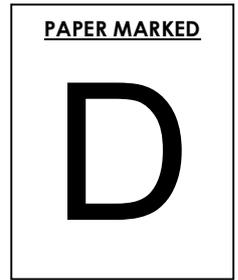


**POLICE AND CRIME  
COMMISSIONER FOR  
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND  
COMPLAINTS COMMITTEE**



Report of	<b>OFFICE OF CHIEF CONSTABLE</b>
Subject	<b>RECORDING OF RAPE OFFENCES</b>
Date	<b>FRIDAY 18 DECEMBER 2020 – 2:00 p.m.</b>
Author	<b>DETECTIVE SUPERINTENDENT MATT DITCHER</b>

**Purpose of Report**

1. To provide the Ethics, Integrity and Complaints committee with an overview of the recording and deletion of Rape allegations to allow for an ethical discussion.

**Recommendations**

2. The Committee is recommended to discuss the contents of the report.

**Ethical Dilemmas**

3. The recording of a rape allegation is necessary to ensure a thorough and robust investigation and to maintain public confidence. It is justifiable that the information required to record an allegation is minimal to ensure all offences are vigorously investigated and victim and public confidence is maintained.
4. When such information is clearly false or by the nature of the allegation the offence could not have occurred, it is not possible to delete the recorded crime without additional verifiable information which is recorded from the complainant. Practically this means a signed statement, a signed record in an officer's pocket notebook or a body worn video record of the complainant confirming the offence did not happen. This is difficult to obtain due to the vulnerabilities of the victim who are often suffering from mental health illness or because by doing so this incriminates the complainant for providing incorrect information to the police.
5. This does not provide an accurate picture of the volume of offences to the public.

6. The inability to delete recorded offences means the rape detection rate is lower. This impacts upon the confidence of the public and the confidence victims have in coming forward to report offences.
7. When should members of the public expect that rape crime reports will be deleted to provide accurate crime statistics?
8. Leicestershire Police thoroughly investigates all allegations of rape and has a specialist rape investigation department with dedicated detectives. Vulnerable victims can sadly be targeted by offenders so it is especially important that officers investigate all offences and safeguard victims.

### **Background**

9. The police recording of crime in England and Wales is governed by the National Crime Recording Standards (NCRS). The vision of the NCRS is that all police forces have the best crime recording system in the world: one that is consistently applied; delivers accurate statistics that are trusted by the public and puts the needs of the victims at its core.
10. The NCRS stipulates that all rape allegations whether made directly to police or not should be recorded as a crime or a separate report.
11. Officers understand that any allegation which can be 'I was raped' should be recorded and is justified to ensure all offences are captured and investigated.
12. Once it has been established that the offence has not or could not have taken place (the report details three specific examples) by the means alleged there is a very high threshold for deletion. It is not possible to delete these crime records.
13. The NCRS requires a signed statement from the reporting person who is often vulnerable. This can have a negative impact on their mental and physical health so is often not an option available.
14. The offence cannot be deleted which leads to a higher offence rate which can lead to a decrease in public confidence.
15. There are three examples detailed below but these reports do make up a much larger proportion of the recorded Rape offences.

### **Examples**

16. **Example 1**; In 2020 Leicestershire Police received communication from a male who was in mental health crisis and required medical attention. Officers and colleagues from the East Midlands Ambulance Service attended and the male was taken to hospital. During the call to police the male stated he had been raped by all the members of the Polish Government. The incident was reviewed by the department responsible for crime recording compliance, who ensure the Force follows the NCRS and a crime of Rape by a stranger was recorded. The below is the detail of the decision making;
17. *'Caller has disclosed that he has been raped by the Polish government and it has been happening every day. He has also stated that the Polish Police are*

*interviewing him inside his head and he wants to be deported back to Poland. It is also disclosed that caller has mental health issues. However, accordance to the HOCR, the victim's mental health condition is not classed as credible evidence to negotiate the crime. Therefore, due to the allegation of rape I have recorded this as Rape.'*

18. Officers from the specialist Rape investigation unit were unable to speak to the male face to face despite numerous attempts to do so. The male admitted self-harming and believed the Polish Government were controlling his thoughts and his focus was to be returned to his native country. Officers were unable to obtain a statement from the male detailing this offence did not happen because he was suffering from mental health illness. They were able to establish that the male had not left the County of Leicestershire and had not had any involvement with anyone from Poland. The crime was not deleted and remains as a recorded Rape offence.
19. **Example 2;** In 2018 Leicestershire Police were called by a 59-year-old female and had cause to visit her at her home address. She had recently been released from a secure mental health hospital. The female disclosed she had been raped by 100 different persons whilst in the seclusion unit of establishment. A crime was recorded and an investigation undertaken. It was not possible to obtain an evidential account from the female. CCTV was secured and examined which showed the time the female was in the seclusion unit. It showed that no persons entered the room. The female remains under the care of mental health services and believes she was raped during this time. Under the rules the offence cannot be deleted. This crime remains as a recorded Rape that has been committed within Leicester, Leicestershire and Rutland.
20. **Example 3;** In 2019 Leicestershire Police responded to a separate incident and spoke with a 41-year-old female who was under the influence of drugs and alcohol. She was also receiving treatment for a mental health illness. The female reported she had been raped by a werewolf. Officers carried out their duties correctly and in line with the NCRS recorded a rape of a female by a stranger on the crime recording system. The female would not participate in a video recorded interview to obtain evidence or allow for a medical examination. The offences remained under investigation for four months with specialist officers attempting to speak with the female. She believes the offence did not take place and that she hallucinated after taking an illegal drug however she will not provide a statement to corroborate this. This crime remains an offence which counts towards the total number of rapes recorded in Leicester, Leicestershire and Rutland.

### **Implications**

Financial: None

Legal: None

Equality Impact Assessment: Not applicable.

Risks and Impact: None identified

Link to Police and Crime Plan: Rape & Sexual offences are a PCP Priority

**List of Appendices**

None

**Person to Contact**

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