



# **THE DOMESTIC VIOLENCE WITNESS SUPPORT GROUP BRIEFING SHEET**

Last updated: January 2006

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**Registered Office:**  
Room 44D  
The Polish Centre  
238-246 King Street  
London W6 0RF

**Telephone:** 020 8748 5717  
**Fax:** 020 8748 5921  
**E-mail:** [admin@standingtogether.org.uk](mailto:admin@standingtogether.org.uk)  
**Website:** [www.standingtogether.org.uk](http://www.standingtogether.org.uk)

**Charity number:** 1088844



## **The Domestic Violence Witness Support Group Briefing Sheet**

### ***Support for Victim/Witnesses using the West London SDVC***

Coordinated services for victim/witnesses attending the West London Specialist Domestic Violence Court have been developed across both the Hammersmith and Fulham, and Kensington and Chelsea boroughs. This has been developed alongside streamlined court case management systems for the specialist court. Because the SDVC hears cases from two separate London Boroughs, Hammersmith and Fulham and Kensington and Chelsea, this requires the victim support agencies to work alongside each other in the court to ensure continuity of services. This could be difficult when services have developed differently in areas. Therefore, early on in the development of the court and the protocol, Standing Together decided to develop and continue to service the Domestic Violence Witness Support Group (DVWSG) which helps to coordinate the victim/witness services for the SDVC.

### **The Domestic Violence Witness Support Group (DVWSG)**

The DVWSG was formed to coordinate and develop support for agencies working with victim/witnesses attending the Specialist Domestic Violence Court. The agencies involved in the DVWSG aim to provide proactive support to victims/witnesses using the SDVC. Although the Court works across two London boroughs, the support agencies work with residents of their own borough, so it was necessary that the SDVC involved those agencies and developed a structure to ensure support services were coordinated. The DVWSG meets on a quarterly basis and is a sub group of the Court Management Group. These meetings are convened and serviced by Standing Together.

The DVWSG is an important forum for analysing and contributing to improving practice within the SDVC focusing specifically on victim and witness needs and safety issues. Member agencies work directly with victim/witnesses before, during and after attending the SDVC and they provide invaluable feedback on the victim/witness experience of the SDVC.

The DVWSG meets on a quarterly basis and is a sub group of the Court Management Group.

### ***Aims and Principles of the DVWSG***

1. *To work proactively to increase the safety of victim/witnesses and the partners of domestic violence defendants before, during and after their case at the Specialist Domestic Violence Court.*
2. *To provide support and services in a manner that empowers the victim/witnesses, and acknowledges the diversity of the victim/witnesses needs and experiences.*
3. *To acknowledge victim/witnesses needs, at what may be a very dangerous time, for:*
  - Support from someone they can trust
  - Confidentiality
  - Access to practical support and accurate information
  - Practical measures to increase safety
  - Not to have to re-tell/repeat the story unnecessarily
  - Continuity where possible, and a clear and seamless handover/referral between the DVWSG agencies
4. *To minimise the number of support agencies involved with each victim/witness around the court process.*
5. *To acknowledge that each agency is independent and is firstly accountable to its own management for procedures and priorities.*
6. *To acknowledge that partnership working can increase the options for support open to victim/witnesses, and requires cooperation and accountability amongst partner agencies.*

7. These principles detail the values underpinning the actions of all members of the DVWSG.

### ***Terms of Reference for the DVWSG***

1. Identify issues concerning the SDVC from the victim/witness perspective, to be relayed to the Court Management Group by the Standing Together Project Coordinator.
2. Identify and seek to address gaps in service provision for victims/witnesses using the SDVC.
3. Provide a forum for valuable cross borough networking with domestic violence service providers who support victims and witnesses using the SDVC.
4. Identify training needs in relation to victims and witnesses for members and the SDVC partnership.
5. Ensure the presence of CAADA trained Independent Domestic Violence Advisors/Advocates in the SDVC.

### **The DVWSG membership comprises of the following agencies:**

#### ***ADVANCE Advocacy Project***

Advocates support Hammersmith and Fulham residents where possible before, during and after court. ADVANCE is specialist 24-hour, 7 days a week response that supports women who are suffering intimate partner violence. They work with women who have reported DV to the police by risk assessing and identifying their needs, co-ordinating safety packages and providing crucial information to help women remain within the criminal justice process. ADVANCE advocates are involved from the point of police call out, through the court process and beyond. Advocates sit within the SDVC every week and provide up to date and accurate information about hearings and the trial process to their clients. They also provide the court (where appropriate) with up to date information concerning the victim. ADVANCE assists women who have no recourse to public funds and women who cannot afford to pay for legal assistance to obtain their own injunctions. ADVANCE provide support and information for women who remain in their own homes by helping them access the Sanctuary Scheme, emergency appointments with solicitors, alarms and lock changes.

#### ***Eaves Women's Aid***

For Kensington and Chelsea cases, Outreach workers from the refuge where possible support victim/witnesses before, during and after court. Eaves attend the SDVC when they are supporting a refuge resident or a client as part of their outreach project.

#### ***Victim Support Kensington and Chelsea***

Victim Support Kensington and Chelsea (VSKC) employ a Domestic Violence Coordinator who attends the SDVC every Thursday. They work with DV clients before and after court. They accept referrals from other agencies for ongoing information and support. Victim Support receives 100 percent referrals directly from the Met Police. VSKC work closely with K&C Met Police Community Safety Unit who refer DV cases regularly. They visit the CSU a weekly basis to collect referrals and case information. VSKC has also established a referral system with the K&C Witness Care Unit. VSKC strives to provide a holistic approach when supporting women affected by DV.

#### ***Woman's Trust Advocacy Service***

An advocate from Woman's Trust attends the SDVC with their clients. The Woman's Trust work alongside VSKC, providing advice and support to women using the criminal justice system. They aim to improve victims access to the criminal justice system and their safety. Woman's Trust is a new addition to the partnership, joining in late 2006. They receive referrals directly from Kensington & Chelsea Police.

#### ***West London Magistrates Court Witness Service***

The Witness Service (run by Hammersmith and Fulham Victim Support) is the pivotal agency that works across the two boroughs. They facilitate and conduct pre-court visits/orientations, provide court support where required, proactively distribute SDVC results to WCU and CSU and provide referrals to the specialist DV support agency in the victim/witness' borough where appropriate (when a victim attends court and is not supported).

#### ***Witness Care Units – Hammersmith & Fulham, and Kensington and Chelsea***

##### ***Metropolitan Police***

Witness Care Units make initial contact with the victim/witness and update them on the outcome of each court hearing. They conduct a needs assessment for the victim/witness attending court, ensure contact

details are kept up to date and take availability to assist the court when fixing trial dates. They send out an information package to all victim/witness about coming to court, including the SDVC information leaflet and expenses form. They are responsible for discussing the option of special measures with the victim/witness, raising concerns and following up requests with the Police Officer responsible for the case.

The roles and tasks of the agencies are set out in a formal protocol that forms part of the SDVC Protocol. This is available from the Standing Together website.

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### **Who is in the courtroom in West London SDVC?**

Sitting in the courtroom on an SDVC day are the following people:

- a representative from Standing Together, usually the SDVC Coordinator
- an advocate from ADVANCE
- the DV worker from VSKC
- an advocate from Woman's Trust
- Police Officers from both divisions' Community Safety Units (CSU) are usually present to assist with enquiries, usually in relation to bail variations and case management issues when possible.

A court attendance list is produced each week, identifying for the Bench who are the representatives present in the court, as agreed in the multi agency protocols.

The Standing Together representative records the case results on the case progression forms, detailing bail conditions and dates of future hearings. Standing Together also observe the operations of the Specialist Court in relation to the protocol, identifying issues, gaps as well as good practice. This information is fed back to SDVC management partners on a weekly and quarterly basis through the over-arching accountability frameworks of the Court Management Group and the Standing Together Steering Committee. The aim of the practice observations is to further refine and develop processes.

Standing Together also monitors victim/witness services, provides support to workers when needed and ensures that support mechanisms are correctly followed.

### **The role of the advocates and IDVAs in relation to the SDVC is to:**

- Provide the most current information about the victim/witnesses and their safety to the CPS. Information may include any further incidents of abuse or harassment or change of address. Information will only be passed on to the prosecutor with the victim/ witnesses' prior consent.
- Ensure that all enquiries by the Bench or Clerk concerning the victim are addressed to the prosecutor or CSU officer. This is to ensure that workers and the support being provided to victim/witnesses is not exposed in open court, which could potentially put workers and the victim/witness at risk from the perpetrator.
- Gather the most complete information about the incident and the court case, which will enhance victim/witnesses' safety.
- 'Track' cases through the system enabling easier access to information for themselves and the victim/witness about forthcoming court dates and hearings.

### **Contacting victim/witnesses**

Not all victim/witnesses will have been in contact with the support agencies before they come to court. This factor needs to be considered when developing specific support mechanisms for the SDVC, looking at the importance of support pre, during and post court.

Special provisions such as the SDVC Information leaflet, which provides information and contact details of support agencies, enhance the opportunities for victim/witnesses to know of and take up offers of support at different points within the criminal justice system. This information is distributed by the DVWSG agencies, which helps to ensure that all victim/witnesses attending court (especially in cases of a trial) have had some prior specific information about the SDVC and what to expect, as well as the help available.

### **Consent**

If a victim/witness is not at court and a supporting agency is not already working with them, advocates will not contact the victim/witness without their prior consent. To make an approach, consent from the victim/witness is usually obtained via the police or the prosecutor. The Witness Service plays an important role in making contact with all victim/witnesses at court, and as part of the protocol will attempt to make a referral to the support agency from their borough. For Hammersmith and Fulham cases, Standing Together can check the police Crime Reporting and Information System (CRIS) reports for consent to an ADVANCE referral and follow this up with the CSU directly.

### **Unsupported victim/witnesses**

When an unsupported victim/witness attends court, especially if it is not a trial – e.g. in an attempt to stop proceedings or to show the court that they ‘support’ the defendant, an advocate or the Witness Service will attempt to approach her in the court building and offer support and a referral. By their presence in the courtroom, the advocates are able to monitor situations where the victim/witness attends with the defendant.

In many circumstances discreet approaches need to be made to the victim/witness. Training provided to Security and List callers assists in channelling these people to the Witness Service who are well placed to facilitate a referral to the appropriate agency. Advocates use their assessment skills and understanding of domestic violence to make case by case decisions on when and how to approach victim/witnesses attending court, which is overseen by the Standing Together representative. This is often a “delicate” process that can sometimes result in an approach not being made to an unidentified victim/witness at court due to the dynamics making it unsafe for a worker to proceed and introduce him or herself.

### **Getting results from the SDVC out quickly**

The speedy distribution of results — bail applications and variations, sentences, adjournments — is a priority for the SDVC. A decision of the Court may have a direct effect on the safety of the victim/witnesses and/or any children who may be involved.

On SDVC days the Standing Together representative notes down the result and bail condition on the case information and case progression forms. These have been developed and implemented by Standing Together. They generate a “case file” which is securely stored in the Witness Service. This creates a case file system that is added to at each hearing. Once the case is finally dealt with they are filed to be referred to again in repeat cases.

The Court Clerk or list caller hands the pink copy of the bail form or a specially developed form (where a result is not captured on the bail form e.g. non-attendance or sentence) to the Standing Together representative in Court. The form is then taken to the Witness Service who fax the case progression forms to the relevant Witness Care Units and Community Safety Units who notify the victim with the outcome.

Frequently domestic violence support workers in the court will leave the courtroom immediately after a case has been dealt with and ring their client to inform them of the result and to explain why something has happened. This is a vital process for keeping the victim/witness informed of developments and to keep them engaged as far as possible in the process. The informed explanation of discussions in the courtroom helps to demystify the processes and decisions to the victim/witness and is an essential component of the role of the support workers at the SDVC.

Standing Together has a specialist data tracking system — STATS — from which domestic violence incidents reported to the police in Hammersmith & Fulham can be linked with court cases. WLMC

provides Standing Together with data from the SDVC relating to all cases so that monitoring can be done regarding hearings and court case outcomes for both boroughs. Information on the progress of cases is also captured via observation in the court every Thursday and details are entered into a court-tracking database at Standing Together so that case progression and practice can be monitored on an ongoing basis.

Standing Together also collates information about victim/witnesses supported through court cases and analyses this in relation to outcomes at court.

#### **Resources for victim/witnesses using the SDVC and for staff**

- In consultation with DVWSG members and survivors of domestic violence, Standing Together has developed a specific leaflet about the SDVC titled '*Information for Victim/Witnesses*'. The leaflet outlines information about the Court and the court processes, safety procedures and support available before, during and after the court date. The Witness Care Units send the leaflet with their own information pack to the victim/witness. This leaflet is also available from any of the supporting agencies.
- The '*Information for Victim/Witnesses*' leaflets are available in community languages and as an audio copy. The languages predominately spoken within the court are: Albanian, Polish, Turkish, Portuguese, Somali, Arabic, Gujarati and Farsi. It is also available in CD format and Braille.
- A '*Witness Comments and Suggestions*' leaflet has also been developed and now updated. The feedback leaflet helps Standing Together obtain valuable feedback from victim/witnesses about their experience of attending the Specialist Domestic Violence Court. A letter has now been developed to accompany the leaflet in attempt to generate more feedback for court users to help us further improve the service provided.
- An SDVC Resource Information Pack for workers has been developed and distributed to DVWSG members. The pack contains information sheets and brochures covering matters relevant to attending court and ensuring victim/witness safety. It also contains information on the CPS DV prosecution policy, civil protection, sentencing, what to do in the event of a breach of an order and the Integrated Domestic Abuse Programme.
- The court displays Women's Aid advice line posters in each witness service room along with a number of DV advice leaflets in both the ground floor and the main concourse area leaflet dispensers. Women's Aid advice line stickers are displayed in the ladies toilets.

**January 2007**