



Briefing Paper 1 (2008)

Data & Monitoring Report for the Specialist Domestic Violence Court 2003-8

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This report relates to figures collated from the Specialist Domestic Violence Court held at West London Magistrates Court.

The report comes from data taken from court sheets provided by West London Magistrates Court. The date ranges covered are:

- Year One = April 2003 – March 2004
- Year Two = April 2004 – March 2005
- Year Three = April 2005 – March 2006
- Year Four = April 2006 – March 2007
- Year Five = April 2007 – March 2008

The two boroughs covered by the SDVC are:

- London Borough of Hammersmith & Fulham (LBHF)
- Royal Borough of Kensington & Chelsea (RBKC)

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1. Introduction

The analysis of data is an essential way of measuring the success of the specialist court and the wider context within which it operates. Trends over time can be highlighted and the rate of attrition explained.

The Specialist Domestic Violence Court (SDVC) at West London Magistrates Court (WLMC) serves two London boroughs – the London Borough of Hammersmith & Fulham (LBHF) and the Royal Borough of Kensington & Chelsea (RBKC). Both boroughs have similar populations according to the 2001 Census¹. Hammersmith & Fulham have a slightly higher population of 165'242 and Kensington & Chelsea have a population of 158'919. 50.4% of Hammersmith & Fulham population were female in 2001, compared to 51.1% of Kensington & Chelsea's population. The population figures given above serve to provide a scale of the boroughs and a context within which to view the level of incidents reported and recorded by police.

Standing Together coordinates a response from 999 calls in LBHF but not in RBKC. The coordinated response in Hammersmith & Fulham includes detailed protocols relating to data sharing, giving Standing Together the opportunity to track data through the Criminal Justice System, and examine data from each agency to represent the various stages within the criminal justice cycle. This enables a whole picture of the issues, barriers and successes of the borough's coordinated response to domestic violence to be seen. Standing Together examines intimate partner violence only in Hammersmith & Fulham, however more recently domestic violence to the wider definition (to include familial violence, as adopted by core statutory agencies such as the Police and CPS) has been monitored by Standing Together, a summary of which is provided in the Police Data section of this report. Standing Together has not had access to comparable data for Kensington & Chelsea.

Data collection in LBHF

The use of Standing Together's bespoke database Standing Together Abuse Tracking System (STATS) enable detailed and accurate domestic violence and case data to be gathered, stored, disseminated and analysed. This requires input of data from sources such as the police, court, ADVANCE Advocacy Project and Probation / Domestic Violence Intervention Project (DVIP). An incident can be tracked from initial crime report being taken by police through to completion of sentence by the offender.

Crime reports taken by police are inputted onto the database. Details of police disposal are entered and in cases where the offender is charged with an offence of domestic violence against an intimate or former intimate partnerⁱⁱ, detailed information from the court continues the data trail onto STATS. Weekly observations made within the SDVC allow for details to be added to STATS regarding the progression of the case, bail conditions and case outcomes. This is backed up by regular information exchange between Standing Together and WLMC to cover hearings that are not heard within the SDVC on a Thursday, thus capturing all the cases of domestic violence that are within the court system. Details of the outcomes of cases that are sent to Crown Court are also captured and fed back to STATS via information exchange between Standing Together and Blackfriars Crown Court.

The systematic exchange of data enables Standing Together to track the outcomes of every reported incident of domestic violence within the Hammersmith & Fulham borough. This information exchange allows an accurate picture of reported and recorded domestic violence incidents to be created, as seen in the Police Data section of this report.

2. Key headlines / summary (SDVC at WLMC)

Over the past 5 years there has been:

- An increase in the percentage of defendants convicted
- An increase in the percentage of early guilty pleas
- A decrease in the mean number of hearings per completed case
- A decrease in the number of days between charge and completion
- A decrease in the percentage of discontinuances/withdrawals
- A decrease in the number of NEO dismissals

Table 1: Key indicators of the SDVC by year

	Year 1	Year 2*	Year 3	Year 4*	Year 5
Defendants arriving at court	221	158	263	209	225
Percentage of defendants convicted	36.2%	45.6%	51.0%	51.0%	53.6%
Percentage of defendants entering early guilty plea	21%	20%	25%	26%	30%
Mean no. of hearings per completed case	4.5	4.5	4.2	4.2	3.9
Average no. of days between charge and completion	98	85	92	83	71
Percentage discontinuance / withdrawal	26.7%	18.4%	14.4%	13.6%	8.9
Percentage NEO dismissal	22.2%	20.3%	18.6%	16.3%	12.1%

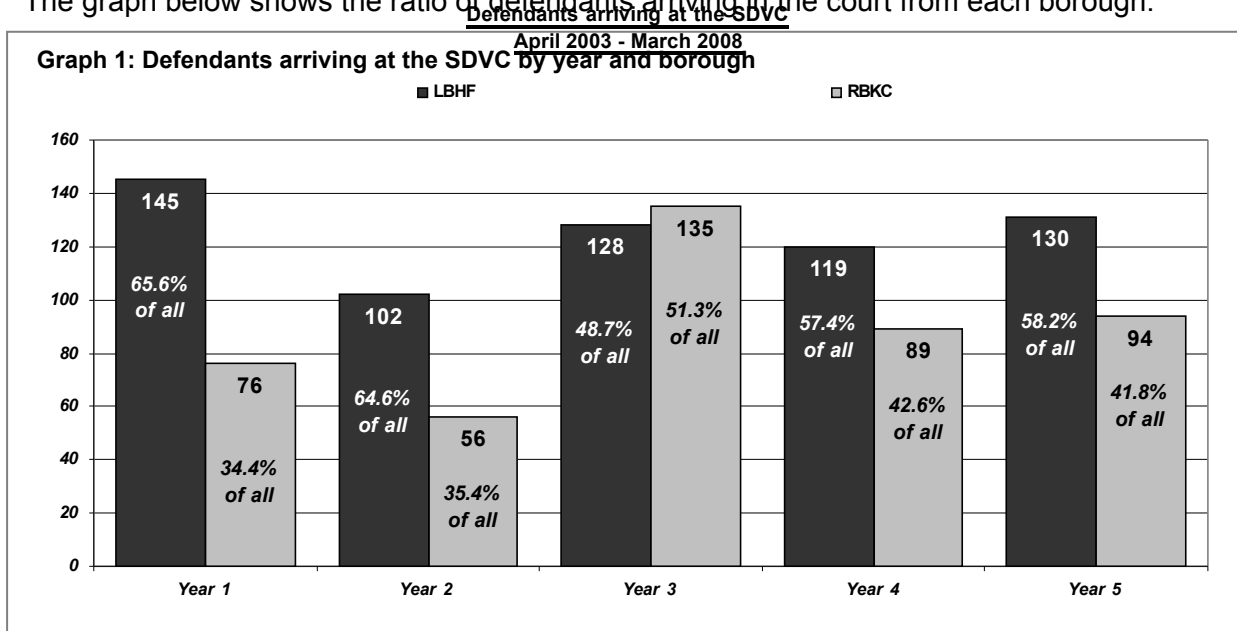
3. Arrivals at the SDVC (WLMC)

The following table shows the number of defendants and charges arriving by borough.

Table 2: Defendants & charges arriving at the SDVC by year and borough

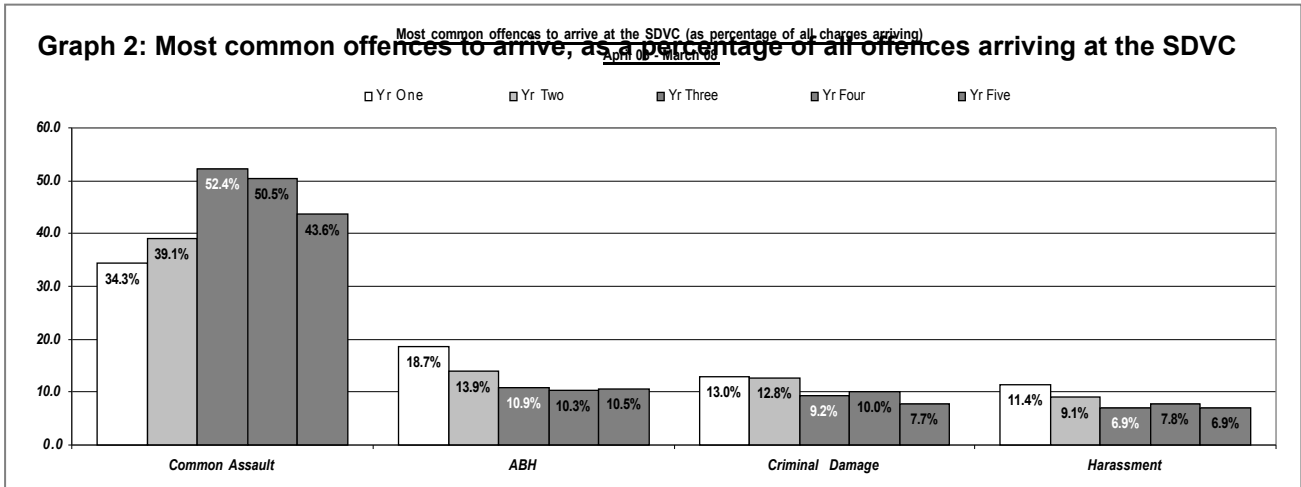
		Year 1	Year 2	Year 3	Year 4	Year 5
Defendants arriving at the SDVC	LBHF	145	102	128	120	131
	RBKC	76	56	135	89	94
	Total	221	158	263	209	225
Charges/offences arriving at the SDVC	LBHF	251	181	203	198	241
	RBKC	134	93	200	127	150
	Totals	385	274	408	325	391
Average no. of charges/offences per defendant	LBHF	1.7	1.8	1.6	1.7	1.8
	RBKC	1.8	1.7	1.5	1.4	1.6
	Totals	1.7	1.7	1.5	1.6	1.7

The graph below shows the ratio of defendants arriving in the court from each borough.



- According to Metropolitan Police figures, there were 2176 offences classified as domestic violence in both boroughs in Year 4 and 1948 in Year 5. Of these, the proportion of crimes from Kensington & Chelsea was 41% and 55% respectively. Thus, a higher proportion of crimes in Kensington & Chelsea were brought to court than in Hammersmith & Fulham.

The table below shows the proportion of the most common four charges to arrive at the SDVC, by year.

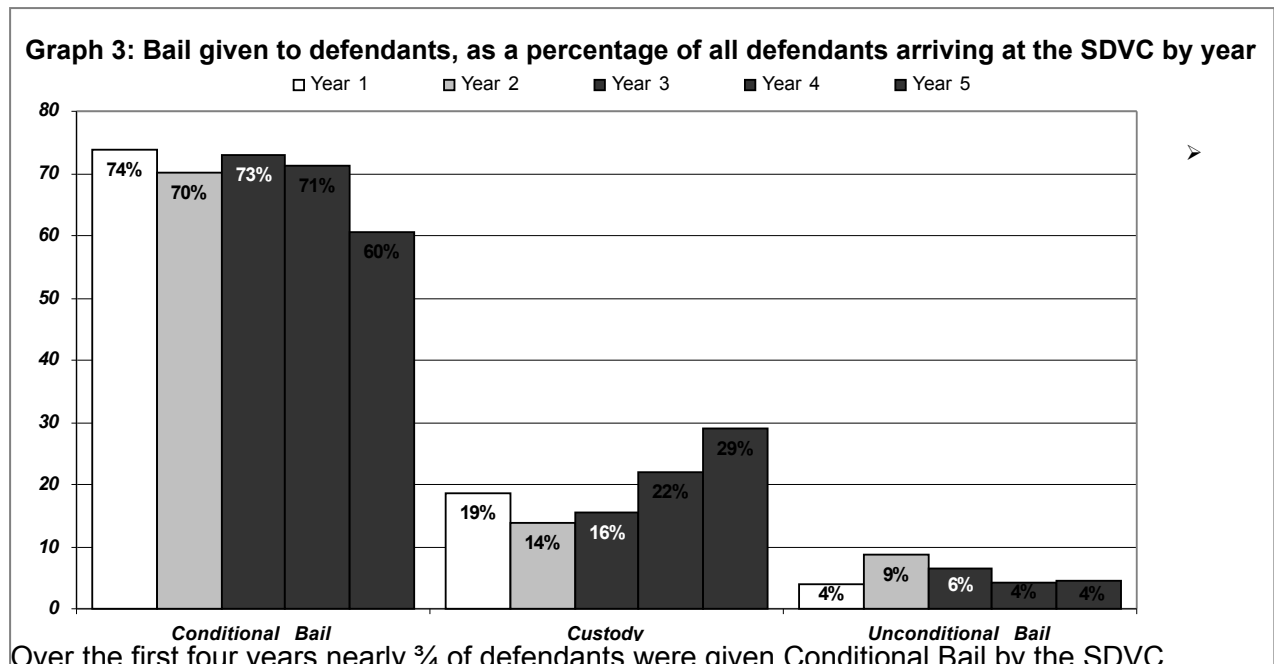


5. Bail given to defendants at the SDVC (WLMC)

The following table and graph show the bail given to defendants on 1st appearance at the SDVC.

Table 4: Bail given to defendants at the SDVC by year and borough

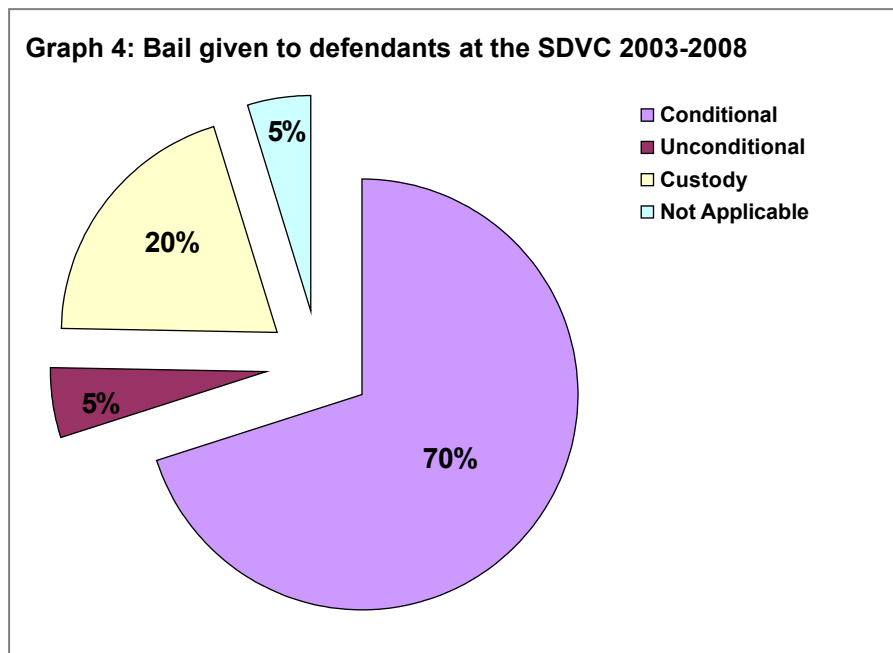
	Year 1	Year 2	Year 3	Year 4	Year 5
Conditional	163	111	192	148	136
Unconditional	9	14	17	9	9
Custody	41	22	41	46	65
Not applicable	8	11	13	5	14



Over the first four years nearly $\frac{3}{4}$ of defendants were given Conditional Bail by the SDVC.

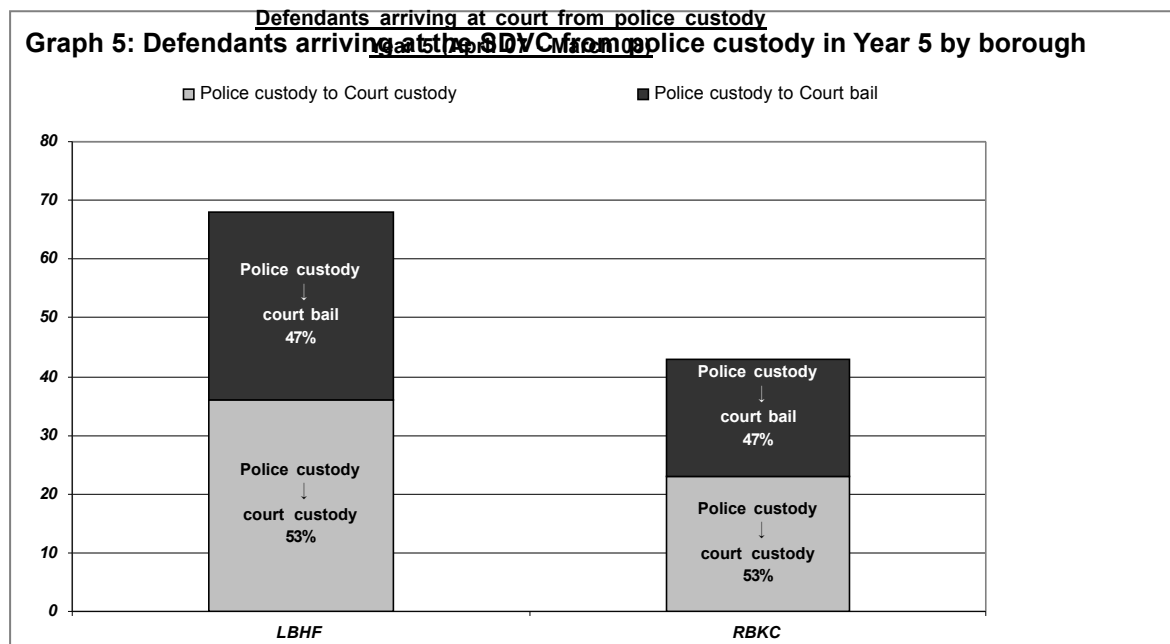
However there was a decrease in the proportion of defendants given conditional bail during Year 5.

- This decrease was accompanied by an increase in the proportion of defendant remanded in custody by the SDVC.
- Over 90% of defendants arriving at the SDVC are given conditional bail or custody.
- During year 5. For a further 6% of defendants bail was not applicable (i.e. the case concluded on 1st appearance).



6. Defendants brought to the SDVC from police custody

The graph below shows what happened to defendants brought to court in police custody during Year Four.



- 53% (n=69) of defendants arriving from LBHF were remanded in custody by police.
- 49% (n= 46) of defendants arriving from RBKC were remanded in custody by police.
- On arrival, 45% of defendants brought from police custody were released on bail by the court (46% from LBHF; 43% from RBKC).

7. Guilty pleas and verdicts (SDVC at WLMC)

The following data table and graph shows the number and percentage of defendants who pleaded guilty at some stage during their court cases.

Table 5: Guilty pleas and verdicts at the SDVC by year and borough

DEFENDANTS ARRIVING AT THE SDVC	LBHF	RBKC	TOTAL
YEAR ONE	145	76	221
YEAR TWO	102	56	158
YEAR THREE	128	135	263
YEAR FOUR	120	89	209
YEAR FIVE	131	94	225

DEFENDANTS ENTERING INITIAL GUILTY PLEA	Guilty			Not Guilty			N/A*		
	LBHF	RBKC	TOTAL	LBHF	RBKC	TOTAL	LBHF	RBKC	TOTAL
ONE	27	21	48	97	41	138	22	14	36
TWO	19	13	32	68	36	104	15	7	22
THREE	37	29	66	77	94	171	14	12	26
FOUR	30	25	55	77	59	136	13	5	18
FIVE	39	29	68	69	52	121	23	12	35

DEFENDANTS LATER CHANGING PLEA TO GUILTY	LBHF	RBKC	TOTAL
ONE	11	4	15
TWO	13	8	21
THREE	15	15	30
FOUR	15	15	30
FIVE	18	15	33

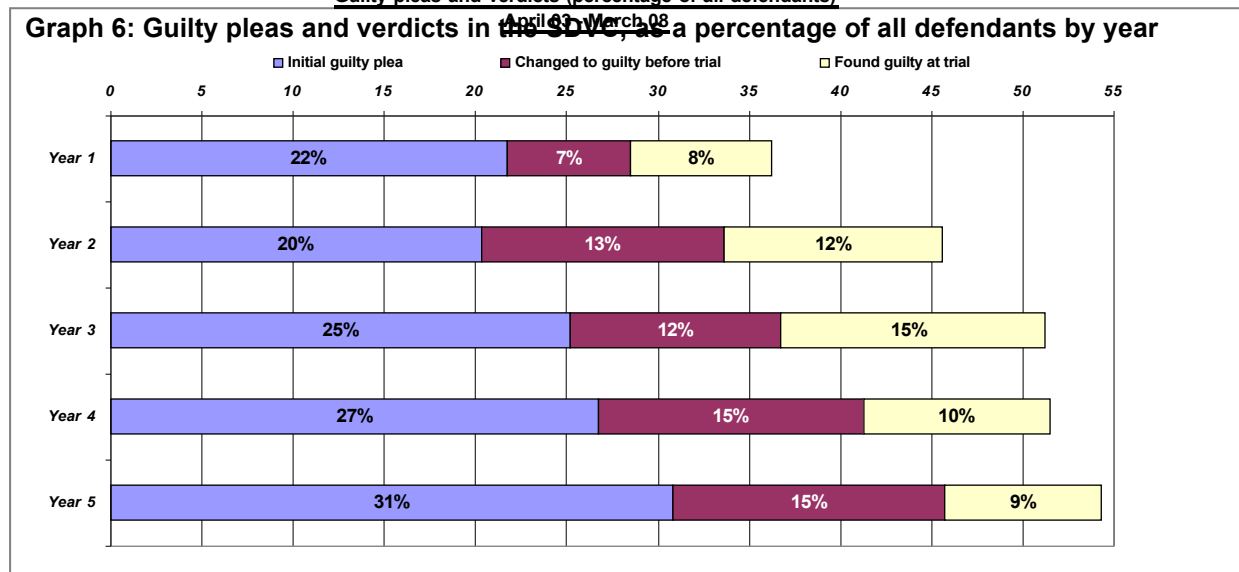
DEFENDANTS FOUND GUILTY AT TRIAL	LBHF	RBKC	TOTAL
ONE	14	3	17
TWO	13	6	19
THREE	22	16	38
FOUR	10	11	21
FIVE	9	11	20

TOTAL DEFENDANTS PLEADING / FOUND GUILTY	LBHF	RBKC	TOTAL
ONE	52	28	80
TWO	45	27	72
THREE	74	60	134
FOUR	55	51	106
FIVE	66	55	121

	% DEFENDANTS CONVICTED**	% DEFENDANTS NOT CONVICTED**
ONE	36.2%	63.8%
TWO	45.6%	54.4%
THREE	51.1%	48.5%
FOUR	51.2%	47.8%
FIVE	54.5%	44.2%

* Reasons for plea not being applicable include when proceedings completed on 1st appearance and when defendant does not enter a plea before committal to Crown Court.

Guilty pleas and verdicts (percentage of all defendants)



8. Offences convicted at the SDVC (WLMC)

The table below shows the offences resulting in conviction. For defendants convicted of more than one offence, the most serious offence is shownⁱⁱⁱ.

Table 6: Breakdown of offences convicted at the SDVC by year

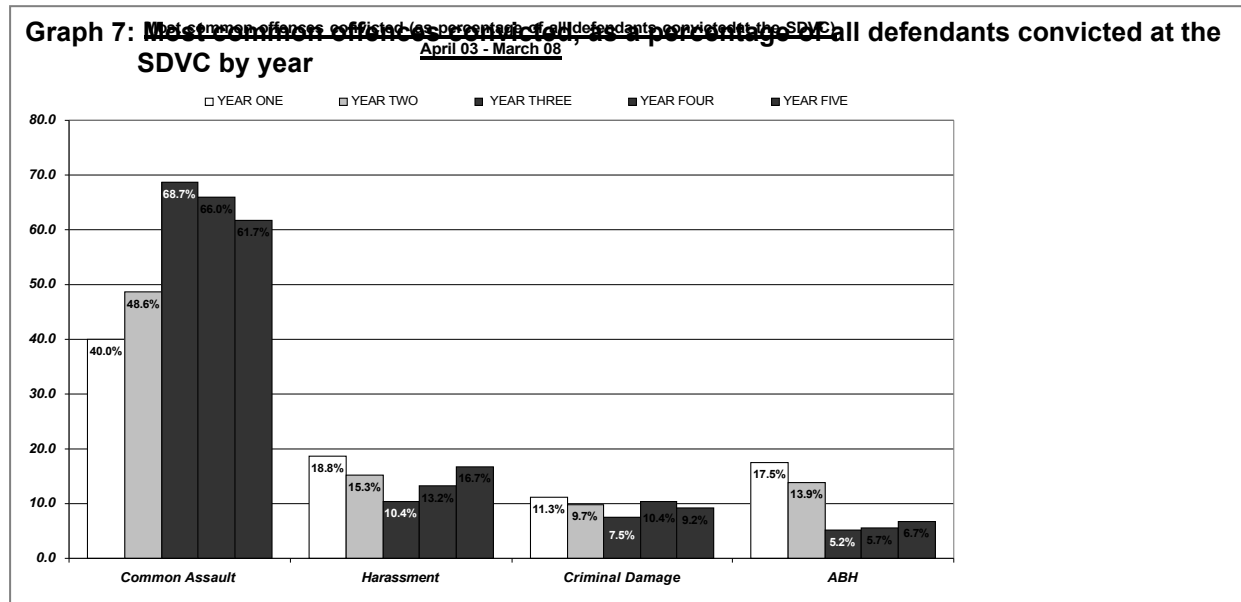
	Year 1	Year 2	Year 3	Year 4	Year 5	Totals
Common Assault	32	35	92	70	74	303
Harassment	15	11	14	14	20	74
ABH	14	9	7	5	8	45
Criminal Damage	9	7	10	11	11	48
Breach of Restraining Order	4	3	2	0	1	10
Threatening Behaviour	3	2	2	1	0	8
Public Order Offences	1	1	3	1	0	6
Threats to Kill	0	1	1	0	1	3
Breach of Injunction	0	0	0	0	3	3
Assault PC	0	0	1	0	1	2
Burglary	0	1	0	0	0	1
GBH	1	0	0	0	0	1
Weapons offences	1	0	0	0	0	1
Threatening Words	0	1	0	0	0	1
Using violence to gain entry	0	0	1	0	0	1
Sexual Offences	0	0	0	1	0	1
Theft	0	0	0	1	0	1
Affray	0	0	0	1	0	1
Other	0	1	1	1	2	3

Note: the following offences were convicted at the SDVC at WLMC but sent elsewhere for sentencing:

- Year 1: 1 x GBH
1 x Harassment
1 x ABH
- Year 2: 1 x Burglary
1 x Breach of Restraining Order
1 x Breach of CRO
1 x ABH
- Year 3: 2 x ABH
1 x Threats to Kill
- Year 4: 1 x ABH
- Year 5: 3 x ABH
1 x Breach of Injunction
2 x Common Assault

Offences convicted at the SDVC (cont'd)

The graph shows the four most common offences convicted as a percentage of all offences convicted. Where defendants are convicted of more than one offence, the most serious offence is shown.



- During Year One, the 4 most common offences convicted constituted 88% of all offences convicted.
- This percentage increased to 93% during Year 5.

The table below shows the percentage of defendants convicted of one to four offences at the SDVC (WLMC). This does not include offences convicted outside the SDVC, but does include offences that were convicted at the SDVC and sent elsewhere for sentencing.

Table 7: Percentage of defendants convicted of 1 to 4 offences at the SDVC by year (Apr 03 – Mar 07)

	Convicted of one offence	Convicted of two offences	Convicted of three offences	Convicted of four offences
Year 1	73.8%	20.0%	3.8%	2.5%
Year 2	69.4%	22.2%	6.9%	1.4%
Year 3	77.6%	19.4%	1.5%	01.5%
Year 4	70.2%	21.2%	4.8%	3.8%
Year 5	56.7%	30.0%	10.0%	3.3%

- Over the years the proportion of defendants convicted in the SDVC of more than one offence has increased.

9. Sentencing at the SDVC (WLMC)

The table below shows the sentence types given to convicted defendants.

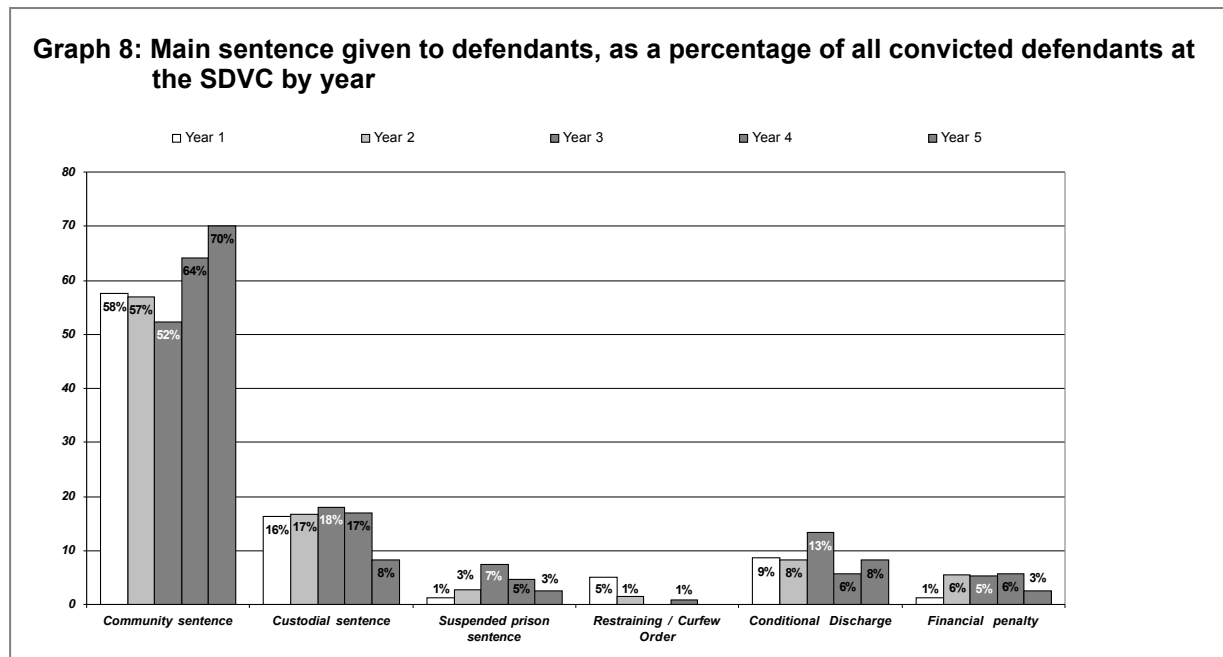
Table 8: Sentences given to convicted defendants at the SDVC by year

	Year 1	Year 2	Year 3	Year 4	Year 5
Community Sentence	46	41	70	68	84
<i>Of those, also sentenced to:</i>					
IDAP	29	29	47	43	52
Other order / programme:	Alcohol programme	1	-	-	-
	Think First	2	1	-	-
	Anger Management	-	-	2	-
	ASRO	1	2	-	-
	Mental Health order	-	-	-	1
Unpaid work	8	5	3	4	17
Restraining Order	6	6	7	3	12
Prohibited Activity Order	-	-	-	-	16
Curfew Order	-	5	1	-	2
Suspended prison sentence	-	-	4	6	21
Financial penalty:	Compensation	20	18	21	26
	Fine	-	1	1	-
	Costs	25	15	33	35
Custodial sentence	13	12	24	18	10
<i>Of those also sentenced to:</i>					
Restraining Order	1	2	2	3	2
ASBO	1	-	-	-	-
Restraining / Curfew Order	4	1	-	1	-
<i>Of those also sentenced to:</i>					
Financial penalty:	Compensation	2	-	-	-
	Fine	-	-	1	-
	Costs	3	-	-	-
Conditional Discharge	7	6	18	6	10
<i>Of those, also sentenced to:</i>					
Financial penalty:	Compensation	4	3	3	2
	Costs	5	3	9	3
	Fine	-	-	-	-
Restraining Order	1	1	1	-	3
Financial Penalty	1	4	7	6	3
<i>Comprising of:</i>					
Compensation	-	1	5	4	1
Fine	1	4	5	5	3
Costs	-	3	5	4	1
Suspended prison sentence	1	2	10	5	3
<i>Of those, also sentenced to:</i>					
Conditional Discharge	-	-	-	1	-
Compensation	-	-	1	-	1
Restraining / Curfew Order	1	-	3	-	-
Costs	-	1	3	2	1
Committed elsewhere for sentencing	3	4	3	1	6
Other	4	2	1	1	2
Warrant issued (yet to be sentenced)	1	-	1	-	3

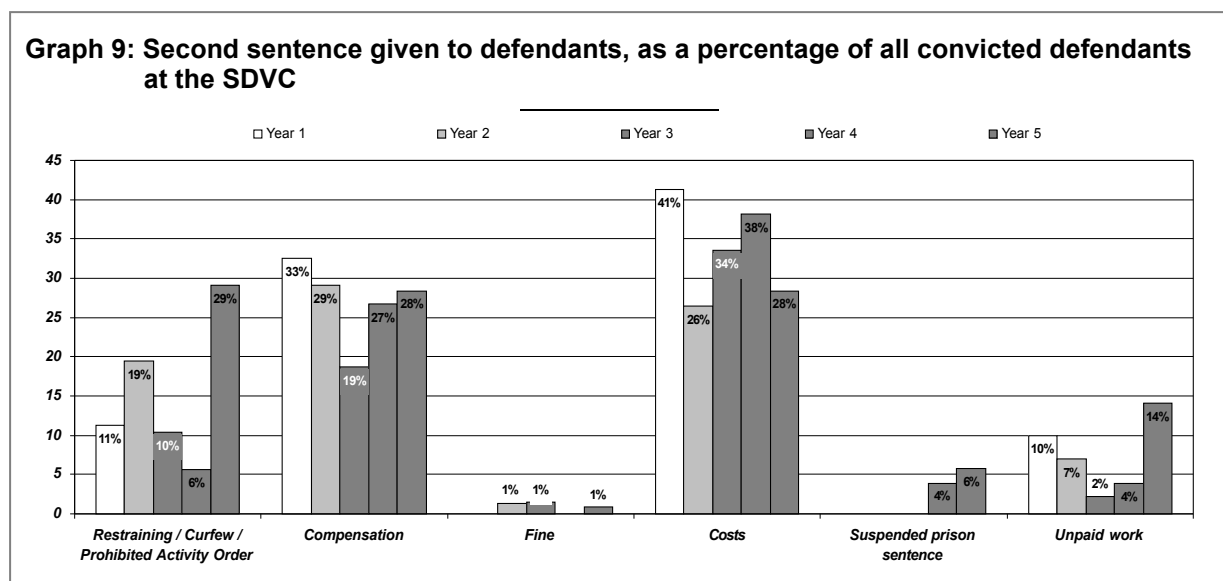
Sentencing at the SDVC (cont'd)

- Just over 60% of convicted defendants received a community sentence since the start of the SDVC.
- The proportion of defendants receiving a financial penalty as a sole sentence remains low. 4% (n=21) of all convicted defendants received a financial sentence only over the entire five years.

The graph below shows the main sentences as a percentage of all defendants convicted over the years.



In addition to the main sentence, the graph below shows additional sentences given to defendants.



- During the last two years a pre-sentenced report (PSR) was requested for 78% of convicted defendants.

11. Integrated Domestic Abuse Programme (IDAP)

The Integrated Domestic Abuse Programme (IDAP) is a sentence suitable for male perpetrators convicted of domestic violence offences. Perpetrators can be ordered to attend the IDAP as part of a Community Order, or can have a conditions of attendance included within a prison release licence.

The IDAP is nationally accredited and is delivered by the Domestic Violence Intervention Project (DVIP) or the Probation Service. Women’s Safety Workers from DVIP also work with the current and former partners during the perpetrator’s attendance on the IDAP. Perpetrators are required to attend 28 group weekly sessions delivered by programme facilitators. Probation Offender Managers also undertake regular sessions with the perpetrator throughout the IDAP in order to assess and manage risk as well as returning the offender to court should the perpetrator breach the order.^{iv}

The following table shows the number of community sentences passed in the SDVC (WLMC) where IDAP was included, and the status of those men ordered to attend IDAP. The figures below are for men from both boroughs.

Table 9: Breakdown of status of men ordered to IDAP at the SDVC by year

	Year 1	Year 2	Year 3	Year 4	Year 5		% of community sentences
Community Sentences with IDAP provision	29	29	47	43	52		64.9%
Status:							% of IDAP Orders
Awaiting pre-group / group	-	-	1	1	24		13.0%
Currently on pre-group / group	-	1	2	9	12		12.0%
COMPLETED	16	8	21	14	3		31.0%
On Hold	-	-	-	2	3		2.5%
In breach / Warrant outstanding	-	-	-	4	5		4.5%
Order expired before completion	7	9	5	3	-		12.0%
Order revoked (suspended sentenced activated)	-	-	2	3	-		2.5%
Order terminated by court	4	9	11	3	5		16.0%
Transferred outside London	2	2	5	4	-		0.5%

Source: DVIP & Probation

- The number of men ordered by the SDVC to attend IDAP has consistently increased over the years, with a 21% increase in Year 5 from the previous year.
- Nearly two thirds of community sentences contained an IDAP order over the five years.
- Of the men ordered to attend IDAP during the first three years of the court 43% completed the programme.
- Of the men ordered to attend IDAP during the last two years, two thirds are either awaiting, or are currently on pre-group or group or have completed the IDAP.

12. Cases committed to Blackfriars Crown Court

The tables below provide information about defendants/cases that were committed to Blackfriars Crown Court from the SDVC at WLMC. The outcomes of these cases are fed back by the Crown Court every month and the figures are calculated from this feedback.

Table 10: Cases committed to Blackfriars Crown Court with outcomes by year

	Cases committed	Convicted	Not convicted	Transferred to another court	Ongoing
Year 1	23	16 <i>70% of all</i>	6 <i>26% of all</i>	1	-
Year 2	15	8 <i>53% of all</i>	5 <i>33% of all</i>	2	-
Year 3	26	17 <i>65% of all</i>	9 <i>35% of all</i>	-	-
Year 4	22	8 <i>36% of all</i>	13 <i>60% of all</i>	-	1
Year 5	35	17 <i>49% of all</i>	11 <i>31% of all</i>	2	5

The table below shows the offences that were committed to Blackfriars Crown Court. Where defendants are committed to Blackfriars for more than one offence, the most serious offence is shown.

Table 11: Offences committed to Blackfriars Crown Court with outcomes by year

Year 1:	Total	Convicted	Not convicted	Transferred to another court	Ongoing
ABH	14	9	4	1	-
GBH	3	3	-	-	-
Harassment	5	4	1	-	-
Threats to Kill	1	-	1	-	-
Year 2:					
ABH	5	3	2	-	-
GBH	2	1	1	-	-
Harassment	1	1	-	-	-
Threats to Kill	2	2	-	-	-
Malicious Wounding	1	1	-	-	-
Unlawful Wounding	1	-	1	-	-
Breach of Rest. Order	2	-	1	1	-
Firearms offences	1	-	-	1	-
Year 3:					
ABH	12	6	6	-	-
Arson	1	1	-	-	-
Burglary	2	2	-	-	-
Criminal Damage	1	-	1	-	-
GBH	2	2	-	-	-
Intimidate Witness	2	1	1	-	-
Malicious Wounding	1	1	-	-	-
Racially Aggravated Assault	1	1	-	-	-
Rape	1	-	-	-	1

Table 12: Offences committed to Blackfriars Crown Court with outcomes by year (cont'd)

Year 3 (cont'd):	Total	Convicted	Not convicted	Transferred to another court	Ongoing
Theft	1	1	-	-	-
Threats to Kill	2	1	1	-	-
Year 4:					
ABH	11	5	5	-	1
Affray	1	-	1	-	-
GBH	4	2	2	-	-
Harassment	2	1	1	-	-
Rape	4	-	4	-	-
Year 5:					
ABH	10	5	4	-	1
GBH	10	4	4	1	1
Robbery	3	2	1	-	-
Theft	3	2	-	-	1
Criminal Damage	2	1	-	1	-
Perverting the Course of Justice	2	-	1	-	1
Burglary	1	1	-	-	-
Child Abduction	1	1	-	-	-
Harassment	1	-	-	-	1
Witness Intimidation	1	1	-	-	-
Breach of ASBO	1	-	1	-	-

Source: Blackfriars Crown Court

13. Victims / Witnesses supported at court

Victims and witnesses are supported at court by ADVANCE for Hammersmith & Fulham cases. During Years 2 & 3 Eaves and Victim Support supported cases from Kensington & Chelsea. Since Year 4 Woman's Trust provided support for Kensington & Chelsea cases. The Witness Service based within the WLMC support cases from both boroughs.

The table below shows the proportion of cases going through the SDVC where the victim/witness(es) are supported by one or more of these agencies since Year Two.

Table 12: Cases involving support of victim/witnesses by voluntary agencies at the SDVC during Years 2 - 5 by borough

	No. of cases involving support through court proceedings	No. of cases involving support at trial	No. of contacts made with victim/witnesses relating to court proceedings
Year 2:	122 <i>77% of all cases arriving</i>	28 <i>23% of all cases supported</i>	643
LBHF:	90 <i>88% of all cases arriving</i>	20 <i>22% of all cases supported</i>	567
RBKC:	32 <i>57% of all cases arriving</i>	8 <i>25% of all cases supported</i>	76
Year 3:	145 <i>56% of all cases arriving</i>	68 <i>47% of all cases supported</i>	647
LBHF:	100 <i>79% of all cases arriving</i>	40 <i>40% of all cases supported</i>	539
RBKC:	45 <i>33% of all cases arriving</i>	28 <i>62% of all cases supported</i>	108
Year 4:	177 <i>85% of all cases arriving</i>	56 <i>32% of all cases supported</i>	618
LBHF:	107 <i>90% of all cases arriving</i>	41 <i>39% of all cases supported</i>	501
RBKC:	70 <i>79% of all cases arriving</i>	15 <i>21% of all cases supported</i>	115
Year 5:	191 <i>85% of all cases arriving</i>	55 <i>29% of all cases supported</i>	720
LBHF:	113 <i>86% of all cases arriving</i>	27 <i>24% of all cases supported</i>	435
RBKC:	78 <i>83% of all cases arriving</i>	28 <i>36% of all cases supported</i>	285

Please note that the percentages given in the above table are to give an idea of the proportion of cases involving support. They are not tracked cases. For example, 175 cases were supported during Year 4, but they may not all be of the 206 cases arriving in the same period.

Glossary of abbreviations used in this report

ABH	Assault Occasioning Actual Bodily Harm
ASBO	Anti-Social Behaviour Order
ASRO	Addressing Substance Related Offending (order given by the court)
CPS	Crown Prosecution Service
CRIS	Crime Reporting and Information System (Met Police)
CRO	Community Rehabilitation Order (since April 2006 known as Community Order)
DVIP	Domestic Violence Intervention Project
GBH	Grievous Bodily Harm
IDAP	Integrated Domestic Abuse Programme
LBHF	London Borough of Hammersmith & Fulham
NEO	No Evidence Offered (by Prosecution)
PSR	Pre-Sentence Report
RBKC	Royal Borough of Kensington & Chelsea
SDVC	Specialist Domestic Violence Court
STATS	Standing Together Abuse Tracking System
WLMC	West London Magistrates Court

Endnotes

- i Source: Office of National Statistics.
- ii Whilst crime reports relating to domestic violence between family members are inputted onto the database, Standing Together do not track such incidents past the point of charging. The data from such incidents is presently used to monitor the extent of familial domestic violence as well as the attrition relating to police disposal.
- iii 'Most serious' offences have been categorised in accordance with the Home Office Statistical Bulletin (2004). If a defendant was convicted of more than one offence, the most serious is the offence for which the heaviest penalty was imposed. This is with exception to 14 cases where the defendant was convicted of Common Assault and Criminal Damage; for these Common Assault was counted as most serious.
- iv Source of information relating to IDAP: Domestic Violence Directory, The Royal Borough of Kensington & Chelsea. For further information please contact the London Probation Service or DVIP.