

EVALUATION OF THE RAPE CRISIS SCOTLAND NATIONAL ADVOCACY PROJECT SUMMARY REPORT

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This Summary Report outlines findings from the Evaluation of Rape Crisis Scotland's National Advocacy Project (NAP), introduced to provide advocacy support for survivors of sexual crimes engaging, or considering engaging, with the criminal justice system. The evaluation assessed the impact of the NAP on victim-survivors, and the extent to which it has influenced policy and practice within key criminal justice agencies.

Introduction

There has been increased attention paid to sexual violence by both the UK and Scottish Government, amidst a context in which the response of the criminal justice system in dealing with rape and serious sexual assault, and its impact upon those reporting these offences, has been subject to scrutiny. Enduring concerns such as 'secondary victimisation' (Kelly et al., 2005; Burman, 2009), high numbers of cases which do not reach court (Kelly et al., 2005), a 'culture of scepticism' leading to an over-estimation of the scale of false allegations (see Kelly et al., 2005), and a lack of coordinated service provision to victims (Feist et al., 2007; Robinson, 2009) reveal a challenging landscape for the pursuit of safe and effective routes to justice for victim-survivors. Recognition of these issues has led to government commitment to make support and health services more accessible (see: Home Office, 2007, 2011; Scottish Government, 2009, 2016). In Scotland, a key part of this commitment has centred on the delivery of advocacy support to victim-survivors engaging with, or considering engaging with, the criminal justice system (Brooks and Burman, 2016; Blake Stevenson, 2017).

The National Advocacy Project (NAP), funded by the Scottish Government, was launched by Rape Crisis Scotland (RCS) in February 2016. The NAP provides dedicated advocacy support from RCS trained Advocacy Workers (AWs) to victim-survivors of rape and serious sexual crime. Funding for the NAP, secured until March 2018, provides for 15 local advocacy projects with one FTE Advocacy Worker each, based in local Rape Crisis Centres across Scotland (with the exception of West Lothian where the NAP is housed within the local authority-run Domestic Abuse and Sexual Assault Team). The NAP is coordinated by Rape Crisis Scotland and overseen by a National Advisory Group comprising representatives from RCS, Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS).

The NAP is intended to achieve: i) an improvement in the support available to survivors of rape and serious sexual assault; ii) an improvement in the experience of the criminal justice process for survivors; and iii)

the development of a better understanding of survivors' motivations to proceed or not with the criminal justice process.

Evaluation methods

The purpose of the evaluation was to: assess the impact of the NAP and the extent to which its objectives have been met; identify lessons learnt from the work and best practice for wider dissemination; and assess the extent to which the NAP has influenced policy and practice within key justice agencies. The evaluation was conducted over a 20-month period (Feb 2016 – Sept 2017) and employed a mixed-methods design drawing upon:

- quantitative data from RCS's client database OASIS;
- semi-structured interviews with key national stakeholders (n=4);
- in-depth interviews with victim-survivors (n=16);
- case studies of four local NAP projects;
- an online survey of Advocacy Workers, RCC Managers, Police and VIA in all 15 local sites; and
- observation of quarterly NAP Advocacy Worker meetings and training events.

Findings

Project implementation

There was wide-ranging support for the introduction of the NAP across partner agencies and a shared understanding that advocacy support fills an important gap. The NAP was viewed as a positive development providing vital support to victim-survivors while also delivering benefits to partner agencies and improving the criminal justice process.

The NAP's implementation was assisted through its operational location within local Rape Crisis Centres, overseen by RCS as an organisation with substantial expertise in supporting victim-survivors and established working relationships with key agencies including Police Scotland and COPFS. Following the announcement of funding for the NAP, however, there was little scope for local RCCs to be consulted about the development or potential efficacy of the NAP for their local area, and limited time to set up training for new Advocacy Workers. Police and COPFS report comparable time challenges and a lack of detailed information at an early enough stage to develop protocols to accommodate the NAP and brief their personnel. For the most part, these initial challenges have been resolved over time, though training and partnership working are areas that require ongoing attention.

The level, nature and scope of advocacy support delivered

The level of service take-up within the first 18-months of the NAP's operation is further evidence of the need for the service, with 1,004 clients (991 victim-survivors) accessing advocacy support in this initial period. There are a range of referral routes, although most NAP referrals are existing RCC clients (26%) or come from the police (23%); these are followed by referrals from the RCS national help-line and self-referrals (16% and 15% respectively).

Most victim-survivors (69%) come in contact with the advocacy service *after* making a report to the police. Most commonly, first contact occurs following the police statement (44%), although referrals do occur later on in the criminal justice process; with 9% of victim-survivors making contact with an Advocacy Project prior to trial and a small number (1%) following a trial. A quarter (25%) access the service *prior* to reporting to the police (or when considering reporting), and of this group almost two thirds (62%) go on

to make a report to the police, suggesting that victim-survivors feel supported to engage with criminal justice.

A core feature of the service is the provision of support throughout the criminal justice process (e.g. attendance at police statements, support following a police report, at precognition and at court). Support is also provided in relation to victim-survivors' decisions to report to the police and their decision to continue with the criminal justice process. As such, support is broad ranging, encompassing criminal justice and non-criminal justice related support. This is indicative of the far-reaching impacts of rape and serious sexual assault, and the associated needs of victim-survivors. While not always directly related to the criminal justice process, holistic practical and emotional support facilitates sustained engagement in the criminal justice process.

Perhaps reflecting its broad-ranging nature, different understandings of advocacy appear to operate, including between Advocacy Workers, RCC Managers, COPFS, the police and other stakeholders. These differences are primarily related to the perceived purpose of advocacy in terms of whether it supports the needs of the victim-survivor or the needs of the investigative and prosecution process (though these aims are not mutually exclusive). This has implications for how the advocacy role is understood and communicated to partner agencies, and ultimately victim-survivors.

Impact on improving the support available to victim-survivors

Victims-survivors were overwhelmingly positive about the advocacy support that they had received, describing it as invaluable and life-changing (Bethany: *'to me it's turned my life around, like, completely...'*; Isobel: *'I found it just invaluable'*; Lynzey: *'This has been invaluable, it's changed my life, it's been fantastic'*).

The most valued features relate to: the extensive range of criminal justice and non-criminal justice support provided; the flexibility, reliability and consistency of support; the provision of information to assist understanding of developments in both individual cases and the criminal justice system more generally; and emotional support provided within an ethos of victim-survivor-led empowerment. Victim-survivors and practitioners alike, however, suggested that more could be done to improve access to advocacy support prior to, and at the point of, making a report to the police. At the other end of the spectrum, victim-survivors identified a need for support to continue post-trial, either with the Advocacy Worker or another support worker within Rape Crisis.

The majority of practitioners agreed that the NAP improved the support available to victim-survivors and that local projects fitted in well with the existing landscape of services with 82% (n=50) of all practitioner survey respondents agreeing or strongly agreeing that the service had improved the support available in their local area. There were notable exceptions, however, where concerns were raised about overlap with other roles within the police and VIA. The interface with these agencies requires careful attention to avoid duplication and ensure that each are mindful of respective roles and responsibilities. However, there are also clear indications that the NAP is improving responses to victim-survivors through enhanced communication between partner agencies at a local and national level.

Improving the experience of the criminal justice process

Both victim-survivors and practitioners described the NAP as 'filling a gap' in the justice system. Victim-survivors described perceived imbalances in the criminal justice system, reflecting its adversarial nature and the perception that it protected the interests of the accused before that of the victim. Advocacy support was, therefore, understood to improve victim-survivors' experiences by providing someone who is independent of any investigative or prosecutorial process and whose sole remit is to protect and represent the interests of the victim-survivor.

Amongst practitioners, the NAP is perceived to have made an overall positive impact on victim-survivors' experiences of the criminal justice process, with the majority (70%, n=43) of survey respondents agreeing or strongly agreeing that the service had improved victim-survivors' experiences in their local area, through for example acting as a roadmap, and providing a buffer between victim-survivors and others, not simply to the benefit of the victim-survivor but also to other agencies. Advocacy Workers were also seen to broker a relationship between a victim-survivor and the police to facilitate the provision of clearer, stronger statements to support criminal proceedings.

Court support is also highly valued, as attested by victim-survivors, even though the Advocacy Worker 'couldn't do much' or couldn't say anything at trial. This points to the value of a 'known person' who has a clear and informed understanding of the effects of sexual violence and a recognition of the likely 'triggers' that may precipitate distress and confusion in a victim-survivor. For some, however, improvements in victim-survivor experiences were hampered by the continuing difficulties within the criminal justice process, relating primarily to its adversarial nature, lengthy timescales, delays and uncertainty about proceedings.

Supporting engagement with the criminal justice process

It is clear that the majority of those who were supported through advocacy services did engage in a sustained way with the criminal justice process, moving through investigation and prosecution through to trial. For some, the NAP provided the support or impetus to make an initial report to the police while for others, their engagement with the ensuing processes was underpinned by emotional and practical advocacy support. This is clear from the accounts provided by victim-survivors' and practitioners. In that respect, the NAP has had a positive effect in supporting engagement with the criminal justice system.

Partnership working

Successful partnership working was identified as key to the effective operation of the NAP; it facilitates smooth referrals and supports the flow of information about particular cases, which in turn can support investigation and prosecution processes and enhance the experiences of victim-survivors. In the early phase of the NAP, local projects encountered mixed responses from other services in terms of their receptiveness to the new service and willingness to share information or make referrals; this was primarily linked to a lack of understanding about the role and remit of the NAP and how it might interface with the work of other agencies.

Over time, however, findings indicate that the NAP has facilitated new lines of communication between Rape Crisis and other agencies, resulting in shared learning and a better mutual understanding of the respective roles and remits.

Survey findings endorsed the view that partnership working has improved and point to strong gains in partnership working with 72% (n=44) of respondents overall agreeing or strongly agreeing that the service had a positive impact on partnership working in their local area. Whilst there is evidence of overall improvements in partnership working, information exchange and a recognition of the actual and potential benefits of the advocacy service to enhance the investigation and prosecution of sexual assault at local levels, there remains some need for close attention to maintaining professional relations and clear communication across organisations.

Improving policy and practice

The NAP has made an important contribution to influencing policy and practice in responding to rape and serious sexual offences at local and national levels. Almost two thirds (64%, n=38) of survey respondents

reported that it had influenced day to day practice within their organisations and 60% (n=35) agreed or strongly agreed that it had influenced short or long-term organisational policy.

While RCS already work to improve responses to victims-survivors, the NAP has provided an effective mechanism for gathering the experiences and concerns of victim-survivors going through the criminal justice process. These concerns have been fed into policy and practice decisions through a number of channels, with some notable examples of client concerns influencing policy and practice developments. Quarterly National Advocacy Worker meetings also provide a useful conduit for workers raising policy and practice issues on an ongoing basis with Police Scotland and COPFS directly, and feed into other relevant policy forums and review processes via RCS.

Training and support for Advocacy Workers

Across local areas, Advocacy Workers bring a wide range of skills and expertise to their roles, although not all had prior experience of working within a RCC. Training, including inputs from external partners, was largely well received. Local approaches to developing training and partnership working were clearly important though these efforts would be bolstered through the provision of recognised core national training for Advocacy Workers. This may go some way to addressing questions raised by partner agencies about the qualifications held by Advocacy Workers.

The quarterly National Advocacy Worker meetings provide an invaluable source of ongoing training and support, though additional support for Advocacy Workers and opportunities for RCC Managers to discuss best practice and shared learning points would be welcomed.

Capacity and resources

Capacity and resourcing are pressing issues for the NAP. Going forward, the workloads of some Advocacy Workers will become difficult to manage due to growing client numbers and the often long-term nature of the criminal justice process and corresponding advocacy support. Both victim-survivor numbers and the duration of their engagement with the service are likely to continue to grow. The current standardised level of funding allocated to each advocacy project may not be adequate, particularly in areas where client volumes are high or considerable travel is involved on the part of the Advocacy Worker (i.e. in rural areas). This may result in aspects of the Advocacy Project being subsidised by the host RCC or the operation of waiting lists, which is problematic for such a time-sensitive service. It is also likely that aspects of the service most valued by victim-survivors, such as flexible and reliable support, will become increasingly difficult to deliver if the service is overstretched.

Finally, while the coordination of the NAP by RCS has provided considerable expertise and strategic direction for the project, the absence of any funding at a national level to coordinate and support the network of Advocacy Projects has impacted on the implementation and administration of the NAP, and is likely to impact on its sustainability going forward.

Recommendations

- 1) Consideration should be given to developing a core and/or accredited training programme for all Advocacy Workers to support them in their roles.
- 2) Peer support and communication mechanisms for Advocacy Workers should be prioritised (e.g. through the continued support of the online forum developed in response to interim evaluation report recommendations).

- 3) Enhanced publicity at a local level and national level (including online and print materials) should be developed to raise awareness of the advocacy support available for potential clients, encourage early take-up of the service, and clarify the nature and scope of advocacy work undertaken.
- 4) Early opportunities to introduce advocacy support to victim-survivors, potentially as part of a routine response to sexual offences, should be identified and explored by partner agencies.
- 5) The model of advocacy support adopted should continue to be victim-survivor-led, reflecting variation in the timing and nature of support required by those engaging with the criminal justice process; this should include post-court support and support for those whose case does not proceed.
- 6) Further consideration should be given to how RCC Managers can best be engaged in dialogue about NAP development, best practice and shared learning points.
- 7) At a local level and national level, partnership working and embedding mechanisms for communication should be prioritised to ensure that the NAP is fully understood and utilised by all partner agencies.
- 8) Consideration should be given to how the workloads of Advocacy Workers can be managed, particularly in relation to high-volume areas and court attendance. There may be some (limited) scope for Advocacy Workers from neighbouring areas or other RCC workers to provide 'back-up' in relation to court support.
- 9) The model of a standardised level of funding, providing one FTE Advocacy Worker per local advocacy project should be reviewed. Areas with high case volumes or travel requirements are likely to need additional workers and resources.
- 10) Dedicated funding is required to support, coordinate and promote the work of the NAP at a national level; this would support many of the recommendations outlined here and assist the NAP in realising its full potential.
- 11) The value of the NAP Advisory Group should be recognised with continued support for this group, providing an important strategic hub for improving policy and practice across key agencies.
- 12) While the evaluation findings provide strong evidence of the need for, and the value of, the NAP in improving victim-survivor experiences, a contingency plan for supporting existing service users and should be developed at the earliest opportunity in preparation for the possibility that project funding is discontinued.

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