

Less than 1% of reported rapes lead to conviction—criminologist explains England's justice system failure

April 5 2022, by Dr Katrin Hohl



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In England and Wales, more than 99% of rapes reported to police do not end in a [conviction](#). This is the result of a criminal justice system that

makes prosecuting rape extremely rare, lengthy and difficult.

At present, charge rates for [rape](#) vary wildly between regions, from 1.3% in Surrey to 8.2% in Durham. Cases take, on average, 817 days to reach court, and 63% of cases are closed because the victim has given up on the process and withdrawn from it.

This information is now publicly available and searchable through new [justice scorecards](#) published by the government. The scorecards show the number of rapes reported to police, how many of those result in a charge and conviction, how many victims withdraw and how long cases take within each police force and Crown Prosecution Service (CPS) area. The government said the scorecards will aid its [ambition](#) to double the number of adult rape cases that reach court by 2024.

The scorecards are a welcome resource—but they are the easy part. Coming up with a plan that will improve the scores is more difficult. It requires government and justice agencies to understand why rape prosecutions are so low, why cases take so long, and why most victims withdraw their case.

Why are prosecution rates so low?

Long delays in cases progressing through the system are directly linked to a decade of government funding cuts to the justice system. In the words of one prominent [barrister](#): "having broken the legs of the justice system, the government now wants to score how fast it can run".

Recent attempts at reversing the funding cuts have come with [their own problems](#). Nearly 40% of officers are new, inexperienced and lack [effective training](#).

Rape investigations are complex, and without specialist knowledge about

sexual offending behaviour and how it affects victims, there is room for [rape myths](#) to influence cases. These myths include the mistaken belief that false allegations are common, that "genuine" victims will report a rape to police without delay, and will provide a [detailed, consistent account](#) of the rape.

A police culture of [misogyny](#), as evident in recent cases of misconduct in the Metropolitan police, is another frequently cited reason for rape cases not being appropriately handled.

For victims, staying with the justice process comes at a [high cost](#). Investigations are incredibly intrusive. Victims frequently have their mobile phone, [social media accounts](#), medical history, social services records and even counselling notes examined and exposed in court.

Retelling the details of the rape to the police and courts, and being questioned about them can be traumatising. Victims are rarely able to move on from the rape while the case is ongoing.

Statistics don't tell the whole story

Arguably, the scorecards aren't showing anything new. Crime outcome data, including how long cases remain in the system, is already being published by the [Office for National Statistics](#), in [government reviews](#) and [inspection reports](#). While transparency is vital, there is no evidence to suggest that publication of these figures has halted the steady decline in rape convictions of the past years.

The scorecards do not tell the whole story of how victims experience the process, nor do they address the underlying causes of low prosecution rates. They don't break the data down by ethnicity, despite such information existing. Doing so would show whether the criminal justice system is providing equal service to black and minority ethnic victims.

Scorecards may tempt justice agencies into "quick fixes" that [improve the metrics](#) but don't solve the underlying problem—and potentially make it worse. Women's rights groups have [previously sued the CPS](#), accusing the service of unlawfully dropping rape cases in order to increase its conviction rate (the [legal challenge](#) was unsuccessful).

Ultimately, improving rape convictions requires building a better justice system, with adequate resourcing of criminal justice and an overhaul of officer and CPS lawyer learning and development. It also requires dismantling rape myths and replacing them with an [evidence-based understanding](#) of sexual offending.

Funding legal advocacy for victims and additional independent sexual violence advocates to support victims through the process would reduce the number of victims who withdraw from cases, and lessen the traumatic impact. The government has [announced funding](#) for the latter as part of a multi-year package.

Regular publication of detailed criminal justice statistics provides transparency and a means for holding criminal justice agencies to account. Rebranding them as "scorecards" won't improve rape convictions—understanding and addressing the factors that explain the figures will.

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