

The history of Specialist Domestic Abuse Courts (SDACs) and the Domestic Abuse Best Practice Framework (DABPF)

Specialist domestic abuse courts (SDACs) have existed since approximately 2002, but throughout their history the defining features of this model have undergone various changes. In this briefing we outline the origins of the first SDACs and the initial components they included; the streamlining of those components from twelve to six; and the introduction of the Domestic Abuse Best Practice Framework (DABPF). Finally, we outline how such protocols are vital to ensure accountability and adherence to minimum expected standards.

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History of the SDAC model

Standing Together helped set up and coordinate one of the first Specialist Domestic Abuse Courts (SDACs) in England and Wales in October 2002 – the first SDAC in London, and the first to hear trials. At the time such courts were originally referred to as SDVCs, or ‘Specialist Domestic Violence Courts’. Today we prefer the term SDACs. Based at West London Magistrates’ Court (WLMC, now known as Hammersmith Magistrates Court), the SDAC was initially set up as a pilot project. The main objectives of the pilot were set out in the London Borough of Hammersmith and Fulham’s Public Service Agreement (PSA) approved by the Government on 5th February 2002:

- 1.** To increase the effectiveness of the judicial system in
 - a. Providing protection and support to victims and witnesses of domestic abuse
 - 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.

The SDAC at WLMC therefore dealt with cases from both LBHF and Royal Borough of Kensington and Chelsea (RBKC).

The SDAC signalled the local community safety partnership's appetite for, and commitment to, the CCR model as an innovative response to domestic abuse. It formed part of a combined approach to tackling domestic abuse by Police, Crown Prosecution Service (CPS), Magistrates, Courts, Probation, and Specialist Domestic Abuse Support Services. In accordance with its third objective, the SDAC aimed to enhance information-sharing with the family courts. The signatories to the 2003 SDAC Protocol were:

- West London Magistrates' Court
- LBHF Police
- RBKC Police
- Crown Prosecution Service
- National Probation Service
- ADVANCE (local Independent Domestic Violence Advocacy (IDVA) service, also the first IDVA service in England and Wales)
- Women's Aid
- Victim Support
- Witness Service
- Inner London and City Family Proceedings Court
- Standing Together as the coordinating service

The SDAC at WLMC became an example of best practice, and other SDACs soon followed. In 2006, recognising that SDACs should be a fundamental part of the government's efforts to improve the support and care provided to victims of domestic abuse, the National Specialist Domestic Violence Court Steering Group produced a National SDAC Resource Manual to support partnerships across the UK in achieving and monitoring accredited SDACs in their areas. Through the national SDAC roll-out programme (operational in 2005), the Government aimed to establish at least 128 accredited SDACs by 2011. By 2009, over 140 SDACs had successfully achieved accreditation. As of 1st April 2010, the Local Criminal Justice Boards (LCJBs) assumed responsibility for aspects of monitoring and performance of SDACs.

The Dedicated Domestic Abuse Court (DDAC) at Westminster Magistrates' Court was set up in 2012 with the same aims and protocols and operates on the same principles and operational practices as an SDAC. In 2017, following the closure of the Hammersmith Magistrates' Court building, the SDAC at Hammersmith was re-located to Westminster Magistrates' Court, where it now operates alongside the DDAC. You can find out more about these courts in our briefing on STADA's court work.

The original twelve components

The 2006 [National SDAC Resource Manual](#) (reviewed in 2008) set out guidance for local partnership areas that were planning to develop an SDAC, making explicit reference to the fact that although the SDAC had court processes at its heart, it related to a broader, community-wide response to domestic abuse, whereby all criminal justice agencies work together to identify, track, and risk assess domestic abuse, support victims, and share information better so that more offenders are brought to justice. Of particular importance was ensuring victim/witness safety and managing risk

effectively through specialist IDVA services. It was agreed then, and remains true today, 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.

The SDAC Resource Manual outlined 12 components which should be present in an SDAC and formed the basis of the accreditation criteria. These are:

1. Multi-agency partnerships with protocols

The SDAC to be situated within a broader CCR structure and subject to an effective system of governance, including a strategic steering group; an operational group; a court co-ordinator; and multi-agency protocols.

2. Multi-Agency Risk Assessment Conferences (MARACs) and Multi-Agency Public Protection Arrangements (MAPPAs)

Within an effective SDAC system, there should be robust information-sharing arrangements between key public protection arrangements such as MARAC and MAPPAs. At the time of the publication of the Manual (2006 and 2008 for its 2nd edition), the MARAC was a very recent development. The Manual provided a detailed description of the MARAC process. These links ensure relevant information on the risk and safety of adult victims, children, and the risk posed by perpetrators is managed in a timely manner.

3. Identification of cases

The correct identification of DV cases is essential to the SDAC system and the wider CCR structure. In particular, early identification and flagging of DV cases by the police are absolutely essential to the SDACs objective.

4. Independent DV Advisers (IDVAs) and other Specialist DV support services

IDVAs are invaluable in the work of the SDAC and as part of a CCR structure. IDVAs contribute to increased victim safety and satisfaction through providing timely updates, reductions in repeat victimisation, maintaining victim engagement with the CJS and increased reporting and support for children at risk of harm from DV. They also work alongside the Witness Care Unit and the Witness Service to avoid duplication of services and provide the safest services for DA victims and witnesses.

5. Trained and dedicated criminal justice staff

Training for all agencies which form part of the SDAC system should be continual to ensure new personnel are trained and existing personnel have access to refresher training. Additionally, the identification and allocation of dedicated personnel with allocated time to carry out SDAC-related work (e.g. dedicated Prosecutor, Legal Advisor, or court IDVAs) is crucial for a consistency of approach and high standards of service throughout the system.

6. Court listing considerations

The type of listing approach adopted can have a significant impact on the success of the whole approach to DV in the magistrates' courts. In the 2007 SDAC Review, evidence suggested that some form of clustering approach was the most effective. A cluster court ensured the availability of wrap around specialist support services and the deployment of dedicated personnel from all agencies.

7. Equality and diversity issues

To ensure improved prosecution outcomes and victim safety and satisfaction, equality and diversity issues need to be addressed in each SDAC, addressing the needs within the local population.

8. Performance management

Collection, collation, and analysis of data on the performance of the SDAC, ideally through a named contact, is key to ensure arising issues are properly addressed. The data should be presented to the strategic and operational groups of the SDAC to enable progress to be monitored, at least quarterly, at a local level. Local areas must also build evaluative processes into their SDAC work.

9. Court facilities

Court facilities can play an important role in improving the court experience for victims of DV. Whilst court buildings vary in design and facilities available, the following components are key:

- Separate entrance / exits or making special provision
- Separate waiting facilities within or outside the courthouse

In all areas, local arrangements should be made to minimise the fear or threat of intimidation to victims attending at court. Facilities for child witnesses should also be available. Applications to the courts to use special measures, such as screens and video links should be made wherever they are deemed necessary. Victims should also be made aware of how their fares to reach court can be paid.

10. Children and young people

The SDAC needs to be sensitised to the specific needs of children as witnesses in DA cases and be able to rely on the strength of the wider wrap-around services to effectively identify, support and safeguard children experiencing DA. When deciding on the SDAC listing, consideration should be given to the childcare issues of victims and witnesses.

11. Managing perpetrators

Fast Delivery Pre-Sentence Reports (PSRs) are not usually appropriate in DV cases due to the need to undertake a full risk assessment and obtain collateral information from local police domestic abuse or community safety units. Consideration should be given to court-mandated perpetrator programmes supervised by Probation¹. The wider CCR partnership can also make use of community-based perpetrator programmes being run outside the CJS, for example those accredited by Respect.

¹ Since the Manual was published, the Probation service has undergone considerable changes which have affected the delivery and supervision of perpetrator programmes in England and Wales.

12. Other services

Victims who have cases progressing through an SDAC will have a range of issues that need to be addressed. The SDAC forms part of a wider CCR and as such work should be undertaken to ensure that the wider range of services they may need to access are appropriate and adequately resourced, such as Housing, Health services, Substance use services, Sexual Assault Referral Centres (SARCs) and Independent Sexual Violence Advisors (ISVAs).

Reduction in SDAC numbers

Despite the widespread adoption of the model in the early 2000s, SDACs have suffered closures and deterioration over the past 10 years. As a result of reduced government funding and court reorganisations and restructures, many of these specialist courts across the country experienced reduced sitting days, inconsistent practice and delayed proceedings, which strained the service delivery and the political will to keep them running. In this context, the SDAC model declined in prominence. By 2014 the number of SDVCs had fallen to 137. Today, there are an estimated 35-40 SDACs in operation in England and Wales, however, it is unclear if all of these SDACs are delivering all of the 12 core SDAC principles.

The Domestic Abuse Best Practice Framework (2018)

In 2018, the National Criminal Justice Board (NCJB) rolled out the Domestic Abuse Best Practice Framework (DABPF). It was jointly written and committed to by the Crown Prosecution Service (CPS), Police, and HM Courts & Tribunal Service (HMCTS) for use across all magistrates' courts in England and Wales. The Framework aims to ensure the capacity and capability of the criminal justice system to respond effectively to reports of domestic abuse offending and improve outcomes, as well as ensure a level of service to victims of domestic abuse which increases their safety and satisfaction and improves public confidence in the criminal justice system. To this aim, the framework identifies four evidence-based components:

- 1. A clear multi-agency/community approach which addresses risk management and safeguarding procedures**
- 2. Independent Domestic Violence Advisor (IDVA) support**
- 3. Trained and consistently deployed staff across all agencies**
- 4. In-court services: proactive witness services/pre-trial familiarisation visits/appropriate use of special measures**

The introduction of the DABPF, whose components were in line with the core components of the SDAC, signalled a renewed appetite for lessons from SDACs to be rolled out nationally. The SDAC Resource Manual was subsequently updated to align the 12 core SDAC components with the DABPF components, thus demonstrating the close link between the DABPF and the wider work on SDACs across government. The SDAC Resource Manual remains 'the gold standard for the delivery of the National CJS DA Best Practice Framework' (SDAC Programme Resource Manual, 2018). The Domestic Abuse Act 2021 and its associated Statutory Guidance (published 2022) further confirm the interconnectedness between the SDAC model and the DABPF by stressing the importance of the DABPF in strengthening the criminal justice system's response to domestic abuse.

Standing Together welcomed the DABPF for its sound recommendations. Since its roll-out in the local SDAC partnership areas, Standing Together has been instrumental in highlighting the synergies between the DABPF and the SDAC model, in particular how an effective SDAC is crucial to delivering these components visibly and effectively.

The six components of an SDAC (date?)

The minimum expected standard of the DABPF and the 12 original components of an SDAC can feel a long way apart. Against the backdrop of the national erosion of the SDAC model, STADA's work in the Westminster SDACs demonstrates that the values of dedicated partnership work can be maintained amid significant structural and institutional changes.

In recognition of the changing policy and operational landscape surrounding SDACs over the last decade, Standing Together has drawn on its unique experience of co-ordinating SDACs and distilled the 12 original SDAC components into a set of six essential elements. These components allow agencies to meet the requirements of the DABPF and also aspire to a 'gold standard' of criminal justice services within a CCR model. They represent a more concise version of the original twelve elements, and form a realistic set of goals for criminal justice agencies to strive for in multi-agency partnerships.

The elements are:

1. **A coordinated response and partnership working:** Before a case arrives at the SDAC, it should have passed through a system where all agencies work together
2. **Multi-agency protocols and procedures:** Agreed policies, procedures, and protocols must be developed before starting an SDAC
3. **An SDAC Coordinator:** An independent coordinator with knowledge of SDAC protocols and a detailed understanding of domestic abuse and the criminal justice system should be in place
4. **Monitoring, feedback, and evaluation framework:** Changes and improvements should be based on objective data, criteria for success, and safe practice analysed throughout the criminal justice system
5. **Domestic abuse advocacy services and IDVAs:** Victims and survivors should be referred to an appropriate IDVA service as early as possible
6. **A focus on victim, survivor, and witness safety issues:** SDACs should work with agencies, victims, and survivors to increase the safety of victims and survivors and lobby for change

The diagram below shows how the original 12 elements became six, and how these relate to the DABPF today.

12 Components		Six Elements		DABPF	
1	Multi-agency partnerships with protocols	1	A coordinated response and partnership working	1	A clear multiagency/community approach which addresses risk management and safeguarding procedures;
2	Multi-agency risk assessment and risk management procedures for victims, perpetrators, and children	2	Multi-agency protocols and procedures	2	Independent Domestic Violence Advisor (IDVA) Support;
3	Identification of cases	3	An SDAC Coordinator	3	Trained and consistently deployed staff across all agencies;
4	Specialist support services	4	Monitoring, feedback and evaluation frameworks	4	In court services: proactive witness services/pre-trial familiarisation visits/appropriate use of special measures.
5	Trained and dedicated criminal justice staff	5	DA advocacy services and IDVAs		
6	Court listing considerations	6	A focus on victim/survivor and witness safety issues		
7	Equality and diversity issues				
8	Performance management				
9	Court facilities				
10	Children's services				
11	Managing perpetrators				
12	Other services				

Accountability and adherence

Following the winding down of the original accreditation scheme for SDACs run by Local Criminal Justice Boards, the monitoring of how well SDACs are adhering to the minimum standards set out by the DABPF and the 'gold standards' of provision outlined in the SDAC model has become patchy. Provision for victims across the country is not consistent, and there is a lack of clarity around the ways in which adherence to the DABPF will be monitored and how improvements to practice are proposed.

Accountability mechanisms are a vital first step to encourage healthy partnership working. A proper accreditation process must be resumed to ensure court activity is monitored, and there are appropriate support frameworks in place to help people develop their understanding. STADA has published a briefing about our position on accountability separately.