

# *The investigation*



How the Police will investigate the case

**Once you have made a report or disclosure to the Police, they will start their investigative work. This may include:**

- **Looking at CCTV recordings**
- **Obtaining and analysing forensic evidence**
- **Speaking to witnesses**
- **Tracing and interviewing the suspect**
- **Reviewing phones and social media accounts** (of both suspect and survivor).

### **Mobile Phones**

It's important to know that the Police might want to request your mobile phone and download the contents; they will only do this if it is essential for the case. This means that it is thought to contain evidence that will help the prosecution case, or that the defendant has said that it contains specific content that would support his case or would undermine the prosecution case. By doing this, the Police can show that they've done a thorough investigation and collected any relevant evidence, which gives the case a better chance of succeeding, or allows the defendant to have a fair trial.

You can choose not to provide your phone to the Police – however, this may have an impact on whether the case can be pursued as the defence lawyers could argue that evidence hasn't been collected that would support the **defendant** and the defendant cannot have a fair trial. Each case and scenario will be looked at individually and the police will discuss any concerns that you have, so that you can make an informed decision.

### **Length of Investigation**

Investigations of rape and serious sexual offences can be very lengthy. This is necessary in order to follow all reasonable lines of enquiry which point both toward and away from the suspect. Non-recent cases in particular may take longer due to having to locate and view older materials and evidence.

### **Review of Evidence**

Once the Police **Officer in the Case (OIC)** has collected all the evidence, they will ask the Police Detective Sergeant to review the investigation. This review incorporates the strengths and weaknesses of a case.

Once this review is completed, the Detective Sergeant will present the case to the Police Detective Inspector who will also review the investigation. The Detective Inspector has to be certain that the following requirements are met, before they will refer to the **Crown Prosecution Service (CPS)** for a **charge** decision:

- It meets the evidential threshold
- That there is a realistic prospect of conviction

If the Detective Inspector decides that your case should not be referred to the CPS, the Police officer in charge will explain this decision to you.

If the case is passed to the CPS, a **Senior Crown Prosecutor** (who will be a lawyer specialising in rape and sexual offence prosecutions) will review the case and tell the Police whether they can charge the **suspect**. This process can take up to 28 days, which means the Police may have to **release the suspect under investigation**. Sometimes, the CPS may ask the Police to conduct some additional enquiries to gather more evidence before they can make a decision; this can mean that the final decision takes longer than 28 days.

**The Police will only act on the contents of your phone if they discover something relevant to the investigation within the contents, or if they discover evidence of a crime being committed.**

If the CPS decides there is enough evidence to charge the suspect, they will notify your OIC, who will then contact you to advise you on this decision. If the CPS decides that there is not enough evidence to charge the suspect, the Senior Crown Prosecutor will write to you personally to explain this decision.

The Police will keep you updated at every stage of the Police investigation. Unfortunately, the Police officers and Senior Crown Prosecutor won't be able to tell you exactly how long the investigation or CPS charging decision will take, but they will try to complete their work as quickly as possible, without compromising the quality of the case. You should be given information about the **Victim's Code** which sets out the service you can expect from the Police and criminal justice agencies. This can be found here: [www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime](http://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime)

While the Police investigation is ongoing, the defendant is not normally allowed to speak to you. If they're suspected of trying to intimidate you, they could face charges for a further offence.

## What if there is no match to the DNA or forensic evidence?

DNA and **forensic evidence** can play an important part in some investigations. This evidence can be obtained from either yourself, the perpetrator or from where the incident occurred.

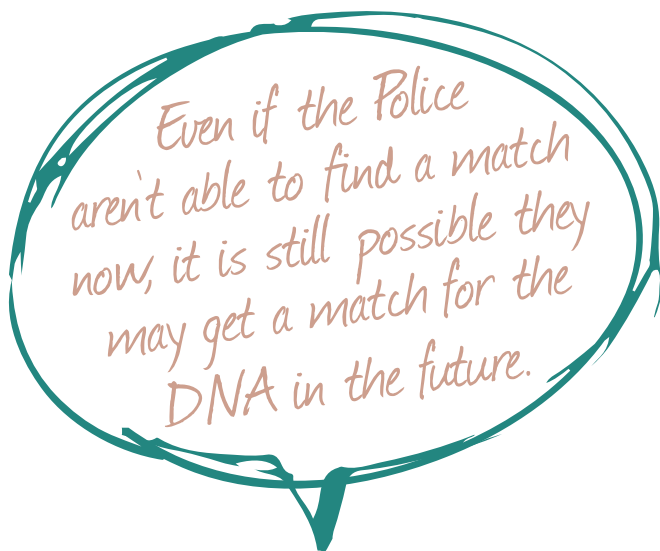
The national DNA database has thousands of people's DNA in it. The Police take DNA from every individual they arrest and add it to the database. They can then check to see whether it matches any unsolved crimes. Sometimes this can provide helpful information to the investigation, but sometimes people haven't come into contact with Police before and there may not be a match. This might be their first offence or the first time the Police have managed to get a full DNA profile.

The Police currently have DNA evidence stored for several unsolved serious sexual offences, which they check against the database regularly. They can also do familial searches to look for close matches (relatives) of the defendant.

## Will it always go to court?

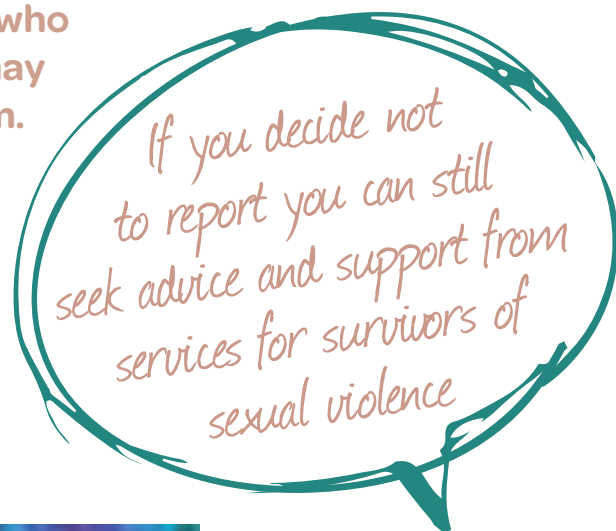
Your case will only go to court if someone is charged, or reported for summons. Reporting for summons is an alternative method of telling a defendant they must attend court and it will follow the CPS decision outlined above.

Some sexual offence cases don't get to court. This does not mean the Police, Crown Prosecution Service and sexual violence support services don't believe you – it only means that there is not enough evidence to take the case to court. You will still receive support and keep your **right to anonymity**.



In Nottingham there are specialist sexual violence support organisations, who support people who have experienced sexual violence and you may benefit from making contact with one of them.

Some people choose not to report an offence to the Police and that is entirely your choice.



**Topaz Centre**  
**- Sexual Assault Referral Centre (SARC)**

24hr Helpline Number: 0800 085 9993

[www.topazcentre.org](http://www.topazcentre.org)



**Nottinghamshire Sexual Violence Support Services (Notts SVS Services)**

0115 947 0064

[www.nottssvss.org.uk](http://www.nottssvss.org.uk)



**Nottinghamshire Police**

Emergency Number: **999**

Non Emergency Number: **101**

[www.nottinghamshire.police.uk](http://www.nottinghamshire.police.uk)



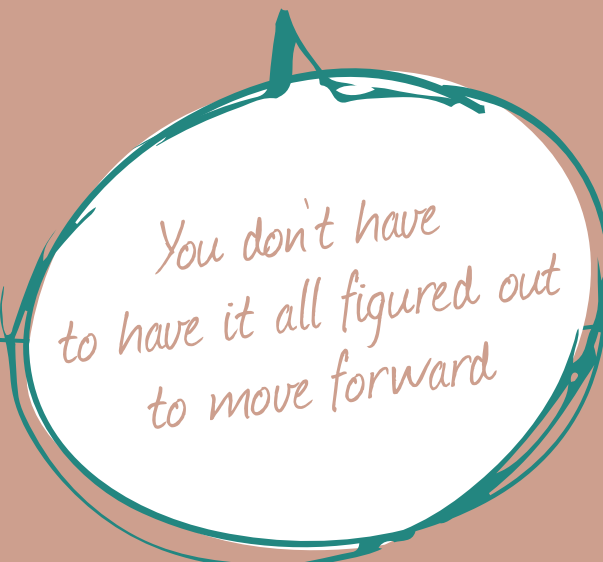
NOTTINGHAMSHIRE  
**POLICE**  
PROUD TO SERVE

**Nottingham and Nottinghamshire's 24 Hour Domestic & Sexual Violence Helpline**

0808 800 0340

[www.junowomensaid.org.uk](http://www.junowomensaid.org.uk)





*You don't have  
to have it all figured out  
to move forward*

Please feel free to visit the Consent Coalition website  
for more information and support [nottssvss.org.uk/consent-coalition/](https://nottssvss.org.uk/consent-coalition/)

