



Reporting sexual offences

Information and support guide

What will this leaflet tell me?

This leaflet will help you to understand:

- The four stages of a police investigation.....page 4
- Answers to Frequently Asked Questions (FAQs)page 10
- How to report sexual assault and rape that happened some time ago.....page 18
- How to access support services.....page 20
- Investigation word terminology in the Glossary section....page 22



The digital version of this booklet is interactive

For ease of navigation, you can click on the items listed above or the hyperlinks at the bottom of each page.



The four stages of a police investigation

Phase 1

Initial report

A report is made, forensic evidence is gathered (where possible) and support referrals will be offered.

Phase 2

Investigation

Your statement is taken and the investigation continues with further evidence gathering.

Phase 1

Once an initial report has been made to us, we will first take any necessary action to ensure your safety. You will then be asked to give an account of what happened to you, to begin the first steps of the investigation.

If there might be any recent forensic evidence to collect in your case, you will be asked to go for a medical examination at the Sexual Assault Referral Centre (SARC) but only if it is necessary and only with your consent.

The activities in Phase 1 mean we can start our investigation, secure vital evidence and protect you and other people from any further harm. We will offer to

refer you to a specialist support service, for example to an Independent Sexual Violence Advisor (ISVA), who can support you throughout the criminal justice process and act as your single point of contact, with us and witness support, if you wish.

You can also self-refer to these support services. We have listed some trusted support service agencies for you on page 21.

Phase 2

The activities of Phase 2 will give us more information about the crime you have reported. After your initial report, you will be asked to give a formal statement. This is sometimes called an 'Achieving Best Evidence' (ABE) statement

Phase 3

Building the case

We build the case and may work with the Law Officers' Department (LOD).

Phase 4

Prosecution decision

A decision is made on whether the suspect(s) will be charged and face trial. You have a right to appeal this decision.

where you will be asked to recall the event(s) in as much detail as possible, to help with the investigation.

With your consent, the ABE will be video recorded. If the case goes to trial, the video can be played in court instead of you having to give your account in person.

During this phase we may ask for your consent to secure evidence from your phone, social media accounts or ask you about relevant records held by other organisations. You will be kept updated about your case progress and can continue to access independent, confidential support including pre-trial therapy.

Phase 3

At this point, it may feel like things slow down. Our aim in this phase is to build the strongest case possible against the suspect which can often take a long time, sometimes months. However, you will still be kept regularly updated about the progress of your case, as per a contact plan which we will set up with you. If we believe there is enough evidence we will ask the Law Officer's Department (LOD) for their opinion about charging a suspect with an offence(s) and share with them the evidence we have collected.

It may be that police feel there is insufficient evidence to continue with a prosecution, in which case we will not refer to the LOD, and

will make a decision to close the investigation. You will be informed fully of the reasons why we believe we are unable to proceed at that time.

Phase 4

In this phase, all the available evidence is assessed thoroughly and a decision is made about whether there is enough evidence for the case to go to court.

The case might be closed at this stage, if it is decided there is not enough evidence available for there to be a realistic prospect that the suspect could be convicted if the case went to court.

A case may also be closed if a prosecution is prevented or 'not in the public interest', for example if the suspect is too old or sick to stand trial.

If you do not agree with the LOD's decision to close your case, you are entitled to seek a review of the decision under the Victims' Right to Review (VRR) Scheme.

If it is decided there is enough evidence to take your case to court, you can receive support

from an ISVA and the Witness Care Service throughout the trial process.

After the trial, the accused could be found guilty or not guilty. If the accused is found guilty, they may receive a sentence from the court.

The court can order different types of punishment, and some cases may not result in the offender going to prison. The Witness Care Service is responsible for keeping you informed of when the offender will be eligible for release from prison.

Whatever the outcome of the case, we will support you throughout the process.









Frequently Asked Questions (FAQs)

Common questions asked about the stages of the investigation...

What happens at the forensic medical examination?

A If you are reporting a recent rape or sexual assault, we might suggest that you have a medical examination to collect forensic evidence. If a forensic medical examination is needed and you consent to having it, this will take place at the Sexual Assault Referral Centre (SARC).

Although you can report rape or sexual assault at any time, there is only a limited timeframe in which medical forensic evidence can be taken.

At the SARC a Crisis Worker will support you through the medical examination process. A doctor will carry out the examination. They are specially trained to do this as sensitively as possible.

You can request to see a female or male doctor. The doctor will take your medical history and fully explain what will happen.

The purpose of the examination is firstly to ensure your medical welfare and secondly to record any injuries and take evidential samples which may help with the investigation. You can choose to participate in the medical examination and then decide at a later date if you wish to share the evidence collected with the police. Please discuss this with your Crisis Worker if you want to learn more about this option.

To help preserve forensic evidence you should avoid washing, eating, or drinking prior to the examination. You can shower and change your clothes at the SARC.



Will you need to download information from my phone or social media accounts?

A We have a legal duty to investigate all reasonable lines of enquiry. This means gathering all information directly relevant to the crime, which sometimes includes downloading relevant information (data) from your phone or social media accounts.

If a phone/social media download is required, an officer will seek your written consent to access your phone and give you written information explaining what specific data they want to access and why. If a suspect gets charged, any information that may be used by the prosecution in court, including phone and social media data, must be provided to the defence and therefore can become known to the suspect.



Will the suspect have their phone taken?

A This will depend on the case. We have a legal duty to investigate all reasonable lines of enquiry, which may include

downloading and reviewing relevant information on the phone of any suspect.



What happens if I do not want to give the police access to my phone, social media accounts, medical or personal records?

A We will only download or access your phone, social media accounts or other personal records with your consent. If you do not wish to give officers access to this information, they will discuss with you your reasons for not handing over your phone/disclosing particular records and try to address your concerns. It may be that your reasons will be brought up in court, to explain why we did not obtain information from your phone.

If a suspect is charged and the case goes to trial, the defence could suggest that you were hiding something if there is a reasonable suspicion that there is relevant information in your records or on your digital devices such as your phone.



Who do police need to contact as part of the investigation and who will be told I have reported a crime?

A We take great care in protecting the anonymity of victims and witnesses of crime. If there are witnesses in your case, we may contact them and may have to tell some of them your name, if gathering information about your case is impossible without doing so.

If a suspect is interviewed, we need to tell them your name. If you are under the age of 16, we will need to inform your parent(s) or guardian.

It is against the law for anyone to publish your name or details that might identify you (including on social media), because people who report sexual offences are automatically given the right to anonymity for life.



How long does it take to complete the investigation?

A There is no fixed timeframe, but police investigations can be lengthy and will take months rather than weeks. In a small number of cases the investigation can take much longer, for example where new evidence comes to light or there are delays in obtaining relevant evidence.

The Victims Charter means you have the right to be kept informed about your case and to receive regular updates. Read more on the Victims First website.



Will I have to go to court?

A If a suspect is charged and pleads 'not guilty' it is very likely that you will be asked to give evidence in court. There are 'Special Measures' that can be put in place to make giving evidence in court easier for you, for example by giving evidence from behind a screen or via a live video link.

Other special measures can include: you giving evidence in private by having the public gallery cleared; and the use of interpreters or intermediaries to help you give your evidence. These special measures will be discussed with you ahead of time, to ensure the measures in place are right for you. However, the use of special

measures has to be agreed by the court. If you wish, you will be able to visit the court before the trial to have a look around and have the court process explained to you.

An Independent Sexual Violence Advisor (ISVA), as well as the Witness Care Service, can support you before and during a trial.

General questions asked about reporting sexual offences...



I'm not sure I want to report to the police. Is there someone I can talk this through with?

A Making a report can feel daunting. If you would like to talk through your decision before reporting to us, you can contact the Sexual Assault Referral Centre (SARC) or you can contact an independent Sexual Violence Advisor through JDAS to discuss



Am I doing the right thing by reporting to the police?

A Every report is valuable. Even if you decide that you do not wish to participate in a full investigation or criminal prosecution, making a formal statement to us can still be helpful.

Your report could help protect you or others from harm, identify potential serial perpetrators and build a better understanding of crime, even if what you are reporting happened a long time ago. Once you have reported a crime, you can withdraw your complaint any time.

You do not have to go through with a full police investigation or prosecution in court if you do not want to. Either way, the information you provide to us can still be used to identify crime patterns, locations or serial perpetrators, especially if you are able to give us a formal statement.

What are my rights as a victim of crime?

A As a victim of crime, you have rights and entitlements when you report your crime to us. For example you have a right to have your crime recorded without undue delay; to be provided with information about the

investigation; to be referred to support services that are right for you; and to make a Victim Personal Statement that lets you explain to the court and the offender how the crime has impacted you personally.

If you are unhappy with how you are being treated by us or with the decision made in the case, you have a right to make a complaint or have your case reviewed. These rights are set out in the Victims Charter.

Where can I get support and can I receive therapy?

A ISVAs can provide competent, compassionate and independent support throughout the investigation and court process. You can also access ISVA support if you have not reported what has happened to you to the police. Information about ISVAs and a list of specialist support services can be found in the support section.

You can receive independent, confidential therapy at any stage of the report process, including while the investigation is ongoing. If your case goes to court, we will have to let the LOD know that you received therapy, and they may request access to relevant parts of the counselling notes, which may then be disclosed to the defence.

You can discuss any concerns you might have about the possibility of counselling notes being disclosed with your therapist and counsellor. Fundamentally, it is important for you to get any help you need as soon as you need it, rather than waiting until the investigation is over.



Can I talk to my friends and family about the case?

A To protect the strength of your evidence, it is very important that you do not discuss the details of what you have told us with anyone else. However, you can talk to family and friends about how you are feeling so that they can support you.



Will this be in the news?

A It is against the law for anyone, including journalists, to publish your name or any details that might identify you, including on social media. This is because those who report sexual offences to the police are automatically given the right to anonymity for life.

If you go to trial, courts are open to the public and there may be a reporter present who wishes to report on the case, but media are not allowed to publish your name or any information that might identify you.

Sometimes we put out a press release about a case where it is thought to be in the public interest (for example seeking witnesses or other potential victims), but you cannot be named publicly by the police.



I am finding the investigation traumatic and stressful. Can I get support?

A Reporting what has happened to you is not easy, and sometimes the police investigation can bring back traumatic memories and be emotionally difficult.

We will refer you to a special first support service in Phase 1 of the investigation, who you can discuss your concerns and experiences with.

ISVAs are experienced in helping victims of sexual offences through the criminal justice process and are there to support you. You can also contact the special first support services listed on page 21.



If I no longer want to go through with the investigation, can I stop the process or take my report back?

A You can withdraw your support of the investigation at any time. You do not need

to continue participating with the police investigation or support a prosecution if you do not want to. You can always request for your case to be reopened at a later point if you change your mind.

Even if you do not wish to progress with the investigation, every report made can help us learn about offenders, crime patterns, locations, and might help us to identify serial perpetrators and prevent them from causing further harm.

Telling us the reason why you no longer want to carry on can also help us improve how we support victims of crime.



My case has been closed without charging a suspect. Can I challenge the decision?

A Yes, you are entitled to have the decision explained to you and to have it reviewed if you wish. Your ISVA will be able to support you through this process.



How to report sexual assault and rape that happened some time ago

You can report a sexual assault or rape that happened at any time to us, even if this was months, years or decades ago. We take every report seriously, no matter how much time has passed.

We understand that there are lots of reasons why someone might delay telling anyone about what has happened. We also know it's common for victims to take time to realise that what has happened is a crime, or for a number of reasons, they may not feel ready to report the incident right away.

To report something that has happened some time ago, please call 01534 612612. The call handler will ask you a few questions to establish how best to help you.


A specialist officer will then arrange to visit you, to explain your options about making a

formal complaint and how an investigation could proceed.

We will do everything we can to gather evidence and build a case against a suspect, no matter how long ago the offending took place.

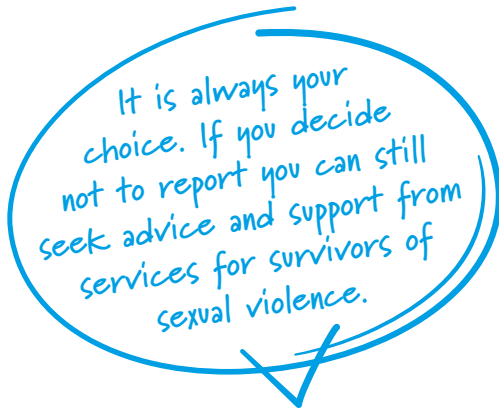
We put your wishes at the centre of everything we do. If you decide that you do not want to be involved in an investigation or criminal prosecution, making a formal statement to us can still be helpful as it could be used to protect you or others from further harm, identify potential serial perpetrators and build a better understanding of crime. Every report is valuable to us.

We will support you throughout the process and will offer you a referral to specialist support and safeguarding.



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

Accessing support



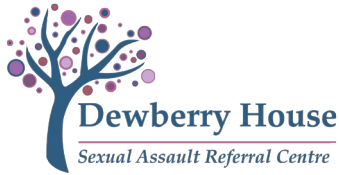
If you have been a victim of sexual assault or rape, you can access specialist support services. These services are free of charge and available to anyone. You do not need a referral or to have reported an incident to us before you access these specialist support services.

These services can support you in a variety of ways, including offering a confidential discussion if you are thinking of making a police report, but are unsure what that involves and would like to discuss it. If you do decide to report to us, you can receive support throughout the investigation and court processes.

Alternative reporting options

You can choose to make an anonymous report to us through the Sexual Assault Referral Centre (SARC) or to an Independent Sexual Violence Advisor through JDAS, rather than coming directly to us.

With no police involvement, doctors at the SARC can examine you to check that you are okay and look for evidence, which they will store to support your case. This gives you the option of making a formal police report at a later time if you choose to.



Sexual Assault Referral Centre (SARC)

Dewberry House, 6 Plaisance Terrace,
La Route du Fort, St Saviour, JE2 7PA
Phone 01534 888 222
Email dewberryhouse@gov.je
www.dewberryhouse.je



Jersey Domestic Abuse Support

Independent Sexual Violence Advisor
(ISVA) service
Phone 01534 880505
Email jdas@gov.je
www.jdas.je



JAAR (Jersey Action Against Rape)

PO Box 782, Jersey, JE4 0SQ
Phone 01534 482800
Email help@jaar.je
www.jaar.je



Victims First Jersey

Phone 0800 7351612
Email victimfirstjersey@gov.je
www.victimfirst.je



Jersey Women's Refuge

P.O. Box 708, St Helier, Jersey, JE4 0PW
Helpline 0800 7356836
Office phone 01534 873288
Email info@jerseywomensrefuge.org
www.jerseywomensrefuge.org

Glossary

This section includes words and terms you may come across if you report, or are thinking of reporting an experience of sexual assault or rape to the police. Always let the police or support services you are engaging with know if there is anything you don't understand, or if you have any questions. It is their job to explain the criminal justice process to you.

A

Achieving Best Evidence (ABE)

An ABE is a formal statement that you can give the police in Phase 2 of the investigation. You may be asked to recall in as much detail as possible what has happened and answer a few questions. With your consent, this statement is 'video-recorded' rather than written down by a police officer. If your case goes to court, a video-recorded ABE statement can be played in court, instead of you giving your evidence in person. Many victims find this easier. However, the decision to use this evidence has to be agreed in court.

Advocate

A lawyer who presents the case in either Magistrates or Royal Court. Both the defence and the prosecution will have an advocate.

Affirmation/Oath

A declaration that someone is required to give before they give evidence in court, to swear that what they say will be the truth. An affirmation is non-religious. An oath is a religious version of this, sworn on a holy book.

Age of consent

The age of consent is the age at which a person is considered to be legally competent/able to consent to sexual acts. It is the minimum age of a person that another person is legally permitted to engage in sexual activity with. In Jersey the age of consent is 16 years.

Age of criminal responsibility

This is the minimum age that a person can be charged with a crime. In Jersey this age is 10.

Anonymous

To remain unidentified by name.

Anonymity

The condition of being anonymous.

Assault by penetration

This is a sexual assault where the perpetrator penetrates the victim with either a body part or an object, without belief that the victim has consented; for example, using hands or fingers.

B

Bail conditions

After a suspect is arrested for a crime, if they are 'granted police bail' they may be allowed to go home or to a different, specific address until the date of their trial. They will only be released if they promise to adhere to bail conditions such as not contacting certain people, or reporting to a police station at certain times. See also 'Released Under Investigation.'

C

Complainant

A person who brings a case against another in a court of law.

Consent

This means you giving your permission for something to happen. Consent should be informed and willing. Having the freedom to consent means having the freedom to make a choice, knowing nothing bad will happen to you if you decline. Having the 'capacity to consent' means an individual is able to understand the implications and consequences of their choice, and is able to communicate this choice to another.

Court

A building where trials take place. These buildings usually have several court rooms within them, so it is likely that more than one trial will take place there in a single day.

Cross-examination

This is where the advocates ask questions at the trial, for example the prosecution advocate may ask the witness or defendant questions, and the defence advocate may ask the victim or witness questions.

D

Defendant

A person who has been accused of a crime and is standing trial.

Disclose

To make information known.

E

Evidence

This may be anything which helps to prove or explain the events which have led to a trial.

I

Independent Sexual Violence Advisor (ISVA)

Specialist advisors who give independent help, advice and support to victims of rape or sexual assault, regardless of whether they want to report to the police or not.

Initial statement

This is the first statement victims give to the police when they make their report. It may be quite brief, for example telling the officer what happened,

where it took place, and providing any details known about the suspect.

Intermediary

An intermediary is someone who helps vulnerable victims and witnesses (for example who might have a learning difficulty or mental health condition, or who is a child/ young person) communicate with the police, the Law Officers Department (LOD) or people in court. They are registered professionals who specialise in communication skills and are likely to have a background in psychology, speech and language therapy, social work or mental health.

J

Judge/Magistrate/Bailiff

The person who oversees a trial and ensures that everything is happening according to the law. The judge may also determine a sentence for those who are found guilty of a crime.

Jury

A group of twelve members of the public (randomly selected) who listen to all the evidence presented throughout a trial. They decide whether the defendant is guilty or not guilty.

L

Law Officers Department (LOD)

An independent group of lawyers who decide whether cases submitted by the police will go to court. The LOD then prepare cases which are going forward to trial.

O

Officer in Case (OIC)

A police officer who leads the investigation process in a case.

P

Penetration

In sexual assault or rape, this is the insertion of a body part or object into the vagina, anus or mouth.

Perpetrator

The person, or people, who have committed a criminal offence.

Plea

An accused person's formal reply to a charge in a criminal court, the choices being guilty or not guilty.

Police investigation

After a crime is reported, the process of a police investigation may begin, where the police collect evidence and speak with witnesses and suspects.

Pre-trial preparation hearing

A hearing that takes place in court after someone is charged with an offence, during which they must enter a plea to each of the charges listed.

Other administrative duties will also be dealt with by both barristers during this hearing to get the case ready to go to trial. The victim is not required to attend this hearing.

Pre-trial visit

An optional visit to the court before the trial, to have a look around and have the court process explained to you.

Prosecute

Conduct legal proceedings in court against a person or organisation.

Prosecution

The prosecution is the team who present the victim's case and work towards prosecuting the alleged perpetrator.

R

Rape

When one person penetrates the mouth, vagina or anus of another individual with his penis, without the reasonable belief that the person is consenting, or able to consent. Examples of not being able to consent include being under the age of consent (16 years old) or being too intoxicated to consent.

Released Under Investigation (RUI)

People suspected of a crime may be 'Released Under

Investigation' instead of being given a bail date to return to the police station. This means they have been released from custody without charge and no obligation to return on bail to

the police station for the offence they were questioned about.

Remanded in custody

When a person has not yet been convicted of a crime but is detained in a prison until a trial or sentencing hearing will take place. The time they spend on remand will be taken off by the judge at sentencing should the individual be found guilty at trial.

Restraining order

A court order issued to stop an individual from carrying out a particular action for a certain period of time, especially approaching or contacting a specified person.

S

Sentence (of a crime)

The penalty given to an individual who has been found guilty of a crime at the end of the court process.

Sexual Assault Referral Centre (SARC)

This is a medical facility where victims sometimes go shortly after an incident of rape or sexual assault, to have a medical

examination carried out by specialist doctors.

With the victims consent, medical forensic evidence can be collected during this examination, for example from swabs or a mouth rinse. The SARC can store this evidence to support the victim's case, giving them the option of making a formal police report at a later time if they choose to.

The SARC can also provide victims with medical and emotional support including emergency contraception, and may also provide counselling or advocacy.

Suspect

A person who has been accused, or is suspected of having committed a crime, and who is under police investigation.

T

Trial

The process where evidence is presented, following which a defendant could be found guilty or not guilty.

V

Verdict

A jury's final decision about whether the defendant is guilty or not guilty is called the 'verdict'. When the jury has decided they will deliver their verdict to the judge, who will then decide on the appropriate sentence.

Victim

An individual who a crime has happened to. In court this person might also be called the complainant.

Victim Personal Statement

(VPS) Read out/played after sentencing of perpetrator if he/she is found to be guilty. This is a statement detailing the victim's point of view on how the crime has affected them. It is up to the victim to decide if she/he wants to give a VPS and wants it read out/played.

Victims' Right to Review (VRR)

A scheme that entitles victims of sexual offences to have an LOD decision to close the case without charging a suspect explained to them and have the decision reviewed.

Victim and Witness Care Officer (VWCO)

Witness care officers are allocated cases when a suspect has been charged and the case is going to trial. VWCOs are responsible for ensuring victims and witnesses are informed about dates of court hearings and outcomes.

W

Witness

A person who is asked to give evidence in court, about something they may have witnessed or been told about.



States of Jersey Police

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