

19 October 2024

Deputy [REDACTED]
c/o Sir Charles Frossard House
La Charroterie
St Peter Port
GY1 1FH

Dear Deputy [REDACTED]

RE: MY RAPE

In October 2023, I was raped [REDACTED]

I was heartbroken.

GUERNSEY POLICE ISSUES

The reason for my correspondence is to notify you of the series of errors, inappropriate police conduct, miscommunications, and failure to offer appropriate victim support which happened throughout. Furthermore, the Guernsey police's declination to fulfil my Subject Access Request and resultant failure to provide me with my lawful 'personal data'.

Serious issues include (but are not limited to) the following:

- a. It took over two hours for police to arrange a forensic exam (following my rape). I believe this was due to staffing difficulties and the inability to find an appropriate clinic for me to receive the exam. During this time, I was in physical pain and emotional distress. Officers advised me if I used the bathroom, ate or drank anything, it could affect the outcome in court. I later found out that police should have provided a 'first evidence kit' in order for me to use the bathroom, however, officers did not provide this.
- b. There was nobody in the room during the forensic exam, offering psychological/victim support. I had no one in a time of crisis. I (again) later found out that a 'crisis worker' should have been present at the time, however, I have been told due to confusion of procedure before Willow House opened, this was not provided.
- c. The morning after pill, which I was told I needed to take (at the forensic clinic), was out of date.
- d. For 18 hours following my rape, I was unable to access necessary medication as the doctor promised police officers would bring this to me at home – but they never did, and subsequently

told me this is *"not something that [they] do."* Consequently, I had to organise and then pay for a medical appointment and associated prescription myself.


- e. Whilst taking a statement from my mother, a police officer told her it was *"a shame what happened"* because it was *"clear [my rapist] really liked [me]"*. When I telephoned police HQ to complain, an officer informed me that he *"understood I found it offensive but he wasn't quite there."*
- f. Although various officers promised to keep me updated regularly via phone call (they had asked my preferred method of communication in the days after the rape and I had asked for regular updates via the phone), many, if not most of the updates received came via email. Some very distressing, which I would have preferred (as was previously discussed with the police) came via phone call.
- g. On one occasion, when my rapist pled *"not guilty"*, I waited all morning for an update on the plea. I was obviously very anxious, as it was my hope he would plead guilty so I would not have to go to court. The police officer I spoke to promised he would call as soon as he had an update. He stressed *"[the officer] knew I liked having the updates as soon as they came through"* and that he would *"phone me as soon as he heard anything"*. But I did not get a phone call that day, and when the officer phoned me the next morning he apologised and told me it had *"slipped his mind."*
- h. Later on, during the police investigation, and in the time between police charge and trial, I was repeatedly provided with inaccurate information (including incorrect trial dates).
- i. My mother and my best friend, both of whom were called to give evidence (in court), had no idea they were giving evidence until they were telephoned and asked whether they wanted *"special measures"* in place during proceedings.
- j. My lowest point was when my rapist's advocate requested (of the court) to temporarily rescind his bail conditions, in order for him to leave the island for a stag party (his request was granted).
- k. Due to what I understand is a lack of pre charge bail requirements and a lack of meaningful safeguarding laws, for three months after my rape I was unable to relax. He knew where I lived, and I did not know him well enough to reassure myself he would not hurt me again. At 24 years old, I had to ask my father to walk me to and from the bathroom because I was too scared to leave the confines of my locked room.

TRIAL

During the trial, I was not allowed to watch *any* of my rapist's testimony – even following being cross examined. Because, I was informed, this could affect evidence were I to be recalled for further cross-examination. I understood this, but nevertheless wanted to hear or at least read what he had said at the time. But when I requested transcripts of court proceedings, I was shocked to learn that a transcript would cost me a minimum of £3,000.

I could not and cannot afford such an expense. I therefore had no choice but to find out what was said during the trial (outside of my cross-examination) via the media. To this day, I still do not really understand what my rapist's defence was. As the jurors do not advise on why they came to the verdict that they did, I have absolutely no idea how or why he was found not guilty. All I know is that three of them believed me beyond a reasonable doubt, and five of them did not.





SUBJECT ACCESS REQUEST

At a later date it came to my attention that my 999 call had been played in court, so I decided to request a copy, which is lawfully classified as my 'personal data' (i.e., what I had said to the emergency operator) and related information by way of a '(data) subject access request', to try and garner more context on the verdict.

But in response, the Guernsey police refused to comply. The email stated, inter alia, that I could "*attend Police Headquarters in order to listen to a copy of the recording. Please note that no mobile phones are permitted during this session.*" As I left the island after the rape, this is both not an option and, I believe, not fulfilling my right to my personal data.

The response to my SAR did not make sense to me, as I was the one who made the emergency call. I am acutely aware of the identity and details of the man who raped me. In any case, the call contains no personal data that could identify anyone other than him or me.

I have queried this with the appropriate authorities and hope the decision will be made to release the call, as everybody in the court room including the media, my rapist, and his family and friends have heard it. I am still waiting on a response for the remainder of the information requested via SAR.

SUMMARY

From beginning to end, the entire process was horrific. Reliving the rape, just to hear a "*not guilty*" verdict was gut-wrenching. I felt so devastated, I left Guernsey. I could not and cannot stay where it happened. Nor could I live in a place where I no longer feel safe due to, among other things, the lack of an appropriately trained police force and functioning 'justice system' more generally.

As a rape victim, I want you to know: *If I could go back to that night and make the decision on whether to press charges again, I would change my mind. I would not contact the Guernsey police. I would not go to court.*

The process would have been far less traumatic, had I not reported my rape. I am not the first victim of sexual assault to report the same, and I can assure you that I won't be the last.

CONCLUSION

I am horrified at the way I have been treated, the verdict, and the complete lack of care and victim support received from almost every service that I thought were in place to protect me if something like this ever happened.

I must include that the support from Victim Support and Witness Service was exemplary. They truly carried me through the entire process. They were honest, helpful and empathetic throughout this whole ordeal. The work that they do is paramount, and appreciated.

The entire process has, nevertheless, been painful, traumatic, and ultimately for nothing. Sadly, this is the reality of reporting a rape or sexual assault in Guernsey.

At every step of the way I have been (and still am) denied dignity. I was raped, which was traumatic enough. I then had to endure an invasive forensic exam with no support from crisis workers, and almost

one year of breakdowns in communication, incorrect information and frankly insulting remarks from police officers as detailed above.

I have no legal right to any documents about my case that could give context as to how the verdict came about without paying extortionate fees. The details I know come from the published media, and the questions I could think to ask the prosecutor after the verdict. (It's important to note this is apparently rare – I wanted to speak to the Crown Prosecutor to try and find answers. She did tell me this was unusual. Victims of sexual assault rarely want to speak to the prosecution after the verdict. I can only assume other victims face the same lack of information I have).

I have been stripped of any dignity I had left after being raped. The Guernsey police let me down during the investigation. The court system let me down during the trial. The system re-victimised me again, and again. I want to leave you with the words I wrote above:

If I was ever – God forbid – raped again, I would not telephone the police. I would never, ever choose to go through this again for a minuscule chance of receiving justice.

After the verdict, other women came forward about the man that hurt me. Pressing charges felt like a duty to me. I was protecting other women. The system failed me, but I hope, with this letter, I fulfil that duty. I hope my experiences can mean something. I hope this letter motivates you to try and change the systems that let me down in such a harrowing way.

If you need any further information please do not hesitate to contact me using the details provided.

Thank you so much for listening.

Yours sincerely,

