

**STANDING
together**
against domestic violence

ONE YEAR ON

**The First Annual Review of the Specialist Domestic
Violence Court at West London Magistrates Court**



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“I couldn’t believe how seriously the court took it, it’s really changed.”

— Survivor of domestic violence

Summary of Key Findings

This report documents in detail the findings from the first annual review of the Specialist Domestic Violence Court. The report contains much more information than this list and we encourage readers to examine it in detail.

- Overall, the operational partners are very pleased with the start up, functioning and operations of the Specialist Court with particular praise directed toward the sense of common purpose and spirit of multi-agency co-operation. Enhanced communication and information exchange have been achieved. Whilst many of the agencies struggle with resource limitations, great efforts continue to be made to provide personnel and input into the Specialist Court.
- The views of survivors coming to the Specialist Court are actively sought and fed back to the relevant agencies.
- Greater coordination of services for survivors of domestic violence, with a more systematic approach to domestic violence case management, has resulted in improved safety. For some, it has led to a greater satisfaction with the criminal justice system.
- Safety has been at the heart of all decisions, often resulting in simple, practical but effective changes by partner agencies being made. For example, the speedy dissemination of results and limiting the number of defendants in the court at any one time.
- The lengthy period of planning and negotiating the Specialist Court Protocol has been essential to clarify the expectations and standards of service that each agency and the partnership aimed for. This was followed by implementation and regular reviews of performance against the aims and targets via the Court Management Group.
- Partner agencies have identified best practice, solutions to observed problems or gaps in the implementation. In order to embed the changes in agency practice, training has been delivered, and written procedures have been developed or amended to inform staff. Thus the Protocol has become a 'living' document.
- The aims and targets of the Specialist Court are being met and some surpassed. Where performance could be improved, active steps are being taken to do so.
- Data collection and analysis has been improved over the first twelve months allowing solid quantitative evaluation to commence. The raw data is available for further, in-depth analysis however staff and resource limitations currently prevent this. Longer term analysis is essential to determine trends.
- More effective case management has resulted in a dramatic reduction of mean hearings per completed case from an average of 7 to 3.6.
- After setting a 'gold standard' repeat victimisation baseline of 39.7%, repeat victimisation has reduced to 35% surpassing the year end target of 37.7%.
- Despite similar populations there has been a marked difference between the number of cases arriving at the Specialist Court from Hammersmith and Fulham (60.5%) and Kensington and Chelsea (39.5%). The reasons for this are being explored further. Once cases come into the Specialist Court they perform similarly.

- Pre Sentence Reports (with full assessments) were requested in 62% of cases. The number of men ordered by the Court to attend violence prevention programmes run by Probation initially increased sharply but appears to be tailing off. The high drop out rate and the numbers of men completing the programmes is a serious concern.
- The Magistrates and District Judges have made greater use of inquisitorial questioning especially in bail applications.
- Whilst the links between the civil and criminal courts have been raised and discussed, this is an area which needs to be developed further.
- Difficulties relating to delays in available trial time and obtaining medical evidence have been identified as barriers to case progression.

Section One

INTRODUCTION

This report has been produced by Standing Together Against Domestic Violence to present the findings of the first annual review of the Specialist Domestic Violence Court at West London Magistrates Court. The review was held at West London Magistrates Court on November 24, 2003 from 9.30am to 1pm and was attended by operational partners.

To be accountable to the public is one of the agreed aims of the Standing Together partnership. It is in that spirit that we present this report and all our findings for colleagues, court users and other projects to share and learn from.

This report aims to capture the main issues and findings of the Review, and to demonstrate that evaluating the effectiveness of this initiative is a complex and developing process. For this reason we are hesitant to draw simplistic success or failure headlines but offer in-depth qualitative and quantitative data for discussion. We encourage those reading this report to join us in recognising that the Specialist Domestic Violence Court is a young, pioneering enterprise. Our analysis is a continuing journey, becoming more sophisticated as we learn from our own experience and the experience of others trying to improve the criminal justice system for victims of domestic violence.

Standing Together has been very pleased with the progress of the Specialist Domestic Violence Court. Relatively few teething problems have been experienced and we look forward to refining and embedding the good practice which has improved the safety of survivors of domestic violence and held the perpetrators of violence accountable for their behaviour.

Lastly, we wish to loudly thank West London Magistrates Court for taking on the challenge of this ground-breaking project, opening their doors for dialogue, being willing to take risks and offering their time and expertise so generously.

About the Specialist Domestic Violence Court

The Specialist Domestic Violence Court (herein after referred to as the SDVC or the Specialist Court) commenced operations at the West London Magistrates Court on October 17, 2002. The Court is the first specialist domestic violence court in London and the first to hear trials in the country.

With the assistance of funds from the Local Public Service Agreement (PSA), Standing Together was able to coordinate the development of the SDVC in conjunction with its partner agencies and, as West London Magistrates Court (WLMC) takes in cases from both Hammersmith and Fulham and Kensington and Chelsea, agencies from Kensington and Chelsea.

Prior to commencing operations, Standing Together and its partner agencies engaged in six months of planning, which included the development of a protocol governing the remit of the Specialist Court. The protocol documents the court's aims, addresses case management issues and defines organisational roles and responsibilities. The Local Authority and the

Lord Chancellor's Department approved the protocol. See Appendix A for a copy of the protocol.

The SDVC was officially launched on December 2, 2002 by the Solicitor General Harriet Harman at an event attended by a wide range of representatives including the Government, the Local Authority, Met police, agencies working with survivors of domestic violence and members of the WLMC Bench.



L to R: Anthony Wills, District Judge Maitland-Davies, Solicitor General Harriet Harman, Councillor Andrew Slaughter

The first review of the SDVC was conducted on February 5, 2003 after just three months of the court's operations. It provided an early opportunity to monitor the implementation of the protocol, to identify early trends or issues and to examine the impact of the change of case management. A full report of the three-month review "*First Soundings from the Specialist Domestic Violence Court: What have we learned three months on?*" is available from Standing Together. An update on the key recommendations made at the review is provided in this report.

The SDVC is managed by the Specialist Court Management Group which meets on a quarterly basis. The Group is chaired by the West London Magistrates Court Head of Legal Services, Jan Lesser. Other members include representatives from the operational partners — the Crown Prosecution Service (CPS), a representative of the Domestic Violence Victim/Witness Support Group, Hammersmith and Fulham Police, Kensington and Chelsea Police, Probation, DVIP who run the Integrated Domestic Abuse Programme and Standing Together who convene and service the meetings.

Section Two

HOW WE APPROACHED THE REVIEW AND WHY

Peta Sissons, Facilitator of Review and Training and Information Officer, Standing Together

One of the things we are proud of in Standing Together's work is the way we approach the process of evaluating the effectiveness of procedures and actions taken by the partner agencies. In designing the Review of the SDVC, we attempted to actively involve all the partners in deciding priorities for discussion, and to facilitate an open and constructively critical process that could go into enough detail to inform future action by any of the partners.

We set out to build up a picture of the difference the SDVC has made over its first year from the different perspectives of the partner agencies, each of which has its own measures of success in addition to the commonly agreed aims of the SDVC. In order to do so, we drew upon both qualitative and quantitative information from a variety of sources, including the logs of the week-by-week observation of the SDVC by Standing Together staff and the ADVANCE advocates. The enormous value of these detailed and rich observations is that they tell us what actually happens and the interactions between agencies in the Court, rather than just what the Protocol says should happen, or what the case outcome statistics gathered as part of the twelve month 'snapshot' can tell us.

We wanted to be curious and inquisitorial — to find out what we didn't all know, but what was known to at least some of the partners, and to check how we know whether some aspect of the SDVC is working well or not. We also needed to establish where possible whether the individual observations and findings of the agencies associated with the SDVC are shared by others, are the norm or exceptions to the rule, and/or are part of a pattern that needs to be monitored.

The history of positive working relationships between the partner agencies assisted the open process of the Review, in which we were able to share information confidentially, to discuss gaps and problems without labelling them as 'failures', and to search for some practical solutions or alternative approaches that could be implemented as soon as possible. In fact this process of identifying issues that needed to be changed has been going on throughout the year since the SDVC opened, and one of the purposes of the Review was to be able to feedback to partners what action has been taken to deal with problems during the year.

Using the past experience of the partnership, we decided that it would be best to hold the Review as a face-to-face meeting, with confidentiality rules, rather than consult the Standing Together partners in writing. The feedback from the participants (see Appendix E) confirms that this was the right decision, because of the value and importance of partner agencies hearing and exploring each others' views, and being able to understand some of the operational realities, barriers and difficulties each faces and which may be getting in the way of achieving all the aims of the Court.

“To meet other agencies, to hear at first hand and ask questions. Strengthens the sense of an overall group working together.”

“It is essential that the practitioners and Standing Together discuss in an open forum the achievements and issues yet to be resolved.”

Some of the detailed points discussed will be taken to other meetings for discussion and action via the appropriate mechanisms. Some good practice ideas will be codified, for example, within amendments to the West London Magistrates Court Domestic Violence Benchbook, which will be published early in 2004. Other points will be fed back to Government Ministers and Departments who are watching the Specialist Domestic Violence Court with great interest. This report will be presented to a wider audience of those interested in the Specialist Court on February 11, 2004.

Participants in the Review

Twenty-two invited people from eleven different key agencies in both Hammersmith and Fulham, and Kensington and Chelsea, together with visitors from the Crown Prosecution Service and the Greater London Magistrates Courts Association, took part in the Review. Participants are listed in Appendix B.

The Purpose of the Review

This was designed as an operational review, for the representatives of agencies most closely involved in the operation of the court to discuss:

1. What difference has the Specialist Court (and its associated services) made, and to whom?
To include presentation and discussion about the results in quantitative and qualitative terms of the past year’s running of the court. To identify successes and problems/barriers, and how do we know?
2. What are the lessons we can learn from these results? Analysis and discussion.
3. Where is change needed and what are those changes?
4. To identify any areas where changes are needed, for example in procedures, data collection, safety, or victim support in court, and to formulate ideas for those changes in some detail, for decision at the Court Management Group and/or within individual agencies. Refer to Appendix C for the Review’s Objectives and Programme.

The Review was organised by Standing Together Against Domestic Violence, chaired by Jan Lesser Head of Legal Services at West London Magistrates Court and chair of the SDVC Management Group, and facilitated by Peta Sissons, Training and Information Officer at Standing Together.

Consultation process before the Review

At Standing Together we aim to consult in detail about how to carry out assessments with partner agencies of progress and changes needed. Six weeks before the Review we emailed a list of questions (see Appendix D) to all Standing Together partners and the West London Magistrates Court, including justices, asking them to identify issues they would like to discuss at the Review. A number responded, and we either incorporated their suggestions and information requests into the structure of the Review, or arranged practical ways in which their issues could be scheduled for discussion at other meetings, such as the Court Management Group.

The questions we asked were:

1. What are the two or three things you would most like to get out of the Specialist Domestic Violence Court Review process on Nov 24?
2. What, if any, specific information you would like to receive on Nov 24th?
3. Do you wish to present and/or provide information from your organisation to the SDVC Review? If so, on which aspects/issues?
4. Do you have any other comments or suggestions for how we can make this a really productive day?
5. Whilst we are aware of the benefits partners have identified in and around the SDVC, there may also be some issues you think could be improved, or some aspect of inter-agency working that could be enhanced. Are there any issues you think are not working well in relation to the SDVC, or some aspect of inter-agency working that could be improved?
6. Do you have a suggestion for how to address this issue that you could bring along with you on November 24?

What follows in this report is the information, qualitative and quantitative, that we have gathered in the consultation and Review process with partner agencies.



L to R: *Charlie Wren, Funmi Okubajo, Bear Montique, Arlene de Silva, Martin Carter*

Section Three

THE REVIEW

Welcome

Jan Lesser, Head of Legal Services, West London Magistrates Court

It is the first birthday of the Specialist Domestic Violence Court and we should acknowledge our successes so far. By taking the first bold step to set up a Specialist Domestic Violence Court, we laid down a marker about the appropriate response to the awareness and reality of domestic violence.

The protocol, governing the SDVC, was the result of a massive input from each agency and set out the aims of the SDVC to protect and support victims and witnesses of domestic violence by reducing delay in dealing with cases through effective case management, and imposing appropriate sanctions to perpetrators.

Today is an opportunity to check and reflect on where we stand vis-à-vis our aims after one year; to share information and reflect upon how we can prepare for the second year in the light of our experiences.

We are looking for an open discussion, and although time is limited it provides an excellent opportunity to see your own agency's input through the eyes of others in the pilot, and to view your agency's work as part of the whole.

Aims, Targets and Operational Context

Beryl Foster, Director, Standing Together

Welcome to all the partners who made the time to come and engage in this important process of review.

We have been 'standing together' in Hammersmith and Fulham for five years now and have long since cut into the fat of poor coordination, communication and practice. Given this history, dramatic results have not been expected. We do not have 'soft targets'. Our SDVC has a harder, leaner job to do and we are very pleased with its performance.

It is a testament to the four years hard work which preceded the launch of the SDVC that we have found so little to correct in compliance with the multi-agency court protocol after the first year of operation. Key partners in the SDVC drew up this realistic protocol, based on their experience of working together, confident that they could deliver what was asked of them.

Aims of the Specialist Domestic Violence Court

The aims agreed at the launch of the Specialist Domestic Violence Court are:

- I. To increase the effectiveness of the judicial system in:
 - (a) providing protection and support to victims and witnesses of domestic violence
 - (b) providing appropriate sanctions to perpetrators

- (c) reducing delay through effective case management
2. To further increase co-ordination of agencies, including the Crown Court, involved in supporting victims and witnesses and dealing with perpetrators.
 3. To explore the potential for linking civil courts in to the criminal justice process at WLMC.

Targets for the Specialist Domestic Violence Court

In addition to the aims there are targets to be achieved to meet the Public Service Agreement for the Specialist Court. These apply to April/March years and are:

- 1. To set a base line for repeat victimisation in domestic violence cases, in 2002/3; to reduce repeat victimisation by 4.9% in 2003/4.**

The base line for 2002/3 was 40%. This has been reduced to 35% in the first 6 months of 2003/4.

- 2. To increase charges of domestic violence related offences to 211.**

Charging figures for Hammersmith and Fulham rose and then fell in the second quarter 2003/4. They are expected to rise following training of the Hammersmith and Fulham Police Division.

- 3. To increase numbers of offenders sent to the Violence Prevention Programme (now known as the Integrated Domestic Abuse Programme) to 13 in 2003/4.**

There has been an increase in numbers sent to the Violence Prevention Programme, this target will be met by March 2004.

Operational Context for the Specialist Court

Visitors

The Court has attracted the interest of many influential people, a number who have observed the court and met with operational partners. They have included:

- Harriet Harman, the Solicitor General, who officially launched the Specialist Court with the Leader of Hammersmith and Fulham Council and the Chair of the Magistrates Association in December 2002.
- Rosie Winterton MP came with the Lord Chancellor's Department on a fact-finding visit to the Court.
- Barbara Roche MP as a minister for women with the Cabinet Office, asked to visit the project with Councillor Sally Powell.
- Carolyn Spelman MP, shadow minister for women observed the Court in action.

So many requests have been received from people wishing to observe the court that we now need to book people in advance. Two visitors at a time are allowed to sit in the well of the SDVC. Visitors have included representatives from the Magistrates Association; Magistrates and legal advisers from other courts; a Family Court representative; Government funders and policy workers; domestic violence coordinators and hate crime workers from other boroughs; CPS personnel from the Inspectorate, the Domestic Violence Project and out of London offices; Metropolitan Police representatives; Victim Support workers from various

branches; and other voluntary agencies.

This interest is very encouraging and is indicative of the context we operate in. There is increased awareness of domestic violence, at the highest levels, in the Judiciary, the Government, criminal justice agencies and across many voluntary organisations.

New Government Legislation

The new Domestic Violence Bill was introduced in the Commons in early December 2003. Standing Together was very pleased to be asked by the Home Office to host the press and TV announcement of the Bill by Baroness Scotland and Solicitor General Harriet Harman on December 2, 2003. Prior to the Bill there was an extensive consultation on the Green Paper 'Safety and Justice' to which the Government received an overwhelming response.

As part of the overall consultation process the Government carried out the first direct consultation with survivors of domestic violence on a Green Paper. The Women's National Commission organised the national consultation and are loud in their appreciation of the way in which Standing Together shared with them their experience and expertise in survivor consultation. The Survivor Consultation Group of Standing Together were able to participate in the London event, accompanied by our partners at DVIP. Many of the recommendations made by Standing Together, in consultation with partners, were repeated over and over in other responses and many of them are likely to appear in the Bill.

Other Important Developments

- The Metropolitan Police have recently conducted a London wide poster campaign — *Domestic Violence Abusers Are Losing Control* — which has sent a strong message to perpetrators that they will not get away with their crimes.
- The Crown Prosecution Service (CPS) has set up a two year Domestic Violence Project which is conducting an evaluation of five Domestic Violence/Cluster Courts in the UK Cardiff, Derby, Leeds, Wolverhampton and our own Specialist Domestic Violence Court at West London.

We are providing the evaluators with as much qualitative and quantitative information as possible and we look forward to the publication of their evaluation report in January 2004. Standing Together is actively working to see that this does not become a divisive process, but a constructive sharing of information and experience. We are committed to learning from each other.

- The CPS will be evaluating the Croydon Integrated Domestic Violence Court and are setting up a pilot of a fast track system in Gwent. Funmi Okubajo, until recently the Senior Prosecutor in the Specialist Domestic Violence Court at West London, is now working on this project. We wish her all the best in this work, which will greatly benefit from her experience with Standing Together.
- On an international level, specialist domestic violence courts have been operating in the United States for many years and in Canberra, Australia, a Family Violence Court has been running for three years.

An interesting article (circulated at the Review), '*What Makes a Domestic Violence Court Work? Lessons from New York*' by Mazur and Aldrich (American Bar Association,

Judge's Journal, Spring 2003), identifies four key building blocks essential to the success of specialist domestic violence courts:

1. Victim services, including immediate access to advocates
2. Judicial monitoring (of defendants by judges and probation)
3. Accountability (of agencies to each other and of defendants to the judge)
4. A coordinated community response, including training and partnership working.

In evaluating the success of these courts (there are 300 or so in the USA with special processes for domestic violence cases), the broader systems outcomes are crucial, i.e. reducing recidivism, increasing the safety of the victims, and improving inter-agency collaboration.

Conclusion

All over the country agencies and individuals report a sea change in public attitudes to domestic violence. We can be proud that we have led the way in many areas, not least in setting up the first Specialist Court in London and the first in the country to hear trials. Now Specialist Courts are on everyone's lips and our experience here is all the more important. A long history of joint working and trust building went into this project and it is too easy to take for granted the reasons why this special court seemed to 'take off' so apparently effortlessly. It is in the design and the people, in the extra work and great willingness to learn from each other and to alter practices in all our agencies. There will be other factors which we aim to identify in this Review.

The Specialist Court has got off to a very good start. It is always energising to sit down with such committed practitioners to assess what we are doing and how we can develop it further.



L to R: Beryl Foster, Jan Lesser, Peta Sissons

Section Four

STATISTICS AND OUTPUTS

Paul Kilkenny, Data Development and Case Tracking Officer, Standing Together

Following are some conclusions about the statistical indicators presented at the Review. As with other aspects of the partnership work, in measuring what has been achieved over the past year we have set out to have an open and accountable process. In collecting, checking and presenting the court and police statistics, we have attempted to be as thorough and consistent as possible, in particular to clarify definitions and to add notes and/or footnotes to explain or qualify the figures.

The analysis of what the figures mean overall and for each agency is an ongoing process. Each agency attending the Court Management Group is able to comment on what they think is indicated by the figures, and whether they think any changes in operational matters are needed.

Annual Statistics Summary (Oct 17, 2002 to Oct 16, 2003)

In its first year of operation the Specialist Court has dealt with 196 completed cases. Completed cases are those which have resulted in a WLMC imposed penalty; have been committed/remitted to another court; withdrawn or dismissed. Seventy cases resulted in withdrawal, were discontinued or dismissed. Twenty-nine cases were sent to other courts. Therefore a total of 97 cases were sentenced at WLMC.

The following table is a twelve month snapshot and includes cases which began before the twelve month period but which continued within it. Please refer to the definitions of each category within the table. Some key areas are discussed after the table.

Performance Measurement Category	H&F	K&C	Total
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VOLUME			
Cases arriving at the SDVC	135	88	223
Percentage of total cases arriving at SDVC	60.5%	39.5%	100%

VICTIMS			
No. victims / witnesses supported by Witness Service	30	21	51
No. victims / witnesses supported by ADVANCE	72	4	76
No. victims / witnesses supported by Eaves Women's Aid	0	4*	4

**During period 01/04/03–16/10/03*

Victim/Witnesses Supported at Court: Members of the Domestic Violence Victim/Witness Support Group may have 'anticipated' contact with victim/witnesses i.e. if they attend as a witness for trial or are an existing client; or contact may be 'unanticipated' i.e. they have not had previous contact with a support service, they attend court to make a withdrawal statement or to observe hearings.

Performance Measurement Category	H&F	K&C	Total
----------------------------------	-----	-----	-------

CASE PROGRESSION			
Completed cases	117	79	196
Total no. of hearings held for completed cases	406	294	700
Mean no. of hearings per completed case	3.5	3.7	3.6

Hearings Held for Completed Cases: Completed cases are those which have resulted in a WLMC imposed penalty, or have been committed/remitted to another court, or withdrawn or dismissed.

CASES SENT TO OTHER COURTS			
Committed to Blackfriars Crown Court	14	9	23
Committed to the Central Criminal Court	1	2	3
Remanded to Horseferry Road	1	0	1
Remitted to Marylebone Magistrates Court	1	0	1
Remitted to South Western Magistrates Court	1	0	1

WHOLE CASES WITHDRAWN/DISMISSED/DISCONTINUED			
Total no. of cases withdrawn/dissmised/discontinued by CPS	43	27	70

Whilst the categories 'withdrawn', 'discontinued' and 'dismissed' are in principle discrete categories, current CPS practice precludes the successful sorting of cases between these categories.

DELAY AND EFFECTIVE CASE MANAGEMENT			
< 1 month	19	15	34
1–3 months	54	25	79
3–6 months	21	11	32
> 6 months	6	8	14

Number of Months from Charging to Sentence: This includes a standard three-week adjournment needed by Probation to write a pre-sentence report. The Specialist Court Protocol does not accept expedited sentence reports or special sentence reports.

LINKING CIVIL COURTS AND THE CJS	
Total no. of civil orders shared with WLMC by civil courts	140

CHARGES REACHING COURT			
Administering Poison	0	0	0
Affray	7	6	13
Assault Occasioning Actual Bodily Harm	42	30	72
Assaulting a PC	2	1	3
Blackmail	0	0	0

Performance Measurement Category	H&F	K&C	Total
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CHARGES REACHING COURT (continued)			
Breach of bail*	3	2	5
Breach of injunction/restraining order	2	0	2
Breach of the peace	0	0	0
Breach of community rehabilitation order	0	0	0
Burglary	0	3	3
Common assault	80	45	125
Criminal Damage	30	11	41
Dangerous Driving	0	1	1
Deception	0	0	0
Driving whilst disqualified/with no insurance	0	1	1
Drunk and Disorderly	1	0	1
Failing to stop for a PC	2	0	2
False imprisonment	0	0	0
Grievous bodily harm	2	4	6
Grievous bodily harm with intent	0	0	0
Harassment	28	8	36
Having blade/point in public	3	0	3
Indecent assault	3	4	7
Intimidation of witness	2	1	3
Kidnapping	0	0	0
Malicious communications	0	1	1
Murder	0	0	0
Possession of Drugs	6	3	9
Possession of firearm	1	0	1
Putting people in fear of violence	0	0	0
Public order offences	1	3	4
Rape	0	0	0
Robbery	0	1	1
Telecommunication Act offences	0	0	0
Theft	4	3	7
Threats to kill	5	7	12
Threatening Criminal Damage	1	0	1
Total charges reaching Court	225	135	360

Charges Reaching Court: Individual charges, not individual persons

**One reason why only 5 breaches of bail have been recorded is that WLMC can only collect data on breach of bail for breaches committed in the WLMC area (H&F and K&C) and arrested in that area.*

Performance Measurement Category	H&F	K&C	Total
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PLEAS MADE			
Guilty	34	16	50
Not Guilty	79	42	121

This category encompasses pleas made by defendants at their first appearance or at a subsequent hearing and 'indicative pleas' made prior to cases being sent to the Crown Court.

PLEA CHANGES (01/01/03–16/10/03)			
Plea Changed (Not Guilty to Guilty)	4	1	5
Plea Changed (Guilty to Not Guilty)	0	0	0

To analyse changes of plea further, i.e. to determine at which point the plea change was entered, Court staff would need increased time and resources that are not currently available.

BAIL			
Conditional	98	44	142
Unconditional	10	2	12
Remanded in custody	37	24	61

PRE-SENTENCE REPORTS (PSRs)			
Number of pre-sentence reports requested	47	13	60

Pre-sentence reports requested by West London Magistrates Court only, excludes PSRs requested at Crown Court.

SENTENCES			
Imprisonment			
Imprisonment < 3 months	3	1	4
Imprisonment 3–6 months	4	6	10
Non-imprisonment			
Conditional Discharge	7	5	12
Fine/compensation	30	12	42
Community Rehabilitation order	22	9	31
Community Rehabilitation and Punishment order	1	3	4
Community Punishment order	3	3	6
Totals	70	39	109
Ordered to Attend Violence Prevention Programme	18	8	26

Only captures sentences handed down at WLMC. Convictions at Blackfriars Crown Court are summarised in the following section but outcomes at other courts are presently not captured. These categories are not necessarily mutually exclusive.

Performance Measurement Category	H&F	K&C	Total
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BLACKFRIARS CROWN COURT OUTCOMES			
Convictions	6	3	9
Acquittals	5	3	8
Ongoing (as of 24/11/03)	3	3	6

Cases committed by WLMC 17/10/02–16/10/03.

Sources: West London Magistrates Court, Blackfriars Crown Court, ADVANCE, Witness Service, Eaves Women’s Aid.

Borough Comparisons

Hammersmith and Fulham police utilise the Standing Together definition of domestic violence — “Domestic violence includes any form of physical, sexual or emotional abuse within or after an intimate relationship” — and pursue a positive arrest and charge policy. This has a direct impact on court processes and outcomes. The police in Kensington and Chelsea adopt the Home Office definition of domestic violence. The different figures for the number of cases coming into West London Magistrates Court appear to reflect the two approaches.

Despite the respective borough populations being similar Hammersmith and Fulham = 165,242; Kensington and Chelsea = 158,919 (Source: Census 2001) there is a marked difference between the number of cases coming into court from the two boroughs. Of the 223 cases entering the SDVC during the year, 60.5% were from Hammersmith and Fulham and 39.5% from Kensington and Chelsea.

Once cases come into the SDVC, Hammersmith and Fulham and Kensington and Chelsea cases appear to perform similarly, perhaps unsurprisingly since the same prosecutors and justices deal with cases from both boroughs.

The table below shows the most recent Hammersmith and Fulham police figures for incidents, arrests and charges, however we have not yet been able to supply the equivalent figures for Kensington and Chelsea due to staff changes and resource limitations.

HAMMERSMITH AND FULHAM POLICE DATA 17/10/02–16/10/03		
Incidents ¹ (crimes and non-crimes)	1586	—
Crimes²	920	100%
Arrests	369	40.1%
Charges ³	142	15.4%

¹A single police call-out may give rise to more than one ‘incident’ if multiple offences committed.

²Crimes constituted 58.0% of incidents for this period.

³This represents the number of charges, not the number of persons charged. 142 may be an undercount since each charge is not always allocated its own unique CRIS form, as should happen.

Source: Standing Together STATS database, based on Standing Together’s definition of domestic violence.

The mean number of hearings per completed case

Prior to the commencement of the SDVC pilot, the mean number of hearings per completed case involving a domestic violence incident allegation was seven to eight. The commencement of the pilot saw an immediate drop in the number of hearings as more early guilty pleas were entered. Although the number of hearings has increased since the three-month point, at 3.6 mean hearings per case across both boroughs at the end of the first year, the signs are that the pilot's aim to reduce delay through cases management is producing beneficial results.

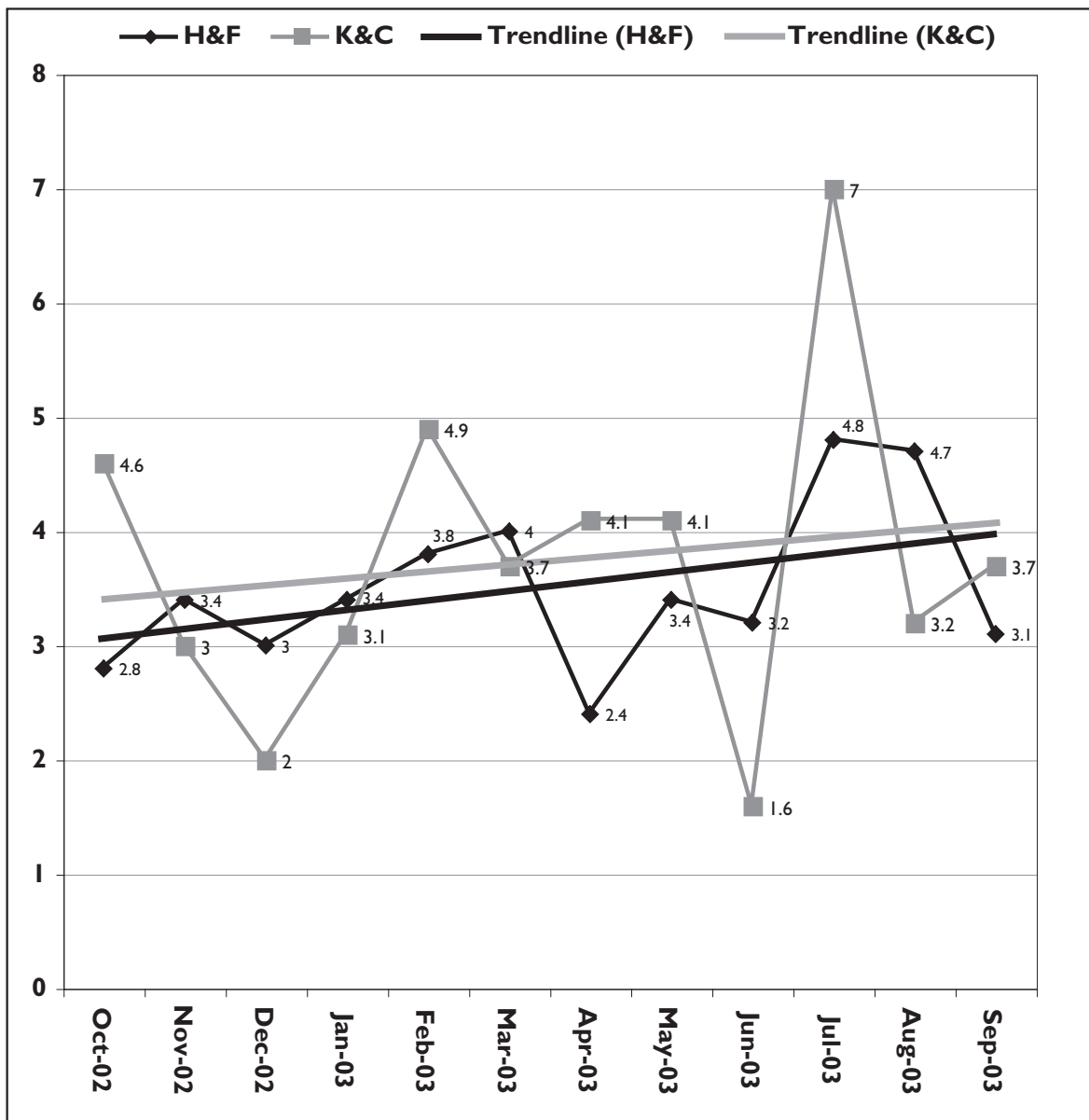


Figure 1: Mean number of hearings per completed case

Months from Charging to Sentence

As can be seen in the figure below, the majority of cases are dealt with within 3–6 months.

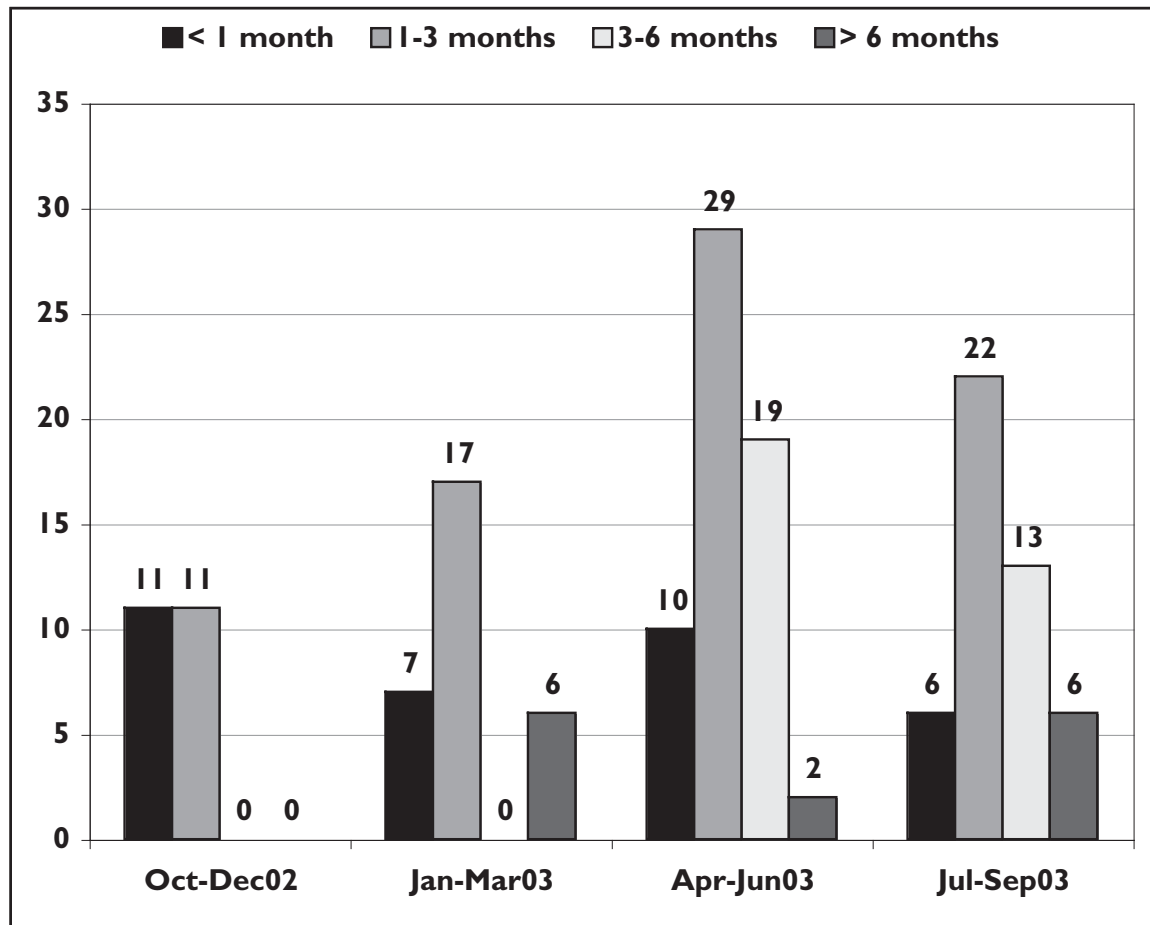


Figure 2: Months from Charging to Sentence

Change of plea from not guilty to guilty

Participants at the meeting questioned the accuracy of the statistics on plea changes from not guilty to guilty (i.e. five in total). Workers' day-to-day experiences gave them the impression that far more of these were occurring than was indicated by the statistics supplied. It was agreed that Standing Together would clarify the methodology used by the Court to capture these figures. Specifically we would determine the point from which we are calculating defendants' plea changes, in particular what happens in cases where no plea is made at the first appearance but one is made at a subsequent appearance.

Subsequent to the review meeting, these matters have been clarified. The Head of Legal Services and the court officer who collates the court data have confirmed that the statistics on plea changes from not guilty to guilty were accurate. They further confirmed that pleas made after the initial appearance are not omitted from the statistics but are captured in the plea figures relating to the month in which a plea was made. Pleas changes that occur once a case is sent to another court are omitted.

Pre-Sentence Reports (PSRs)

PSRs were requested in 62% of cases sentenced at WLMC (60 PSRs/97 sentences=61.8%). The shortfall in the number of requests for PSRs indicates a need for the Bench to request a full PSR with all sentencing options open. Our aim is to ensure that a PSR including an assessment for the Integrated Domestic Abuse Programme is requested by the Bench in every case prior to sentencing.

Referrals to the Violence Prevention Programme

The number of men ordered to attend the Violence Prevention Programme has increased substantially compared to figures for 2002 (where average was two per quarter). However performance has declined recently.

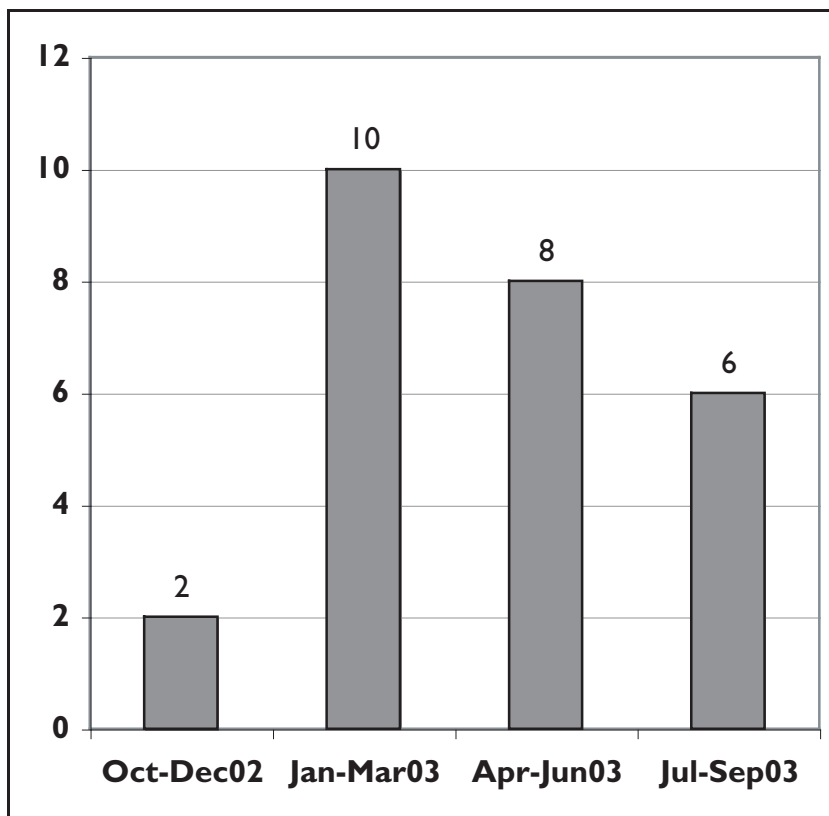


Figure 3: Perpetrators ordered to attend the Violence Prevention Programme

Repeat Victimization

The coordinated response has had great success in reducing repeat victimisation.

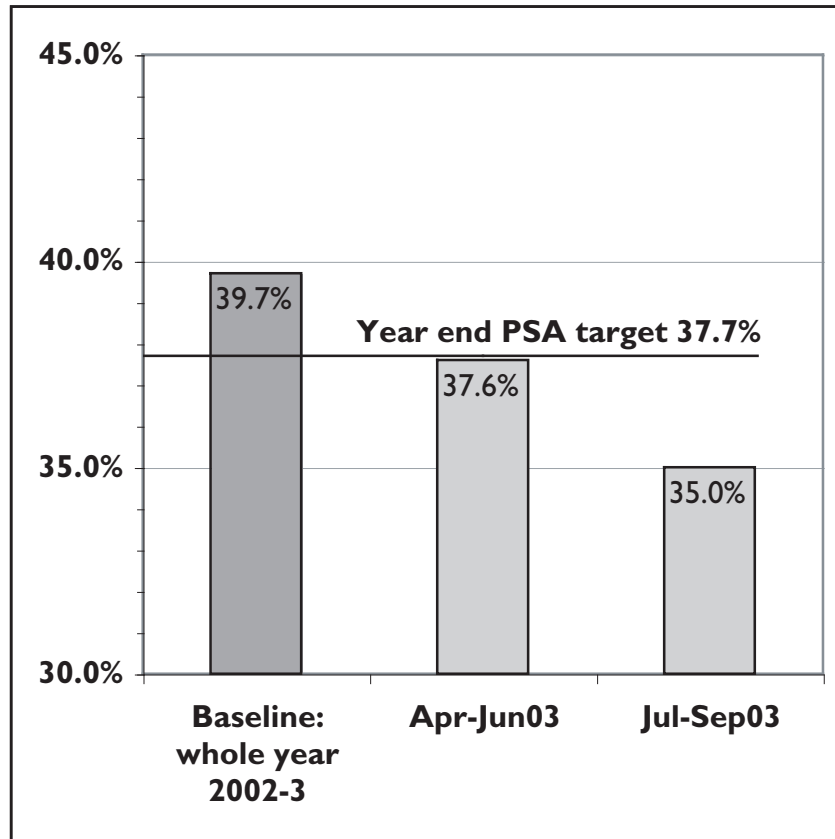


Figure 4: Level of repeat victimisation

The repeat victimisation statistics are based on the Hammersmith and Fulham figures as it is derived from Standing Together's STATS database, which tracks cases and individuals from Hammersmith and Fulham only. Kensington and Chelsea do not have this facility and their statistics are based on Metropolitan Police data which encompasses any repeat victimisation, as opposed to repeat domestic violence victimisation. For example if a person was previously a victim of a robbery and then of domestic violence they would be classed as a 'repeat victim'.

A Home Office evaluation of Standing Together's 2001–2 STATS data identified a level of repeat victimisation of 49.0%. Standing Together's analysis of its 2002–3 data produced a level of repeat victimisation of 39.7%, and this figure (which already incorporates a 9.3% drop on the Home Office's 2001–2 figure) was adopted as our baseline.

Baseline calculation methodology

Total number of domestic violence incidents reported	1508
Number of domestic violence repeat incidents	598
Rate of repeat victimisation	$(598/1508) = 0.397 = 39.7\%$

From a baseline of 39.7%, the level of repeat victimisation for Quarter 1 (Apr–Jun) 2003 was reduced to 37.6%, and subsequently reduced to 35.0% for Quarter 2 (Jul–Sep) 2003. This performance surpasses our original target, which sought a repeat victimisation level of 37.7% by the end of 2003–4.

Gold standard repeat victimisation methodology

A domestic violence ‘incident’ is any event of domestic violence that has been recorded on a Hammersmith and Fulham police CRIS form. A domestic violence ‘repeat incident’ arises when the victim and perpetrator were involved in another domestic violence incident up to twelve months prior to the first incident (as judged by Standing Together’s STATS database).

This approach is known as a ‘rolling’ method as it tracks across time boundaries. It avoids inaccuracies inherent in ‘static’ methods, which track events falling within a pre-specified time parameter. Dr Carol Hedderman from the Home Office advised Standing Together that the ‘rolling’ method is the gold standard approach in calculating this type of statistic. Standing Together’s use of the rolling method to calculate Hammersmith and Fulham’s level of repeat victimisation is a UK first.

Data Development

Since the three-month review Standing Together has become more confident and sophisticated in its data systems. We have been able to track and cross check information from different sources and include different perspectives. Analysing case profiles would be the ‘gold standard’ and very valuable to identifying problems and successes. In the future Standing Together hopes to track more data for analysis. The raw data has been collected, but the limiting factor is a resource one, agencies do not have the staff time to pursue the detail of case history e.g. on change of plea and discontinued cases.

In the meantime, Standing Together is attempting this work by developing case observation forms, completed by Standing Together observers, case by case, as they sit in the Court every week. This raw data is available for analysis from August 2003.

Standing Together is also introducing ethnic monitoring for the victim/witnesses attending the SDVC. An extension to gathering this data on defendants is being considered.

Section Five

THE EXPERIENCE FOR SURVIVORS OF DOMESTIC VIOLENCE

The Domestic Violence Victim/Witness Support Group Perspective

The Domestic Violence Victim/Witness Support Group (DVWSG) includes the Hammersmith and Fulham, and Kensington and Chelsea agencies working directly with victim/witnesses before, during and after the Specialist Court. They are:

- ADVANCE advocacy service (for Hammersmith and Fulham residents)
- Eaves Women's Aid (for Kensington and Chelsea residents)
- Victim Support (for Kensington and Chelsea residents)
- The Witness Service (for residents of both boroughs)

The DVWSG met in November 2003 to discuss what they wanted to say at the Review about what was working well, and what issues or gaps in service needed to be addressed. This is a summary of their discussion, as presented to the Review.

- Overall, the group felt that the SDVC was successful in meeting its aims and that the process for workers and individual women was smoother and more systematic methods have been adopted.
- It has been the focus on the simple, basic, practical details which have shown significant results in safety and security e.g. the use of a secure dock in the courtroom, limiting the number of defendants in the courtroom at any one time and the speedy relay to victims of case results.
- Instant information has been crucial for safety.
- There is a belief that we have nearly cracked the issue of communication — people know what is happening. It has helped to give a voice to the victim/survivors. This is what is needed for safety.
- It was felt that the other partners have afforded credibility and status to the DVWSG and workers in court. The Court Management Group has taken issues raised seriously, listened and responded. Constructive criticism has been both given and heard by the DVWSG.
- The DVWSG has been advocating on all levels, not just one to one.
- Shared experience and good practice between agencies.
- Information and skill has been filtering across sectors, breaking down barriers.

What has changed since the last Review in February 2003?

- A protocol for the group has been developed and signed up to. Clarity of roles and responsibilities since commencement of the court has been achieved.
- Eaves Women's Aid made a commitment to attend court weekly. Kensington and

Chelsea women were turning up at Court to withdraw statements, show support to the abuser or find out what was happening with their case. They have been able to offer services to more women.

- Some more women have turned up at court. Importantly, advocates have assisted women to take steps forward, just getting to the courthouse even though they may not go into the courtroom. A gradual increase in confidence in some clients has been observed.
- Additional information is now in place in the court e.g. Women's Aid information leaflets and stickers in the bathrooms.
- The increase in the referrals to the Violence Prevention Programme has been received well. It is something to tell women. However the group would like further information about 'success' of the programme.
- There is a need to monitor closely the results from non-domestic violence days at the Court, and from other courtrooms where domestic violence cases may appear but may not be recorded as such. There is a concern that not all the results from trials or hearings are coming to the Witness Service. This is difficult to monitor, as we are reliant on the legal advisers remembering to forward the information, however we will attempt to monitor what is happening from now on.
- ADVANCE asked at the Review that the security staff at the Court building should be alert to any possible harassment, intimidation or other safety issues in relation to people who are waiting to attend the court.

In Their Own Words: Survivors Views of The Specialist Domestic Violence Court

A founding principle of Standing Together is "putting the survivor at the centre of the change process". Standing Together believes that without the involvement of people with current, first-hand knowledge of the issues there is a serious risk that the safety of women and children will be diminished rather than increased by institutional and procedural change.

In January 2003, Standing Together held a consultation meeting at the court with a group of survivors of domestic violence who offer regular feedback on our work. Most of the women had been through the court process. The women we consulted were all no longer living in the violent relationship. However they had left these relationships between 25 years ago (in one case) and just a few months ago. Services have changed during this time. Some felt more positive about their experiences, whilst others were very concerned about the outcomes of contact with these services.

During the consultation they observed the Specialist Court from the public gallery and they discussed their observations. They talked about their own experience and offered some suggestions for improving the Specialist Court. Their comments and recommendations went directly into the Court Review process at the three month stage and were greatly appreciated by the professionals who have developed this first pilot domestic violence court in London. The survivors' consultation is covered in more detail in the report "*Heard and Not Judged*". A summary of the main points made by the women following the January visit to the court is given here:

Positive feedback

- The women welcomed the introduction of this court dedicated to hearing domestic violence cases. The atmosphere, the obvious improved awareness of the judge and prosecutor, and the availability of an advocate were noted as huge improvements to the general court situation that many of them had experienced.
- Proceedings in the court flowed well; it was clear that all the court staff knew what it was about. They felt it was good that staff are trained and ensure that domestic violence is taken seriously.
- The survivors saw that the Magistrates took the subject seriously and felt very heartened by that.
- They thought it is good to have female prosecutors and Magistrates. They show women a confident model. They were pleased that the Prosecutor was a woman: she was strong / positive and had no hesitancy.
- They were relieved and impressed that staff from ADVANCE and Kensington and Chelsea support agencies were available.

Suggestions for improvements

The women did identify some areas they thought could be improved:

- They were pleased that the defendant is in a closed dock — this was one of the points of concern raised in earlier feedback from survivors, which the court has acted on. But they would have liked defendants to be locked in “*as we saw one man walk straight out of it to talk to his solicitor.*”
- They were concerned that the victim’s address was read out in court and the public gallery could hear this. “*I had a big concern about the fact that there were these other men waiting for their cases to be heard... I was concerned about the confidentiality because they were hearing people’s, victim’s addresses.*”
- The legal advisers and solicitors did not use microphones so it was hard to hear them.
- Other male perpetrators were present in court, waiting for their case to be heard — this may well have ‘normalised’ the behaviour for these men. “*...the fact that they are sitting there it may actually normalise what they’ve done, because with a lot of people coming in, men can think I’m not the only one who’s hit this woman — or done whatever. I just don’t like the idea of that, I realise that they probably do it (have the men waiting there) for speed, but there should be some waiting area outside the court.*”
- It is a very small court: reversing where the witness box and the defendant is could avoid intimidation — especially if the man is ‘made’ to face the judge.
- There should be a one-way mirror rather than glass in front of the public gallery, as men can see who is there — e.g. providing privacy for relatives.
- The Domestic Violence Court should be a ‘closed court’ (although there were mixed views on this point).
- There should be screens — so that the man can’t see / intimidate the woman, and a video link would be very good to encourage women to be witnesses.

Feedback from victim/witnesses who have used the SDVC

In order to help us evaluate if we are meeting the needs of women who come into the court as witnesses at trials, we developed feedback forms for witnesses to fill in. However, disappointingly few have been returned so far. We have received twelve in total, plus some informal comments and there are copies of these comments below for your information. We recognise how difficult it can be to ask a survivor to fill in a form, but we continue to encourage agencies to be creative in getting written feedback, and recording verbal feedback.

What we are missing is feedback from women who are not currently in touch with the support agencies in the two Boroughs. We aim to make safe contact with as many victim/witnesses at the Court as possible, and, through training Hammersmith and Fulham Police officers, to increase the number of women referred to ADVANCE at the scene. We would be keen to extend this to Kensington and Chelsea next year.

The voices of victim/witnesses are invaluable. They are the grounding voices of reality in what we are trying to achieve. Many thanks to all the individuals, who contributed, collected and collated this valuable feedback.

Below are the comments made by victim/witnesses that used the Specialist Domestic Violence court between January and November 2003. The comments included detail of their experiences and thoughts about the court, as well as providing suggestions to help improve the court.

"I would have liked to visit the court room maybe days before the court day. ADVANCE were very good and helpful. It was very good for ADVANCE to be there. They made me feel better at court."

"I was surprised that court was quite friendly and relaxing. Anticipated that it would be very scary but everyone was very helpful."

"The experience was much better than expected. I was very nervous but seeing the court beforehand helped me. Using the witness room helped. I wished that I had gone to court years ago."

[Suggestion] Move the witness box away from the dock. Nearly stopped her from going to court. "Thank you for helping me through it. I wouldn't have gone through with it if ADVANCE had not supported me."

"Brilliant experience — thought it would be awful but was kept safe and didn't have to see him. Couldn't have done it without ADVANCE. They gave me so much support and kept me focused and able to go to court. Felt it was such a positive experience. The impact of me actually turning up was huge on the defendant. He did not expect me to be there."

"The court situation was new to me but made easier with the support and friendship of Lynn at ADVANCE. ADVANCE made my whole experience with the court a lot easier and having Lynn with me in court was invaluable."

"It felt so good standing up to him he couldn't believe I did it. You should have seen

his disbelief in court.”

“I went through all that and the court only gave him a community order and he walked out free. Why bother?”

“I could not have done it without the advocacy ladies. Going to court was the worse thing for me but having you to look at made me feel safer.”

“Thank you to everyone, ADVANCE, Dominic at CSU. I received a lot of support from everyone”.

“I felt everyone was terrific. Especially the police officer — I was even accompanied to the toilet by ADVANCE.”

“Everyone was very helpful. I wanted more feedback about my reports to police and wish I could have had more information on the case like photos and written results for the injunction hearing and housing hearing.”

“I couldn’t believe how seriously the court took it, it’s really changed. They had in the past let him out of prison and no one told me. Seeing him on the street I nearly died of fright.”

“Being believed was a weight off my shoulders. He used to say I was mad and I was beginning to believe it.’



L to R: Debbie Langdon, Nicola Forry, Pat Blackford, Natalia Dawkins, Sarah Williams, Sandra Fox, Peta Sissons (foreground)

Section Six

WHAT WORKS? PARTNER AGENCIES' VIEWS

At the Review, and during the consultation process beforehand, we asked each of the partner agencies involved with the Specialist Domestic Violence Court to say what difference they thought the court had made, to their agencies and to victim/witnesses and perpetrators. Their views are given here, agency by agency. See Section Five for the views of the agencies working to support with survivors of domestic violence.

Metropolitan Police Hammersmith and Fulham

- The Court process has been opened up and good collaborative work has been done with the Court itself and with Magistrates. Victims are at the front of the prosecution process here and it is not always so in other districts.
- Reduced staffing levels hampered the Community Safety Unit (CSU) at the time the court was set up.
- The current DI has only been at CSU for last six months of the SDVC and believes it is working well. He is impressed with the joined-up approach and the insight he has gained in to how well we all work together. All partner agencies and the victims benefit and offenders get an enhanced service.
- However, he is concerned that not having a common policing policy for domestic violence across the two Boroughs will lead to difficulties.
- Via the operations meetings, Hammersmith and Fulham Police are working with ADVANCE to identify the most vulnerable victims and target the perpetrators.
- The CSU is aiming to have the same CSU officer at the SDVC every week. This is also a resource cost to the Met. It may be possible to rotate this position between Hammersmith and Fulham and Kensington and Chelsea, as Kensington and Chelsea have not yet agreed to send an officer to the SDVC.
- This officer is responsible for feeding back to the CSU and for putting information on CRIMMIT. He also feeds back good and poor practice to the uniformed officers.
- The DI raised a question for discussion at the Review: Should we use Breach of the Peace more often? Considerations include: the high cost of sending police witnesses to Court the next day to provide evidence; the general reluctance of custody sergeants to send Breach of the Peace to Court (due to a concern about human rights); use of the charge has gone out of fashion. He would like to use it more as appropriate and welcomes the Court's advice. (See page 39 for the discussion).
- The DI who was in charge of Hammersmith and Fulham CSU at the time the court was launched also sent his comments in to the Review:

“It was marvellous working with a team at Court. It was a positive experience overall as all partners were trying to achieve the same goals. Helen Parry opened up the court processes, giving Standing Together the impetus to progress work on domestic violence. Other courts are not so open. The

Court staff and Court Management Group were committed to making change.

The CSU were hampered by staffing levels and would have wished to have supported the court with more time. Hammersmith and Fulham police agreed to provide an officer at Court each week and this was achieved most of the time. There was disappointment that there was not a common policy across boroughs regarding police attendance at Court.

Importantly, the focus was on the victim rather than the defendant. For once, victims are at the forefront in everyone's mind."

Metropolitan Police Kensington and Chelsea CSU

- The DI present at the Review has only been in her post for two weeks. Being new to the project she is learning about the SDVC and the role for the CSU.
- Having an officer in Court weekly would be a positive thing. The DI will see if she can get someone to attend.
- The work of Eaves Women's Aid and Victim Support is excellent and compares very favourably with the Borough she has just left. She asked whether there are there systems in place to find out if support has been beneficial and to see what happens to those victims when they do not want to proceed. The CSU could then see what additional work they could do.
- She agreed that success cannot always be judged by convictions but the courage to stand up to abuse or to leave is valuable too and police should support agencies which help with this.
- The previous CSU officer had made his comments in advance of the Review. He stated:
"From speaking to my staff we have been very impressed with the whole set-up and the support given to Kensington and Chelsea victims."

Crown Prosecution Service West London CPS

- The Specialist Court benefits from having experienced prosecutors, a pool of two now although there were three. This provides a focus, and CPS are more proactive in cases which might not have been brought forward in the past. They can liaise with the advocates to see if there is more to be done to bring the victim/witness to Court.
- The statistics do not seem encouraging, but there are more guilty pleas which were very rare in domestic violence cases. CPS are going forward with more cases; more go to trial; some without the victim when the victim withdraws. Police are getting more information to CPS and this is a great help.
- Photos and witness statements are present but medical evidence still holds things up.
- More domestic violence awareness training is needed to impact on other prosecutors, so that they will go with what on first sight may not look like a strong case.
- Having a Police officer in court is crucial, CPS can say 'hold on, can we ask and check information e.g. on Bail applications'. Information on civil orders is still a bit hit and miss, and CPS have to then sort it out with the officer and this leads to delays.

- ‘Fishing expeditions’ by the defence may account for number of hearings per case rising again, when they try to discredit the witness, asking for adjournments for psychiatric reports, medical records etc.

Howard Cohen, former member of the Court Management Group as the CPS Domestic Violence Coordinator for West London

- The Specialist Court has taught us to work together and how interdependent we are on each other.
- We have been able to learn from the Leeds Cluster Court what to avoid. This pilot at WLMC is prior to a large scale expansion of domestic violence courts.
- Links have now been made to other projects and in other important ways: Metropolitan Police/CPS Protocol and identification of cases; links to CPS Evaluation of five courts; links to Croydon Integrated Domestic Violence Court where the London CPS DV representative has recommended using the WLMC Protocol for the criminal court part, and they have.
- The new Charging Project will put a lawyer in each Police Station, CPS has been asked for advice about this, which would never have happened before.

West London Magistrates Court

Magistrates

The views expressed by the Magistrates were their own subjective views. Andrew Bache was present from the beginning of the Review, and Sandra Fox arrived during the morning.

- Andrew Bache commented that the profile of domestic violence has been raised considerably, a number of Magistrates have come forward for training. This will be good for staffing the Specialist Court itself and for domestic violence cases heard in other courts at other times of the week. The trained Magistrates see things better than those without training.
- In relation to court time, one day per week is rapidly becoming not enough time. We need to look again at what goes into the Specialist Court. Some cases need to be dealt with rapidly; others are at the ‘margins’ and could go to another court. He fears that we are clogging the Specialist Court with marginal cases which delays the essential ones. There ought to be a definition of ‘central’ and ‘marginal’ to make this clearer to deal with.
- Pre-Sentence Reports are becoming a difficult subject for WLMC as a whole. He had thought that domestic violence was a priority for Probation in this Protocol, but was unclear whether domestic violence was a priority for Probation on a national level.

Head of Legal Services

- Some very good, challenging training from Peta Sissons has been received by more justices, legal advisers and Court staff. This awareness training means that someone in any Court is aware of the issues and the aim is that all will be. The Head of Legal Services has also completed a two day ‘Training for Trainers’ Course run by Peta and is now available to be a Trainer too, as part of the Judicial Studies Board/Magistrates Association programme to train Magistrates throughout the country.

- Information on bail is going on the pink forms to the Witness Service.
- There is a Mental Health worker at WLMC every morning from the Mental Aftercare Association.
- Witness Service worker is now sitting at the front desk and can pick up victim/witnesses in need of support.
- The WLMC Legal Advisers have asked the Department of Constitutional Affairs for exemption to the special measures directions for some domestic violence witnesses to reduce intimidation in trials. No reply received yet.

Senior Legal Adviser

- Difficulties associated with obtaining medical evidence of Actual Bodily Harm can result in charges being reduced to Common Assault. This however is a perennial problem not specific to domestic violence.
- The success can be seen, more perpetrators are been sent to violence prevention programmes. The dip sample done prior to the Specialist Court showed seven or eight average hearings per case, now it is three or four. The rise recently may be due to 'fishing expeditions' by the defence, and the lack of or non-availability of medical evidence.

Probation Service

The Senior Probation Officer with responsibility for the SDVC was unfortunately not able to attend the Review, but she forwarded the following comments:

- The SDVC continues to provide an excellent service to victims of domestic violence.
- Over the last twelve months, good practice has developed and become embedded into case management. There is a sense of mutual respect and sharing of goals.
- There has been successful implementation of the protocol. Agencies have adhered to the practice guidelines and this is mirrored in the practice in the courtroom.
- We have sustained a probation officer present within the courtroom throughout, despite the Probation Service suffering from a shortage of staff.

DVIP

From July 2003, DVIP took over the running of the Integrated Domestic Abuse Programme (IDAP) for West London. IDAP has been piloted by the Home Office in West Yorkshire and London and will be evaluated in 2004.

Prior to IDAP, DVIP ran the Violence Prevention Programme (VPP). Early manual statistics for Standing Together showed that Hammersmith and Fulham used to send fewest referrals to the VPP. However, it is now the highest referring Borough.

IDAP has a high emphasis on risk management and information sharing, which will be a challenge to DVIP and Probation. There is provisional accreditation. DVIP have enjoyed working more closely with Probation in tracking offenders and case management.

There remains a small number of men completing programmes and a high proportion dropping out before starting and/or within the first six weeks. DVIP looks forward to creative solutions worked out with the Court Management Group. (See page 36 for further discussion.)

Section Seven

OBSERVATIONS ON THE SPECIALIST DOMESTIC VIOLENCE COURT

Nic Hunter, Coordinator, Standing Together

This is a list of good practice and current areas of gaps or difficulties. The list is based upon direct observations made of the SDVC every week from October 2002 to November 2003 by Standing Together staff and other external observers. A detailed pro-forma is used for the observations. The observations are based upon the information available to the observers, and we acknowledge that this may be less than is available to others who are in the courtroom. We all have a bit of the picture, from our own agencies' perspectives.

Two general observations are that:

- The SDVC Protocol is a 'living' document, which has meaning for, and is often referred to by, the agencies involved in the Court. It will be added to and refined as appropriate, and as we learn through practice.
- Some issues in the observations listed below have already been discussed and acted upon by the Court and the agencies involved. This is a constant process of information gathering and appropriate action, followed by consultation about what is working or needs to be changed.

What difference is the SDVC making to:

Victim/survivors of Domestic Violence

- Survivors already working with agencies are getting information more quickly, in particular results of each court appearance, which enhance safety.
- Clearer processes about feeding information from victim/survivors into the Court are apparent.
- Victim/survivors attending court who are not in touch with agencies have an immediate opportunity to speak with an advocate/outreach worker at the Court to get emotional support, information around safety planning and court processes.
- The physical presence of advocate/outreach workers sends a message to victim/survivors. Even if women do not take up a referral they have said "*it was good to know someone was in the room who understood what I was going through.*"
- Victim/Witnesses have said that they have felt more able to go to court and were more confident in attending.
- Information leaflets on the Specialist Court and the support agencies are available before a court appearance.

Current gaps/difficulties

- If a victim/witness attends court and becomes known only to the prosecutor, can the prosecutor advise advocates of her attendance so that they can proactively approach her?

- Survivors remain concerned about victim/witnesses' addresses being read out in the courtroom.

Agencies/Partnership Working

- The protocol has provided a strong practice and philosophical framework for the Specialist Domestic Violence Court. The protocol agreement has been observed and has had real meaning, sometimes being referred to in the courtroom.
- A systematic response has been developed. There is a greater inter-agency cooperation coupled with an increased understanding of each other's roles, responsibilities and services.

Current gaps/difficulties

- There are some areas of the protocol which are not being met, for example an officer has not always been available in Court.
- Delays still exist in particular the length of time to trial dates. The target of setting trials within a 6–8 week timeframe has slipped.
- Some difficulties with getting results through to the Kensington and Chelsea CSU however a decision has been taken to fax results through (in line with practice with Hammersmith and Fulham CSU).

Case Management and Case Outcomes

- On the whole, good decisions regarding bail applications and variations (i.e. taking account of safety) are being made. However some decisions that are not safe have also been made.
- Some good practice has been observed where the bench has implemented greater use of inquisitorial questioning.
- Good practice has been observed regarding swift, informed and considered decisions from the Bench.
- Stern responses to breaches of bail.
- Generally a request for an assessment of the defendant's suitability for the Integrated Domestic Abuse Programme is made by the Bench as well as an 'all options open' request.

Current gaps/difficulties

- Could have more consistent questioning about whether civil injunctions are in place, or more questioning regarding bail conditions to cover all situations (e.g. work, rest and play). Some legal advisers prompt the Bench, others do not.
- Defendants with serious mental health problems. Improvements could be made in eliciting information regarding previous psychiatric history and current assessments (or lack thereof). The concern is about safety for both the defendant and the victim/witness.
- Delays with the production of PSRs due to defendants non-reporting or lack of Probation staff resources.
- Inconsistent presentation of information at different court appearances due to

different benches and different prosecutors (who may or may not be familiar with the case file) presenting facts. Potential for information slipping between the gaps e.g. prosecutor not knowing the reasons why certain bail conditions were imposed.

- Non-effective trials.

Holding Perpetrators Accountable

- Good practice has been observed whereby the Bench holds the perpetrator accountable with statements on the unacceptability of their behaviour. For example “I am disturbed by the allegations put before me...”
- An increase in monitoring is seen due to the increase in requests for PSRs. More risk assessments are being carried via this method.
- Increased numbers of perpetrators sentenced to the Integrated Domestic Abuse Programme.
- A number of good practice suggestions in relation to holding perpetrators accountable have now been or will be included in the new Benchbook.

Current gaps/difficulties

- Defence solicitors: We don't know what defence solicitors say to alleged perpetrators about what to expect from the court. We are not focused on putting out messages to perpetrators yet. We have not engaged with the Defence Association yet.
- Concern about mixed messages given by security staff smiling and talking with defendants in the dock.
- The severe staff shortages experienced by the Probation Service affect their ability to produce the number of reports requested. Despite prioritisation of domestic violence at WMLC, there are times when these too cannot be prepared within the given period.
- The mental health of defendants is an area requiring closer investigation. Whilst the focus is correctly on victim safety, the needs of defendants with serious mental health issues must be considered.

Information sharing

- More information is coming into the Court via increased questioning of defendants and or the CPS by the Bench.
- PSRs appear to be consistently sought in the SDVC. When occasional requests for an Expedited or Stand Down Probation Report are made in Court, Probation decline, making reference to the agreed protocol.
- Increased constructive liaison between the Prosecutor, advocates and the officer in attendance leading to improved information exchange about current circumstances for the victim/survivor.
- Three training sessions have been provided to WLMC staff since the Court's commencement. The participants were: February 2003 — six Magistrates, seven legal advisers, list callers and listings staff. In March 2003 — five District Judges, and in November 2003 — 18 Magistrates, legal advisers, list callers, listing staff and probation staff.

- Court case result forms have been reviewed, revised and an improved case tracking system has been developed.

Current gaps/difficulties

- Obtaining results from courtrooms on non-SDVC days, including Saturday court when the Witness Service is closed.
- When new staff come in to the court they are not necessarily briefed on the partnership expectations.
- Occasional mislistings of domestic violence matters to other courtrooms. These matters however seem to be identified and transferred.
- Occasional mislistings of matters outside the remit of the protocol e.g. brother/sister or father/son abuse.
- Medical evidence can be difficult to obtain and cause delays.

Practical Issues

- An agreement has been made allowing advocates and observers to receive a copy of the court list (including the overnight list) in the morning before the commencement of court proceedings. This allows checking of court case result records by the Standing Together representative and for advocates/outreach workers to identify any cases they may be involved with.
- The courthouse is not always safe. A couple of security matters have occurred, been raised at the Court Management Group and dealt with.

Current gaps/difficulties

- The court list not always ready/available for advocates in the morning before the Court starts. The list does not always identify the different Boroughs from which the case comes.
- The courtroom is not wheelchair accessible.
- Some defendants appear to have difficulty in hearing proceedings.
- Occasionally interpreters are not available.
- Are we picking up on defendants and witnesses with learning, literacy and language difficulties?
- The door to the courtroom is noisy and disruptive.
- Microphones are not being used routinely in the courtroom by legal advisers, defence lawyers and prosecutors.
- Physical set up of the courtroom — several comments received about the dock being too close to the witness box.
- Perceived intimidation in the courtroom e.g. from the defendant to victim/witnesses and from people in the public gallery to defendants in the dock.

Section Eight

GAPS, BARRIERS AND PROBLEMS IDENTIFIED BY PARTNER AGENCIES AT THE REVIEW

During the Review, all the comments and questions raised by the participants were recorded on flipcharts under the headings of issues that are key ones to the SDVC and the agencies working to develop good practice. We have edited these and present them here as the various perspectives and concerns of the partner agencies. Also included here are specific issues raised for discussion at the Review or to be taken to the Court Management Group for decision.

Holding Perpetrators Accountable

Integrated Domestic Abuse Programme, Probation and PSRs

Do we have any information on how effective violence prevention programmes are generally? DVIP confirmed that they do try to track some men to see how successful their violence prevention programme was in changing behaviour. They will continue to do so with the IDAP programme, however it remains difficult to determine how effective programmes are. The National Probation Service will release findings in 2004 from a pilot site evaluation of IDAP.

Research from DVIP suggests that just under 70% of men who complete their Violence Prevention Programme are not using physical violence towards a partner a year after completing their programme. This is based on a yearly snapshot of client outcomes, which includes reports from perpetrators, partners and ex-partners and supervising probation officers. However, this is a small in-house evaluation with a number of methodological flaws. The most comprehensive evaluation to date is that conducted by Edward Gondolf (1998) with a sample size of 580 perpetrators at the 30-months-post-programme start point, here 74% had stopped using physical violence. While these figures may be cause for optimism, 23% continued to use violence and often repeatedly. Hopefully, the National Probation Service research on the IDAP pilots will provide further evidence on outcomes.

After an initial surge, a recent tail-off in IDAP referrals made in the SDVC is a concern. A request for programme assessment by probation for IDAP should ideally be sought in all cases — this will require a consistent approach to cover the range of behaviours involved in domestic violence, e.g. criminal damage cases, to be included.

There is a concern that PSR authors are not recommending IDAP in the majority of cases. This is an issue for the number of referrals made to the programme. Snapshot research by Heather Miller into PSRs for the period October 2002–June 2003 showed that 42.3% (52) resulted in a recommendation to attend the Violence Prevention Programme and 11.5% (6) resulted in a custodial sentence. Some of the defendants were not assessed as suitable because English was not their first language, they were in complete denial about the offence, they were female offenders, or serious mental health issues would have prohibited their participation in the programme. Heather intends to undertake a further snapshot in the near future.

DVIP can provide one-to-one sessions for offenders whose first language is not English, as these are not currently covered by Probation.

Ideally, PSR report writers should be trained in domestic violence. London Probation officers are able to attend a three day domestic violence awareness and good practice training session, which includes work on PSR writing in domestic violence cases, and separate domestic violence case management training. Specific training is available to case managers and community assessment teams involved in the delivery of IDAP programmes. However, it is evident that not all PSR writers handling cases going through the SDVC have received the training.

The high level of drop out in IDAP commencements and completions is a concern. The following data has been supplied by DVIP, who took over running of IDAP for West London from July 2003. These figures are current as at October 17, 2003. Any changes since then are not included. Please note that only male offenders are accepted onto the programme.

NUMBER OF PERPETRATORS ORDERED TO ATTEND THE IDAP PROGRAMME FROM WEST LONDON MAGISTRATES COURT (17/10/02–17/10/03)			
	Seymour Place (Oct 2002–Jul 2003)	DVIP (Jul–Oct 2003)	Year Total
No. of IDAP Orders	16	9	25
Drop out before starting	1	2	3
Awaiting start*	2	6	8
Drop out within six weeks of starting	2	0	2
Drop out after six weeks	1	0	1
On group	4	1	5
Completions	1	0	1

**As the IDAP programme is run on a module basis, offenders may need to wait to start. They may be in the process of undertaking a detox programme or be awaiting the commencement of pre-programme work.*

The reasons why men do not start the programmes are varied and include: re-offending on another offence (not necessarily domestic-violence related); motivation to attend may change; they may move; drug and alcohol misuse and/or homelessness may impact on their ability to participate.

It is vital that programmes commence as soon as possible following sentence. The bail conditions that protect the victim throughout the court process end at the point of sentence and intervention with the perpetrator does not impact immediately on their behaviour and attitudes, therefore raising the question of risk to the victim.

The possibility of a structured process for delaying sentencing in domestic violence cases in order to allow for pre-IDAP assessment of offenders is to be being discussed soon in the Court Management Group.

Police

Police and the CPS need to continue to work together to best practice standards so that when a victim withdraws support, a witness summons can be sought and the prosecution proceed. Linking with victim support services are essential in these circumstances.

Targeting repeat offenders requires more analysis and work.

Case Management/Case Outcomes

Delays in listing and report preparation

Whilst the mean number of hearings per case has been significantly reduced delays in court remain a significant issue for the SDVC. In particular, trials are being listed many months in advance. We need to examine other strategies in order to release more court time, for example, discuss the possibility of moving some non-domestic violence cases to other courts in the region, or classifying some domestic violence cases as 'priority' for the SDVC and other as 'marginal'. It was suggested that if we are to discuss 'marginal' and 'priority' cases, we need a clear definition of what this is as this may have a negative impact due to the range of offences that occur in domestic violence incidents and contexts.

Requests made by the defence often unnecessarily delay the process e.g. requests for additional medical records and psychiatric reports. Concern was expressed that new tactics seem to be employed to extend the process and discredit the victim, serving to increase delays.

The issue of non-PSRs is of concern for the SDVC. It was not clear at the Review whether domestic violence is officially a priority within London Probation for report writing. However, the Probation Service does prioritise the preparation of domestic violence PSRs at WLMC. Nevertheless, it is not always possible to produce all reports on time due to resource limitations. Sometimes, Probation are unable to arrange appointments with prisoners due to the number of prisoners on remand.

Where a non-PSR is notified when an offender has been in custody, this is also an issue which can cause problems when the Bench wish to consider a community penalty — the defendant would have already spent at least three weeks in custody. This equates to a longer period (six weeks) in terms of imprisonment/sentence.

We need to establish if the upward trend in the period of delay and number of hearings is similar between domestic violence and non-domestic violence cases. The upward trend in the number of hearings per case may be across the board, for offences not currently covered by a government target, such as persistent young offenders and street crime.

Medical evidence

Difficulties in obtaining medical evidence often delays cases. A more efficient system of obtaining medical evidence is required to reduce delays. Would it be possible for the CPS to proceed on the basis of the Forensic Medical Examiner's (FME) report? Could this be developed as part of the CPS charging project? Collective pressure on FMEs may be useful to help reduce delays in obtaining medical evidence, as reports are often not detailed enough or are illegible.

Could the medical pro-forma be used as a Section 9 statement to help ease problems with medical evidence delays?

Staff training

Having specific CPS prosecutors trained on both domestic violence and the protocol helps to reduce delays. It would be helpful if all Magistrates and DJ's are trained on domestic violence so that they are aware of the issues in case they hear a domestic violence case outside of the SDVC.

All domestic violence cases must be proactively and appropriately flagged.

Agencies/Partnership Working

Hammersmith and Fulham Community Safety Unit (CSU) ensure that an officer is always at Court when the SDVC is sitting. The CSU is attempting to rota the same officer to help develop partnership working and provide consistency. This is a big resource commitment for the CSU. A common domestic violence policing policy across both Hammersmith and Fulham and Kensington and Chelsea may help to improve the service being provided to the Court and victims. Kensington and Chelsea Police would like to work with Hammersmith and Fulham Police in order to ensure that there is always an officer at Court.

All agencies are dependent upon each other and this is crucial to the success of the SDVC.

It would be helpful to involve the court Community Psychiatric Nurse in the SDVC as some defendants present with mental health issues.

It was noted that Probation is currently in the process of restructuring. They also have major staff shortages and this can make partnership working difficult.

The Legal Adviser team at WLMC is very stretched; experienced staff have gone and the demands of the trainee staff put a great strain on the rest of the team.

Information Sharing

The CPS is dependent of the quality of the information supplied by the police and this is particularly the case in relation to any civil orders that may be in place. It is therefore important that the police ask the victim about any civil orders.

Police officers would find it useful to know what happens to victims that are referred on to either Eaves or ADVANCE. This is helpful information that could be feedback and could also be used as a measure of success and to establish what other work can be done to assist victim/witnesses.

The Hammersmith and Fulham officer who attends court feeds back information to colleagues in CSU and in uniform and also inputs intelligence information on to the database.

Obtaining court results on non-SDVC days can be a problem and is difficult to monitor.

Kensington and Chelsea police have already identified that officers should always attend court when they are opposing bail so that the CPS is fully aware of any police objections.

Victims/Survivors

Safety issues

The victim not agreeing to give evidence is a major barrier to success. WLMC are investigating whether special measures directions (i.e. use of video link so that the victim/witness does not have to be in the courtroom) can be used so that victim/witnesses in domestic violence cases have additional protection. No response has been received yet from the Department for Constitutional Affairs (DCA). An indication by Baroness Scotland at the recent launch of the Domestic Violence Bill indicates that this may now be taken forward. The WLMC Head of Legal Services will submit a paper to the DCA outlining potential benefits if victim/witnesses can give their evidence via videolink. We note that court staff and support workers would need to be trained in the safe use of video links and that victim/witnesses were given adequate information about the process support by agencies. The Head of Legal Services has implemented some practical ideas in order to make to make giving evidence less traumatic for the victim including:

- Advising the victim/witness to position themselves in the witness box so that they face the Bench, not the defendant.
- Walking into the courtroom via a route that is not so close to the dock.
- Improved use of microphones to ensure audibility and fairness of trial.
- Wording which does not offend a fair trial could be spelt out by the Bench to send a message that every witness has a right to have their evidence heard without intimidation. This will be included in the Benchbook.

Security in the courtroom and court building is an issue to ensure that all victim/witnesses attending the SDVC are escorted and feel safe.

Practical Issues

Staffing

The legal adviser team at WLMC is very stretched at the moment. The WLMC has seen a 15% rise in workload in the past twelve months with no increase in resources.

The CSU at Hammersmith and Fulham are experiencing difficulties because of staff shortages and high staff turnover.

Other Issues identified for further discussion

Trial delays and discontinued trials

This issue will be addressed in more detail at the Court Management Group, as it needs careful discussion and analysis of the nature and causes of the problem and creative discussion of possible practical solutions.

Breach of the Peace

The police wondered whether Breach of the Peace (BOP) be used more often in domestic violence cases? The meeting agreed that BOP is an available option for the police to use but was concerned that it may send the wrong message to offenders and their victims about

how seriously the behaviour is dealt with. Proportionality and resources also need to be considered if BOP is used. It should only be used if no other options are available. If there is evidence for a more serious charge, that should be pursued. In the past, BOP was used too often in the Hammersmith and Fulham, and is now much rarer because officers are well trained in the positive arrest policy. Officers need to be properly trained in the use of BOP and of Cautions.

Standing Together will consider how to effectively track the use of BOP and Police Cautions in addressing domestic violence offending.

Civil/Criminal case crossovers

The link between the civil and criminal courts needs to be developed further to ensure safe bail decisions and conditions are being made, especially in regard to child contact. The Court cannot say parties must go to Family Court however they can impose a bail condition stating that the defendant is to have no contact with the victim except through solicitors for purposes of arranging child contact. The standard wording that is now used by the Bench is helpful but needs further work as access to legal aid is not always granted in child contact cases, which may mean people are less likely to go through a solicitor.

Article 8 of the Human Rights Act — right to privacy and family life — needs to be addressed in regard to setting bail conditions regarding child contact, although this is catered for by reference to Family Court orders.

Sometimes criminal proceedings may come into conflict with an order from the Civil Court regarding child contact. Discussion during the year has led to this issue being clarified for inclusion in the new Bench Book in the following way:

To ensure no further offences are committed and there is no interference with witnesses, it may be that bail conditions will have to be imposed which conflict with Civil Court Orders and *prevent* contact by the defendant with the children. In such circumstances the criminal bail conditions will take precedence over any Civil Court Orders.

Where application is made by the defendant for a variation in bail conditions to *permit* contact with any children of the family, these are seen as matters which would need to be decided in the Family Court not the criminal court, and the duty of Magistrates to protect the victim and any children of the family is re-iterated.

Applications and orders from the Inner London and City Family Proceedings Court (ILFPC) are logged into a running book at WLMC. There have been some criminal cases when this has been useful, in particular when setting bail conditions. The Magistrates are aware of the information however one of the Magistrates thought that the logbook was used infrequently. An additional benefit of the civil orders logbook is that the CPS would get the information in Court at the same time.

The Hammersmith and Fulham CSU recently received a legal opinion from the Metropolitan Police Service on the police and arrest procedures relating to injunctions and breaches. The advice has been very useful to get clarity for all agencies and for inclusion in the recent police training conducted by Standing Together.

Section Nine

UPDATE ON PROGRESS MADE FROM THE FIRST COURT REVIEW HELD IN FEBRUARY 2003

The first review of the SDVC was held after the first three months of operation. Small group discussions were held around four areas. They were:

- Bail hearings
- Child contact
- Statistics and information
- Civil/criminal crossovers.

Below is a brief update on the progress of the comments and recommendations made by the groups. For a full extract of the small group discussion see the report *'First Soundings from the Specialist Domestic Violence Court: What have we learned three months on?'* available from Standing Together.

Group One: Bail Hearings

Aim: Using the relevant section of the draft Domestic Violence Bench Book as background, to suggest information Magistrates should ask for when considering bail.

Since February 2003 training has been provided to (17 court staff, including legal advisers and listings officers) and to 14 Magistrates and five District Judges. Since the training, it is noticeable that Justices have asked more questions regarding the victims' and defendants' circumstances in applications for bail or bail variations.

A Domestic Violence Bench Book, soon to be launched, contains information on bail issues specific to domestic violence allegations and a check list for Justices.

Improved communication has resulted in advocates being able to feed information about the victim/witnesses current circumstances to the CPS both before and after court appearances therefore being more quickly available for the Bench.

The bail hearings group raised child contact as an issue. It was recommended that bail hearings should not deal with applications for access to or contact with the children. This recommendation was similar to the recommendation made by the group who were to discuss child contact specifically. Please see below for the progress update.

Group Two: Child Contact

Aim: To consider the dilemmas Magistrates face; and the information they need in order to make safe decisions. To make recommendations for practice now, including implications for family courts; and recommendations for policy and / or legislative change if necessary.

The concerns and recommendations raised by the group discussing child contact were taken

very seriously. Information provided in training court staff has led to a more consistent approach by Magistrates, and guidelines written into the Bench Book.

Group Three: Statistics and Information

Aim: To look in more detail at the statistics presented

The presentation and analysis of the statistics from the SDVC have become much more sophisticated in the last nine months. The Standing Together Data Development and Case Tracking Officer prepares regular data for the Court Management Group, the Domestic Violence Victim/Witness Support Group and the Standing Together Steering Committee.

Group Four: Civil / Criminal Crossovers

Aim: To consider and make recommendations on Standing Together's draft "ideal process"; to list questions for clarification and recommendations for practice now; and recommendations for policy and / or legislative change if necessary.

Since the drafting of an "ideal process" by Standing Together, a specialist civil/criminal domestic violence court has been established Croydon by the Local Authority and the Croydon Court. It was decided to await the results of this pilot project before progressing the "ideal process".



L to R at table: Beryl Foster, Jan Lesser, Peta Sissons, Nic Hunter

Appendix A

Protocol for the Specialist Domestic Violence Court at West London Magistrates Court

Developed April 2003, Last updated November 2003

Version 1.2

PART I

I. INTRODUCTION

This Protocol is an agreed document between agencies who are committed to participate in the West London Magistrates' Court (WLMC) Specialist Court pilot for dealing with defined domestic violence cases starting October 17, 2002. The Protocol has the approval of the Lord Chancellor's Department.

All signatory agencies have agreed that the aim of this protocol is to improve the court management of domestic violence cases and it is accepted that this means that changes in perception and practice must be made.

The main objectives of the pilot are set out in the London Borough of Hammersmith and Fulham's Public Service Agreement (PSA) approved by the Government on 5th February 2002, specifically TARGET 7. The relevant parts of the PSA are attached (Annex I).

Signatory agencies have agreed the following aims for the pilot:

1. to increase the effectiveness of the judicial system in providing
 - protection and support to victims and witnesses of domestic violence
 - appropriate sanctions to perpetrators
 - and by reducing delay through effective case management.
2. to further increase co-ordination of agencies, including the Crown Court, involved in supporting victims and witnesses and dealing with perpetrators.
3. to explore the potential for linking civil courts in to the criminal justice process at WLMC.

West London Magistrates' Court deals with cases arising from the London Borough of Hammersmith and Fulham (LBHF) and the Royal Borough of Kensington and Chelsea (RBKC), and whilst the PSA is specific to the LBHF, all defined domestic violence cases coming before the West London Magistrates' Court will be subject to the Protocol.

II. DEFINITIONS

- A. The definition of domestic violence for the purposes of the Specialist Court has been agreed as:

“Domestic violence includes any form of physical, sexual or emotional abuse within or after an intimate relationship.”

- B. The court that will hear the domestic violence cases will be referred to as the “Specialist Domestic Violence Court.” In this document, it may also be referred to as the “Specialist Court.”
- C. Any cases where domestic violence exists as a background factor in the charge will be designated to the Specialist Court.

III. SUPPORT FOR VICTIMS AND WITNESSES

It is agreed that support for victims and witnesses is of the utmost importance not only on the trial date but during the case preparation process and after the trial/sentence. In November 2003 a separate protocol covering the Domestic Violence Victim/Witness Support Group — ADVANCE Advocacy Service, Eaves Women’s Aid, Kensington and Chelsea Victim Support and the Witness Service — was developed to update and replace the original text in this section. The protocol can be found at the end of this document as Part II.

IV. CASE IDENTIFICATION

A process has been agreed where the incident, if it falls within the definition set out in Section II, will be identified at the earliest opportunity by the police officer attending the scene/when the matter is first reported/otherwise comes to Police attention, as a domestic violence case and the CPS, Police, and Court will designate it a Specialist Court case. If on the date of the first hearing it becomes clear to the Specialist Court that a case falls into the wider definition of “family violence” then it can be scheduled to other Courts if necessary.

- The police will identify the incident as a domestic violence incident in line with the agreed definition
- Police CSU — to place a green sticker labeled with ‘DV’ on the Court Charge Sheet (57B)
- Police CJU — to label the file with the Specialist Court code
- CPS — State at first hearing and write ‘DV’ on the front of the case file and/or label with a green sticker
- Court — A green sticker labeled with ‘DV’ to be placed on the court file

The Court will adopt the case management procedure as set out at Section V in regard to each case identified as falling within the Specialist Court, either before first appearance or at first appearance.

V. COURT CASE MANAGEMENT

- A. The Court will establish a Specialist Domestic Violence Court on the Thursday of each week to deal with the identified domestic violence cases.

There is an expectation that all hearings for a defined domestic violence case will be listed before the Specialist Court when the intensive support and other inter agency arrangements are in place. It is accepted that for good reason some hearings will be listed on other dates e.g. to ensure an early hearing for a trial or where a Magistrate/District Judge is disqualified; where a defendant appears overnight in custody.

- B. The Court will ensure that District Judges, magistrates, legal advisers and staff have received special training in the area of domestic violence and the court will produce

- a bench book on domestic violence.
- C. CPS will assign prosecutors to the Specialist Court who are trained and experienced in domestic violence cases.
 - D. In each prosecution, the CPS will give consideration to the best way for the witness to give evidence including the use of interpreters, an application for screens and by video link, if necessary. (The video link is not available to victims/witnesses 17 years and over at present).
 - E. All defendants charged with a defined domestic violence offence and released on bail from the Police Station will be bailed to the Specialist Court.
 - F. All defendants charged with a defined domestic violence offence and remanded in custody from the Police Station will appear at Court in accordance with the normal procedures but where the appearance is on the day of the Specialist Court will be listed in that courtroom.
 - G. Where the defendant appears in custody from the Police Station on any day other than when the Specialist Court is sitting and does not enter a plea, the defendant will be remanded to the next available date for the Specialist Court.
 - H. Where the defendant pleads guilty and is remanded for a pre-sentence report, he/she will be remanded to the Specialist Court for sentence.
 - I. Where the defendant pleads not guilty on a day when the Specialist Court is not sitting, he/she will be remanded to the next available Specialist Court for a Pre Trial Review to be conducted and a date to be fixed.
 - J. Any adjournments of an indictable only case to be sent to the Crown Court pursuant to S 51 Crime and Disorder Act 1998 will be assigned to the Specialist Court.
 - K. Wherever possible the trial date should be fixed for hearing before the Specialist Court but it is accepted this may not always be possible and the need for any early hearing date must be taken into account.
 - L. The Court will draft a directions form for the Specialist Court to ensure all relevant issues are considered before a trial date is fixed.
 - M. All signatory agencies have agreed to proactively inform each other as soon as possible of any issues likely to affect the effectiveness of a fixed trial.
 - N. Trial dates should be fixed within twenty-eight (28) days of the not-guilty plea being entered and where this is not possible the reasons must be recorded on the court file.
 - O. Where a trial is adjourned part-heard for whatever reason the Court will fix the earliest possible resumed date after hearing representations from the parties on their availability.
 - P. The Court will appoint a Case Progression Officer (CPO) to monitor the progress of all domestic violence cases. The role of the CPO is to ensure that cases are progressing, unnecessary delays are avoided and Specialist Court time is best utilised.
 - Q. On the defendant's first appearance at court (whether or not the Specialist Court), the WLMC, in accordance with the agreement with the Inner London and City Family Proceedings Court (FPC) and County Courts will provide the CPS and the

defendant or the defendant's legal representative with copies of any civil orders or outstanding applications between the parties notified to them in accordance with the civil/criminal interface arrangements. (See Annex II [not published with this report] for arrangements with the FPC; there are unresolved issues in regard to arrangements with the County Courts).

- R. Breaches of bail conditions will be dealt with in any court as they must be dealt with within 24 hours of arrest, but if the defendant appears on a Thursday every effort will be made to bring him or her before the Specialist Court.
- S. Breaches of Community Orders made in the Specialist Court or orders that the WLMC is supervising will be heard in the Specialist Court. The Court will block list such hearings every two weeks to assist the Probation Service.
- T. Arrests on warrant for breach will be adjourned to the Specialist Court. Where a breach arrest hearing is adjourned it should also be heard in the Specialist Court.
- U. Where the court adjourns the matter for sentence and a community penalty is a stated option, the court will consider requiring the defendant to attend for assessment as to his/her suitability for attendance on the Domestic Violence Prevention Programme. Where such attendance is required and the defendant is granted bail the court will consider making it a condition of bail where appropriate.
- V. Where a Pre-Sentence Report is ordered, the Probation Service requires three weeks to prepare the Report, allowing time for full enquiries to be made.

VI. COVER FOR COURT

- A. On the day of the Specialist Court, a Police Liaison Officer or Police Officer will be present in the courtroom or its environs from Hammersmith and Fulham Police. (This arrangement will be subject to amendment at the first full review meeting). Kensington and Chelsea Police will deal with matters by telephone. This paragraph refers to hearings other than trials. The police officer in the case will always be required to attend at the trial.
- B. On the day of the Specialist Court the Witness Service will make special arrangements for cover for cases where the victim is to attend the hearing.
- C. On the day of the Specialist Court arrangements will be made for a qualified Probation Officer, dedicated to the morning Specialist Court session, to attend whenever possible but the Court will always have access to a qualified Probation Officer at Court.
- D. A representative of ADVANCE will attend the Specialist Court.
- E. A representative of Eave's Women's Aid will attend the Specialist Court.

VII. BAIL CONDITIONS

- A. Where a defendant is released on bail (conditional or unconditional) at any stage in the proceedings but especially where he/she is released from custody or bail conditions are varied, arrangements will be in place to inform the victim/witness as soon as possible so as to avoid surprise contact by the defendant.
- B. A copy of the bail form will be supplied to the WS (pink) and the PLO (white) as soon as the case is completed in the courtroom.

- C. Witness support agencies and the victim/witness will be able to contact the Court through the WS to obtain the bail information in appropriate cases. If a bail application or bail variation has been made subsequent to the first hearing the WS will proactively contact the relevant victim support service and CSU for the investigating officer to contact the victim/witness.
- D. The Court may be asked to consider requiring the defendant to wait at court so that the victim/witness can be informed of the bail/variation to bail decision.
- E. The Crown Court will be asked to notify West London Magistrates' Court of any defined domestic violence case bail appeal hearings and the result as soon as practicable in accordance with the agreed arrangements (Annex III).
- F. In cases where a person bailed to attend a Probation assessment fails to attend, the Probation Service will inform local police (CSU and the arresting officer) who will prioritise finding and arresting the offender.

VIII. REPORTING AND EVALUATION

The West London Magistrates Court will undertake to produce statistics on an ongoing basis and will provide them to the Standing Together Tracker for circulation to all the signatory agencies.

- A. The Witness Service is to fax results, including any bail information, for Hammersmith and Fulham cases to the Standing Together Tracker for input onto the STATS system.
- B. Feedback from victims and witnesses will be monitored and evaluated.
- C. The Court will conduct a full review of the effectiveness of the Specialist Court three months from commencement of the Court's operation and at agreed regular intervals thereafter. A detailed report will be circulated to all relevant agencies within one month of each review.
- D. Reporting Requirements
 - i. Public Service Agreement — Quarterly monitoring and updates on the objectives, targets, performance, finance, and freedoms and flexibilities as outlined in the project plan are to be provided to the LBHF Council. Standing Together will collate the required reports. The relevant parts of the PSA are included in Annex I [not published here].

IX. SIGNATORY PAGE

Signed for West London Magistrates' Court
 Signed for Standing Together Against Domestic Violence
 Signed for Metropolitan Police, Kensington and Chelsea
 Signed for Metropolitan Police, Hammersmith and Fulham
 Signed for Crown Prosecution Service
 Signed for National Probation Service (London Area)
 Signed for ADVANCE
 Signed for Victim Support – Kensington & Chelsea
 Signed for The Witness Service
 Signed for Eaves Women's Aid

PART II

Protocol for the Domestic Violence Victim/Witness Support Group Working at the Specialist Domestic Violence Court West London Magistrates Court

November 2003

Introduction

This protocol is an agreed document between the Domestic Violence Victim/Witness Support Group (DVWSG) agencies that are committed to participate in the Specialist Domestic Violence Court at West London Magistrates Court (WLMC). The DVWSG is a collaborative group of agencies that work with victim/witnesses of domestic violence who attend the Specialist Domestic Violence Court (SDVC) at West London. The member agencies are: ADVANCE advocacy service, Eaves Women's Aid, Victim Support — Kensington and Chelsea, and the Witness Service.

All DVWSG agencies have agreed and signed up to the Protocol governing the Specialist Court. This document is complimentary to the Protocol and outlines the specific role the DVWSG has in supporting victim/witnesses attending the Court.

It is agreed that support for victim/witnesses is of the utmost importance not only on the trial date but also during the case preparation process and after hearings, the trial and sentence.

It is acknowledged that victim/witnesses will attend at the court at various stages of the process and with differing levels of support and information.

Domestic Violence Victim/Witness Support Group Principles

The following principles were agreed on May 27, 2003 by the Domestic Violence Victim/Witness Support Group:

- 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.
- To provide support and services in a manner that empowers the victim/witnesses, and acknowledges the diversity of the victim/witnesses needs and experiences.
- 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

- To minimise the number of support agencies involved with each victim/witness around the court process.
- To acknowledge that each agency is independent and is firstly accountable to its own management for procedures and priorities.
- To acknowledge that partnership working can increase the options for support open to victim/witnesses, and requires cooperation and accountability amongst partner agencies.

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

A. ROLE OF THE WITNESS SERVICE

Hammersmith and Fulham Victim Support provide the Witness Service (WS) located within the West London Magistrates' Court. The WS provide support for witnesses in all courts and will provide support in the Specialist Court. They will:

- i. **Proactively contact witnesses** — The WS provides the Metropolitan Police Hammersmith and Fulham Criminal Justice Unit and the Kensington and Chelsea Criminal Justice Unit with an information sheet that is sent to all vulnerable witnesses offering support and includes their contact details.

The WS will proactively make contact victim/witnesses attending the court where distress is observed or the victim/witness has approached court staff for information and requires assistance.

If the WS receives a self/police referral or otherwise becomes aware of an unsupported victim/witness they will ask if they want to be referred to an appropriate agency. Depending on their permission, the WS will do it or the victim/witness can do so personally. An introduction to an advocate from ADVANCE or an outreach worker from Eaves Women's Aid may be made on the day of the Specialist Court.

If the victim/witness attends at the Court seeking to make a withdrawal statement, the WS should liaise with the Prosecutor and attempt to refer the victim/witness to either ADVANCE or Eaves Women's Aid, offering to introduce them on the day if possible. The advocate or outreach worker will sit in with the Prosecutor and the victim/witness whilst the withdrawal statement is being taken.

If a referral to see an advocate/outreach worker at Court is not accepted, the WS will discuss with the victim/witness any consequences for their safety and offer a referral to a support agency for post court support. The WS worker will sit in with the Prosecutor and the victim/witness whilst the withdrawal statement is being taken.

To make a referral, the WS will elicit 'need to know' information including the victim/witnesses borough, whether or not they have been or are in touch with a support agency and note any safety concerns pertinent to recontacting him or her. The WS will also discuss other requirements such as need for safe entry, smoking or any other special needs.

- ii. **Conduct court orientation** — When requested (preferably in advance with one weeks notice) either by the victim/witness or an agency, the WS will give individual witnesses a tour of the court and explain the court process. If the victim/witness is

supported by an agency the worker is welcome to accompany the victim/witness on the pre-trial visit. If the agency is not accompanying the client, the WS will contact the agency to update.

The WS will collect monthly statistics of the number of domestic violence victims/witnesses who have come to the court for an orientation visit before the hearing date and on the date of hearing.

- iii. Support on trial date** — The WS will meet each victim/witness as they arrive for court on the day of the Specialist Court. In this meeting they will ascertain whether the victim/witness is supported by an agency or at this point do they want a referral. If so, the WS will approach an advocate/outreach worker.

Where the victim/witness is not supported by an agency and does not wish a referral, the WS will provide a practical description of the courtroom and the process for the day and will keep the victim/witness informed and supported. The WS will approach an advocate/outreach worker at any time in the court proceedings if they are needed. The WS will inform the Prosecutor and the list caller of the witness' presence and obtain the witness statement for the victim/witness.

When requested the WS will sit with the victim/witnesses while they are waiting to give evidence and will accompany a victim/witness in the courtroom, but not when the victim/witness is supported by an advocate/outreach worker.

- iv. Bail information** — When a case is adjourned the bail form will be provided to the WS as soon as practicable on that day. If after the first hearing there is a bail application or change in bail condition the WS will proactively contact the relevant Metropolitan Police Community Safety Unit for the investigating officer(s) to contact the victim/witness. If the bail hearing is not held on the day of the Specialist Domestic Violence Court or a worker from the relevant support agency is not in attendance at the Court, the WS will also proactively contact them at this time.

- v. Court results** — The case result form completed by a member of the project in the courtroom (ie Standing Together, advocate or outreach worker), will be provided to the WS as soon as is practicable. The WS will be available by phone to victims/witnesses or victim/witness support agencies to give the court result on the day of the Specialist Court.

The WS will proactively contact the relevant Metropolitan Police CSU by faxing the case result. If the WS is not going to be available on a Thursday, the WS will inform the CSU's prior to the day so that they can call the court for urgent results.

All court result forms will be left in the blue tray utilised by the DVWSG in the WS room. The WS will provide filing room space, and will file all of the results forms from the SDVC.

- vi. Transport and Safe entry/exit for Vulnerable Witnesses** — By prior arrangement, the WS can ask the court to allow the victim/witness to use an alternative entrance to the court building and courtroom if required. The latter will require consultation with the Magistrates/District Judge on the day of the trial.

The WS will accompany a witness out to the boundaries of the courthouse if requested.

- vii. Information leaflets for court** – The WS will maintain stocks of the 'Information for

Victim/Witnesses' and the 'Witness Comments and Suggestions' leaflets produced by Standing Together plus leaflets from ADVANCE, Eaves Women's Aid and Kensington and Chelsea Victim Support for the purposes of distribution to victim/witnesses. Standing Together will also supply multiple copies of the 'Domestic Violence – your legal rights' leaflet produced by Women's Aid for distribution. It is the responsibility of individual agencies to ensure that the leaflets are supplied to the WS.

viii. Feedback from Victim/Witnesses — The WS will attempt to obtain feedback from victim/witnesses either via the formal feedback forms or informally. Feedback is to be provided to Standing Together.

ix. Use of the Witness Service Facilities – The WS will provide use of their office space as a meeting point for the DVWSG agencies. All of the agencies can use the meeting time as an opportunity to liaise about forthcoming cases and share information. DVWSG members who utilise the WS office should be aware of the door code to let themselves in and out of the room.

The WS offers tea, coffee and water on a self-service basis. The telephone and WS facilities can be used on a mindful basis. The WS provides use of a desk and chairs to the DVWSG agencies. A filing cabinet is also made available for storage of court results. Handbags and briefcases can be left in the secure witness service office however, when left unattended, mobile phones should be switched off. The WS will take messages on the office line if required.

B. THE ROLE OF ADVANCE

ADVANCE is the main point of referral for Hammersmith and Fulham Police. It takes referrals 24 hours a day, seven days a week. Their services are designed to support the victim/witness through the criminal justice system as well as providing support and practical advice on a variety of issues such as housing, immigration, benefits and civil remedies. For a more detailed description, refer to the Standing Together Protocol with ADVANCE. ADVANCE will:

i. Referral from Police — It is expected that all victims of domestic violence will be offered a referral to ADVANCE at the time of police callout or once the case has been passed to the CSU. However there will be victims who have not been offered or taken the referral to ADVANCE.

ii. Support pre-trial date — ADVANCE will offer ongoing support for all victim/witnesses referred by Hammersmith and Fulham Police (see Standing Together protocol with ADVANCE).

ADVANCE's contact details will be included on the 'Information for Victim/Witnesses' leaflet sent by the Hammersmith and Fulham CJU in the witness warning letter bundle. ADVANCE will contact the WS to advise that the victim/witness is a client of their service and whether they are intending to proceed or withdraw. They will request from the WS (preferably in advance with one weeks notice) pre-trial court visits and special entry to the court if necessary.

iii. Information given by ADVANCE to the CSU — ADVANCE regularly liaise with the Hammersmith and Fulham Police. They will make an effort to collect information from the victim/witness about previous convictions and/or civil injunctions, which

may be relevant to the Police case and also to the CPS for the bail hearing. Once ADVANCE has passed information along to the CSU it will remain in the case file on the MG6 and MG7 forms.

iv. Information relevant to trial date — If ADVANCE are aware of any harassment of the victim/witness from the defendant or any other person, they should contact the CSU and they can enable the victim/witness to make an additional statement. If the advocate is notified on the day of court, they will notify the CPS of the survivor's concerns.

v. Support on the day of the Specialist Court — ADVANCE will attend the Specialist Court each week to offer support to Hammersmith and Fulham victim/witnesses attending court and to collect court results for their relevant cases.

If a client of ADVANCE is attending court, the advocate will make arrangements to meet and greet them. The advocate will liaise with the WS to access a witness room and will provide tea/coffee/water as required, ensuring that the victim/witness is as safe and comfortable as possible. The advocate will advise the Prosecutor and the list caller of the witness' presence and obtain the witness statement for the victim/witness.

The advocate will be directed by the victim/witness as to the level of support s/he requires on the day. This may include sitting with the victim/witnesses while they are waiting to give evidence and accompanying the victim/witness to and from the courtroom.

If an advocate becomes aware of a Hammersmith and Fulham victim/witness attending the court not for a trial (ie listening to the matter in the public gallery or on the public concourse), the advocate will attempt to make contact with the victim/witness and offer their services.

If the victim/witness is seeking to make a withdrawal statement, the advocate should liaise with the Prosecutor and discuss with the victim/witness any consequences for their safety. The advocate will sit in with the Prosecutor and the victim/witness whilst the statement is being taken. Advocates will also take referrals from the WS for this purpose.

ADVANCE will liaise with WS, sharing information and advising the WS of any new clients picked up at court. Advocates will also take referrals from the WS on the day.

vi. Feedback from Victim/Witnesses — ADVANCE will attempt to obtain feedback from victim/witnesses either via the formal feedback forms or informally. Feedback is to be provided to Standing Together.

vii. Information for Victim/Witnesses — It is the responsibility of ADVANCE to ensure that leaflets about their service are supplied to the WS.

C. ROLE OF KENSINGTON AND CHELSEA VICTIM SUPPORT

The Kensington and Chelsea Victim Support Service (K&C VS) is the main point of referral for hate crimes for the Kensington and Chelsea Police. The K&C VS offer office based and outreach services that provide emotional and practical support for victims of crime. The K&C VS will:

i. Referral from Police — Referrals are made to the Victim Support Office via the

Crime-Management Desk, self-referral or through other out of borough schemes. A Domestic Violence Victim Support Outreach worker attends five sites, including the Notting Hill Community Safety Unit where they will pick up referrals for domestic violence cases. They will assign the victim/witness to a trained Victim Support volunteer who will offer support and advice about the court process as well as other practical advice about a variety of issues that may be of concern to the victim/witness (such as housing, immigration, benefits).

- ii. **Support pre-trial date** — K&C VS will offer ongoing support for all victim/witnesses referred by the Kensington and Chelsea Police. Their contact details will be included on the 'Information for Victim/Witnesses' leaflet sent by the Kensington and Chelsea CJU in the witness warning letter bundle.

Kensington and Chelsea Victim Support will contact the WS to advise that the victim/witness is a client of their service and whether the victim/witness is intending to proceed or withdraw. They will request from the WS (preferably in advance with one weeks notice) pre-trial court visits and special entry to the court if necessary.

- iii. **Information given by K&C VS to the CSU** — K&C VS will make an effort to collect information from the victim/witness about previous convictions and/or civil injunctions that may be relevant to the Police case and also to the CPS for the bail hearing. Once K&C VS has passed information along to the CSU it will remain in the case file on the MG6 and MG7 forms.
- iv. **Information relevant to trial date** — If K&C VS is aware of any harassment of the victim/witness from the defendant or any other person, they should contact the CSU and they can enable the victim/witness to make an additional statement.
- v. **Support on the day of the Specialist Court** — In exceptional circumstances the K&C VS can attend the Specialist Court to offer support a victim/witness attending court, and to collect court results for their relevant cases. However, they will normally introduce the victim/witness to the WS prior to the trial date and the WS will provide support on the day of the Specialist Court.
- vi. **Feedback from Victim/Witnesses** — K&C VS will attempt to obtain feedback from victim/witnesses either via the formal feedback forms or informally. Feedback is to be provided to Standing Together.
- vii. **Information for Victim/Witnesses** — It is the responsibility of K&C VS to ensure that leaflets about their service are supplied to the WS.

D. ROLE OF EAVES WOMEN'S AID

- i. **Referral from the Police** — Eaves Women's Aid (EWA) Community Outreach Workers receive referrals from the Community Safety Unit, at Notting Hill Police Station. The service operates from 8am–8pm Monday–Friday. Outreach workers provide practical and emotional support through the process of statement-giving. Workers also offer information, advice and advocacy to women about the court process as well as other practical advice about a variety of issues such as housing, immigration and civil remedies.
- ii. **Support pre-trial date** — EWA workers will contact the WS to advise that the victim/witness is a client of their service and whether the victim/witness is intending

to proceed or withdraw. The outreach workers will request from the WS (preferably in advance with one weeks notice) pre-trial court visits and special entry to the court if necessary.

EWA contact details will be included on the 'Information for Victim/Witnesses' leaflet sent by the Kensington and Chelsea CJU in the witness warning letter bundle.

- iii. Information given by EWA outreach workers to the CSU** — The outreach workers will make an effort to collect information from the victim/witness about previous convictions and/or civil injunctions that may be relevant to the Police case and also to the CPS for the bail hearing. Once the outreach workers have passed information along to the CSU it will remain in the case file on the MG6 and MG7 forms.
- iv. Information relevant to trial date** — If the outreach workers are aware of any harassment of the victim/witness from the defendant or any other person, they should contact the K&C CSU and, if the victim/witnesses wishes, to support them to make an additional statement. If a worker from EWA is notified on day of the court of harassment, they will notify the CPS of the survivor's concerns.
- v. Support on the day of the Specialist Court** — A worker from EWA will attend the Specialist Court each week to offer support to Kensington and Chelsea victim/witnesses attending court and to collect court results for their relevant cases.

If a client of EWA is attending court, the advocate will make arrangements to meet and greet them. The advocate will liaise with the WS to access a witness room and will provide tea/coffee/water as required, ensuring that the victim/witness is as safe and comfortable as possible. The advocate will advise the Prosecutor and the list caller of the witness' presence and obtain the witness statement for the victim/witness.

The outreach worker will be directed by the victim/witness as to the level of support she requires on the day. This may include sitting with the victim/witnesses while they are waiting to give evidence and accompanying the victim/witness in the courtroom.

If an outreach worker becomes aware of a Kensington and Chelsea victim/witness attending the court not for a trial (ie listening to the matter in the public gallery or on the public concourse), the worker will attempt to make contact with the victim/witness and offer their services.

If the victim/witness is seeking to make a withdrawal statement, the outreach worker should liaise with the Prosecutor and discuss with the victim/witness any consequences for their safety. The outreach worker will sit in with the Prosecutor and the victim/witness whilst the statement is being taken. Outreach workers will also take referrals from the WS for this purpose.

EWA will liaise with WS, sharing information and advising the WS of any new clients picked up at court. EWA outreach workers will also take referrals from the WS on the day.

- vi. Feedback from Victim/Witnesses** — EWA will attempt to obtain feedback from victim/witnesses either via the formal feedback forms or informally. Feedback is to be provided to Standing Together.
- vii. Information for Victim/Witnesses** — It is the responsibility of EWA to ensure

that leaflets about their service are supplied to the WS.

E. REPORTING REQUIREMENTS

- i. ADVANCE** — To report monthly on the number of victim/witnesses supported in the Specialist Court including ethnic monitoring statistics.
- ii. Eaves Women’s Aid** — To report monthly on the number of victim/witnesses supported in the Specialist Court including ethnic monitoring statistics.
- iii. Victim Support — Kensington and Chelsea** — To report quarterly on the number of victim/witnesses supported in the Specialist Court including ethnic monitoring statistics.
- iv. Witness Service** — To report monthly on the number of victim/witnesses supported in the Specialist Court, pre court visits conducted and ethnic monitoring statistics.

F. SIGNATORY PAGE

Signed for ADVANCE

Signed for Eaves Women’s Aid

Signed for Victim Support — Kensington & Chelsea

Signed for The Witness Service

Appendix B

Participants In The Review

Twenty-two people attended, representing eleven agencies with a direct involvement in the Specialist Domestic Violence Court.

ADVANCE Advocacy Project

Bear Montique, Manager

Crown Prosecution Service

Arlene De Silva, Prosecutor

Funmi Okubajo, Prosecutor

Howard Cohen, Assistant Chief Crown Prosecutor

Domestic Violence Intervention Project

Neil Blacklock, Strategic Development Manager

Eaves Women's Aid

Natalia Dawkins, Project Manager

Pat Blackford, Outreach Worker

Sarah Williams, Outreach Worker

Greater London Magistrates Association

Andrew Vickers, Regional Justices Clerk

Magistrates

Andrew Bache JP

Sandra Fox JP

Metropolitan Police Hammersmith and Fulham (Community Safety Unit)

DI Charlie Wren

DS Fraser Shaw

DS Colin Jones

Metropolitan Police Kensington and Chelsea (Community Safety Unit)

DI Debbie Langdon

Standing Together Against Domestic Violence

Beryl Foster, Director

Nic Hunter, Coordinator

Paul Kilkenny, Data Development and Case Tracking Officer

Victoria Hill, CRP Development Worker

Peta Sissons, Training and Information Officer (Facilitator of Review)

West London Magistrates Court

Jan Lesser, Head of Legal Services (Chair of Review)

Martin Carter, Senior Legal Adviser

Witness Service

Nicola Forry, Coordinator — adult section

Appendix C

Objectives and Programme for the Review

One year On: Review Of The First Year's Operation Of The West London Magistrates Court Specialist Domestic Violence Court

November 24, 2003 9.30am — 1.00pm

OBJECTIVES FOR THE REVIEW

1. What difference has the Court (and its associated services) made, and to whom?

To include presentation and discussion about the results in quantitative and qualitative terms of the past year's running of the court. To identify successes and problems/barriers, and how do we know?

2. What are the lessons we can learn from these results?

An analysis and discussion.

3. Where is change needed and what are those changes?

Identify any areas, for example in procedures, data collection, safety, or victim support in court where changes are needed, and to formulate ideas for those changes in some detail, for decision at the Court Management Group and/or within individual agencies.

PROGRAMME FOR THE REVIEW

Chair Jan Lesser, Head of Legal Services, West London Magistrates Court

Facilitator Peta Sissons, Training and Information Officer, Standing Together

9.15 Coffee and registration

9.30 Welcome and introductions

- Confidentiality
- Aims and targets for the SDVC, current context, and interest in the court

Session I: Information

I.1 Presentation by Standing Together of quantitative and qualitative information.

- Statistics on court performance
- Update on action taken on suggestions made at the 3 month Review, and on issues and problems raised or observed during the year
- What survivors and victim/witnesses have said about the court

I.2 Views of partner agencies to say what is working well (strengths), and what needs to be improved (weaknesses/barriers/gaps).

I.3 Observations by Standing Together of what difference the court is making, what is working well, and gaps and difficulties.

11.00 Coffee

11.15 Session 2: Analysis

Discussion about the conclusions and lessons we can draw from all this information, and identifying some priorities for action.

11.55 Session 3: Changes needed and action planning for next 12 months

Discussion in groups, and feedback to plenary

12.50 Final roundup and next steps

1.00 Close of review

The Review has been organised by Standing Together against Domestic Violence

Appendix D

Questions for Review Participants

QUESTIONS FOR PARTICIPANTS TO CONSIDER IN THE REVIEW AND TO HELP STRUCTURE DISCUSSION

The following questions were put to participants in the Review, for them to address when providing information, analysing the meaning of the information, and discussing changes.

Sessions 1 and 2: Information and Analysis

1. What is the meaning of this information?
2. What lessons can we learn from this and what conclusions can we draw?

Strengths: In terms of the impact of the Specialist Court (and the partnership work around it) on your agency's work and clients...

3. What is working well, and who benefits?
4. How do we know?
5. Can we do more of this, more systematically?

Weaknesses/gaps and things we could do better

6. What (exactly) is not working well, or is a barrier to progress and success, and needs changing?
7. How common a problem is this, is it a pattern, or a significant one-off, for example in relation to complex situations/cases?
8. Who does this affect?
9. How do we know?

Session 3: Change and action planning

10. What do we want instead (of the problem or barrier identified)?
11. What would be the costs and benefits of this change and for whom?
12. How might we achieve this?
13. Who needs to take this forward and when?
14. Who needs to decide on this?
15. How will we measure outcomes/success and know when we have achieved this change?

Appendix E

Participant's Feedback

HOW DID WE DO?

FEEDBACK FROM PARTICIPANTS — SUMMARY

- 22 participants from 11 agencies attended
- 15 forms completed by all agencies apart from Standing Together

Q1. Can you rate the quality of the review session in relation to the following:

Circle one, where 1 is excellent and 4 is poor	Excellent			Poor
	1	2	3	4
a) Facilitation and presentations	11	3	1	0
b) The written materials	11	3	1	0
c) The information/statistics provided	7	6	1	0
d) The practical arrangements	10	4	1	0

Any comments?

- The absence of Probation was a shame, and it would be helpful to involve Defence (legal) Advocates as they are crucial to case management.
- Friendly and very informative
- Very informative

Q2. Is this a useful way to carry out the review?

Very	Fairly	Not useful
13	2	0

Why is that?

- Hearing views of different agencies very helpful
- To update all agencies involved
- Maybe have some survivors from the court
- It's good for all the agencies to discuss things together — unity in approach
- To meet other agencies, hear at first hand and ask questions. Strengthens the sense of an overall group working together
- It is good to know the perspective from each agency's perspective
- Essential that the practitioners and Standing Together discuss the achievements and issues yet to be resolved in an open forum
- Understanding wider issues and others' perspectives
- Sharing information feedback with all at court at all levels

Q3. Could you suggest any ways of improving it or doing it differently next time?

- Perhaps a written paper in advance with greater opportunity for discussion
- If possible sharing data and reports in advance and a longer session to get to grips with practical resolution
- Probably should schedule more time on the next occasion

Other comments:

- Could be less formal
- The part I attended was very interesting