established case outcome (Home Office, 2019). For example, one third of rape cases reported in the year to December 2018 had not been assigned a criminal justice outcome in April of 2019 (Home Office, 2019). At the time of coding, examination of the cases that had reached a criminal justice outcome revealed that those reported in 2016 provided a sufficient sample for analyses. As these coded data are drawn from official police records, they are confidential in nature and therefore supporting raw data are not available.

A total of 501 cases were accessed on the Crime Record Information System (CRIS). The CRIS is the electronic management system for recording and processing of crime. It allows users (usually police) to create and update crime reports (Metropolitan Police Service, 2018). All cases were coded by a team of researchers within the Mayor's Office for Policing and Crime (MOPAC). Cases that involved a male victim (n=55) were excluded (for

examination in future work), leaving a final sample of 446 cases for analysis.

Each rape complaint was systematically examined by the researchers and coded on a range of variables, divided into five categories: Victim characteristics (e.g., age, ethnicity, mental health, previous reporting); Suspect characteristics (e.g., age, relationship to victim); Offence characteristics (e.g., location, injury, weapon used); Procedural characteristics (e.g., time taken to report, forensic opportunities, and technological evidence); and the case Outcome (e.g., Victim withdrawal, police NFA, referral to prosecutors). The case characteristics were recorded dichotomously as present/absent (e.g., had the victim consumed alcohol), categorically (e.g., level of injury), or as a distinct continuous value (e.g., victim age). Some characteristics originally coded continuously were converted to categorical variables for the purposes of comparative analyses (e.g., victim age, to <16 and >16 years). In total, there were 89 separate variables for analysis, including 21 victim, 16 suspect, 14 offence, and 38 procedural characteristics. These variables were grouped conceptually for ease of presentation; a total of 14 conceptual sub-groups were formed (e.g., reporting, evidential factors, police investigation). Figure 1 provides a visual representation of these conceptual groupings; descriptive data for each set of variables can be found in Tables 1-4, along with footnotes highlighting the coding.

[Insert figure 1 here]

The 'outcome' for each case was coded as one of four options: a) case was not classified as a crime; b) victim decided to withdraw support for the investigation; c) police decided to take no further action; and finally, d) police decided to refer the case to prosecutors. Typically, a no crime outcome is awarded in instances where a rape was not confirmed or where a rape is reported but contradictory evidence exists to the claim. Instances may include an anonymous victim calling the police and providing no details for follow-up, or instances where CCTV placed the accused at a different location at the time the offence was alleged to have taken place. The change in definitions are a result of the introduction of more stringent guidelines around 'no-criming' and the introduction of new

classifications (e.g. 'Rape Not Confirmed' and 'Rape-Contradictory Evidence'). A withdrawal outcome specifically refers to a decision by the victim to withdraw their case; reasons for withdrawal were myriad. A no further action outcome was typically awarded when the case is no longer proceedable (i.e., for further investigation or referral to prosecution). This covered a large variety of circumstances, including but not limited to: Insufficient evidence available to verify the crime, inability to identify a suspect, and inability to make further contact with a complainant. Finally, a referral to CPS outcome refers to a decision by police officers to refer the case to the CPS for a formal charge. Unfortunately, in this study, it was not possible to code for outcomes beyond this point, for example, a CPS decision to take no further action or formally charge and proceed with the case to court. Table 5 presents descriptive data for case outcomes.

The coding framework was piloted on 50 randomly selected cases, which were coded by two separate researchers acting alone to determine consistency in scoring. From this process, ambiguities over variables were resolved and a detailed and annotated framework was finalised. Throughout the coding process, regular meetings between the researchers addressed any concerns or uncertainties with cases and/or variables. The coding framework can be made available on request for further collaboration and comparative analyses.

## **Results**

The results are split into two parts. In the first part, we provide a descriptive summary of cases, including the eventual case outcome. Throughout the descriptive section, we use chi-square tests to explore relationships between the case characteristics. In the second part of the results, we conduct inferential analyses—specifically multi-variate multinomial logistic regression models—to explore whether specific characteristics about the case predict case outcome.

### **Aim 1 - Descriptive Summary of Cases**

#### ***Victim Characteristics***

**Victim Demographics.** Female victims of rape in this sample tended to be young, with an average age of 26 years and almost 1 in 4 being under the age of consent (16 years) and 11% being a child (under the age of 13 years) at the time of the offence (see Table 1 for victim demographics). Victims were predominantly of white ethnic background (55%), but black victims were overrepresented (23%) compared to prevalence in the general London population (16%). Ethnicity was determined using the police identity codes (IC). White European (IC1) and Dark European (IC2) were combined to form one category ('White'). Projected London population figures for 2016 were used for comparison. Alongside demographics, Table 1 presents a number of other characteristics of the victim, including those relating to victim needs or vulnerabilities and the victim's prior history of police contact.

**Victim Needs or Vulnerabilities.** Over half of victims were noted by police to be vulnerable or intimidated (58%) and 40% of victims presented with a mental health issue. Mental health issues overlapped with prior experiences of victimisation. Victims with mental health issues were significantly more likely to have been victimised in the preceding 12 months (38%,  $n=66$ ) compared to 23% ( $n=62$ ) of victims without mental health issues,  $\chi^2 (1) = 10.30, p = .001$ , and to have been a previous victim of sexual assault or domestic abuse (39% ( $n=68$ ) vs. 26% ( $n=69$ ),  $\chi^2 (1) = 7.96, p = .005$ ). Other victim needs were less prevalent among the sample. For example, only 6% of victims had a learning difficulty, 3% were recorded as being sex workers, and 2% were asylum seekers. Overall, needs were alarmingly common with 94% of victims having at least one need present, over one third of victims having two needs present, and one in five having three or more needs.

**Victim Prior History with Police.** There were also a number of characteristics coded that related to the victim's prior history with the police (see Table 1). Only a minority of victims were known to police as a suspect (17%) or had a prior police record (15%). An even smaller proportion of victims had made a prior false allegation of sexual assault (6%) or another crime (4%).

[Insert Table 1 about here]

### ***Suspect Characteristics***

**Suspect Demographics.** Demographic characteristics of suspects are presented in Table 2. Suspects were predominantly male (99%), with an average age of 32 years. The age profile for suspects was slightly older than for victims, with a smaller proportion of suspects under the age of 16 (7% compared to 23% of victims). On average, the suspect was 7 years older than the victim. The age difference between the suspect and victim ranged from the suspect being 20 years younger than the victim to 71 years older. The majority of suspects were of white (42%) or black (35%) ethnic background. There was an over-representation of black suspects (35% compared to 16% of the London population) and an under-representation of white suspects (42% compared to 60% of the London population). There was a significant association between suspect and victim ethnicity, with suspects typically being investigated for offences against their own ethnic group ( $\chi^2 (9) = 298.88, p < .001$ ).

**Suspect Needs or Vulnerabilities.** There was a lower prevalence of needs or vulnerabilities among suspects compared to victims. Only 7% were recorded as having a mental health issue (compared to 40% of victims) and 2% a disability.

**Suspect Prior History with Police.** There was a higher proportion of suspects with prior history of police contact compared to victims. Almost one third of suspects had a police record (compared to 15% of victims) and 22% had a history of offending. However, there was a low prevalence of prior history of domestic abuse or sexual assault: only 12% of suspects were recorded as having a history of domestic abuse, and 7% a history of sexual assault or rape.

**Relationship to Victim.** In most cases, the victim knew the perpetrator (84%). The most common relationship was an intimate partner (37%), followed by an acquaintance or friend (33%). In 10% of cases the perpetrator was a family member, and in 1% a professional or carer. Victims under the age of 16 were more likely to have been perpetrated against by a family member (36% ( $n=34$ )  $\chi^2 (1) = 84.96, p < .001$ ), compared to victims over



the age of consent (3%, n=8).<sup>2</sup> Further, there was a larger age difference between the suspect and victim in cases involving a family member ( $t=7.77$ ,  $p < .001$ ). In only 5% of cases was the rape perpetrated by a complete stranger (stranger 1), and in 11% of cases by someone who the victim had known for less than 24 hours (stranger 2; see Table 2). Just over one-quarter of suspects had had consensual sex with the victim on another occasion, either prior to or after the current incident.

[Insert Table 2 about here]

### ***Offence Characteristics***

**Details of Offence.** Table 3 presents descriptive statistics for the characteristics of the offence itself. Offences predominantly occurred in a known location (84%), typically the victim or suspect's address (68%). In 30% of cases, the offence was related to domestic violence. Victims in cases involving domestic violence were significantly more likely to be of Asian ethnic background (32% (n=40) compared to 11% (n=32) in cases not involving domestic abuse,  $\chi^2 (3) = 25.26$ ,  $p < .001$ ), to have been previously victimised in the last 12 months (40% (n=53) vs 24% (n=75),  $\chi^2 (1) = 11.24$ ,  $p = .001$ ), and to have been a previous victim of sexual assault or domestic abuse (48% (n=63) vs. 24% (n=74),  $\chi^2 (1) = 24.37$ ,  $p < .001$ ).

**Substance Use.** Substance abuse was rarely featured in these cases. Prior to the incident, around a quarter of victims had voluntarily consumed alcohol (26%) or drugs (7%), and the percentages were even smaller for suspects (20% and 6%). Furthermore, only 7% of victims reported they had been drugged during the incident. Victim alcohol use was most common in stranger 1 (52%, n=11) and stranger 2 (57%, n=25) cases, and suspect alcohol use was most common in stranger 2 (32%, n=14) and acquaintance (33%, n=55) cases.<sup>3</sup>

**Level of Violence.** In less than one-quarter of cases, victims reported incurring an injury during the incident (23%). The majority of injuries were reported to be minor (78%). A

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<sup>2</sup> Percentages calculated with missing values excluded – in 4 cases the victim's age was not known and in 50 cases the relationship between the victim and suspect was not known.

<sup>3</sup> Percentages calculated with missing values excluded – in 50 cases the relationship between the suspect and victim was not known.

weapon was used in the commission of the offence in only 3% of cases. In 38% of cases the victim reported they had verbally resisted, and in 15% they physically resisted.

[Insert Table 3 about here]

### ***Procedural Characteristics***

**Reporting.** In terms of reporting behaviour, victims were equally likely to report within 24 hours of the incident (28%) occurring as they were to make a delayed report (>1 year, 26%), and 59% of cases were reported to the police by the victim directly (see Table 4). Delayed reports were more likely to involve a victim under the age of consent (49% (n=54) compared to 13% (n=43) of reports made within a year).<sup>4</sup> In this sample, 19% of rapes were reported via the Domestic Abuse, Stalking and Honour Based Violence (DASH) questions asked by police when attending a domestic abuse incident. The DASH model is a framework implemented across all police services in the UK from March 2009 and requires police to use a common checklist when attending domestic abuse reports in order to identify, assess and manage risk in domestic abuse cases. Notably, it has attracted some criticism from those identifying its poor predictive validity in reference to risk and recidivism (Almond, McManus, Brian, & Merrington, 2019). Two fifths of allegations were reported by third parties, who were most commonly support services, such as Sexual Assault Referral Centres or Havens, Rape Crisis Centres, and counselling services, or family members.

**Evidential Factors.** Evidential challenges were common amongst the cases reviewed. In terms of evidence related to the victim, following the offence, victims attended a Haven in only 19% of cases and were administered an Early Evidence Kit (EEK - A forensic evidence gathering kit for capturing physical evidence, e.g., spermatozoa) to collect forensic evidence in 21% of cases. Looking specifically at victim recall of the incident, the majority of victims were able to identify the perpetrator (75%), and 51% gave a detailed description of the perpetrator. Only a small proportion of victims were unsure whether the incident had occurred or where it had taken place. Victims were recorded as having given an inconsistent

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<sup>4</sup> Percentages calculated with missing values excluded – in 4 cases the victim's age was not known and in 15 cases the time taken to report was not known.

account in one quarter of cases and showed a lack of understanding of whether or not consent was given in 8% of cases. In 35% of cases the victim participated in a Video Recorded Interview. In 21% of cases, the suspect claimed the victim consented, and in 13% the suspect denied intercourse or sexual contact had taken place.

Turning next to technological evidence. In 27% of cases, technological evidence was referred to in the police case file. The victim's technology was requested and obtained in 11% of cases, and the suspect's in 14%. Of the cases in which technology was obtained by police, in 7% the evidence supported the victim's case, and in 12% it supported the suspect's case. In the majority of cases, the technological evidence supported neither case (47%). Body Worn Video footage was available in 2% of cases, and in 12% social networking sites were implicated in the offence.

Requests for third party material (e.g. General Practitioner notes, social services information) was made in 36% of cases and witnesses were available in 24%. Lastly, in three fifths of cases, there were no forensic opportunities available. Not surprisingly, having no forensic opportunities was more likely in cases with delayed reporting (87% for cases reported more than one year after the rape), compared to those reported within 24 hours of the incident (32%).

**Police Investigation.** The majority of cases had a Sexual Offences Investigation Trained (SOIT) officer assigned to the case and most had more than one Officer in Charge (OIC) during the course of the investigation. The coding scheme captured a number of variables related to police perceptions of the case. In 12% and 18% of cases, respectively, police noted negative perceptions about the chance of conviction and the victim's reliability or credibility. In 14% of cases the OIC expressed doubt about the case, and in 4% of cases early advice was sought from the Crown Prosecution Service (CPS).

In terms of the progress of the case, the victim was noted to be difficult to contact in just over one third of cases and police cited delays due to workload in 22% of cases. Of the key investigation milestones, the suspect was identified by police in 62% of cases, was arrested in 32% of cases, and interviewed under caution in 22%. Few victims received

specialist support, with only 14% receiving support from an Independent Sexual Violence Advocate (ISVA) and 9% from a Rape Crisis Centre (RCC).

[Insert Table 4 about here]

### ***Child Case Characteristics***

In addition to the above, where sample sizes allowed, victims under 16 years of age were isolated for specific analyses. While limited in scope, analyses highlight that victims under 16 were significantly more likely to be recognised as vulnerable or intimidated ( $X^2(1) = 62.75, p < .001$ ). The suspect in offences involving victims under 16 was significantly more likely to be a family member ( $X^2(1) = 84.96, p < .001$ ) or a friend/acquaintance ( $X^2(1) = 6.15, p < .05$ ), and significantly less likely to be an intimate partner ( $X^2(1) = 40.70, p < .001$ ) or stranger ( $X^2(1) = 5.61, p < .05$ ). Relatedly, offences involving victims under 16 were significantly less likely to be associated with domestic violence ( $X^2(1) = 29.44, p < .001$ ). Suspects were also significantly younger ( $t(331) = -4.89, p < .001$ ) in child victim cases ( $M=26.12, SD=15.61$ ) compared to adult victim cases ( $M=34.18; SD=12.00$ ), but there was a significantly larger age *difference* ( $t(331) = 6.79, p < .001$ ) between victims and suspects in child cases ( $M=14.68, SD=16.46$ ) compared to adult cases ( $M=4.43, SD=9.91$ ).

In offences involving victims under 16, the victim was significantly less likely to have sustained an injury ( $X^2(1) = 11.28, p < .01$ ) and was significantly less likely to have verbally ( $X^2(1) = 15.14, p < .001$ ) or physically ( $X^2(1) = 4.30, p < .05$ ) resisted the attack. Both the victim ( $X^2(1) = 19.11, p < .001$ ) and suspect ( $X^2(1) = 8.26, p < .001$ ) were significantly less likely to have been drinking prior to the offence in cases where the victim was under 16.

Victims under 16 were significantly less likely to report the rape on the same day it occurred ( $X^2(1) = 8.31, p < .01$ ), and the rape was more likely to be reported by a third party ( $X^2(1) = 46.22, p < .001$ ). Young victims were significantly less likely to have attended a Haven ( $X^2(1) = 4.60, p < .05$ ) or to have had an Early Evidence Kit administered ( $X^2(1) = 7.19, p < .01$ ). Victims under 16 were significantly less likely to be reported as having given an inconsistent account ( $X^2(1) = 6.22, p < .05$ ). Additionally, in cases involving child victims,

the suspect was significantly more likely to deny the sexual contact had occurred ( $\chi^2(1) = 13.64, p < .001$ ).

### **Aim 2 - Case Outcomes**

Case outcomes are presented in Table 5. Victim withdrawal was the most common form of attrition for cases in this sample. Over half of all victims (51%) withdrew their allegation, with most victims withdrawing during the police investigation (only 9 cases withdrew following CPS submission). In 24% of cases the police decided to take 'no further action' (NFA) on the case and in 15%, the case was not classified as a crime. Only 10% of all cases were submitted to the Crown Prosecution Service. To provide consistency with extant literature (namely, Hohl and Stanko 2015), Table 5 provides outcome percentages when victim withdrawals are removed. After the removal of these, 31% of cases were not classified as a crime, almost 50% of cases received a 'no further action' decision, and 21% of cases received a referral to the CPS. No differences were found between the frequencies of case outcomes for 'child' versus 'adult' cases.

[Insert Table 5 about here]

### **Aim 3 - Inferential Analyses**

For this section, we excluded cases that were identified as false allegations ( $n=51$ ) and cases where the suspect was not identified by police ( $n=142$ ). Removing these cases eliminated all but 12 instances of the outcome 'not classified as a crime' – these cases, after all, were characterised by lack of victim identification, and contradictory evidence refuting the claim – and we were therefore unable to include this case outcome in the subsequent analyses. The final sample consisted of 241 cases (see Table 5 for the distribution of case outcomes after these exclusions were made). The dependent variable for these analyses was comprised of three possible case outcomes: victim withdrawal, police NFA, and referral to CPS. Unfortunately, child victim sample sizes are too small for meaningful predictive analyses in isolation.

We estimated a series of multi-variate multinomial logistic regression models to assess the influence of case characteristics on case outcome. Unlike simple logistic regression, multinomial models allow for the comparison of more than two outcomes (in the current study, there are three). The analysis was conducted in two stages. First, we examined the four categories of case characteristics, and their conceptual sub-groups, separately. Prior to analysis, we removed any case characteristics with low frequencies (e.g. we removed the variable 'sex worker' because it was only present in 11 cases) and those that suffered from multi-collinearity (e.g. we removed the variable 'requires interpreter' because it was highly correlated with 'English not first language'). A list of the variables removed for each characteristic grouping, along with the individual regression output tables can be obtained by contacting the corresponding author. Second, we combined the significant predictors into an overall model (see table 6). This process meant we could determine the relative contribution of each category of case characteristic (i.e., are victim characteristics more important than characteristics of the offence in predicting case outcome?), along with reducing the large number of independent variables. In all models, submission to CPS was chosen as the reference category, meaning the results can be interpreted as whether case characteristics predict victim withdrawal and police NFA *compared to CPS submission*.

### ***Victim Characteristics***

In the regression model for victim characteristics; each conceptual sub-group (e.g., demographics, needs or vulnerabilities, and prior history with police) was examined in a separate model. Two victim characteristics significant predicted case outcomes. First, victims who were aged under 16 years at the time of the offence had 4 times lower odds of withdrawal, compared to CPS submission. Second, victims who were reported to have mental health issues had 2.7 times higher odds of withdrawal and 3.4 times higher odds of police NFA, compared to CPS submission. No other victim characteristics were significant at the  $p < .05$  level. A full table of this material is available from the corresponding author.

### ***Suspect Characteristics***

Neither the demographics of suspects, their needs or vulnerabilities, or their prior history with police predicted case outcome (full table available from the corresponding author). However, the relationship between the victim and suspect was a significant predictor of victim withdrawal. In cases where the suspect was an intimate partner of the victim, the odds of withdrawal were 2.4 times higher. Conversely, in cases where the suspect was a family member of the victim, the odds of withdrawal were 3.2 times lower.

### ***Offence Characteristics***

Two offence characteristics were significant predictors of victim withdrawal; no offence characteristics predicted police NFA (full table available from the corresponding author). First, if the offence was related to domestic violence, the case had 3.3 times higher odds of victim withdrawal, compared to CPS submission. Second, if the victim sustained an injury during the incident, the odds of victim withdrawal were 2.4 times lower.

### ***Procedural characteristics***

Procedural characteristics are also examined. First, looking at reporting, the method of reporting was a significant predictor of victim withdrawal: victims who reported their rape in response to the DASH questions asked when police attend a domestic abuse call had 6.4 times higher odds of withdrawal than CPS submission (a finding in line with the intimate partner and domestic violence predictors above). The timing of reporting was not significantly related to case outcome, although victims who reported within 24 hours had significantly lower odds of withdrawal at the  $p < .10$  level.

Turning to the evidential factors, several were predictive of victim withdrawal. If the victim participated in a video recorded interview (VRI), the odds of withdrawal was 3.1 times lower than CPS submission, and in cases where the victim's technology was obtained by police, 3.7 times lower. Furthermore, cases where the suspect denied intercourse or sexual contact had occurred and cases where third party material (such as information from social services) was requested, also had significantly lower odds of withdrawal.

A different set of evidential factors were significant predictors of police NFA. First, cases where the victim gave an inconsistent account had 9 times higher odds of police NFA,

and if the suspect claimed consent, the odds of police NFA was 4.2 times higher. Second, in cases where no forensic opportunities were available, and other evidence cast doubt on the case, the odds of NFA was significantly higher, at 6.3 and 8.3 times, respectively.

Factors related to the police investigation were also important for predicting case outcomes. If the police had made notes about their perceptions of the chance of conviction, the odds of police NFA was 5.5 times higher. In cases where the victim was noted to be difficult to contact, there was 3.9 times higher odds of victim withdrawal. Lastly, if there was reference in the case file about delays to the investigation due to workload, the odds of withdrawal were 6.7 times lower and the odds of police NFA was 3.4 times lower.

### ***Final Multivariate Model***

Table 6 presents the findings from a final multi-variate multinomial logistic regression model with all categories of case characteristics included together in the model. This analysis was used to determine the relative contribution of each category to predicting case outcomes (see Figure 1). As can be seen by the figures in bold in Table 6, three procedural characteristics were significant independent predictors of victim withdrawal in the overall model: the victim's technology being obtained related to lower odds of withdrawal; and no forensic opportunities and reporting via DASH related to higher odds of withdrawal. The relationship between the victim and suspect was no longer a significant predictor of withdrawal; however, victims under 16 years had lower odds of withdrawal after taking the other variables into account. Similarly, accounting for the other variables, if the victim was injured during the offence, the odds of withdrawal remained significantly lower.

Procedural characteristics – particularly those relating to evidence – were the most important predictors of police NFA; victim, suspect and offence characteristics were no longer significant in the overall model. If the victim gave an inconsistent account and if the case lacked forensic opportunities, the odds of police NFA was higher; conversely, if the victim's technology was obtained by police, the odds of police NFA was lower. Police perceptions about the chance of a conviction in court remained a significant predictor, as did any reference to delays due to workload.



[Insert Table 6 here]

## **Discussion**

The current study presents a contemporary profile of male-on-female rape cases recorded in London in April 2016. We comprehensively examined the victim, suspect, offence, and procedural characteristics of cases, and assessed their relationship with case outcomes. At present, our study is unique in its use of recent, real case data held by the Metropolitan Police Service, to provide insight into the attrition avenues of rape cases within the England and Wales justice system. Additionally, our study applies a more comprehensive coding framework than previous reviews and includes specific variables related to changes in policy (i.e., requests for victim technology). Our findings, discussed in detail below, therefore contribute valuable insight into the process of rape investigation, and identify important avenues for improvement in the wake of several significant policy, procedure, and practice changes.

### **Change and Continuity in the Profile of Rape Cases**

The principal point of comparison for our findings is Hohl and Stanko (2015), for several reasons. First, their study was based on coded data gathered in the same geographical area, using a similar procedure; second, their study is the most recent substantial case review; and third, their study acts as the most useful point of comparison for examining the impact of several key policy changes, including the use of 'no crime' classifications, Operation Yewtree, and the 2015 Dame Eilish Angiolini Independent Review into the Investigation and Prosecution of Rape in London (Angiolini, 2015). It should be noted, however, that the present study examined only those cases in which a decision had been made, while Hohl and Stanko (2015) identified 22% of cases as ongoing. Therefore, comparative frequencies from Hohl and Stanko on case outcomes, provided below, have been calculated with such cases removed.

### **Victim Characteristics**

Victim characteristics, where comparable, were largely consistent with previous literature (Hohl & Stanko, 2015) and broader national trends (Home Office, 2019). Results

support a general consensus that the highest risk of rape victimisation is present for those at a younger age (Cashmore et al., 2020; Daly & Bouhours, 2010; Lea et al., 2003), and, according to the Office for National Statistics (ONS), that there is a disproportionate likelihood of victimisation of sexual assault between the ages of 10 and 19 years (ONS, 2018). Consistent with previous research (Hohl & Stanko, 2015), we found that cases involving victims under the age of consent (16 years) had lower rates of withdrawal and were more likely to be referred to prosecutors. A victim under the age of 16 is likely to be extensively supported by family and may even lack the capacity to withdraw their claim. Indeed, they may have little self-determination in the process overall as issues surrounding the presence/absence of consent are much more clearly defined when the victim is under 16 years of age. This is further supported by the significantly greater likelihood that the case is reported by a third-party in child cases. Additionally, claims from victims under 16 may bring about a more visceral public, institutional, media, and governmental response (Davidson, 2008), potentially providing a more supportive societal narrative. Like male victims of rape, the legal and societal context of child sexual abuse may justify additional avenues of inquiry in the future, similar to those conducted by Cashmore and colleagues (2020).

The present study also captures a more comprehensive array of victim vulnerabilities compared to previous research, with almost all vulnerabilities presenting at a disproportionately higher rate than their prevalence in society (ONS, 2018). Mental health issues were the most prevalent need, demonstrating a 17-percentage point increase from 2012 data (Hohl & Stanko, 2015). In cases where the victim had mental health issues, withdrawal and police NFA were significantly more likely, compared to CPS referral, echoing results from Hohl and Stanko (2015), and consistent with observations that such cases may involve narrative challenges for prosecution (Lea et al., 2003). Such results could also represent the often burdensome and distressing nature of the investigative process (Jordan, 2001, 2011). In addition, UK media coverage of negative experiences of the criminal justice response to rape, such as those following the 2019 Home Office statistics, may impact willingness to engage, especially for those with additional needs. Whatever the reason, our

findings show that victims with mental health issues are a group at risk of multiple attrition avenues, who may benefit from additional support throughout the investigative process. Furthermore, results also highlight susceptibility to cumulative vulnerabilities in rape cases, and that rape may indeed be a significant risk factor for those with a broader ecology of overall vulnerability. Such results provide a useful opportunity to consider the role of trauma-informed policing as a response to sexual assault, as well as enhancing and evaluating how officers operate within this paradigm (Lathan et al., 2019; Rich, 2019). They also suggest that training for officers on both the stigma and occupational hazards surrounding such vulnerabilities, for example mental health issues, is critical.

### **Suspect Characteristics**

Turning to suspect characteristics, there are fewer points of comparison against previous research; however, compared to 2012, a markedly smaller percentage of suspects were identified as 'non-white' (Hohl & Stanko, 2015), and there was also a decrease in the percentage of suspects who had a prior police record and a previous history of sexual assault (Hohl & Stanko, 2015). The relationship between the victim and suspect also indicates some interesting trends. For example, recorded rapes committed by complete strangers and those known to the victim for less than 24 hours have decreased by almost 15 percentage points compared to 2012 data (Hohl & Stanko, 2015). Contrastingly, cases involving current or previous intimate partners occurred almost 10 percentage points more frequently in the current sample (and one third were coded as being related to domestic violence). Examining child cases in isolation, there appears to be a significantly greater likelihood that the suspect is not a stranger (i.e., family member or friend/acquaintance), coupled with the decreased likelihood they are an intimate partner, and a larger age difference between victim and suspects as compared to adult cases. This may support significant roles for familiarity, trust, and/or grooming in child cases (Lundrigen et al., 2020; Snyder, 2006), where technology may add an additional layer of complexity. Such results suggest that the aetiology, context and profile of violence in cases involving children, as

explored by Brouillette-Alarie and Proulx (2019) is worthy of further investigation as a standalone inquiry.

The relationship between the victim and suspect was also an important predictor of case outcomes. Increases in victim withdrawal in cases of intimate partner rape are consistent with previous research (Gregory & Lees, 1996; Hohl & Stanko, 2015). Explanations for this finding include the idea that the more proximal the relationship between victim and perpetrator, the greater opportunity there is for the perpetrator to exert pressure on the victim to withdraw the complaint (Gregory & Lees, 1996). Victims may also wish to protect their partner, particularly in cases where children are involved, and in some cases victims' own rape myths may lead to the downplaying of their experience or increases in self-blame. Furthermore, cases that were coded as being related to domestic violence, and where the rape was reported through the DASH questionnaire, were at increased risk of victim withdrawal. Hester and Lilley's (2017) work highlights that DASH recorded rape cases are more likely to involve a current or former partner and are disproportionately withdrawn early during the investigative stages. The authors identify that these cases are often withdrawn due to fear, threats, and intimidation that victims experience, or the fact that the rape was only reported as a secondary outcome of the abuse itself, and the resultant lack of desire to pursue an investigation. It is less clear why there was a lower rate of victim withdrawal in cases involving family members; however, most rapes perpetrated by family members involved victims under 16 years of age. Again, issues around consent are much more clearly defined in these cases. Evidently, a critical awareness from officers on the potential impact victim-suspect relationship upon investigative challenges, decisions, and outcomes, is crucial.

### **Offence Characteristics**

When examining the broad context of the offence itself, the majority of rape cases took place in a known, domestic location, contrary to many widely held beliefs about rape occurring in public places (Estrich, 1987). The prevalence of victim alcohol consumption, victim drug use, use of a weapon, and the injuries sustained by the victim remain stable

compared to 2012 and appear similar to nationwide levels noted by the ONS (2018), with resistance during the incident being slightly elevated compared to Hohl and Stanko (2015). When examining the impact of these factors, cases in which the victim sustained an injury during the assault were associated with a decrease in victim withdrawal compared to CPS referral, with no significant impact on NFA decisions. Such results sit in line with previous research (Du Mont et al., 2003), and appear to provide new evidence for the influence of this particular facet of the 'real rape' stereotype in case processing (Estrich, 1987). Indeed, it would appear that myths which pair ideas of resistance with increased legitimacy are still influential, and that the presence of indicators of resistance (i.e., physical injury) may help to increase the probability of case referral, along with providing victims with reassurance about their claim. These findings support the idea that the overall offence characteristics have not substantially changed, and that officers' awareness of the potential impact of so-called 'extra-legal' case information may be essential for effective case management and progression. Interestingly, cases involving children involved less physical injury, less resistance, and less alcohol consumption, all of which are worthy of further investigation in a larger, specified sample of child cases, in determination of their impact of case progression.

### **Procedural Characteristics**

Many procedural characteristics also demonstrate continuity with previous data. The percentage of victims reporting after one day, the number of victims providing a video recorded interview, and the percentage of victims who lack clarity on consent all remain fairly consistent (Hohl & Stanko, 2015). Participation in a video recorded interview was also associated with decreases in victim withdrawal. These interviews are known to be lengthy and gruelling, and if a victim has provided this it would suggest that they are willing and engaged with the investigative process. Other procedural characteristics differ from previous research; for example, there was a decrease in the amount of suspects identified and arrests made when compared to 2012 (Hohl & Stanko, 2015). There also appears to be a marked decrease of almost 10 percentage points in cases who attended a Haven (SARC) (28% in 2012), and this was isolated as a known protective factor against victim withdrawal

and police NFA decisions (Hohl & Stanko, 2015). In addition, a sizeable increase of almost 15 percentage points was found for cases where the victim account is recorded as being inconsistent in their testimony (11% in 2012), which may indicate an increase in inconsistent testimony over time, or may be indicative of a lower threshold of what constitutes inconsistency developing over time. In child cases, victim inconsistency was significantly lower than in adult cases, but so was attendance at a Haven and administration of an EEK, suggesting that the impact of intersecting procedural factors in child cases is worthy of further investigation.

Importantly, police delay due to workload appears to have increased slightly, suggesting that these findings, and others, may need to be considered within the context of local and national police funding and resourcing models. Indeed, this supports observations about the crippling impact of austerity measures on the ability of officers to effectively investigate reports across all areas of crime, including rape (Millie, 2014). Somewhat counterintuitively, cases where police reference delays were associated with decreases in victim withdrawal, which juxtaposes suggestions that delays in the investigative process result in victim disengagement and thus withdrawal. However, it could also be the case that victims in these cases stay engaged because they are waiting to hear more about their case or that delays are due to police having a lot of evidence, suggesting a strong case. More nuanced data about follow-up phone calls would help to shed further light on the mechanisms at play here. Additionally, officer attitudes are particularly intriguing. While direct comparisons are not available due to differences in coding, it appears that officers are less likely to have noted doubts about the case and victim credibility than found in previous research, even though speculation about the perceived consistency of testimony appears to have increased. This is a particularly pertinent finding considering the wealth of literature highlighting the negative impact of officer attitudes on case investigation and progression (see Hine & Murphy, 2017; Sleath & Bull, 2017) and is perhaps an indication that consistency of testimony is conceptualised separately from victim credibility, and that

training and interventions relating to subjective beliefs and discretion may have had some positive impact on case investigation.

The capacity to request and indeed compel a victim to provide their technology is a relatively recent development in policing in the UK, so explanations for the notable impact it had on victim withdrawal are unclear. However, it may be the case that those victims who are willing to provide their technology are those who would remain engaged anyway. Conversely, it may also be the case that asking a victim for their technology may lead to withdrawal, due to the inconvenience and/or the implications, particularly in cases where a victim's technology may contain sensitive material of their own. Unfortunately, the coding of these data are not sensitive enough to explicate this issue, as this coding only captures those victims who complied with the request for technology, potentially creating a selection effect. Coding cases where technology is requested in addition to compliance/non-compliance with this request may help to disambiguate this finding and provide valuable insight into the role of technology requests on victim experience and case progression. Requests for third-party material may function in a similar way, in that police are likely to go to the trouble of requesting further, third-party material to strengthen the investigation of cases they identify as strong enough, which may serve to reassure victims of progress in their case. More detailed research is needed in these areas, as the presence of technology grows within society, and becomes increasingly important in the context of rape cases (e.g., providing evidence on victim-suspect location). Preliminary research supports these observations and has highlighted the increasing role of technological information in both investigation and prosecution of cases (Rumney & McPhee, 2020). Importantly, technological demands must be appreciated both in respect to the effect this has on victims, in having to surrender technology and sensitive information, but also on investigating officers and their capacity to process and explore the data provided. Evidential factors were the most important predictors of police decisions to take no further action on a case. For example, consistent with Hohl and Stanko (2015), police noting inconsistencies in a victim account was a significant predictor of police NFA, although more could be done to understand what

constitutes inconsistency in victim testimony and if there is a threshold of consistency, below which doubt is cast. Some studies have suggested that specialist training for interviewers on the strategic use of evidence during interview greatly improves determination of testimonial accuracy (Hartwig et al., 2006), which could help in this area. Similarly, in cases that involve complicated or conflicting narratives, such as when the suspect claims consent was present, there is an increased chance of NFA, compared to referral. This may be because such cases are likely to become 'word-against-word' and therefore present complications seen as insurmountable for prosecutors relating to reasonable doubt. Perhaps unsurprisingly, the absence of forensic opportunities has a concomitant effect on the likelihood of a police NFA decision. The significant role of forensic evidence (including DNA) is highlighted extensively in previously literature (Hester & Lilley, 2017) and the absence of this evidence likely decreases the chances of referral to CPS, with police not wanting to 'risk' sending a case to prosecutors for it not to be taken up. Indeed, in this study, only 21% of victims were administered an EEK, thus missing one of the most critical opportunities for physical evidence gathering. Perhaps recognised, successful interventions from the United States, such as the Sexual Assault Nurse Examiner (SANE) program, where specially trained forensic nurses are available to provide 24-hour first-response medical care and crisis intervention, could be beneficial in increasing opportunities to gather physical evidence (Campbell et al., 2005).

Instances where police perceive there to be a low chance of conviction also appear to increase the likelihood of NFA decisions. However, encouragingly, this was not a significant predictor of victim withdrawal, suggesting that this perception is not guiding, directly or indirectly, victim decisions to withdraw. Finally, cases in which a witness was present predicted decreases in NFA decisions (at the  $p < .10$  level), which is unsurprising, because the presence of independent verification of the incident is known to increase the likelihood of a case reaching trial (Feist et al., 2007). Importantly, when all case characteristics were included in a combined model, a number were rendered non-significant (e.g. victim mental health, victim-suspect relationship), and the evidential factors (e.g., victim



technology provided, lack of forensic opportunity, victim inconsistent account) emerged as most uniquely predictive of case outcomes.

### **Case outcomes**

Finally, we consider the impact evident on outcomes in cases among these data. Overall, the present study appears to mirror previous work, highlighting a very high level of attrition (Daly & Bouhours, 2010; Hohl & Stanko, 2015; Lea et al., 2003). For example, findings for withdrawal are consistent with the 48% victim withdrawal noted in Hohl and Stanko (2015), and previous observations that the overwhelming proportion of withdrawal takes place during the police investigative phase (Lea et al., 2003; Kelly et al., 2005). Of cases not withdrawn by the victim, whilst NFA levels seem to have remained fairly static, a higher proportion received the new crime classifications ('Rape Not Confirmed' and 'Rape-Contradictory Evidence'), compared to the old 'no crime' classification. Of the 67 cases not classified as a crime in our sample, 24 were found to be false allegations and in 31 cases no suspect could be identified, leaving a sample of only 12 cases where a 'no crime' classification could not be explained by the new rules, which are specifically designed to remove judgment calls. It can therefore be suggested that the new guidelines have created new, structured indicators for what may have previously been a 'catch all' no crime outcome, where only those cases that have no suspect to pursue or where the presence of contradictory evidence qualify for the use of this outcome. This presents encouraging evidence for the decreased role of discretion in the process of no criming, and useful insight into how this new practical change is being deployed in London. The remaining 21% of cases from the current study were referred to prosecutors, representing a sizeable decrease since 2012 (37% of cases; Hohl & Stanko, 2015), but reflecting wider national trends in the UK (Home Office, 2019).

Taken together, results from the present study may therefore represent a shift in concern amongst practitioners and academics as to the principal challenges facing rape investigation and prosecution, perhaps as a result of changes in policy which have refocused issues in the investigation of rape around legal/evidential concerns, rather than

extra-legal issues, subjective biases, and officer discretion. Specifically, as previous literature indicates a potential reluctance by officers to progress cases based on personally held negative attitudes towards victims, these findings suggest that officers instead continue to display a similar hesitation relating to cases they do not believe meet the thresholds held by prosecutorial services. This shift arguably represents yet another form of so-called 'downstream orientation' (Frohmann, 1997), the 'vicious cycle of attrition' (Munro & Kelly, 2009), and anticipatory biases (Spohn et al., 2014): where judgements are made in anticipation of the reception of the case by prosecutors and jurors. Such phenomena undoubtedly deserve further, possibly qualitative exploration, to fully establish motivating factors for officers' decision-making.

### **Limitations and Future Directions**

There are a number of important limitations to this study. First, the Metropolitan Police Service represents only one of 43 of the UK's police forces. Additionally, size and geography, greater population density, ethnic and demographic diversity, as well as the disproportionately high number of rape cases reported in London compared to the rest of the UK, potentially impact the national generalisability of these findings to rural areas. However, their application to similar cities in size, density, and diversity may provide a useful point of international comparison. Future research should therefore seek to examine the nature, context and outcomes of cases across the UK, and beyond, as a means to not only draw comparison, but to inform global best practice.

Second, these data are limited to the police investigation phase, and further research should seek to provide updated information on prosecutorial outcomes, particularly in the light of important and highly publicised cases such as those in Operation Yewtree. Indeed, an examination of the role of case characteristics on trajectories within the Crown Prosecution Service, in an attempt to understand decision-making frameworks within the CPS, would help to provide a more comprehensive account of victim experience, and perhaps shed light on the troublingly low conviction levels for rape present in the UK (Home Office, 2019). Third, along with much of the previous literature, this study neglects to

address the sizeable minority of cases of male-on-male rape, where specific victim vulnerabilities, risk, and protective factors could provide insight into the experiences of a largely ignored group. Fourth, procedurally, as is the case with all studies of this type, there is a reliance on the accuracy of police records, creating some variables that may benefit from clarification. A particularly salient example is the high number of cases designated as false allegations within this sample (11%); a percentage higher than most research estimates and worthy of further investigation, as this may reflect a matter of reported cases being defined and coded incorrectly or signify a shift in cases that can legitimately be described as an allegation where evidence is present that could demonstrably prove it to be false. However, while this lack of further investigation may act as something of a barrier, it is the intention of the study to capture the police records as they exist.

Finally, and of significance among the broader literature, are issues resulting from the combination of child and adult cases into the same dataset, not least due to their own specified legislation in England and Wales. Where possible, insights relating to child victims were examined, however, these were significantly limited in number and scope due to sample size limitations and impact on statistical power, where only 58 and 28 cases relate to victims under the age of 16 years (legal age of consent) and 13 years (section 5 of the Sexual Offences Act, rape of a child under 13) respectively. While combining adult with child data is consistent with previous literature, the authors support that the specific experiences of under-aged and child victims is wholly deserving of its own investigation. We suggest that examination of these groups be made an immediate priority for future research, with samples which can support such investigation.

### **Conclusion and Implications**

Results from the current study are complex and multifaceted. However, encouraging signs present. Principally, it would appear that many of the predictive characteristics identified in previous studies concerning the demographic makeup and behaviour of victims (e.g., mental illness, consumption of alcohol) no longer appear influential in case progression among this sample. This finding signifies a potential lessening of the impact of damaging,

negative attitudes held by officers on the investigation and progression of cases. Not that variability in police judgments about cases have disappeared; rather officers are no longer expressing personal disbelief, but instead they may be suggesting difficulty convincing populations further “downstream” in the criminal justice process (e.g., jurors). Moreover, results from this study also show that the absence of ‘traditional’ issues is complemented by the identification of new challenges, particularly those surrounding the gathering of supporting evidence and technology. Most importantly, the current study supports observations that, despite wide-ranging policy changes in response to both academic and public outcry regarding alarmingly low conviction rates, figures for case outcomes have still worsened.

Nevertheless, several specific avenues have been identified for further investigation and intervention/training. Arguably the targeted application of the findings outlined above, alongside the employment of the coding framework used in this study in future research and evaluation, could go some way to improving justice outcomes for victims and their cases. Most importantly, this study identifies the significant role that procedural characteristics may play in victim’s experiences and access to justice. For example, cases reported via the DASH may require a much higher level of victim management and care to guard against victims withdrawing their claims. Indeed, further work needs to be done to ensure that victims of domestic abuse who are also victims of rape are provided with access to justice. Additionally, implementing sensitivity training for officers relating to the specific victim vulnerabilities such as mental illness, also appears critical in helping victims to stay engaged and pursue justice in a way that does not result in further issues and trauma. For those victims who provide their technology, the associated impact on their likelihood of case progression needs to be fully understood, including identifying the barriers for victims who may be reluctant to part with their devices. Indeed, a more comprehensive understanding of the impact of handing over a mobile/cell phone, which may be used for personal and professional purposes, to an investigation for several months is needed.

Incorporating evidence surrounding the issues outlined above into police training may provide officers and investigators with an opportunity for reflection on the pivotal role

such characteristics have for victims and the trajectories of their cases. This could, in turn, inform intelligence-based frameworks for enhancing victim experience and procedural adherence in the presence of differential levels of need and risk. Moreover, the development of tools for assessing interactions with victims, and the enhanced development of trauma-informed policing in relation to sexual assault, may serve to improve victim experience while better understanding the barriers and facilitators to effective, trauma-informed responses to rape cases.

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**Table 1***Frequencies and descriptive statistics for victim-related variables (n=446)*

Variable		N	% of sample	Missing data
<u><i>Victim Demographics</i></u>				
Age	Age at offence	<i>M</i> =26.0, <i>SD</i> =13.3 (range 2-90)		4
	Under 16 subgroup	<i>M</i> =11.4, <i>SD</i> =3.5 (range 2-15)		
	Under 16 at offence	101	22.9	4
	Under 13 at offence	48	10.9	4
	Age at reporting	<i>M</i> =29.1, <i>SD</i> =13.6 (range 2-90)		3
Ethnicity	White	226	54.9	34
	Black	94	22.8	34
	Asian	72	17.5	34
	Other	20	4.9	34
<u><i>Victim Needs or Vulnerabilities</i></u>				
Mental or physical health	Vulnerable or intimidated <sup>a</sup>	258	57.8	-
	Mental health issue <sup>b</sup>	176	39.5	-
	Deaf or physical disability <sup>c</sup>	43	9.6	-
	Learning difficulty <sup>d</sup>	27	6.1	-
Previous victimisation	Sexual assault/domestic violence <sup>e</sup>	137	30.7	-
	Any in the last year <sup>f</sup>	128	28.7	-
Language	English not first language <sup>g</sup>	75	16.8	-
	Requires interpreter <sup>g</sup>	43	9.6	-
Other needs	Missing person/homeless <sup>h</sup>	34	7.6	-
	Sex worker <sup>i</sup>	11	2.5	-
	Asylum seeker <sup>g</sup>	9	2.0	-
Cumulative needs	None	25	5.6	-
	One	176	39.5	-
	Two	154	34.5	-
	Three or more	91	20.4	-
<u><i>Victim Prior History with Police</i></u>				
Previous criminal history	Known as suspect <sup>j</sup>	74	16.6	-
	Police record <sup>k</sup>	66	14.8	-
Prior false allegation <sup>l</sup>	Sexual assault	28	6.3	-
	Other crime	16	3.6	-

<sup>a</sup> A specific field in CRIS report of vulnerability and intimidation.

<sup>b</sup> Officer narrative includes reference to victim presenting with one or more mental illness.

<sup>c</sup> A specific field in CRIS report of physical disability.

<sup>d</sup> Officer narrative includes reference to victim presenting with some form of learning difficulty.

<sup>e</sup> Detective establishes previous victimisation of sexual assault or domestic violence through CRIS reports.

<sup>f</sup> Yes/no, were any sexual assault or domestic abuse reports made by the victim in the last year.

<sup>g</sup> Yes/no, based on questions identified by CRIS report.

<sup>h</sup> Coded yes/no, is the victim reported missing or identified as homeless at the time of the alleged offence.

<sup>i</sup> Victim is known as or self-identified as a sex worker and were working as one at the time of the alleged offence.

<sup>j</sup> Victim known to the police in relation to offending – may be the result of formal intelligence search.

<sup>k</sup> Victim known to the police as having a previous criminal record – may be the result of formal intelligence search.

<sup>l</sup> Investigators explicitly state that the victim is known to the police to have previously made false allegations.

**Table 2***Frequencies and descriptive statistics for suspect-related variables (n=446)*

Variable		N	% of sample	Missing data
<u><i>Suspect Demographics</i></u>				
Age	Age at offence	<i>M</i> =32.2, <i>SD</i> =13.4 (range 8-81)		113
	Under 16 subgroup	<i>M</i> =26.1, <i>SD</i> =15.6 (range 8-81)		
	Under 16 at offence	24	7.2	113
	Age difference between victim and suspect (years)	<i>M</i> =6.96, <i>SD</i> =12.63 (range -20-71)		113
Ethnicity	White	136	41.6	119
	Black	115	35.2	119
	Asian	64	19.6	119
	Other	12	3.6	119
Gender	Male	415	98.8	26
<u><i>Suspect Needs or Vulnerabilities</i></u>				
Mental or physical health	Mental health issue <sup>a</sup>	32	7.2	-
	Disability <sup>b</sup>	9	2.0	-
	Learning difficulty <sup>c</sup>	4	0.9	-
Language	English not first language <sup>d</sup>	60	13.5	-
	Requires interpreter <sup>d</sup>	6	1.3	-
Other needs	Asylum seeker <sup>d</sup>	1	0.2	-
<u><i>Suspect Prior History with Police</i></u>				
Previous criminal history	Police record <sup>e</sup>	135	30.3	-
	Any offending – non domestic violence or sexual assault <sup>f</sup>	98	22.0	-
	Domestic abuse <sup>f</sup>	55	12.3	-
	Sexual assault/rape <sup>f</sup>	32	7.2	-
<u><i>Relationship to Victim</i></u>				
Type of relationship	Intimate partner	148	37.4	50
	Friend/Acquaintance	135	34.1	50
	Stranger 1 <sup>g</sup>	21	5.3	50
	Stranger 2	44	11.1	50
	Family member	42	10.6	50
	Professional	6	1.5	50
Other	History of consensual sex with victim	117	26.2	-

<sup>a</sup> Officer narrative includes reference to suspect presenting with one or more mental illness.

<sup>b</sup> A specific field in CRIS report of physical disability.

<sup>c</sup> Officer narrative includes reference to suspect presenting with some form of learning difficulty.

<sup>d</sup> Yes/no, based on questions identified by CRIS report.

<sup>e</sup> Suspect known to the police as having a previous criminal record – may be the result of formal intelligence search.

<sup>f</sup> Indication that perpetrator has previously been charged or convicted of this type of offending - may be as a result of a formal intelligence search.

<sup>g</sup> Stranger 1 is a complete stranger and Stranger 2 is someone the victim met a short time before the incident.

**Table 3***Frequencies for offence-related variables (n=446)*

Variable		N	% of sample	Missing data
<u>Details of Offence</u>				
Location	Known	376	84.3	-
	Domestic (victim or suspect's address)	255	67.8	70
Other	Domestic violence related	132	29.6	-
	Linked to other offence	146	32.7	-
<u>Substance use</u>				
Victim	Had been drinking <sup>a</sup>	117	26.2	-
	Had taken drugs <sup>a</sup>	29	6.5	-
	Believes they were drugged <sup>b</sup>	29	6.5	-
Suspect	Had been drinking <sup>c</sup>	89	20.0	-
	Had taken drugs <sup>c</sup>	25	5.6	-
<u>Level of violence</u>				
Level of force	Victim verbally resisted <sup>d</sup>	171	38.3	-
	Victim physically resisted <sup>d</sup>	69	15.5	-
Injury level <sup>g</sup>	Weapon used <sup>e</sup>	11	2.5	-
	Injury sustained <sup>f</sup>	104	23.3	-
	None	342	76.7	-
	Minor	81	18.2	-
	Moderate	14	3.1	-
	Severe	9	2.0	-

<sup>a</sup> Victim states that they have consumed alcohol or drugs or officer states that the victim was under the influence.

<sup>b</sup> Victim states that they believe they were drugged.

<sup>c</sup> It is suspected that the perpetrator may have been drinking or taking drugs.

<sup>d</sup> Victim indicates that they verbally (e.g. victim says no or provides active non-consent) or physically resisted.

<sup>e</sup> Victim identifies that the perpetrator used a weapon during the commission of the offence.

<sup>f</sup> Officer reports injuries sustained to the victim.

<sup>g</sup> Injury level guided by CRIS.



**Table 4***Frequencies for procedural-related variables (n=446)*

Variable		N	% of sample	Missing data
<u>Reporting</u>				
Time between offence and reporting	Same day	121	28.1	15
	1-7 days	72	16.7	15
	1 week-1 month	55	12.8	15
	1 month-1 year	73	16.9	15
	>1 year	110	25.5	15
How reported	Directly by victim	263	59.0	-
	By a third party	183	41.0	-
	Via the DASH checklist (includes both direct and third party reporting) <sup>a</sup>	85	19.1	-
<u>Evidential Factors</u>				
Victim-related	Victim attended a Haven <sup>b</sup>	97	19.3	-
	Early Evidence Kit used to collect forensic evidence	96	21.5	-
	Video Recorded Interview with victim	155	34.8	-
	Victim identifies perpetrator	334	74.9	-
	Victim gives detailed description of perpetrator	227	50.9	-
	Victim unsure if offence took place	45	10.1	-
	Victim unsure where offence took place	54	12.1	-
	Victim gives inconsistent account	113	25.3	-
	Lacks understanding of consent	35	7.8	-
	Suspect-related	Suspect claims consent	103	23.1
Suspect denies intercourse or sexual contact		56	12.6	-
Suspect involved in another rape case		21	4.7	-
Victim technology requested and obtained		48	10.8	-
Technological evidence <sup>c</sup>	Suspect technology requested and obtained	62	13.9	-
	Body Worn Video footage	10	2.2	-
	Technological evidence referred to <sup>d</sup>	118	26.5	-
	Social networking sites <sup>e</sup>	52	11.7	-
	Offence recorded or photographed	18	4.0	-
Other	No forensic opportunities	272	61.0	-
	Other evidence casts doubt	65	14.6	-
	Request for third party material made <sup>f</sup>	158	35.4	-
	Witnesses	108	24.2	-
<u>Police Investigation</u>				
Officers involved	Sexual Offences Investigation Trained (SOIT) Officer involved	326	75.5	15
	Multiple Officers in Charge (OIC) involved	418	93.7	-
Police perceptions	Of chance of conviction <sup>g</sup>	54	12.1	-
	Early advice sought from CPS	19	4.3	-
	Of victim credibility/reliability <sup>h</sup>	81	18.2	-
Police progress on case	OIC expresses doubt about case <sup>i</sup>	62	13.9	-
	Victim difficult to contact	151	33.9	-
	Delays due to workload	97	21.7	-
Investigation milestones	Suspect identified	278	62.3	-
	Suspect arrested	143	32.1	-
	Suspect interviewed under caution	99	22.2	-
<u>Victim Support</u>				
Support received	Independent Sexual Violence Advocate	60	13.5	-

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Rape Crisis Centre

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8.7

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<sup>a</sup> The Domestic Abuse, Stalking and Honour Based Violence (DASH) model requires police to use a common checklist for identifying, assessing and managing risk in domestic abuse cases.

<sup>b</sup> Sexual Assault Referral Centres are referred to as Haven Centres in the London area.

<sup>c</sup> Requested technology most commonly refers to a mobile phone, but can include, but is not limited to, other forms such as laptops, tablets, desktop computers, and other electronic communication devices.

<sup>d</sup> Refers to cases in which technology from the victim or suspect was available for investigation.

<sup>e</sup> Indicates that social networking sites were implicated in the incident and examined as part of the investigation.

<sup>f</sup> Refers to cases where information from third party bodies (e.g. General Practitioner notes, information from social services) has been requested by police.

<sup>g</sup> In CRIS notes, cases where officer expresses doubts relating to chances of conviction.

<sup>h</sup> In CRIS notes, cases where officer expresses negative perceptions of the victim's credibility or reliability.

<sup>i</sup> In CRIS notes, Officer in Command expresses doubt over the validity of the allegation.

**Table 5***Frequencies for case outcomes*

Outcome	N	% of sample	Outcome non- withdrawn %	N (Inferential)	% of sample
Victim withdrawal	229	51.3	N/A	127	52.7
Not classified as a crime <sup>a</sup>	67	15.0	30.8	N/A	N/A
Police 'no further action'	105	23.5	48.3	69	28.6
Submitted to CPS	45	10.1	20.7	45	18.7
Total N	446	-	-	241	-

<sup>a</sup> Of these, 42 received a classification of 'Rape Not Confirmed', 22 a classification of 'Rape-Contradictory Evidence' and 3 a classification of 'No Crime'

**Table 6**

*Multi-variate multinomial logistic regression – final multi-variate model (n=241)*

	Victim Withdrawal				Police No Further Action			
	B (SE)	Wald	OR	95% CI	B (SE)	Wald	OR	95% CI
<u>Victim Characteristics</u>								
Under 16	-1.64 (.73)	<b>5.11*</b>	.19	[.05, .80]	-1.39 (.74)	3.53+	.25	[.06, 1.06]
Mental health issues	.73 (.58)	1.57	2.08	[.66, 6.54]	.95 (.57)	2.75+	2.58	[.84, 7.90]
<u>Suspect Characteristics</u>								
Intimate partner	-.80 (.90)	.79	.45	[.08, 2.61]	-.64 (.89)	.52	.53	[.09, 3.02]
Family member	-1.41 (.94)	2.25	.24	[.04, 1.54]	-.39 (.88)	.20	.68	[.12, 3.76]
<u>Offence Characteristics</u>								
Domestic violence related	-.30 (.88)	.11	.74	[.13, 4.16]	-.90 (.86)	1.09	.41	[.08, 2.20]
Injury sustained	-1.23 (.57)	<b>4.62*</b>	.29	[.10, .90]	-.88 (.57)	2.38	.42	[.14, 1.27]
<u>Procedural characteristics</u>								
Reported via DASH	1.79 (.88)	<b>4.32*</b>	5.96	[1.11, 32.12]	1.37 (.91)	2.27	3.93	[.66, 23.30]
Video Recorded Interview	-1.21 (.62)	3.81+	.30	[.09, 1.00]	-.03 (.67)	.00	.97	[.26, 3.58]
Victim gives inconsistent account	.37 (.81)	.21	1.45	[.30, 7.09]	1.76 (.76)	<b>5.33*</b>	5.82	[1.31, 25.96]
Suspect claims consent	-.03 (.64)	.00	.85	[.23, 3.08]	1.03 (.70)	2.17	2.79	[.71, 10.94]
Suspect denies intercourse or sexual contact	-.81 (.74)	1.22	.37	[.09, 1.61]	.64 (.72)	.79	1.90	[.46, 7.85]
Victim technology requested and obtained	-1.88 (.61)	<b>9.33**</b>	.12	[.04, .43]	-1.23 (.58)	<b>4.43*</b>	.29	[.09, .92]
No forensic opportunities	1.24 (.58)	<b>4.58*</b>	4.03	[1.28, 12.73]	1.76 (.59)	<b>8.90**</b>	5.83	[1.83, 18.55]
Other evidence casts doubt	.12 (1.03)	.01	1.16	[.16, 8.38]	1.15 (.92)	1.56	3.16	[.52, 19.18]
Request for third party material made	-.72 (.58)	1.55	.46	[.15, 1.44]	-.42 (.59)	.51	.66	[.20, 2.10]
Police perceptions chance of conviction	.17 (.76)	.05	1.15	[.24, 5.48]	1.36 (.69)	<b>3.84*</b>	3.89	[1.00, 15.16]
Victim difficult to contact	.74 (.62)	1.39	1.80	[.52, 6.27]	-.22 (.63)	.12	.81	[.23, 2.77]
Police reference delays due to workload	-1.00 (.59)	2.90+	.39	[.12, 1.26]	-1.21 (.59)	<b>4.26*</b>	.30	[.09, .94]

\*  $p < .05$ , \*\*  $p < .01$ , \*\*\*  $p < .001$

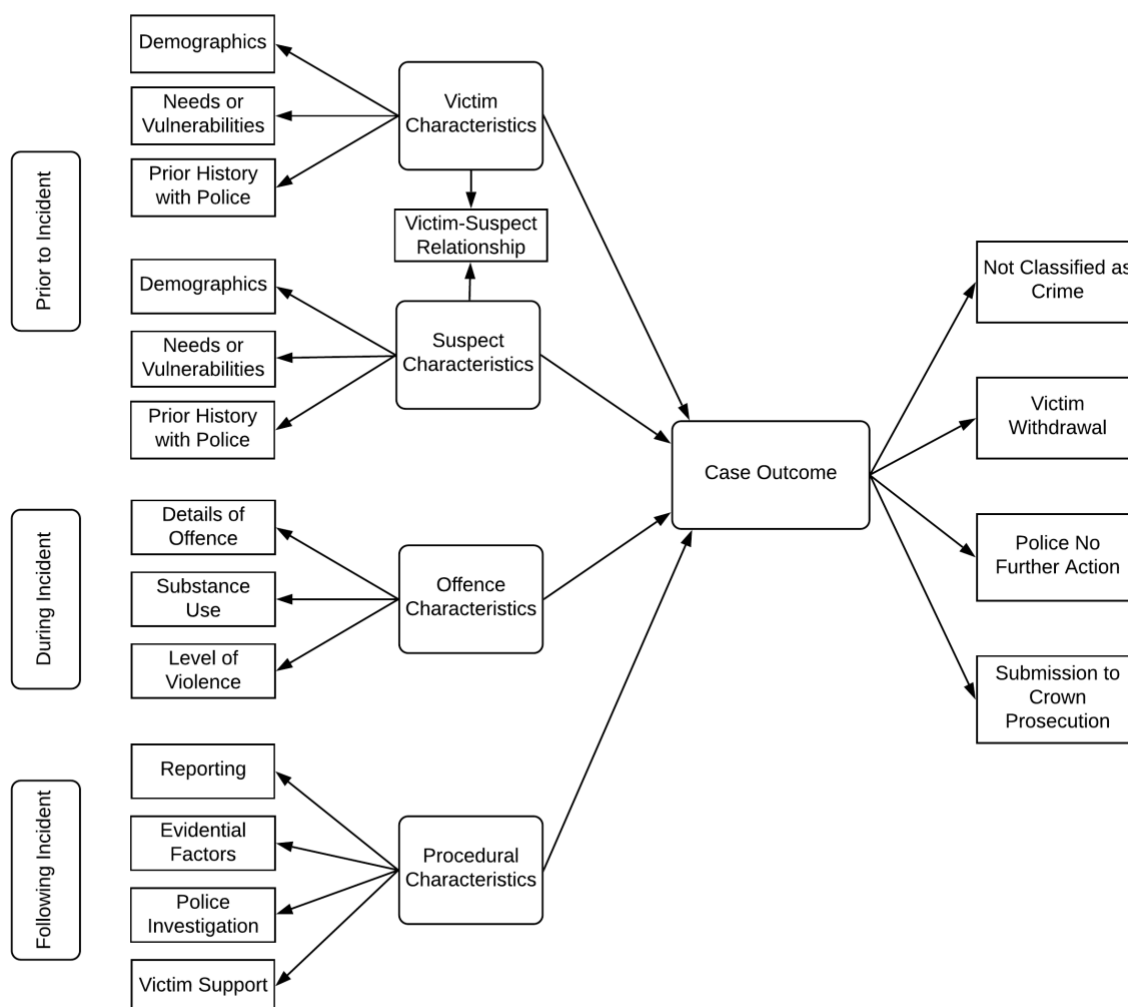
Note: Submission to CPS was the reference outcome

Note: pseudo- $R^2 = 0.54 - 0.62$  [Cox & Snell – Nagelkerke], Pearson  $\chi^2 (372) = 409.81$ ,  $p = .086$

DASH = Domestic Abuse, Stalking and Honour Based Violence

**Figure 1**

*Case characteristics and outcomes groupings*



*Note: The outcome Not Classified as Crime includes cases that received a classification of 'Rape-Contradictory Evidence' and 'Rape not Confirmed'*