



# Investigating Child Sexual Abuse

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The Length of Criminal Investigations

APRIL 2017

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## 1. About the Children’s Commissioner for England

The Children’s Commissioner for England is Anne Longfield OBE. She speaks up for children so that policymakers and the people who have an impact on their lives take their views and interests into account when making decisions.

She does this by talking to children, carrying out research and compiling evidence on the things that affect children’s lives. She also provides advice to children in care or living away from home.

Independent of Government and Parliament, the Children’s Commissioner has unique powers to help bring about long-term change and improvements for children, in particular the most vulnerable children including those in care. She is the ‘eyes and ears’ of children in the system and the country as a whole.

## 2. Executive Summary

Increased reports of sexual offences are placing a significant demand on police, the Crown Prosecution Service (CPS), local authority children’s services departments, the criminal and family courts, and specialist voluntary sector services for victims and survivors.

Investigations by Police and children’s services into child sexual abuse are life-changing for victims. Where capacity is stretched to meet the increasing demand on resources for investigations, there is a risk that cases will take even longer to resolve, exacerbating the trauma experienced by children and their families. Given this concern, the Children’s Commissioner’s Office has examined the length of criminal justice processes in child sexual abuse (CSA) cases.

The Commissioner has used Home Office data from 18 police forces and national data from the CPS to investigate the timescales involved in CSA cases in England between 2012/13 and 2015/16<sup>1</sup>, from the point of initial report to finalisation in court.

This report finds that

- > The investigative process for CSA cases is considerably longer than adult sexual offences. In 2015/16, the median length of time for investigations of CSA cases was 248 days. In comparison, the median length for the investigations of adult sexual offences was 147 days, which is 101 days less than the average for CSA offences.

Child sexual abuse investigations take longer than all other crime types according to the data available. For example, the median length of time taken from crime recording to a charge outcome in 15/16 in relation to drug offences (90 days), theft (73 days) and violence against a person (72 days) is considerably shorter than CSA offences (248 days).

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<sup>1</sup> Note, Home Office data is available from April 2013 to March 2016, while CPS data is available from April 2012 to March 2015.

Although this may reflect the relative complexity of these investigations, it is clear that victims of CSA face a considerable wait until the perpetrator is charged. This is likely to be a period of huge uncertainty for victims of sexual abuse – the police and CPS should explore ways of working more effectively to minimise delays and increase the speed of decision-making.

These findings strongly support the rapid implementation of three measures for improving the quality and speed of decision-making in criminal investigations of CSA – (i) a licence to practice for professionals working on CSA cases to improve decision-making in CSA investigations; (ii) embedding CPS Rape and Serious Sexual Offence (RASSO) specialists in police child abuse investigation teams to improve collaboration between the CPS and police officers; and (iii) the establishment and roll-out of ‘children’s houses’, child-friendly facilities where victims of CSA participate in police interviews, and also receive therapeutic support.

### 3. Background

In November 2015, the Children’s Commissioner published *Protecting Children from Harm – a critical assessment of child sexual abuse in the family network in England and priorities for action*<sup>2</sup>. This report examined the scale and nature of child sexual abuse in England, focusing in particular on sexual abuse which occurs within the family. This work concluded that:

- > As few as 1 in 8 victims of child sexual abuse is estimated to come to the attention of statutory authorities. This suggests that the scale of child sexual abuse is much larger than is currently being dealt with by statutory and non-statutory services. CSA in the family is estimated to account for two thirds of all CSA.
- > Sexual abuse by a family member or someone connected with the family is in itself a barrier to victims accessing help. Fear, coercion, loyalty to the perpetrator and/or a desire to protect other family members may prevent a victim of child sexual abuse from telling anyone.
- > There is a high level of commitment to tackling this issue among professionals working with children. However, statutory services are largely disclosure-led, with the burden of responsibility placed on the victim.
- > Victims are likely to exhibit some sign or indicator suggestive of sexual abuse, though in some instances this will not always be obvious or conclusive. Proactive enquiry is therefore necessary to substantiate concerns.

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<sup>2</sup> [Protecting Children from Harm – a critical assessment of child sexual abuse in the family network in England and priorities for action](#), Children’s Commissioner for England, 2015.

- > Despite a high level of commitment to tackling this issue, professionals are not always confident in their ability to identify child sexual abuse. Some professionals are hesitant to seek information from a child for fear that such actions will be construed as ‘leading the victim’.
- > Victims of child sexual abuse in the family with learning/physical disabilities may be less likely to be identified as victims, as the signs of sexual abuse may be misattributed to the disability.
- > The substantiation of a suspicion of sexual abuse requires different levels of proof in the family and criminal courts, though in practice, substantiating abuse ‘beyond reasonable doubt’ in the criminal courts is a considerable challenge.
- > There are three aspects to the impact of sexual abuse in the family – the impact of the sexual abuse itself, the reaction of the family, and the impact of service intervention.

Our previous findings revealed the hidden prevalence of CSA in England, and the barriers and issues around identifying children who are victims of sexual abuse. Addressing such barriers and issues may improve the identification of victims of CSA. However, greater identification of victims will lead to increased demand on resources across agencies, and there is a risk that cases will take longer to resolve.

According to recent data, there were 106,098 sexual offences recorded by police in the year ending March 2016 – an increase of 20% compared with the previous year. This includes a 20% increase in crimes recorded as ‘sexual assault on a female aged 13 and over’, a 31% increase in ‘sexual activity involving a child under 16’, and a 51% increase in the offence of ‘sexual grooming’<sup>3</sup>. The increase in the number of reports of sexual offences is placing a significant demand on the police, the Crown Prosecution Service, local authority children’s services departments, the criminal and family courts, and specialist voluntary sector services for victims and survivors.

Police and children’s services investigations into child sexual abuse – which may involve a range of possible measures taken by the local authority to protect the child and the prosecution of the alleged perpetrator in the criminal court – are life-changing for victims. The investigation is a period of huge uncertainty for victims and their families, and steps should be taken to remove and unnecessary delays from the investigative process.

## 4. Aims and Methods

This report examines the timescales involved in CSA cases, from the point of initial report to the final determination in court.

To investigate the timescales involved from the point of initial report to the final determination in court of CSA cases in England, we requested information on CSA cases

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<sup>3</sup> [Overview of Violent Crime and Sexual Offences for the Year Ending March 2016, ONS](#)

from the Home Office and the CPS. Relevant Home Office data was available from April 2013 to March 2016, and we use this to explore the time between the initial recording of the crime and the recording of the outcome. CPS data was available from April 2012 to March 2015, and we use this to explore the time between the official recording of the decision to charge and the date the case was finalised. Further information on the data sources is outlined below:

### *Home Office Data*

We requested information on the number of days between the recording of an offence and the assignment of a charge outcome from the Home Office for all offences between April 2013 and March 2016, by different categories of offence. 'Recording' refers to the official recording of an offence, under Home Office Crime Recording Rules<sup>4</sup>, and 'assignment of a charge outcome' refers to the decision to charge the alleged perpetrator with an offence, irrespective of any subsequent acquittal by court.

CSA cases were identified using the following Home Office Crime Codes relating to the sexual abuse of a child:

- > Sexual Assault on a Male Child under 13
- > Rape of a Female Child under 16
- > Rape of a Female Child under 13
- > Rape of a Male Child under 16
- > Rape of a Male Child under 13
- > Sexual Assault on a Female Child under 13
- > Sexual Activity involving a Child under 13
- > Sexual Activity involving a Child under 16
- > Abuse of Children through Prostitution and Pornography
- > Abuse of Position of Trust of a Sexual Nature
- > Sexual Grooming

We received information from 18 police forces<sup>5</sup>, derived from the Home Office Data Hub in February 2017. The Home Office provided us with the lower, median and upper quartile of the number of days between recording and outcome, broken down by offence type. Findings outlined below are the first release of these data, though they are a subset of data published in the Home Office Bulletin 'Crime Outcomes in England and Wales 2015 to 2016'. The data have been provided by the Home Office on request.

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<sup>4</sup> [Crime Recording General Rules, Home Office, 2016](#)

<sup>5</sup> The police forces are: Avon and Somerset, Cambridgeshire, Cleveland, Gloucestershire, Greater Manchester, Hampshire, Lancashire, Lincolnshire, City of London, North Wales, North Yorkshire, South Wales, Staffordshire, Surrey, Sussex, Warwickshire, West Mercia, West Yorkshire.

## *CPS Data*

From the CPS, we requested information on the number of days between the official recording of the decision to charge and the date the case was finalised<sup>6</sup> for CSA cases for each year between April 2012 and March 2015. Relevant CSA cases were identified where the Principal Offence Category was recorded as a “sexual offence” and the case was flagged as “child abuse<sup>7</sup>.”

We received the median number of calendar days that have elapsed since the date where a decision to charge was recorded to the date the case was finalised (i.e., convictions and unsuccessful outcomes). This includes prosecution cases completed in magistrates’ courts, as well as more serious and complex cases heard at the Crown Court where the prosecution process is lengthier.

## *Potential Issues*

Note, there are some limitations to the data received from the Home Office and the CPS. First, the data provided by the two bodies are not directly comparable due to differences in the way data are recorded. The police record data relating to specific sexual offences against children, whereas the CPS case management system flags ‘child abuse’ and cases where the Principal Offence Category is ‘Sexual Offences’. The cases used to generate the information on the case durations are therefore unlikely to match exactly. Further, Home Office data is limited to 18 police forces, while CPS data is nationwide.

Some types of offence such as non-recent (offences which occurred more than 365 days before being reported to the police) and rape CSA offences are likely to involve complex investigations which take longer to investigate and prosecute. While the Home Office was able to provide breakdowns on the case durations by offence type, the CPS was unable to do so, meaning we are unable to explore the variations in the time between the recording of the decision to charge and the date the case was finalised.

Nonetheless, based on the categorisation system used in the recording of cases, we take that Home Office and CPS data are broadly comparable, and that the data provided by the two bodies are indicative of the timescales associated with the investigation and judicial processes involved in CSA cases.

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<sup>6</sup> Note, the finalisation date is the date recorded on the CPS management system when the case was finalised, not the final court date.

<sup>7</sup> The Principal Offence Category is allocated at the conclusion of the prosecution proceeding against an alleged perpetrator to indicate the type and seriousness of the charges brought. It indicates the most serious offence with which the alleged perpetrator is charged at the time of finalisation. ‘Sexual offences’ comprise rape, sexual assault, unlawful sexual intercourse, incest, trafficking for sexual exploitation, possession of indecent material or extreme pornographic material, bigamy and gross indecency with a child. ‘Child abuse’ refers to any criminal offence which falls within the criteria set out in “Working Together to Safeguard Children” and involves a victim under the age of 18, comprising physical, emotional and sexual criminal offences, and the neglect of a child. These data are accurate only to the extent that the monitoring flags have been correctly applied.

## 5. Findings

### 5.1 Duration of CSA investigations from recording to charge outcome

The reported average durations of CSA cases from recording to a charge outcome from 18 police forces are outlined in Table 3 to 5. In 2015/16, the median length of time associated with investigations of child sexual abuse cases was 248 days (around 8 months), including recent and 'non-recent' offences. However, 25% of cases took considerably longer, taking 393 days or longer (see Table 5).

In general, the length of time for investigations seems to be increasing. Whereas the median length of time between an offence being recorded and a charge being laid in child sexual abuse cases was 179 days in 2013/14, it was 236 days in 2014/15 and 248 days in 2015/16.

Investigations for 'rape' and "non-recent" child sexual abuse offences (more than 365 days between offence occurring and it being recorded) take longer. For example, the median length of time for the investigation of a rape offence in 15/16 was 207 days, compared with 194 days for other sexual offences. Similarly, the median length of time for the investigation of an historic rape offence in 15/16 was 270 days, compared with 207 days for a current offence.

To compare the duration of investigations between CSA and non-CSA offences, we requested information on other offence types. The reported duration of non-CSA sexual offence cases from initial recording to a charge outcome is outlined in Tables 6 to 8. Comparable information on all other offence types are outlined in Tables 9 to 11.

The data suggests that, on average, CSA investigations take longer compared to the investigation of non-CSA sexual offences. In 15/16, the median length for non-CSA sexual offences was 147 days (around 5 months; Table 8), compared to the 248 days (around 8 months; Table 5) associated with CSA cases.

Looking at Table 9, the data suggests that CSA investigations take longer than all other crime types. Compare, for example, the median length of time taken from crime recording to charge in 15/16 in relation to drug offences (90 days), theft (73 days) and violence against a person (72 days) with CSA offences (248 days). Although this is likely to reflect the relative complexity of these investigations, it is clear that victims of CSA face a considerable wait to find out that the perpetrator has been charged.



## Descriptive Statistics on Days from Recording to Assignment of Charge Outcome of Child Sexual Abuse Offences<sup>8</sup>

Table 3: Recent child sexual abuse offences (offence recorded within 365 days)									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	33	128	111	65	88	97	56	100	100
Median (50%)	164	228	229	161	194	215	162	204	218
Upper quartile (top 25%)	255	337	402	259	312	348	257	319	353
<i>Number of cases<sup>9</sup></i>	260	275	277	637	683	801	897	958	1,078

Table 4: 'Historical' child sexual abuse offences (offence recorded more than 365 days after)									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	111	169	165	81	111	136	94	137	146
Median (50%)	210	300	287	175	236	258	191	261	272
Upper quartile (top 25%)	343	440	444	291	370	403	319	404	423
<i>Number of cases<sup>10</sup></i>	548	544	588	693	682	753	1,241	1,226	1,341

Table 5: All child sexual abuse offences									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	92	155	145	73	99	111	78	116	121
Median (50%)	194	273	270	169	214	237	179	236	248
Upper quartile (top 25%)	320	413	436	272	344	368	290	374	393
<i>Number of cases<sup>11</sup></i>	808	819	865	1,330	1,365	1,554	2,138	2,184	2,419

Source: Home Office

<sup>8</sup> Data based on following categories of offences: Sexual Assault on a Male Child under 13, Rape of a Female Child under 16, Rape of a Female Child under 13, Rape of a Male Child under 16, Rape of a Male Child under 13, Sexual Assault on a Female Child under 13, Sexual Activity involving a Child under 13, Sexual Activity involving a Child under 16, Abuse of Children through Prostitution and Pornography, Abuse of Position of Trust of a Sexual Nature, Sexual Grooming

<sup>9</sup> The number of CSA cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

<sup>10</sup> The number of CSA cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

<sup>11</sup> The number of CSA cases assigned a charge outcome during the year period. Cases with multiple offenders are counted as one offence.

## Descriptive Statistics on Days from Recording to Assignment of Charge Outcome of Non-CSA Sexual Offences<sup>12</sup>

Table 6: Current non-CSA sexual offences (offence recorded within 365 days)									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	46	46	69	19	25	25	21	27	33
Median (50%)	157	176	209	70	80	91	91	99	124
Upper quartile (top 25%)	249	292	334	150	177	203	182	218	258
<i>Number of cases<sup>13</sup></i>	<i>541</i>	<i>583</i>	<i>652</i>	<i>1,273</i>	<i>1,387</i>	<i>1,403</i>	<i>1,814</i>	<i>1,970</i>	<i>2,055</i>

Table 7: 'Historical' non-CSA sexual offences (recorded more than 365 days after)									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	58	107	103	25	47	76	29	64	81
Median (50%)	169	250	237	133	174	223	142	202	230
Upper quartile (top 25%)	271	350	392	239	328	363	245	336	378
<i>Number of cases<sup>14</sup></i>	<i>139</i>	<i>177</i>	<i>195</i>	<i>340</i>	<i>324</i>	<i>387</i>	<i>479</i>	<i>501</i>	<i>582</i>

<sup>12</sup> Data based on following categories of offences: Rape of a female aged 16 or over, rape of a male aged 16 or over, sexual assault on a male aged 13 and over, sexual assault on a female aged 13 and over, causing sexual activity without consent, Incest or familial sexual offences, abduction of female, sexual activity with a person with a mental disorder, trafficking for sexual exploitation, other miscellaneous sexual offences, unnatural sexual offences and exposure and voyeurism.

<sup>13</sup> The number of relevant cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

<sup>14</sup> The number of relevant cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

Table 8: All non-CSA sexual offences									
	Rape offences			Other sexual offences			All offences		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Lower quartile (bottom 25%)	46	54	73	19	26	30	23	30	39
Median (50%)	159	191	212	79	89	113	99	114	147
Upper quartile (top 25%)	254	309	347	169	210	250	196	243	285
<i>Number of cases</i> <sup>15</sup>	680	760	847	1,613	1,711	1,790	2,293	2,471	2,637

Source: Home Office

<sup>15</sup> The number of relevant cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

## Descriptive Statistics on Days from Recording to Assignment of Charge Outcome of Other Offence Types

Table 11: All offences																											
	Criminal Damage and Arson			Drug offences			Miscellaneous crimes			Possession of weapons offence			Public order offences			Robbery			Theft offences			Violence Against the Person			All offences		
	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16
Lower quartile (bottom 25%)	14	19	21	34	38	40	5	11	13	5	10	11	16	21	24	14	19	21	22	26	28	20	24	27	19	23	25
Median (50%)	39	48	53	81	87	90	34	49	67	29	35	40	42	51	58	55	59	63	58	67	73	56	65	72	54	62	69
Upper quartile (top 25%)	84	99	107	152	164	170	118	146	184	69	79	88	83	102	113	115	130	138	121	136	143	111	128	137	114	129	139
<i>Number of cases<sup>16</sup></i>	4,752	5,308	5,532	6,187	6,316	6,304	3,729	4,431	4,756	1,245	1,594	1,680	3,479	3,985	4,240	1,288	1,376	1,366	17,285	17,279	16,466	11,100	12,041	12,929	49,065	52,330	53,273

Source: Home Office

<sup>16</sup> The number of relevant cases assigned a charge/ summons outcome during the year period, irrespective of any subsequent acquittal at court. Cases with multiple offenders are counted as one offence.

## 5.2 Duration of CSA investigations from the decision to charge to finalisation of the case based on CPS data

CPS data for the median number of days from charging decision to finalisation is presented in Table 12 below. The data reveals that the length of time from charging decision to finalisation has remained fairly constant between 2012/13 and 2014/15. In 2014/15, the period for which the latest data is available, the average length of time was 249 days – approximately 8 months.

2012-2013	259
2013-2014	228
2014-2015	249

## 5.3 Estimation of overall timescales

Taken together, the Home Office and CPS data begin to reveal the timescales between a CSA crime being recorded, the decision to charge, and subsequent finalisation in court. For a child who is a victim of sexual abuse, this is a period of considerable anxiety.

In 2013/14, the median length of time between offence recording and the assignment of an outcome was 179 days, and the average length of time between charging decision and finalisation in court was 228 days. Taken together, in 2013/14, victims of sexual abuse who saw their case proceed through the criminal justice process all the way to court may have waited on average 407 days from the initial report to the police, to finalisation in court – over one year and one month. In 2014/15, victims of sexual abuse may have waited on average 485 days – approximately one year and four months. This is a considerable length of time in the life of a child who has been sexually abused.

## 6. Conclusions

The median length of time for investigations of child sexual abuse cases is 248 days, including recent and historical offences. Child sexual abuse investigations take longer in comparison with the investigation of adult sexual offences. In 2015/16, the median length for non-CSA offences was 147 days. This is 101 days less than CSA offences. Indeed, child sexual abuse investigations take longer than all other crime types. Although this reflects the relative complexity of these investigations, it is clear that victims of CSA face a considerable wait to find out that the perpetrator has been charged. This is a period of huge uncertainty for victims of sexual abuse.

Currently, data on timeliness for the criminal justice process in child sexual abuse cases are not published. Given the impact of child sexual abuse on victims, and the increasing demand on services, it is vital that timeliness in the investigative and court process is regularly reported to enable scrutiny of performance. Specifically, the 'sexual offences' category of Home Office and Criminal Courts data on investigative outcomes and the timeliness of court proceedings should be disaggregated in published data to 'child' and 'adult' offences to enable scrutiny of performance on child sexual abuse. HMIC should explicitly address the timeliness of investigations in its child protection inspections.

It is clear that the impact of the criminal justice process on victims of CSA is considerable. Qualitative research with victims of child sexual abuse commissioned by the Children's Commissioner has demonstrated that the criminal justice process can be traumatic<sup>17</sup>. Although this research found that engagement in ABE interviews and other formal investigative processes is distressing, some participants shared positive experiences of the criminal justice system, demonstrating that the investigative process can be managed to mitigate the impact on victims. This, however, was not the norm.

To minimise delays and their impact on victims, the police and CPS should ensure that cases are discussed at the earliest possible opportunity. In some cases, the police and CPS may be able to take decisions earlier in the investigative process. In accordance with the Victims' Code<sup>18</sup>, the police and CPS should also discuss at this early stage referrals to appropriate counselling/support services for victims and their families.

Overall, these findings strongly support the rapid implementation of three measures for improving the quality and speed of decision-making in criminal investigations of CSA – (i) a licence to practice for professionals working on CSA cases to improve decision-making in CSA investigations<sup>19</sup>; (ii) embedding CPS Rape and Serious Sexual Offence (RASSO) specialists in police child abuse investigation teams to improve collaboration between the CPS and police officers; and (iii) the establishment and roll-out of 'children's houses', child-friendly facilities where victims of CSA participate in police interviews, and also receive therapeutic support.

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<sup>17</sup> Warrington, C et al. 2017 "Making noise: children's voices for positive change" – children's experiences of help-seeking and support after sexual abuse in the family environment, University of Bedfordshire

<sup>18</sup> [Code of Practice for Victims of Crime](#), October 2015, MoJ, Her Majesty's Stationery Office

<sup>19</sup> [Home Secretary's speech on vulnerability, 30 November 2016](#)



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