

DOMESTIC VIOLENCE

A NATIONAL REPORT

MARCH 2005

## MINISTERIAL FOREWORD

Over the last thirty years domestic violence in the UK has gone from being a largely unspoken subject to one which is being tackled and confronted by Government and Statutory Bodies and the voluntary sector. In 1971 Refuge opened the first safe house for women and children experiencing domestic violence. Today there are over 400 refuges nationally and domestic violence receives much greater attention

This month, March has been designated National Domestic Violence Month, which reflects the seriousness of this horrific crime.

This report provides an overview of our achievements to date, whilst understanding that for this positive momentum of change to continue, we must set new objectives. This is reflected and underpinned in our national working plan with recommendations and mechanisms put in place for tackling domestic violence through early identification, prevention and improved response.

We know that all agencies that come into contact with victims, their children and perpetrators must be able to give an appropriate response, with safety of the victim paramount.

We know that domestic violence is a serious public health issue and that the statistics are shocking. For women aged 19-44, domestic violence is the leading cause of morbidity, greater than cancer, war, and motor vehicle accidents. 89% of the victims who suffer sustained domestic violence are female, however we also know that domestic violence can affect the lesbian, gay, bisexual and transgender community and male victims. We know that domestic violence can be perpetrated by family and extended family members, through forced marriage, female genital mutilation, and so-called 'honour crimes'. More worryingly, a recent survey by the National Society for the Prevention of Cruelty to Children (NSPCC) revealed that far too many of our young people are already being subjected to relationship abuse in their teenage years. This illustrates that we still have much to do if we are to create a culture change that makes domestic violence socially unacceptable for the next generation.

In addition, there are compelling economic reasons why we have to tackle this problem head on; the cost of domestic violence is staggering, with combined tangible and intangible costs of £23 billion in the UK annually.

Government action on domestic violence is led by an Inter-Ministerial Group on Domestic Violence, set up in 2003.

This Group is chaired by Home Office Minister Baroness Scotland, QC. It includes Ministers from key Departments, including Constitutional Affairs, the Solicitor General, Health, Education, DTI, Office of the Deputy Prime Minister, and Work and Pensions. Wales and Northern Ireland are also represented. This is to provide a joined-up and robust programme of work.

The Government's strategic approach to tackling domestic violence was set out in the consultation paper *Safety & Justice*. This approach has led to the Domestic Violence, Crime & Victims Act 2004, the biggest piece of legislation on domestic violence in over 30 years.

This report represents the road we have travelled so far and the National Domestic Violence Delivery Plan signposts the direction we need to travel in the future. This report should act as an encouragement to those statutory and voluntary organisations working in the field of domestic violence and demonstrate that your work has been recognised and appreciated. The Government has now become a full member of that partnership.

# DELIVERING SERVICES FOR SURVIVORS OF DOMESTIC VIOLENCE: THE GOVERNMENT'S PROGRESS AND FURTHER ACTION

## Part 1

### INTRODUCTION

#### Purpose

1. This document is aimed at all those working in the field of domestic violence, both the voluntary and statutory sectors. It is also, of course, aimed at domestic violence victims themselves. It has two key objectives:
  - to set out briefly the significant progress that has been made in implementing the proposals outlined in *Safety and Justice: The Government's Proposals on Domestic Violence* and;
  - to highlight new commitments which form the 'next steps' in delivering services and support to victims of domestic violence. This includes an outline of a working document called the National Domestic Violence Delivery Plan (ANNEX A)
2. We want to ensure that victims of domestic violence are aware of all the options that are open to them in order that they can make informed decisions about the route they wish to take to end the abuse and rebuild their lives. These options include seeking the intervention of the courts. However, we recognise that not all victims will wish to pursue a legal remedy. For all victims, whether or not they seek the protection of the courts, it is vital that they are aware of, and have access to, all the voluntary and statutory support that is available.

#### Background and context

3. On 18 June 2003, the Home Secretary published the consultation paper *Safety and Justice: the Government's Proposals on Domestic Violence*. *Safety and Justice* sets out the Government's strategy for tackling domestic violence through three strands: prevention, protection and justice and support. It included proposals for legislative and non-legislative changes to the way domestic violence is dealt with in England and Wales. 470 responses were received to the document from a wide range of stakeholders, including survivors, voluntary and community sector groups working in the field, statutory agencies and concerned members of the public. In conjunction with voluntary and community sector groups, a series of workshops with survivors from a diverse range of communities were run.
4. In December 2003, the Government published 'Summary of Responses to *Safety and Justice: the Government's Proposals on Domestic Violence*'. It accompanied publication and introduction into Parliament of the Domestic Violence, Crime and Victims Bill; and set out a number of non-legislative measures which the Government would be pursuing in the short to medium term.
5. The Inter-Ministerial Group on Domestic Violence - which brings together Departments central to tackling domestic violence and supporting survivors and children, with colleagues from the Devolved Administrations – has been responsible for driving forward the Government's work on domestic violence within this strategic framework.

6. This document highlights briefly the progress made in tackling domestic violence since the publication of *Safety and Justice* and, more importantly, sets out an ambitious cross-government programme to deliver better services and support for victims of this terrible crime.

## Part 2

### PROGRESS

#### Safety and Justice

7. Nearly two years on from the '*Safety and Justice*' consultation paper, and culminating in the passing of the Domestic Violence, Crime and Victims Act 2004, much has already been achieved to deliver on many key commitments, not just in legislative terms but also in delivery on the ground. We have and will continue to learn from the feedback from that consultation exercise, and from other research and work, to develop our plans still further.
8. Reported below is an overview of progress made to date, in developing the proposals outlined in *Safety and Justice*:

#### Actions to prevent domestic violence

- Published **information sharing guidance** for practitioners <http://www.homeoffice.gov.uk/rds/pdfs04/dpr30.pdf>, so they are aware of what they can and should do if they suspect or are told about domestic violence.
- Completed piloting and evaluation of the Bristol pilot of **routine enquiry by midwives**; and appointed the first **National Domestic Violence Co-ordinator** within the health service.
- Ran the first **national awareness campaign** which sought to promote the new 24 hour freephone national helpline number as well as raising general awareness.
- Funded and distributed to all secondary schools a new series of the teenage soap series "Watch Over Me", aimed at **educating young people** about domestic violence.
- Funded the first **phonenumber for perpetrators** who want to address their behaviour. This was launched by RESPECT in September 2004.
- Rolled out accredited **perpetrator programmes** within the Probation Service – these occur following use of the Spousal Assault Risk Assessment (SARA) tool and ensure that the safety of the victim is then managed within inter-agency public protection arrangements
- Funded a national phonenumber for Lesbian, Gay, Bisexual and Transgender communities, launched by Broken Rainbow.
- Published good practice guidance on how to implement strategies to **encourage and enable disclosure of domestic violence in a range of health settings**.

#### Actions to protect victims and bring offenders to justice

- **Domestic Violence, Crime and Victims Act 2004** received Royal Assent in November 2004.
- Association of Chief Police Officers (ACPO) and the National Centre for Policing Excellence (CENTREX) have published a **comprehensive guidelines for investigating domestic violence** which take on board all relevant recommendations from the HMCPSI/HMIC report.
- CPS **updated Policy and Guidance** documents in February 2005 to reflect the new CPS initiatives and the substantial legislative changes since the issue of the last version in

November 2001. The CPS also produced with CENTREX a **joint national training programme** for police and CPS staff.

- In March 2004 the Government met a Manifesto commitment by publishing an **evaluation of specialist domestic violence courts**. There are now 7 specialist courts running and more are planned.
- In 2004 the Judicial Studies Board launched a new domestic violence **training programme for magistrates**.
- In July 2004 the Sentencing Advisory Panel published a **consultation paper on sentencing** in domestic violence cases. Consultation ended on 12 October 2004. Draft guidelines are likely to be published for consultation in the autumn of 2005.
- Published a series of good practice guides and overall findings from the Crime Reduction Programme Violence Against Women Initiative, including how **advocates can support victims to move towards living violence-free lives**

#### Actions to support victims and their children

- National 24-hour freephone helpline – run in partnership by Women’s Aid and Refuge – is now fully operational and supported by the online database system Ukreftesonline.
- £32 million has been provided for improvements to existing and new refuge places through ODPM’s Homelessness & Housing Support Directorate and the Housing Corporation.
- The voluntary sector has continued to provide key services to victims of domestic violence and their children; and has begun to work on issues of quality and standards of service.
- The Children Act 2004 was passed giving effect to key reforms to children’s services envisaged by ‘Every Child Matters’.
- Published good practice guidance in 2004 on how to support children who have witnessed domestic violence: ‘Tackling Domestic Violence: providing support for children who have witnessed domestic violence’
- In January 2005 new forms were introduced to enable allegations of domestic violence to be made right at the start of court applications for contact and residence involving children.
- From January 2005 the law was clarified to ensure that the courts must consider the harm a child might suffer as a result of witnessing violence on another person.

9. As well as taking forward action points outlined in *Safety and Justice* we have also addressed two further key issues.

#### A core definition of domestic violence

10. To support delivery across Government and its agencies through a common understanding of domestic violence, we now have a common definition. This follows the definition already used by the Association of Chief Police Officers, and is:

**‘Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality<sup>1</sup>.’**

This definition is wider than the previous Home Office definition and incorporates violence between family members over 18 as well as between adults who are, or were, intimate partners. This ensures that those issues of chief concern to BME communities, such as forced marriage, so-called ‘honour crimes’ and female genital

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<sup>1</sup> **An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily.**

mutilation, are properly reflected and reflects concerns voiced by many in response to *Safety and Justice*.

### The Forced Marriage Unit

11. The Forced Marriage Unit was launched on 26 January 2005, and is another example of joined-up interdepartmental working between the Foreign and Commonwealth Office (FCO) and the Home Office. The unit has funded two Forced Marriage Conferences, in April 2004 and more recently a successful national conference on 16 February, with delegates from several countries attending. The unit oversaw and funded the first UK-wide working group on Forced Marriage and the Womens' National Commission (WNC) have been invited to sit on the steering group. We have also funded national awareness raising materials, a 'Step-by-step' guide for Black Minority Ethnic (BME) victims of domestic violence that went to consultation in November 2004 and will be published in the summer 2005; a BME website that will be launched in April 2005 that will include focus groups across the UK from many BME specialist organisations. Further funding was allocated to seven community events and awareness raising sessions around the revised Female Genital Mutilation (FGM) Act.

### Measuring Success: Performance Indicators

12. We referred in *Safety and Justice* to the difficulty of using one headline target to measure our success in tackling domestic violence. At the heart of this is the difficulty of gaining an accurate picture of the true levels of domestic violence occurring within our society.
13. Accordingly, we have identified a number of 'proxy' indicators against which we intend to measure the medium to long term success of our strategy. More details are included at Annex B, but in brief the indicators cover key agencies and are as follows:
  - i) number of domestic homicides;
  - ii) prevalence rates as measured by the British Crime Survey Inter-Personal Violence module;
  - iii) attitudes towards the acceptability of domestic violence;
  - iv) domestic violence arrests;
  - v) domestic violence offenders successfully prosecuted in the courts;
  - vi) number of non-molestation, occupation and restraining orders made;
  - vii) quantity and quality of domestic violence services commissioned by Local Authorities;
  - viii) survivor satisfaction with the support they receive; and
  - ix) increased reporting of risk of harm to children as a result of domestic violence.
14. The police will also continue to collect information on rates of repeat victimisation, although we recognise that these data can only show the rate of repeat reporting to the police, rather than true underlying rates of repeat victimisation.

## **FROM DEVELOPING POLICY TO DELIVERING SERVICES AND SUPPORT FOR VICTIMS**

### **Part 3**

15. While real progress has been made in tackling domestic violence, we recognise that there is still much more to be done. We are committed to our three core objectives of Prevention, Protection and Justice and Support for domestic violence victims. A range of further measures are in hand to build on the progress made and which will ensure further improvements in delivery of services for victims. We have detailed below 15 commitments across the statutory and voluntary sector grouped under the headings in *Safety and Justice: Prevention and Support and Protection and Justice*. Many of the commitments are inter-linked and in some cases, such as Independent Support and Advice for Victims and the Development of Specialist Domestic Violence Courts, they are inter-dependent

## **PREVENTION AND SUPPORT (Early identification and early intervention)**

### **Commitment 1: Independent Support and Advice for Victims**

16. We want to address two key challenges that were highlighted in the *Safety and Justice* consultation and in subsequent work undertaken by the Department for Constitutional Affairs (DCA) Consumer Focus Strategy:
  - a) Professionals in the statutory sector may be reluctant to seek disclosures, regardless of training and guidance, if there are no services on to which to refer victims and
  - b) Each professional will be expert only in his or her own field. They will each be able to help the victim, but only to a limited extent. This often leaves victims having to approach a range of agencies to tell and re-tell their stories.
17. Victims and frontline organisations have made clear through consultation their belief that the most effective solution to these problems is the availability of dedicated advice and assistance from an independent source, available to those both inside and outside the criminal justice system. This independent source would give personal advice and support direct to victims to help them make decisions about their future and also help them access the range of services they need. This view is supported by evidence of outcomes where such services already exist.
18. A range of names have been suggested for these independent advisors, for instance – advocate, navigator, DV victim support worker. For ease, in this paper we are using ‘independent domestic violence advisors’ or IDVAs. While we are very willing to consider alternatives, we do think that a generic name is essential, so that all victims and those who support them can be clear about who should be contacted and what their role will be.

### **Evidence of outcome and cost-effectiveness of IDVAs**

19. IDVAs are not a new idea, there is strong evidence from existing projects that they are effective in terms of outcomes for the victim and in terms of cost efficiency. Evidence comes from projects established and originally funded under the Home Office Crime Reduction Programme Violence Against Women Initiatives (CRP VAWI) – the evaluation of the 27 projects was published in February 2005 along with two good practice guides which provide advice on how practitioners can provide effective and

timely support to victims and also those from Black and other minority ethnic communities. The value and significance of IDVAs were reiterated by the evaluation of Specialist Courts which identified the role as being critical to the courts' success – see Commitment 3.

20. The evidence shows that support from IDVAs:
- reduces repeat victimisation;
  - reduces attrition rates in the criminal justice system;
  - increases victim satisfaction and confidence; and
  - is cost effective.

### **What is meant by independent advocacy, or IDVAs?**

21. There are a number of elements present within an independent advice service. These are set out below:
- a. Independence: the role of the advisor is to advise and support victims to help ensure their safety. To do this effectively, the advisor must be independent of any single organisation. The key outcome of their work must be survivor safety rather than better results for a particular agency (such as increased arrests, prosecutions, etc).
  - b. Professionalism: the service involves supporting a survivor with a named caseworker. This requires training and is not naturally suited to be carried out by volunteers.
  - c. Safety Options: advisors need to understand the full range of remedies and resources available in the civil and criminal justice systems, as well as the physical safety options available to a survivor through other statutory and voluntary sector services, and to be able to assess their suitability in each case.
  - d. Crisis Intervention: advisors work from the point of crisis with a survivor and offer intensive support to help assure their short and long term safety.
  - e. Risk: advisors must understand the assessment of risk as it relates to domestic violence victims and how to manage it. The focus of an advisor's work is with high-risk victims where their safety can only be assured through this approach.
  - f. Partnership: advisors need to liaise effectively with statutory and voluntary agencies. The service provided by the advisor should ensure that agencies are able to fulfil their obligations to the survivor on a collaborative basis.
  - g. Measurable Outcomes: Advice Services have clear outcomes in terms of reduced repeat victimisation, fewer withdrawals of witness statements and increased reporting of children at risk of harm from domestic violence.
22. £1 million will be available in 2005/06 to underpin the quality of IDVA services by supporting the rollout of the Co-ordinated Response and Advocacy Resource Group

(CRARG)<sup>2</sup> accredited training programme for IDVAs and will be supported by the development of occupational standards, as well as the development of more specialist domestic violence courts, linked to IDVA enhancement and expansion (see below).

### **Commitment 2: Our Health Services**

23. The Department of Health has funded a pilot scheme in Bristol to evaluate a programme of routine enquiry. Health professionals routinely ask patients whether they are experiencing domestic violence and provide appropriate information or referral, depending on the response. The pilot included the production of a video and training materials based on the findings of the evaluation, and which have been rolled-out by the Bristol research team. The Department of Health has facilitated three regional training days to support the dissemination of material.
24. A good practice guide, which provides advice on how to encourage and deal appropriately with disclosure in a range of health settings was published in 2004 along with a research report. The findings are from some of the evaluations funded under the remit of the Crime Reduction Programme Violence Against Women Initiative.
25. The Children and Young People and Maternity Services National Service Framework states that all pregnant women are offered a supportive environment and the opportunity to disclose domestic violence. This is backed up by the Government's commitment in *Supporting Local Delivery*. An Advisory Group has been established to consider what the key elements of a supportive environment should be. The work of the Group is time limited.
26. The Department of Health is also funding a review of "Domestic Violence: A Resource Manual for Health Care Professionals" which was first issued in March 2000. As with the 2000 manual, this revised version has been developed to help all those health care professionals who encounter victims of domestic violence, to equip them with the skills, knowledge and confidence to be able to address the issue in an appropriate manner. The revised manual is more of a toolkit, incorporating good practice models which we hope will promote networking and information sharing among professionals.
27. In 2005, the proper recording of injuries and/or mental health problems sustained as a result of domestic violence will be underpinned by the new Electronic Patient Records (EPR) system. EPR will contain specific diagnostic codes for domestic violence which will be primary codes in domestic violence incidents – so that, for example, a wrist injury sustained during a domestic violence attack will be recorded as domestic violence first, and wrist injury second.
28. This is important both for the recording of individual injuries (not least so that this documentation can be used as evidence in, for example, court or immigration proceedings) and for anonymised data collection which can give us a better picture of the true extent of domestic violence and use of health services by survivors.

### **Commitment 3: Earlier Intervention with Offenders**

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<sup>2</sup> CRARG is a new charity funded by a number of domestic violence advice projects in England and Wales to support the development of services.

29. Although there are estimated to be some 500,000 domestic violence related calls to the police, only around 7,000 incidents result in a prosecution. This means that only a relatively small percentage of perpetrators are managed through Criminal Justice Systems. We know that there are many dangerous abusers who are not currently being managed and we need to find ways not only to increase the numbers of offenders who are brought to justice (and so subject to these offender management systems) but also to identify perpetrators outside the Criminal Justice System who would benefit from more active management or support to stop offending.
30. Many more perpetrators come into contact with the courts system as a whole than come into contact with the Criminal Justice System.
- In 2003<sup>3</sup> over 30,000 non-molestation and occupation orders were granted to protect victims of domestic violence and a further 4,500 undertakings were given to the courts.
  - Around 25%<sup>4</sup> of court applications for contact with a child following divorce or separation involve allegations of domestic violence between the parents.
31. There are currently no mechanisms for referral from these courts to perpetrator programmes. In the Government's Green Paper 'Parental Separation: Children's Needs and Parents' Responsibilities' we consulted on including referral to a perpetrator programme as an option for the family courts when considering a contact application. Following on from the consultation, the power to require attendance at programmes, such as a perpetrator programme, was included in the Draft Children (Contact) Adoption Bill published on 2 February 2005. Perpetrator programmes do not, however, mean that perpetrators will be able to escape prosecution for criminal offences where a prosecution is warranted.
32. In the meantime, we want to get more evidence on the likely effectiveness of programmes to address the behaviour of perpetrators who have appeared in the civil/family courts, but who have not yet been the subject of a criminal prosecution.

#### **Commitment 4: Awareness Raising**

33. During 2004 the Government funded a national campaign to promote the new national helpline and to raise public awareness generally of domestic violence.
34. Advertisements – which were designed with input from Women's Aid and Refuge, appeared in magazines, in washrooms and on the back of till receipts as well as on the radio. Following evaluation, the most successful elements of this campaign will be considered for future campaigns.

#### **Commitment 5: Supporting Police Improvement**

35. Under the leadership of the Association of Chief Police Officers, guidance on policing domestic violence has been produced by CENTREX, the organisation responsible for police training. It is one of the first guides to operational policing issued under the auspices of the National Centre for Policing Excellence. One of its cornerstones is proactive policing throughout a domestic violence case. A crucial element of this is

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<sup>3</sup> Judicial Statistics 'Annual Report 2003'

<sup>4</sup> 'Wade and Smart' DCA November 2003

making full use of available powers of arrest, with the police taking the decision rather than placing the burden on the victim. The Domestic Violence, Crime and Victims Act 2004 makes common assault an arrestable offence. This will give police clear and unambiguous powers in many common domestic violence situations where in the past frontline officers have not been clear whether or not they have a power of arrest.

36. Police will still have the discretion to arrest or not, but the clear expectation is that they will do so. This expectation is already backed up by a HO Circular and will be reinforced by a new Circular which will be issued in advance of the implementation of the new Act measures during 2005.
37. In addition, this positive arrest policy is reinforced by the inclusion in the Policing Performance Assessment Framework (the key framework against which police performance is measured, and force by force performance compared) of a measure focusing on the percentage of cases where police are making an arrest where they have the power to do so.
38. The guidance on Policing Domestic Violence is backed by a seven part training package developed by CENTREX for Police. While domestic violence training is optional for existing Police personnel, all new probationer police officers are now taught two of the modules on understanding and investigating domestic violence. The other modules are more targeted at, for instance, communication centre staff or staff in specialist units.

#### **Commitment 6: Children's Services**

39. Children who have experienced, witnessed or lived with domestic violence are at risk. They are at greater risk of exposure to poverty and homelessness, and detrimental effects on their short-term welfare and long term life chances. As such, these children will benefit from the wide-ranging Government reforms of children's services envisaged in *Every Child Matters* and legislated for in the Children Act 2004. The overall aim of the Act is to encourage integrated planning, commissioning and delivery of services as well as to improve, multi-disciplinary working, remove duplication, increase accountability and improve the co-ordination of individual and joint inspections in local authorities. The legislation is enabling rather than prescriptive and provides local authorities with a considerable amount of flexibility in the way they implement its provisions. It is important that domestic violence is not treated as a separate area but mainstreamed and integrated throughout the children's agenda. The Government will take the following actions to ensure that this happens:
  - Guidance to underpin the new duty to 'safeguard children and promote the welfare of children' introduced in the Children's Act will promote the role of all the agencies subject to this duty. This will help them respond to children and families affected by domestic violence;
  - A Common Core of Skills and Knowledge is being developed for those working with children, young people and their families. It will set out six areas of expertise that everyone working with children, young people and families should be able to demonstrate. It will provide a basic description of essential skills and knowledge for practitioners which can be adapted and enhanced for use in different services and differentiated as appropriate to recognise that in some roles very detailed knowledge may be required, particularly in areas such as safeguarding;

- Putting in place effective inter-agency arrangements to work with children and families affected by domestic violence will be an important role of the new Local Safeguarding Children Boards; and
  - Domestic violence will be reflected in the framework according to which new children's structures will be inspected.
40. We believe that these steps will ensure that domestic violence is on the agenda of every mainstream agency whose task it is to safeguard and promote the welfare of children.
41. Guidance has been made available in the form of the inter-agency guidance *Working Together to Safeguard Children* (which can be accessed via [www.teachernet.gov.uk](http://www.teachernet.gov.uk)) and the guidance *What to do if you're worried a child is being abused*. Training materials to support the latter guidance are currently being developed and will address the specific issues raised in domestic violence situations. A 'Bullying and Domestic Violence' toolkit was launched in March 2005, providing guidance on children affected by domestic violence and the links to anti-social behaviour.
42. A good practice guide on how to provide timely and appropriate support for children who have witnessed domestic violence was published in 2004. The findings are from the evaluation of a number of projects funded under the remit of the Crime Reduction Programme Violence Against Women Initiative.

#### **Commitment 7: Immigration Services**

43. In November 2004 several changes were announced to the way the Home Office's Immigration and Nationality Directorate (IND) handles cases that fall within the domestic violence provisions of the Immigration Rules.
44. In 2002, the rules were amended to widen the category of evidence which victims of domestic violence may use as proof of domestic violence. Applications from victims of domestic violence are now prioritised and, where the applicant is destitute, the usual fees are waived. Victims of domestic violence who are still subject to immigration control cannot access public funds until their application has been decided. However, victims can get access to housing-related support through the Supporting People arrangements, and the Home Office has made a further grant of £80,000, in addition to the £40,000 earlier in 2004-05, to Women's Aid to bolster its Last Resort Fund. Members of Women's Aid can apply for funding from the Last Resort Fund to cover the living expenses of women who are making an application for indefinite leave to remain because of domestic violence. This helps to meet the housing costs of a small number of cases in refuges whilst the application is in process, for up to a period of eight weeks. However this is only a temporary solution and in the coming months IND and other Government Department will be looking for long term solutions for those victims with no recourse to public funds.
45. Many cases are delayed because forms have not been properly filled in or applicants have been unable to produce evidence of domestic violence as set out in the immigration rules. Following close discussions with Southall Black Sisters and Women's Aid, IND will be:
- giving case-workers additional guidance on making decisions on domestic violence cases;

- widening the interpretation of the term 'refuge' to include recognised and specialist support services, and, with that, the organisations that can give evidence on behalf of a victim to the IND;
  - producing a proforma for service providers supporting victims, with guidance on submitting applications and supporting evidence correctly;
  - producing an information leaflet on how to apply for indefinite leave to remain as a victim of domestic violence;
  - producing, through Southall Black Sisters (SBS) a step-by-step guide to help black and minority ethnic (BME) victims 'navigate' the system, including making immigration applications, the services that are available and how to access them. This was launched for consultation on 15 November 2004, and will be published by summer 2005. It will be produced in a range of languages in an easy to understand format; and
  - circulating guidance to local authorities on funding women with insecure immigration status in fear of violence.
46. IND will incorporate the broader interpretation of the term refuge into their guidance this Spring, with the information leaflet being added to the IND website and printed in a number of different languages at around the same time. The pro-forma for service providers has been drafted and sent to Women's Aid and Southall Black Sisters for final comments. IND will then publish and distribute by the summer.

#### **Commitment 8: Supporting the Voluntary Sector in the Setting of Standards**

47. The last decade has seen an increasing professionalisation in many parts of the Voluntary and Community Sector (VCS), both in the management of organisations and the delivery of services by staff and volunteers. The majority of innovative practice has also originated in this sector. Funders increasingly demand certain standards of service, monitoring and evaluation, and financial management, while formal qualifications give staff transferable skills in a mobile job market. The domestic violence sector is no exception. Over the last few years, prompted particularly by the Supporting People programme launched in April 2003, the sector's umbrella organisations have begun drawing up standards of service and training.
48. Women's Aid, consulted widely with their members during the development of the Supporting People quality assessment framework on a broad set of standards to govern quality of service in the voluntary sector beyond those offered through Supporting People. At that time, material was drawn together covering standards in:
- refuge provision;
  - children's services and
  - outreach / floating support services.
49. Women's Aid have also made progress in developing training packages which support the delivery of key services by their members. Their ambition – and that of their members, including Refuge - is now to turn those standards and emerging training packages into a more sophisticated system of standard-setting, training and qualification which will enable the quality of services to rise; and the commissioners of services to have confidence in their quality and credentials.
50. The Government shares that ambition. ODPM will be working with Women's Aid, using *Change Up* funding to strengthen front line services provided by refuges and to enable

the domestic violence sector to engage more effectively with new regional approaches to investment. This work will be closely linked to the work of the Co-ordinated Response and Advocacy Resource Group (CRARG) and will inform the emerging occupational standards.

## PROTECTION AND JUSTICE

### **Commitment 9: Expanding Network of Specialist Domestic Violence Courts**

51. When referring to a specialist Domestic Violence court, we are not referring to a court building or jurisdiction, but to a specialised way of dealing with domestic violence cases in the magistrates' courts. There are two types of specialist domestic violence courts currently operating:
- Clustering – all cases are grouped into one court session to deal with pre-trial hearings, bail variation, pleas, pre-trial reviews, pre-sentence reports, and sentencing. Some cluster courts also hear trials in a specific Domestic Violence session.
  - Fast-tracking – specific pre-trial review sessions are allocated for Domestic Violence with 1 in 4 court slots allocated to DV for all further hearings/trials.
52. A specialist or fast-track court procedure for dealing with DV cases will deal solely with criminal, adult proceedings. Independent Domestic Violence Advisor services (see Commitment 1) are an essential element of the multi-agency approach which culminates in a specialist court.
53. The evaluation of specialist domestic violence courts<sup>5</sup> showed that there were significant benefits to be gained, for the courts as well as for the victims of domestic violence, from such courts. Significant findings from the research were that specialist domestic violence courts:
- Enhance the effectiveness of court and support services for victims;
  - Make advocacy and information-sharing easier;
  - Improve victim participation and satisfaction; and
  - Increase public confidence in the CJS.
54. We want to ensure that the courts themselves, both criminal and civil, recognise the difficulties and special concerns faced by victims of domestic violence when using the system. We also want to develop courts that put domestic violence victims at the heart of the process. To that end we will continue to develop specialist DV courts and aim to have 25 such courts set up by April 2006.

### **Commitment 10: Pilot an Integrated Domestic Violence Court**

55. At present a spouse or partner who wishes to make applications arising from domestic violence allegations may have to attend two different courts in two separate jurisdictions, criminal and civil, to present similar or the same facts. This is widely seen as unsatisfactory. An appeal (Lomas and Parle) heard in the Court of Appeal in a

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<sup>5</sup> [www.cps.gov.uk/publications/docs/dvpilotsites0405.pdf](http://www.cps.gov.uk/publications/docs/dvpilotsites0405.pdf)  
[www.cps.gov.uk/publications/docs/specialistdvcourts.pdf](http://www.cps.gov.uk/publications/docs/specialistdvcourts.pdf)

constitution which included the President of the Family Division, Dame Elizabeth Butler-Sloss, brought home vividly the inconvenience, waste of court time, and considerable public expense on concurrent hearings conducted by different courts with different sets of solicitors and different barristers.

56. The Government proposes, therefore, to support the development of an Integrated Domestic Violence Court (IDVC). The IDVC would hear both the criminal and civil aspects of the same case. Cases would be heard sequentially with the criminal case, where possible, heard first. An IDVC would provide an improved service to families in crisis, by co-ordinating criminal and civil proceedings where the underlying issue is domestic violence.
57. A National Implementation Project Board for Integrated Domestic Violence Courts was set up last July (2004) to develop a model for an IDVC. It is hoped that a pilot IDVC will be up and running at Croydon before the end of 2005.

### **Commitment 11: Increasing Access to Justice**

58. We want victims of domestic violence to have access to high quality legal advice that offers them the information and guidance they need to reach the right decisions about their safety and their future.
59. Victims using legal services need assurances of the quality and experience of their provider. The Law Society and the Solicitors Family Law Association, recently re-named Resolution, currently have specialist panel membership or accreditation schemes for family solicitors. The Bar have the Family Law Bar Association (FLBA) but this does not have an accreditation scheme. Professionals have specific guidance on domestic violence in the 'Family Law Protocol', a best practice guide for all family lawyers. Although the panels and accreditation scheme are readily recognised on an inter-professional and intra-professional basis, they are not always readily recognised or understood by the consumer.
60. This is a key area for improvement identified in the recent Green Paper 'Parental Separation Children's Needs and Parents' Responsibilities' and is as pertinent in the area of domestic violence specialist practice as it is in family work generally. It is proposed that a National Accreditation Scheme should be instituted that would be easily recognisable for consumers and would encompass, for the profession, a clear 'career path' and qualification. The Legal Services Commission (LSC) is currently researching how best to take this proposal forward. The Commission would like to work with the legal and specialist professional bodies so that the work that has been accomplished in building the present level of panel and accreditation schemes within the profession is encompassed within any plans for national accreditation resulting in a single, nationally recognisable accreditation. Any national accreditation will seek to address the need for solicitors to recognise the issues surrounding domestic violence, beyond strictly legal remedies. This should include a knowledge and understanding of appropriate local services, and the ability to signpost clients to them.
61. As part of the Family Advice and Information Service Project, the LSC will also work with practitioners and their representative bodies to look at ways in which a training programme for unqualified but experienced legal executives who work in solicitors' offices (and who often end up doing much of the domestic violence work) could be established. We want to ensure that an appropriate level of skills based training is offered, particularly in sensitive areas of practice such as domestic violence, and we

are working with partners to establish how it might best be provided. This also reflects the enhanced need for effective and sensitive communication between solicitors and their clients as a result of the introduction of revised forms for applications under section 8 of the Children Act 1989 (contact, residence, specific issues and prohibitive steps) in January 2005. These forms will encourage allegations of domestic violence to be raised and considered right at the start of proceedings.

#### Other Avenues for Advice

62. Research has indicated that 80% of people dealing with family problems approach a solicitor first. However, there is no reason why other sources could not be used, if not for the actual legal process, at least by a victim establishing their options. Many victims of domestic violence in particular may be reluctant to go directly to a solicitor because of, perhaps, fear about the cost or doubts about whether the law can help. That is why we want to develop other avenues for victims to make the first step in seeking legal advice so that they can better understand what the law can do to help and how to access that help. The LSC is developing a range of proposals to expand victims' ability to receive advice. These include:
- Leaflets. Many services provide web-based information relating to domestic violence and associated issues, the majority of which are downloadable as fact sheets at no cost. The LSC provides this service via its Community Legal Service Direct website, and these leaflets can also be ordered from the Community Legal Service Direct telephone helpline. A leaflet dealing with options relating to domestic violence was added in September 2004.
  - 'One Stop Shop'. Research has shown that the more often people seeking help are referred on, the less likely it is that the referral will be successful. This is exacerbated for those experiencing domestic violence, who are usually already fearful, distressed and disempowered. The presence of domestic violence often indicates a cluster of associated or potential problems, including housing, debt, divorce and children matters. Closing the gaps through which victims might fall leads to more accessing the advice and support they need. Being able to access advice for all their problems in one place enables their various needs to be addressed in a comprehensive and holistic manner, reducing the risk of drop out. The LSC will be running a pilot to build on existing models of good practice of a single gateway to services for those experiencing domestic violence.
  - Consideration is also being given to piloting a Family Legal Helpline and an email enquiry facility.

#### Commitment 12: Implementing the Provisions in the Domestic Violence, Crime and Victims Act 2004

63. The Domestic Violence, Crimes and Victims Act received Royal Assent on 15 November 2004. The key measures in the Act which will offer victims of domestic violence more protection and support are:
- **making breach of a non-molestation order a criminal offence**, punishable by up to five years' imprisonment. This makes it an offence for which a police officer can arrest without a warrant. Courts will also be compelled, when deciding whether they should issue an occupation order, whether they should also issue a

non-molestation order. This will mean civil orders can offer better protection to victims ;

- amending the Family Law Act 1996 so that courts making occupation orders no longer have regard to the fact that cohabitants have not given each other the **commitment involved in marriage**, and instead look at the level of **commitment involved in the relationship**;
- giving **cohabiting same-sex couples** the same access to non-molestation and occupation orders as opposite-sex couples;
- making **couples who have never cohabited or been married** eligible for non-molestation orders;
- **introducing domestic violence homicide reviews**, which will be an opportunity for those people and agencies which may have known about or suspected the attacks<sup>6</sup> – like the police, health or social services – to look at the background and their involvement in each case, and learn lessons for the future. It also gives the Secretary of State the power to direct that an agency sets up or takes part in a review in a particular case.
- **making common assault an arrestable offence** by adding it to the list of offences for which a police officer may arrest without a warrant;
- **extending the availability of restraining orders to all violent offences**. This includes cases where there has been an acquittal in a criminal court but where there is sufficient evidence to warrant a restraining order.
- giving any person mentioned in a restraining order **a right to make representations in court** if an application is made to vary or terminate the order.

64. Now that the Bill has received Royal Assent appropriate training and guidance will be promulgated. The first tranche of orders have now been commenced:

- Section 5-8 Causing or allowing the death of a child or vulnerable adult;
- Section 11 Common assault as an alternative verdict;
- Section 22-26 Changes to the insanity legislation;
- Section 28-29 Fine enforcement - disclosure orders and procedure on breach of community penalty; and
- Section 31 intermittent custody.

The other measures in the Act will be rolled out over the next year.

### Commitment 13: Ensuring the Courts deal appropriately with Child Contact Cases where Domestic Violence is an Issue

65. About 25% of applications for contact or residency following parental separation include allegations of domestic violence. The guidelines published for the courts by the Children Act Sub-Committee (CASC) made clear that contact should only be awarded between a non-resident parent and a child if the safety of the child and resident parent could be assured before, during and after contact. In order to ensure that the courts have all the relevant information before deciding issues of contact and residency, new forms were introduced on 31 January this year. Disclosure of domestic violence at the point these forms are completed will depend, to a certain extent, on the skill of the solicitor in talking their client through the form. This is an area we intend to address by appropriate training and accreditation, as outlined above. This will ensure that

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<sup>6</sup> A duty is imposed on chief police officers, local probation boards, local authorities, strategic health authorities, primary care trusts, local health boards, NHS trusts, and equivalent bodies for Northern Ireland to have regard to the guidance issued on holding such reviews.

allegations of domestic violence will be raised right at the beginning of proceedings so that the judge can make decisions about contact in the light of all the facts.

66. On 31 January 2005 we also implemented section 120 of the Adoption and Children Act 2002, which clarifies the Children Act 1989. In considering the harm a child might suffer, the courts have to consider not just direct violence on the child but "impairment suffered from seeing or hearing the ill-treatment of another".
67. We are committed to evaluating the effectiveness of the new forms and clarified definition of harm in how the courts deal with applications for contact where the issue of domestic violence is raised.

#### **Commitment 14 CAFCASS: Improving Delivery for Survivors of Domestic Violence**

68. In all matters relating to the family courts, Children and Family Court Advisory and Support Service (CAFCASS) has an essential role to play in advising the courts and supporting the parties to the case. In relation to domestic violence, CAFCASS has been consulting on its draft Domestic Violence Policy, Procedures and Toolkit - consultation closed on 25 March 2005. The agenda for change would include the following:
  - ensuring staffing resources are available by courts reducing the demand for reports, and using capacity for other purposes, including supporting families which have survived domestic violence;
  - ensuring survivors' needs are assessed, and they are aware of how to access local Domestic Violence Support agencies;
  - developing links with other agencies about appropriate support (e.g. housing to re-accommodate; family therapists; counselling services for children; police through domestic violence fora to provide future protection and contact centres);
  - identifying CAFCASS practitioner learning needs, and providing training.
69. In order to improve CAFCASS' handling of domestic violence cases it has developed two new training packages:
  - a new three day training package to be undertaken by all new CAFCASS Officers. The module was piloted in the summer 2004 and was available to all new starters from November 2004. The aim of the training is to develop Family Court Advisors' (FCAs) understanding of the dynamics and impact of domestic violence, and to improve their ability to work with families where there is domestic violence in order to safeguard and promote children's welfare. One of the key learning outcomes is to enable FCAs to assess the risk of domestic violence, make decisions about specialist assessments and recommend interventions, including contact arrangements which promote and safeguard children's interests.
  - A new one day training package for practitioners moving either from private law practice to public law or vice versa. The aims of the training are the same as the 3-day package, but assume a greater contextualised knowledge of domestic violence than is the case with new entrants.

## Commitment 15: Supporting Improvement in the CPS

70. The Domestic Violence Policy and Guidance documents were revised and published in February 2005 and copies issued to all CPS Areas. The new national joint CPS and CENTREX training programme was launched in February 2005. A specific module for prosecutors has been devised to ensure that the police and the CPS will receive the same training. This promotes consistency from investigation through to prosecution. CPS Domestic Violence Co-ordinators have been trained on the new policy in March 2005. Guidance is being produced to help all Areas devise individual domestic violence training plans by June 2005 as part of the overall CPS Training Plans 2005–2008. All prosecutors and caseworkers are to be trained by 2008. Specialised prosecutors working in existing or planned specialist Domestic Violence courts will receive extended training. Domestic violence training is also being delivered to the lawyers seconded to CPS Direct.
71. A more unified approach for CPS Domestic Violence Co-ordinators in each area is planned, with key tasks agreed across all areas.
72. The two-year national domestic violence project has published a report on the evaluation of specialist courts, and on the use of expert witnesses in domestic violence cases, has established two pilot sites in Gwent and Croydon and has published an interim report on the findings from both. The final report will be launched in June 2005 and the good practice findings and recommendations will be disseminated at a national conference and rolled out across all areas.
73. A new National Domestic Violence Virtual Implementation Team with staff from Policy Directorate, Equality & Diversity Domestic Violence Project and Business Development Directorate will develop plans for implementation of policy, guidance, training and good practice from 2005-2008. A section of the overall CPS Business Plans 2005-06 include action on domestic violence. A new Hate Crime Indicator will inform the Policing Performance Assessment Framework (PPAF) in relation to the number of offenders successfully prosecuted in the courts (see Appendix B). An audit of all areas' of domestic violence work will be carried out by June 2005, alongside the development of three year Training Plans. A domestic violence section of local Area Business Plan 2006 – 08 will include more detailed implementation plans with good practice recommendations from Domestic Violence Project, community engagement, links to CCMP and other key projects.

### Charging, conditional charging & bail conditions

74. CPS prosecutors will provide early consultations and charging decisions (in all but minor cases), 24 hours a day, seven days a week through the charging initiative when it is fully operational. Statutory Charging Scheme arrangements are now operating in the Government's 13 priority Areas and Cleveland. 28 have shadow arrangements, and will migrate to the statutory scheme between April 2005 and April 2006. The police and CPS have now agreed that all domestic violence cases should be referred automatically to a Crown Prosecutor for a charging decision unless there is manifestly no evidence on which a prosecution could be built. This sends a clear message to both police and prosecutors that domestic violence must be taken seriously. Prosecutors will also provide early consultation to the police and ensure that victims' and witnesses' needs have been evaluation from the outset, all of which aim to improve CJS handling of domestic violence.

75. CPS Direct provides out of hours charging cover to the police as part of the statutory charging arrangements to provide a 24-hour charging service. As all domestic violence cases will now be referred to a charging lawyer where and when the scheme is operational, it is important that these prosecutors are aware of the particular dynamics and evidential requirements in domestic violence cases. As well as improving the CPS's response to domestic violence, this should help spread good practice in the wider CJS given the gatekeeper role that the CPS now has. The revised Policy and Guidance documents and the new CPS training programme and easy to use recording sheets especially designed for duty prosecutors; aim to improve the level of charging in domestic violence cases.
76. Many voluntary and community organisations working with victims are concerned that cautions are used too frequently in domestic violence cases. There is a general agreement that cautions, formal warning, undertakings and offences taken into consideration are not appropriate responses to domestic violence. The first incident brought before the police is unlikely to be the first offence and while cautions do require the offender to admit guilt and receive a criminal record, in most cases they do not provide an effective means of protecting the victim for the future, or holding the offender to account. Cautions are not encouraged in the ACPO/NCPE domestic violence Guidelines, the new guidance to prosecutors will say that cautions are not generally appropriate in domestic violence cases, and the need to use them sparingly will also be reinforced in the new HO Circular required by the Domestic Violence, Crime and Victims Act 2004.
77. The introduction of conditional cautions does allow police to make additional requirements of the perpetrator. Whilst a caution of this kind will still not be the most effective response to domestic violence, in exceptional circumstances, a conditional caution could be offered to the perpetrator. Again, we would envisage them being used sparingly in domestic violence cases. Conditions are likely to include not approaching the victim (where the two live apart) or a condition of non-violence where they are still living together. Where high-quality perpetrator programmes exist which take non-convicted perpetrators, participation on such a programme may also be an option and we want to explore this further. The offer of any caution - conditional or otherwise - should be only be considered in the context of the safety of the victim and any children.
78. We intend to issue a new Home Office circular on the importance of treating domestic violence cases seriously, and the factors to be considered before deciding not to proceed with a prosecution. The revised Domestic Violence Guidance to CPS staff provides advice on how to proceed if victims withdraw, including the use of evidence other than the victim's, when and if summonses may be required and which factors should be considered, advice on warrants and reasons to discontinue. In this Circular, police and prosecutors will be reminded of the need for effective gathering of evidence such as photographs of injuries, 999 tapes, CCTV evidence and statements from other witnesses both to strengthen the case and to enable a case to progress, even if victims withdraw their support for the prosecution. Finally, it will remind judges and magistrates of the options open to them around bail and the conditions they might consider imposing if they decide to grant bail.
79. Appropriate use of bail conditions by police, prosecutors, judges and magistrates is also important. Granting bail in inappropriate cases, not using conditions or, where they are imposed, not enforcing them, puts victims and children at risk. It is also important that there is effective exchange of information between the criminal and civil jurisdictions so that bail conditions do not contradict, for instance, contact orders made

in the family courts. Our proposals on integrated courts (see Commitment 10) and the development of specialist courts are starting to address this issue.

## Regional and local delivery

### Partnership working in the criminal justice system

80. Partnership working between CJS agencies is key to providing better services to victims and witnesses, bringing more offences to justice and increasing public confidence in the CJS – all of which form part of the vision for Criminal Justice in 2008 and are key in dealing with domestic violence cases.
81. Innovative approaches to joint working include at a *national level*, the creation of the National Criminal Justice Board to provide strengthened leadership on criminal justice and ensure delivery of Government targets and priorities. Ministers from the three CJS departments sit on the National Board together with heads of the main agencies such as the Crown Prosecution Service, Courts and Correctional Services. The Association of Police Authorities and the Association of Chief Police Officers as well as the judiciary are also represented. In addition, the Office for Criminal Justice Reform has been established, offering a cross-departmental team that supports all CJS agencies in working together to provide an improved service to the public.
82. Effective joint working is also necessary at a *local level* if victims and witnesses are to get a good service and more offenders are to be brought to justice. So Local Criminal Justice Boards were established in April 2003 based on the police force structure. They bring together the Chief Officers of police, prison and probation, the Crown Prosecution Service, the Courts and Youth Offending Teams.
83. Together the agencies have a collective responsibility to deliver Government targets and priorities in their local area. The Local Criminal Justice Boards report to the National Board which has a rigorous performance management framework to ensure it receives regular performance reports, monitors delivery of CJS targets and holds Local Boards to account both by supporting good performance and challenging poor performance. Working together, across traditional boundaries has resulted in new ways of working including:
  - The targeting of prolific offenders where the police, probation, youth offending teams and others work together to identify the main offenders in their local area and agree priority actions for dealing with them;
  - A charging scheme with the Police and CPS working together on a 24/7 basis to ensure that suspects are charged with the right offence, resulting in more early guilty pleas and better prepared cases;
  - The creation of new Witness Care Units, jointly staffed by the police and CPS, assessing the needs of each individual witness and providing a single point of contact for witnesses from charge through to sentence of the offender
  - A new shared focus on enforcing outstanding fail to attend warrants via *Operation Turn Up*, dealing robustly with defendants who skip bail;
  - Greater emphasis on raising the sanction detection rate from 19% to 25% by, for example, deploying new technology, including enhanced DNA testing and

Automatic Number Plate Recognition systems, across the country to target criminals more effectively

- An Effective Trial Management Programme to reduce the number of ineffective trials involving case progression officers in the Police, CPS and Courts working closely with each other to actively prepare and progress cases in and out of court.

All of this has been underpinned by major investment in Criminal Justice IT so that CJS staff can share information and do so securely.

84. Domestic violence is a volume crime and a key component of the tackling violent crime programme. At local level it has to be considered as part of local crime audits and crime reduction strategies. In some areas domestic violence will form a major part of Crime and Disorder Reduction Partnerships (CDRPs) programme of work.
85. But tackling domestic violence effectively needs close inter agency working and requires a number of strategic partnerships and networks to develop joined up responses to provide both safety and justice. There are new challenges, for Local Criminal Justice Boards (LCJBs), CDRPs and Local strategic Partnerships (LSPs), to marshal the resources of criminal Justice agencies, Health, social services, education departments and others, to work with the key stakeholders in the voluntary sector to provide comprehensive services.
86. The Government Offices in England and the National Welsh Assembly have an important role in supporting the delivery and performance managing a range of Home Office programmes and initiatives. They will have a key role to play in developing regional domestic violence plans and ensuring that local partnerships are given support, information and advice on delivering domestic violence services.
87. This paper has illustrated that there are many strands of work being developed across a range of Government departments and systems, all of which are designed to make a significant impact on reducing the incidence of domestic violence. The core task for government in the coming year is to find the most effective mechanisms by which to deliver the national plan (Annex B) and offer real protection and justice to victims of domestic violence.

## NATIONAL DOMESTIC VIOLENCE REDUCTION DELIVERY PLAN

To underpin the commitments and proposals outlined in this update paper, the Home Office, in partnership with the Prime Ministers Delivery Unit, has been working on developing a National Domestic Violence Delivery Plan for 2005/06.

This Plan focuses attention on five identified outcomes which the Government is committed to achieve. These are to;

- 1) reduce the prevalence of domestic violence, particularly in high incidence areas and/or communities;
- 2) increase the rate that domestic violence is reported, particularly in high incidence areas and/or communities;
- 3) increase the rate of reporting domestic violence offences that are brought to justice, particularly in high incidence areas and/or communities as well as in areas with high attrition rates;
- 4) ensure victims of domestic violence are adequately protected and supported nationwide.
- 5) reduce the number of domestic violence related homicides

The achievement of these outcomes is dependent on the delivery of seven key work objectives which marshal the improvements outlined in the paper into a coherent plan. Under each of these objectives are several work streams which will be performance managed and monitored regularly and progress reports provided for Ministers and other key stakeholders.

### Objective One:

**To increase the early identification of, and intervention with, victims of domestic violence earlier by utilising all points of contact with statutory services.**

Research indicates that victims of domestic violence will suffer many attacks before seeking help and that these attacks tend to grow in frequency and intensity. Yet we know that victims do not live in a vacuum and their suffering is often visible to a number of statutory and non statutory individuals and services.

The Government wants to encourage earlier reporting by making domestic violence part of routine inquiry and comprehensive assessment processes in a number of primary health and social care settings. This will require a greater co-operation between agencies and a greater willingness to share sensitive information in order to protect victims. A work stream is being developed to encourage and enable different disciplines to work together.

This is particularly important when identifying not just victims of domestic violence, but when to recognise those victims who are at highest risk of serious injury or homicide.

Multi agency collaboration is essential when trying to prevent domestic violence murders.

**Objective two:**

**To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence.**

There is a wide variation in the provision and quality of services being offered to victims of domestic violence across the country and the Government and members of the voluntary sector, are committed to introduce new quality assurance measures into the training of staff and by producing occupational standards for staff and services.

Services will also need to be accessible to a wide range of black and minority ethnic communities which will require local partnerships to ensure equality of access to their local partnerships.

**Objective three:**

**Increase the use of existing and new powers and methods by statutory services to protect identified victims of domestic violence.**

The Government's legislative proposals contain a commitment to put victims at the centre of the Criminal Justice System. This has meant introducing measures which will ensure that the criminal justice agencies act in a consistent way in response to incidences of domestic violence. New guidance and training have been produced for the police, Crown Prosecution Service and the Judiciary, which will be rolled out in the next year. This guidance and training give clear recommendations as how services are expected to respond and provide insight into the times and events when victims are most at risk.

This will offer greater protection to victims and instil more confidence that the CJS agencies will take their concerns seriously

**Objective four:**

**Increase the rate at which domestic violence is reported either directly to the police services or through third-party reporting arrangements, particularly in high incidence areas and/or communities.**

**Objective five:**

**Increase the rate at which domestic violence incidents result in sanction/detections, particularly in high incidence areas and/or communities as well as in areas with high attrition rates.**

**Objective six:**

**Increase the rate at which sanction detections are converted into offences/offenders brought to justice, particularly in high incidence areas and/or communities as well as in areas with high attrition rates.**

The achievement of these three objectives (Objectives 4, 5 and 6) is linked to the improvement of the Criminal Justice System.

Despite being a volume crime and a significant proportion of violent crime, much of domestic violence is invisible due to under reporting.

This is particularly true in some socio-economic classes and ethnic communities. The Government is particularly keen to encourage local partnerships and agencies to develop better relationships with the police to encourage third party reporting of domestic violence incidents.

The Domestic Violence, Crime and Victims Act 2004 recognised that the continuum of the Criminal Justice System often failed victims whose cases were brought to court. This resulted in extraordinarily high attrition rates amongst domestic violence cases. The Domestic Violence Crime and Victims Act 2004, seeks to redress this by introducing a series of new measures which improve the effectiveness of protection offered to victims and Police Powers to arrest perpetrators. The measures will be rolled out over the coming year. The Police and the CPS are also taking a more proactive approach to prosecution, even where the victim does not want to press charge.

Through the development of specialist court services and the integrated support services, the Government is seeking to make the CJS more effective in dealing with domestic violence cases. Specialist courts in Cardiff, Croydon and other areas have demonstrated that by organising cases differently and providing focused support through Independent Domestic Violence Advisors (IDVAs) the courts are achieving greater throughput of cases and securing more convictions. The Government will be rolling out the specialist court programme by having 25 specialist domestic violence courts running by the end of 2006.

It is also essential that domestic violence perpetrator programmes run by the probation services continue to be developed and rolled out evenly across the country, so that the Judiciary has effective sentencing options in all areas

#### **Objective seven:**

**Develop the evidence base to close key knowledge gaps, particularly around understanding the nature and scope of domestic violence**

Although the body of evidence about the extent and nature of domestic violence in the UK is growing, there is a need to keep learning about how it manifests itself across communities and what interventions are most effective. The Government is keen to establish a learning culture around domestic violence to fill in the gaps in knowledge, learn about effective prevention techniques, how to target particular communities, and which areas would benefit most from particular interventions.

The Plan is owned by a number of Government Departments and their agencies and will be delivered through a matrix of regional and local structures and stakeholders. Each objective and task have their own work stream and will be performance managed and monitored at regular intervals, to ensure that delivery stays on track.

## MEASURING PROGRESS

### Performance Indicators

- **Annual number of homicides** as a result of domestic violence: On average two women a week are killed by a partner or ex partner<sup>7</sup>. Since 1997, trends in domestic violence homicides have been broadly level, and though an upward trend can be detected in recent years, the numbers are too small to be statistically significant. In the medium to long term, we would be looking for a downward trend as agencies begin to focus more on early intervention and protection.
- **Headline prevalence of domestic violence:** measured by the British Crime Survey Inter-Personal Violence module, which estimates the extent of domestic violence, sexual assault and stalking in England and Wales. Changes in methodology from 1996 to 2001 mean it is not possible to compare prevalence rates directly, but the general trend remains the same, with between 18 and 25% of violent crime being domestic violence related.
- **Numbers of a) young people and b) all people who think that violence is acceptable in some circumstances:** Research from 1998 showed that 1 in 5 young men and 1 in 10 young women thought that violence towards a partner was acceptable in some situations<sup>8</sup>. While we have no information on trends, we will use these figures as our baseline to measure this indicator annually using the Office of National Statistics Survey. We hope levels of acceptance will reduce as levels of awareness increase.
- **Percentage of domestic violence incidents with a power of arrest where an arrest was made related to the incident and, of this, the percentage of partner-on-partner violence:** Since April 2004, this has been a Statutory Indicator in the Policing Performance Assessment Framework. This year will give us a reliable baseline on which to build, and we want the underlying trend to be upwards, with increased training and guidance for frontline police officers.
- **The number of domestic violence offenders brought to justice:** This will measure outcomes in the Criminal Justice System, and will be a Key Diagnostic Indicator to inform the Policing Performance Assessment Framework from April 2005. We want to see the number of offenders successfully prosecuted increase, and the number of offenders successfully prosecuted against the number of arrests made to increase too, as evidence gathering and support for victims improve.
- **The number of civil orders made:** In 2003 around 30,000 non-molestation and occupation orders were issued and about 4,500 undertakings were given. The Domestic Violence, Crime and Victims Act 2004 should increase the number of orders

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<sup>7</sup> *Crime in England and Wales 2001/02 – Supplementary Volume* and *Crime in England and Wales 2002/03*

<sup>8</sup> *Young People's Attitudes to Violence, Sex and Relationships*, Sheila Burton et al, Zero Tolerance Charitable Trust (1998).

made. We will monitor the impact of the Act to gauge whether the number of orders increase.

- **Actions against domestic violence:** A revised wider Best Value Performance Indicator (BVPI) will be introduced on 1 April 2005. For 2004-05, local authority performance on domestic violence is measured by the original Indicator 176, looking at refuge provision. This has been used since 2001-02. The average number of refuge places per 10,000 population was 0.5 in both 2001-02 and 2002-03 and 0.96 in 2003-04. The purpose of the revised BVPI is to assess the overall effectiveness of local authority services designed to help victims of domestic violence. It consists of a "basket" of indicators, seeking information across a range of key local authority services, which are essential in order to tackle domestic violence effectively. They cover a mix of strategic and operational services.
- An indicator relating to **victim satisfaction with the support they have received from key agencies:** This is a new exercise, with no information on past trends. Data will be gathered from a sample of those who said they were victims in the British Crime Survey Inter-Personal Violence module and a pool of victims from refuges. It will be produced on our behalf by Women's Aid, as responses will need to be sensitive to the needs of victims.