

COURT N°1

**Better courts:
A snapshot
of domestic
violence courts
in 2013**

Contents

.....

Executive summary.....	4
About this paper	6
Domestic Violence	7
SDVCs: Understanding and reviewing current practice in England and Wales	9
Conclusions and recommendations.....	16
<i>Annex A. Gap analysis:</i> Effective practice principles mapped against government operational policy	18



**Better courts:
A snapshot
of domestic
violence courts
in 2013**

Executive summary

Domestic violence is widespread in England and Wales and the majority of victims are women. As many as one in ten women may be victims of domestic violence each year. Victims of domestic violence are more likely to have been repeatedly victimised than victims of any other type of crime. Significant international evidence suggests specialist courts can play a vital role in increasing the victim's feelings of safety. In recognition of this, successive governments from 2005 to the present day, have established and supported 'specialist domestic violence courts' (SDVCs) in England and Wales.

Our review of current practice in these specialist courts suggests that significant gains have been made since 2005. Both the number of convictions and the percentage of successful prosecutions in domestic violence cases have increased. Additionally, independent evaluation suggests that where victims are engaged and supported by professional victim-focused case workers within SDVCs, they feel safer and their cases are more likely to proceed to prosecution. Lastly, despite the pressures on public services generally, there is continuing support for the principle and practice of the 138 domestic violence courts that currently exist.

However, our review suggests that some of the gains made since 2005 are in danger of unravelling. Between 2010-13, the number of convictions for domestic violence fell by 11% despite a continuing rise in the number of incidents of domestic violence reported to the police. While the reasons for this drop in the number of convictions is complex, this means that at a time when more victims are reporting domestic violence to the police, the justice system is securing fewer convictions. Moreover, practitioners have expressed concern that some of core principles of SDVCs are not being delivered consistently in some courts. SDVCs depend on collaborative partnership work between agencies and the voluntary sector. Some practitioners are worried that this is coming under increasing strain as budgets tighten and courts close.

We also found a number of improvements that still be made to SDVCs to bring them into line with the latest international evidence on effective practice. In particular, courts can make a real difference to victim safety and reoffending by using better-tailored protection orders and routine and high quality court monitoring of perpetrators (known as "sentencer supervision"). We have identified a clear need to track the outcomes of SDVCs (including victim satisfaction and safety and perpetrators propensity to reoffend) both nationally and locally.

We therefore suggest that:

- Police and Crime Commissioners, the Home Office, the Crown Prosecution Service (CPS) and Her Majesty's Courts and Tribunal Service (HMCTS) work with voluntary sector advocacy and service provision organisations to explore ways to collect national and regional data on victim satisfaction and reoffending;
- the Ministry of Justice, the Home Office, the CPS and HMCTS work with voluntary sector advocacy and service provision organisations to review and re-accredit domestic violence courts, and ensure they are delivering to the principles of effective practice;

- with the support of the Centre for Justice Innovation and NEF (New Economics Foundation), a small number of SDVCs experiment with the sentencer supervision of perpetrators, and evaluate whether it helps victims feel safer and reduces repeat incidences of domestic violence.
- Given how important sentencing is for keeping the victim safe and reducing reoffending perpetrators, the Centre for Justice Innovation and NEF plan to develop a more detailed research paper on how SDVCS could implement effective post-sentence practice.

About this paper

In our recent report, *Better Courts*, the Centre for Justice Innovation and NEF (the New Economics Foundation) outlined an evidence-based vision of how courts in England and Wales could help reduce crime. This research provides further detail on one of the case studies we outlined in *Better Courts*, Specialist Domestic Violence Courts.

In this paper we base our description of the role that Specialist Domestic Violence Courts play on a rapid literature review and informal interviews with members of the court sector. We provide fresh insights into practice from our structured court observations and practitioner survey and identify lessons that can be drawn from those insights.

This paper may be of interest to court staff and managers, justice policymakers in government, practitioners in the domestic violence field, or others interested in practice improvement and innovation.

We are grateful for the support of two national domestic violence charities, Standing Together and Refuge, in the preparation of this paper.

Domestic violence

The prevalence of domestic violence in England and Wales

Domestic violence¹ is widespread in England and Wales. The Home Office currently estimates that there were 1,998,800 victims of domestic abuse in 2011-12. 63% of these victims of domestic violence were women, with women disproportionately victimised through sexual abuse and physical abuse, threats and intimidation.² At least one in four women experiences domestic violence in her life and between one in eight and one in ten women experience it annually.³ Victims of domestic violence are more likely to have been victimised repeatedly than in any other type of crime.

The criminal justice system and domestic violence

Estimates suggest that the police receive one domestic violence call per minute in the UK.⁴ Despite this, victims of domestic violence are less likely to report crimes committed against them than victims of other types of violence.⁵ Under-reporting occurs for a variety of reasons:

- i. the complexity and intimacy of the relationship;
- ii. the trauma of the experience and the fear of reprisal and the continuous nature of the abuse;
- iii. the belief that the crime committed is trivial or private or not a matter for the police to be involved; and
- iv. victims did not think the police could or would help.

It is therefore imperative that when victims do come forward to report domestic violence, the justice system responds meaningfully. However, studies have shown that there is significant attrition of domestic violence cases following the report of an incident.^{6,7}

Recognising this, successive governments have committed themselves to improving the criminal justice system's ability to respond. A crucial part of this effort has been the creation of 'specialist domestic violence courts' (SDVCs). Inspired by the development of domestic violence courts in the USA⁸ and elsewhere,⁹ the Government established an SDVC programme in 2005¹⁰ based on 11 core components, in England and Wales. SDVCs set out to increase the number and speed of convictions of domestic violence, and to increase victim satisfaction and their feelings of safety. As of December 2013, there are 138 officially accredited SDVCs¹¹ across the country, (with some other courts operating SDVC-like processes but without official accreditation).

Effective practice in domestic violence courts – the current evidence base

International evidence gathered from over the past 20 years has consistently demonstrated that, where effectively implemented, domestic violence courts:

- can reduce the number of cases that are dismissed and increase the rate of guilty pleas;¹²
- record higher levels of satisfaction with the court process – among both victims and perpetrators – compared to traditional court processing.¹³ This is important because there is considerable evidence that feeling fairly treated is a pre-condition of increasing compliance with the law;
- can reduce repeat offending by domestic violence perpetrators,¹⁴ by yoking together meaningful sanctions with regular sentencer supervision of perpetrator compliance. A number of studies over the past fifteen years suggest that effective sentencer supervision, along with the

use of appropriate sanctions and rewards, can lead to reductions in re-offending.¹⁵ This is especially important given the evidence that perpetrator programmes alone have limited rehabilitative value.¹⁶

Based on the available evidence, we have developed a typology of effective practice features for a domestic violence court.

Figure 1: Domestic violence court effective practice features

Principles	Detail
Speedy access for victims to comprehensive multi-agency support and information services	<ul style="list-style-type: none"> ▪ Speedy referral of victims, especially those assessed as most vulnerable, to specialist support for victims; ▪ Comprehensive services provided to victims, especially those assessed as particularly vulnerable, following arrest of the perpetrator; ▪ Multi-agency information sharing and management of the case.
Prioritised and specialised case processing	<ul style="list-style-type: none"> ▪ Domestic violence cases identified early by the police, following arrest; ▪ Charging decisions made by trained prosecuting staff; ▪ Victims kept informed about, and engaged in, case progress; ▪ Appropriate bail conditions, advocated by professionals who risk assess the victim's safety needs, are set; ▪ Opportunities for victims' views to be heard in court process; ▪ Prompt scheduling of cases on the court calendar.
Dedicated and safe courthouse	<ul style="list-style-type: none"> ▪ Domestic violence cases listed in one dedicated court sitting; ▪ All court players, including judges and court officers, trained in domestic violence; ▪ Physically safe courthouses that use special measures (such as screened witness box, separate entrances for victims and perpetrators, separate waiting rooms, live TV link for witness testimony, etc.).
Interventions available to keep victims safe and reduce offending by the perpetrator	<ul style="list-style-type: none"> ▪ Consideration of victim's needs in placing court controls on perpetrator, pre- and post-sentence, including the use of restraining orders; ▪ Availability of perpetrator intervention programmes; ▪ Supervision of perpetrator and sentence by court.

SDVCs: Understanding and reviewing current practice in England and Wales

Methodology

Our research focused on the state of practice in SDVCs in England and Wales in 2013. We concentrated on the processes around SDVCs from the point following arrest, to charge, and on to case completion. Our work has primarily been to speak to, observe, and work with, practitioners working within SDVC arrangements.

To survey and analyse current practice, we have:

- conducted a gap analysis comparing the government's guidance on domestic violence courts and the evidence base on effective practice;
- conducted ten structured court observations at SDVCs (one day each);
- conducted a survey of the Domestic Violence Coordinators' Network, administered by Standing Together, and analysed the 84 responses received which were primarily from independent domestic violence advisers (IDVAs);
- presented initial findings to both government officials and to a workshop of IDVAs prior to publication.

We have not examined the reporting of domestic violence to the police and other authorities (in part because of the ongoing review of this by Her Majesty's Inspectorate of Constabulary HMIC). However, this does remain a significant cause of concern for practitioners.¹⁷

Findings

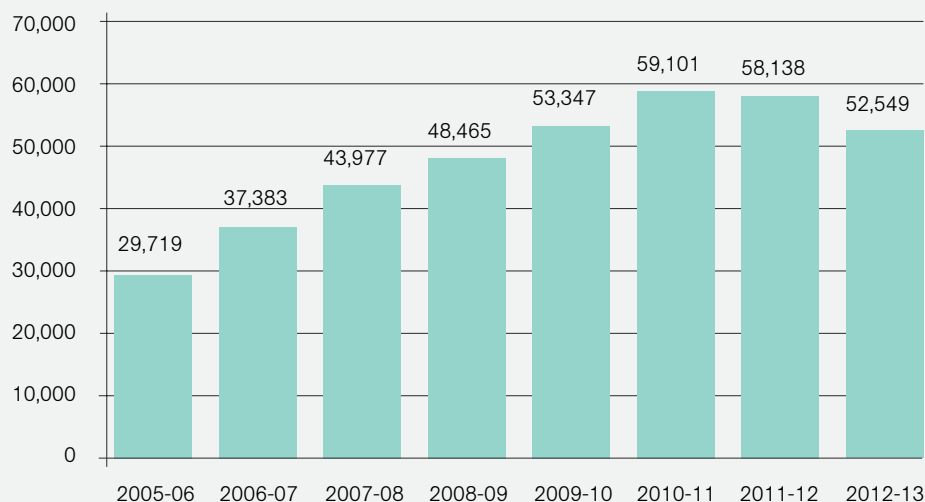
Institutional endorsement for SDVCs, and specialist services for domestic violence, within the English and Welsh criminal justice system

There was strong endorsement throughout our fieldwork and practitioner survey that the SDVCs are an integral and important feature of the justice system, despite being introduced relatively recently. There was widespread agreement that the growth of SDVCs since 2005 was a welcome and vital trend in improving the way the justice system should respond to domestic violence. Moreover, successive governments have committed themselves to reducing domestic violence, gender-based violence and, most recently, recognising the particular issues around teen-on-teen domestic violence.

The evidence base behind the SDVC model in England and Wales

In comparing the current operational SDVC framework with the international evidence base on effective practice, it is clear that current government policy largely tries to promote effective practice principles. However, our gap analysis does highlight one clear area for improvement: the court's role post-sentence. The research suggests that where courts are proactive in regularly monitoring the compliance of perpetrators, this makes a difference to re-offending and victims' feelings of safety (see full gap analysis at Annex A).

Chart 1: Number of domestic violence convictions, 2009-13



The impact of SDVCs on outcomes

The number of convictions for domestic violence has risen by 77% from 2005-06 to 2012-13. However, there has been a significant decline in convictions from 59,000 2010-11 to 52,500 in 2012-13 (a 11% decline). This is set against a fall of 6.5% across all types of cases across the CPS. See Chart 1.

Explaining why convictions have fallen is complex, and we look forward to the forthcoming HMIC report on this issue. Chart 2 indicates that there has been a 13% fall in the number of cases the police refers to the CPS since 2010. Within that same period the number of cases CPS has taken forward for prosecution has fallen by 14%, suggesting that there is a relationship between the number of cases referred to the CPS and the number of convictions they secure. See Chart 2.

Despite the drop in referrals from the police to the CPS, CPS have maintained and improved the rate of successful prosecutions (the number of prosecutions taken to court divided by the number of convictions). This rate has risen from 60% to 74% over the same period. See Chart 3.¹⁸

Chart 2: Trends in police referrals, prosecutions taken forward and convictions in domestic violence cases, 2007-2013

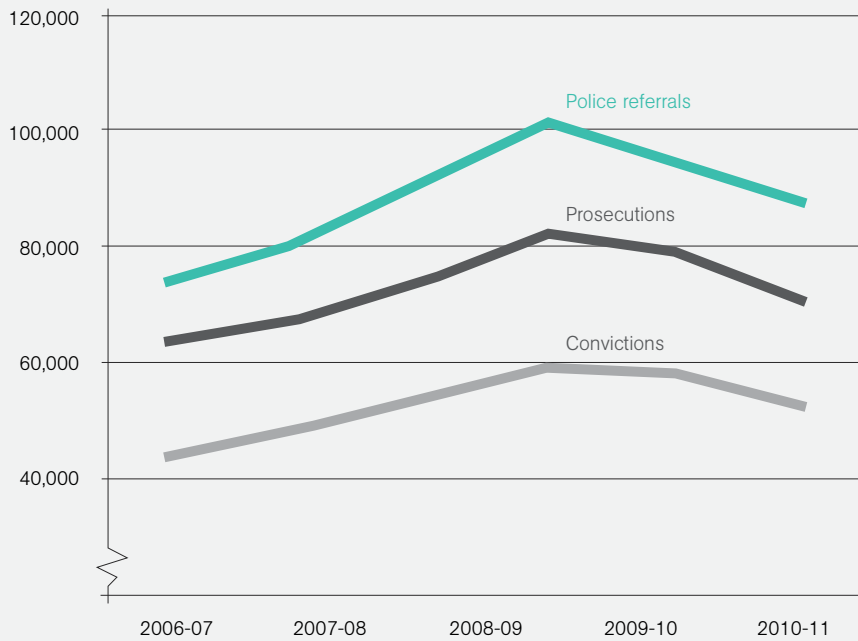
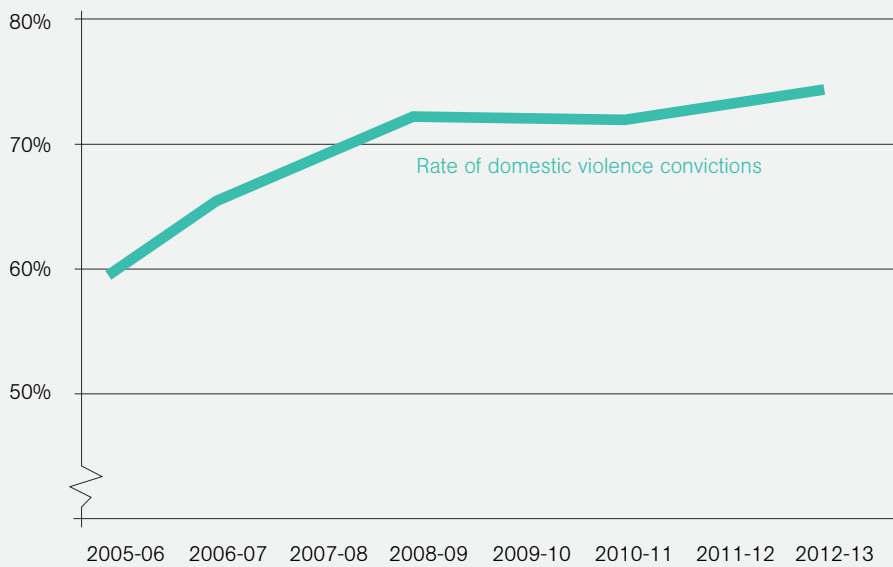
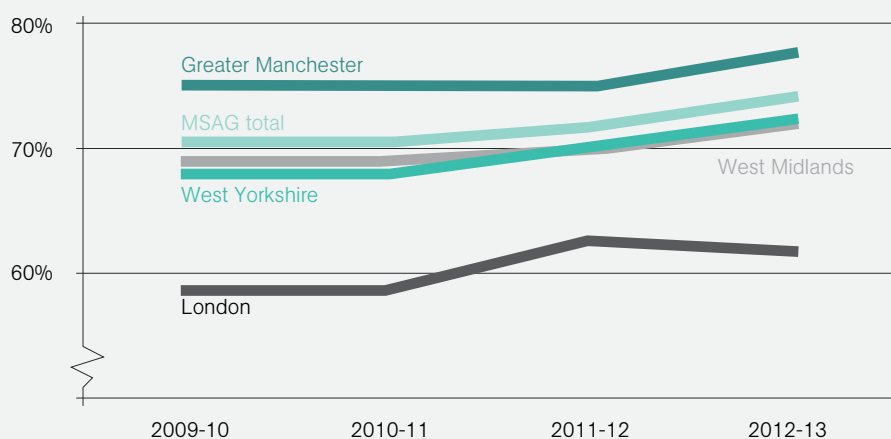


Chart 3: Rate of successful prosecutions of domestic violence, 2005-13



Both the number and rate of convictions is, unsurprisingly, subject to regional variation. For example, as illustrated in Chart 4, London's domestic violence conviction rate compares poorly with its most similar areas group¹⁹ (MSAG). It has been consistently lower by between 9% to 12% over the past three years for which data is available. In addition, latest data show the number of convictions in London decreased last year by 14%. This decrease is compared to a 12% decrease across most similar areas and a 9.6% decrease across the country.

Chart 4: Regional variation in rate of successful prosecutions of domestic violence, 2009-13



In summing up, there has been a significant improvement in the number of convictions for domestic violence over the period and – while that number has reduced twice in the last two years and there is regional variation – the criminal justice system has been able to improve the number of cases that they convert into convictions. Of course, establishing cause and effect is difficult. This success may not be entirely due to the introduction of SDVCs but there is a clear correlation between their presence and this improved performance.

However, we should set these figures in context. In 2011-12, there were over 796,000 reports of domestic violence, in the same year as there were 58,000 convictions. A great many reports may have come from the same victims, which suggests that reporting domestic violence often does not lead to securing a conviction for it. This is, of course, the case for many other crimes, but the picture still remains stark.

Moreover, as Chart 5 sets out, the reporting of domestic violence to the police has also gone up by 37% over the same period. This trend is potentially encouraging as domestic violence remains an under-reported crime. This rise hopefully suggests that more victims feel able to come forward and report crime, although it could also mark an increased in incidents.

When we look at the rise in reporting *alongside* the rise in successful prosecutions, the last two years of decreasing convictions is a worrying trend. By indexing the two data series (Chart 6), we can see that between 2007-08 and 2010-11, prosecutions for domestic violence increased at a greater rate than the increase in the number of reported incidents. This trend starts reversing in 2011-12. We anticipate (once new data on reporting

becomes available) that this downward trend will continue due to the fall in convictions recorded in 2012-13.

Chart 5: Number of domestic violence incidents reported to the police compared to the number of domestic violence convictions, 2007-12

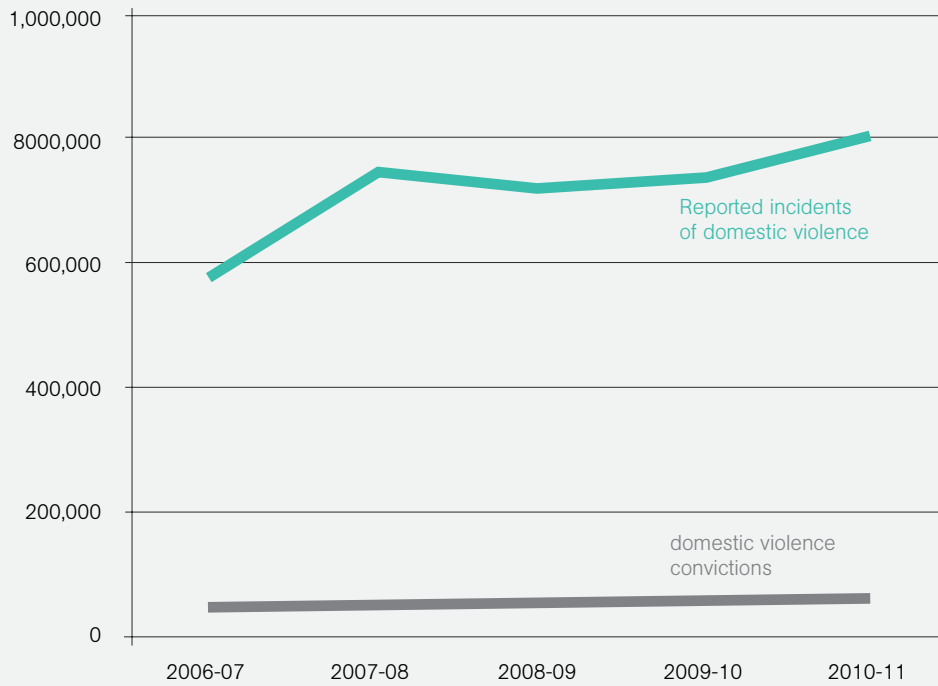
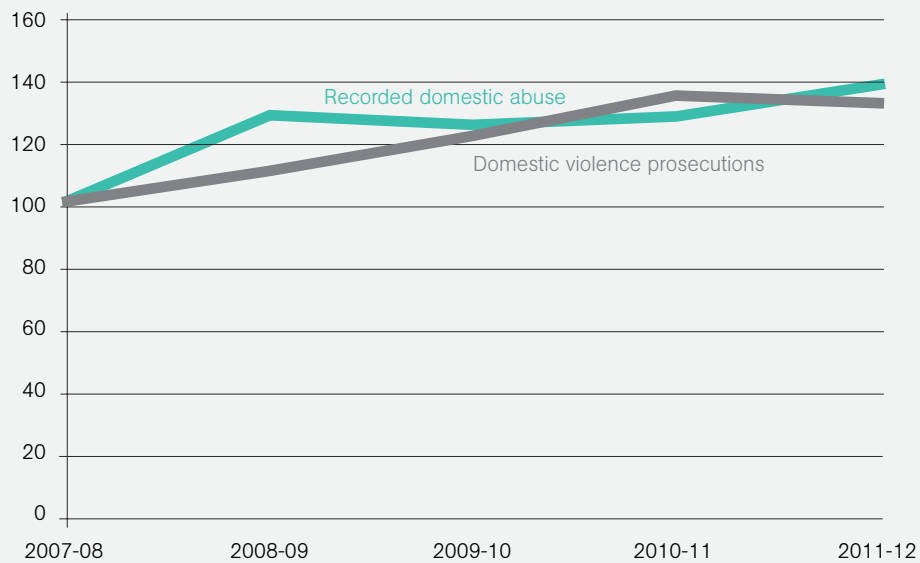


Chart 6: Indexed Trends in Recorded Domestic Abuse and DV convictions, 2007-08 to 2011-12 (2007-08=100)



Evidence/data on other results

Little information is available on national tracking of outcomes on SDVCs about victim satisfaction; feelings of safety; or on the success of court sentences on reducing perpetrators propensity to reoffend. While some SDVCs did monitor outputs across the criminal justice system, it was a challenge to gather and present data on outcomes. Frustratingly, it is also not possible, on the public data available, to compare the outputs that are reported between individual courts. This would allow researchers to at least begin to see if courts with SDVC arrangements out-perform courts without them.

Victim focused aspects of SDVCS

The importance of specialist case workers for victims of domestic violence

From court observations and interviews, we found considerable support among statutory partners for independent domestic violence advisers (IDVAs). IDVAs were consistently praised for assisting the prosecution with identifying relevant cases; keeping victims informed; keeping prosecutors briefed on victims' views; and ensuring the court kept a focus on the domestic violence. The evidence further suggests that the justice system directly benefits from their work. Co-ordinated Action Against Domestic Abuse (CAADA) 2011-12 data suggests that in cases where IDVAs have been engaged with victims and a charge has been made, 86% of victims' cases proceeded to prosecution. Nonetheless, the referral criteria for IDVA services vary regionally, meaning that some victims who might be supported in one area would not receive the same support in another.

Speedy referral of victims to specialist caseworker support

The introduction of IDVAs within SDVC arrangements was widely seen by practitioners as a vital development in ensuring that victims were referred speedily to services. However, evidence, both from our observations and from survey responses, showed that in some areas there was a lack of communication between statutory agencies and IDVAs. In particular, clients were sometimes not referred to IDVAs after an arrest in some areas.

Victims' access to services

Our survey uncovered a mixed picture on the availability of, and access to, victim services such as effective counselling; referral for long-term support; and provision of emergency accommodation. This suggests regional variation. Other research over the same period suggests that provision of support services for domestic violence victims has come under increasing strain over the past 12 months.²⁰

Victims kept informed and engaged about case progress

The practitioner survey suggests that where victims were referred to and engaged with IDVAs, practitioners felt that they received satisfactory information explaining how the criminal justice process worked. However, the survey also suggests that practitioners felt that there was little in the way of systematic information from either the CPS, police or the courts to keep victims informed about their case – especially about case outcomes. This concern corresponds to other findings regarding information provision to victims of crime in general.²¹

Opportunities for victims views to be heard in court

There is mixed evidence as to whether practitioners think victims' views are properly heard and listened to throughout the court process. At both the point of charging and the point of sentencing, there were mixed views on whether in cases where victims voiced their feelings and concerns – either in court or through Victim Personal Statements – it had a meaningful impact on decisions taken by statutory agencies. Equally, statutory partners recognised the difficulties of being seen to respond to these views, given the complex nature of the cases and within the existing policy strictures around prosecution and sentencing.

A safe courthouse

There is evidence that courts are being made to feel safer for victims of domestic violence. A majority of those we surveyed felt that special measures were effectively provided. However, a significant minority thought special measures were not provided at all or were provided ineffectively. Among these responses, there was some evidence that the process for applying for special measures was far too laborious, and that special measures ought to be available as an opt-out, rather opt-in basis.

Criminal justice components of SDVCs

Prompt scheduling of domestic violence cases at court into a dedicated court sitting

The practitioner survey suggests that only a slight majority of practitioners think domestic violence cases are appropriately flagged to go into an SDVC, clustered and prioritised into the dedicated SDVC listing consistently. Given that this is the heart of effective processes for hearing domestic violence cases, this failure should be of concern. That said, our field work strongly suggested that in some areas, these processes were working very well.

Barriers to effective flagging, clustering and prioritising included:

- cases being listed for initial hearings outside the SDVC;
- cases not being returned to the SDVC for trial;
- cases being moved from the SDVC on the day of the hearing because the list was too long for the court.

Our fieldwork suggests that these issues have got worse in the past twelve months. A number of interviewees suggested that court closures and budget cuts were impacting on court practice.

Presence of specially trained court players at court

Our field work suggests that SDVCs worked most effectively where court staff, probation, prosecutors and sentencers, had been specially trained and had developed effective working relationships with their IDVAs. There was, however, mixed evidence that this was consistently delivered. In particular, IDVAs surveyed had less confidence that the CPS and magistrates had been trained (or trained effectively) than other court participants. And they generally felt that the availability of experienced and trained staff had degraded over the last 12 months.

Being 'ready on the day':

Our fieldwork and survey suggest that there is considerable frustration with the ability of statutory agencies to prepare cases in advance of court dates. Some of the most commonly cited barriers to effective practice from both the survey and court observations were a lack of preparation by the CPS and poor evidence gathering and sharing between the police and the CPS. When asked, interviewees suggested that in some areas, the CPS's ability to be ready on the day (and to be seen to be ready by sentencers) had degraded over the last 12 months.

Sentencing

Although not a primary focus of our work, we picked up considerable evidence from the sentencers we interviewed about the limited range of options they had when sentencing perpetrators. Magistrates in particular expressed frustration about not knowing the outcomes of the cases they heard – either on an individual basis or from the standpoint of learning what effective sentences ought to look like for particular cases. This is a key area for improvement, as sentencers need to know what disposals are most effective at keeping victims safe.

Conclusions and recommendations

It is clear that there have been improvements for victims of domestic violence since the introduction of SDVCs in 2005. Successive governments, and the practitioners committed to establishing and managing SDVCs, should take heart that the number of convictions has risen considerably.

The community of committed domestic violence professionals should also be gladdened by the strong support for the concept of domestic violence courts and the clear will to ensure that they are here to stay – despite the backdrop of squeezed resources and court closures. In addition, the role of IDVAs in keeping victims informed and safer through the court process – as well as in promoting more effective communication throughout the court process between statutory agencies – is consistently recognised by other partners.

Nonetheless, improving or even maintaining the effectiveness of SDVCs has been difficult in the current climate. It is worrying that the number of convictions has now dipped in two successive years, especially given that the reporting of domestic violence has continued to increase. Given the low reporting rates of domestic violence, the number of convictions for domestic violence should increase when more victims are coming forward, not decline. The attrition of cases from arrest to conviction remains an issue.

Our review suggests that some SDVCs have not always been able to deliver key components of the model. CPS and HMTCS should give particular attention to those courts where cases are not being systematically flagged, clustered, and prioritised. Similarly, our fieldwork suggests the availability and quality of trained staff, especially from the CPS and magistrates, is seen as a problem by IDVAs in a number of SDVCs. We have been left with the unfortunate impression that performance has deteriorated in the past 12 months due to the pressures placed on the range of partners working in SDVCs.

Recommendations

Develop the evidence base

There is little or no UK evidence about the impact of domestic violence courts on victim safety or preventing future abuse. Of course, absence of evidence should not imply that there is no evidence that they work.

We therefore suggest that Police and Crime Commissioners, the Crown Prosecution Service (CPS) and Her Majesty's Courts and Tribunal Service (HMCTS) work with voluntary sector advocacy and service provision organisations to explore ways to collect national and regional data on victim satisfaction and reoffending.

Re-accredit domestic violence courts

the Ministry of Justice, the Home Office, the CPS and HMCTS work with voluntary sector advocacy and service provision organisations to review and re-accredit domestic violence courts, and ensure they are delivering to the principles of effective practice.

Explore sentencer supervision

While we have not studied post-sentencing in detail, we have heard that sentencers are frustrated at having “too few tools in the bag” to prevent future abuse. Moreover, an over-reliance on perpetrators’ programmes alone should be addressed, given the limited impact on repeat offending recorded in the evidence base. In that context, it seems worth trialling new evidence-based sentencing options that combine perpetrators’ programmes with sentencer supervision to improve court outcomes.

We suggest that – with the support of the Centre for Justice Innovation and NEF – a small number of SDVCs experiment with the sentencer supervision of perpetrators. These SDVCs can then evaluate whether it leads to victims feeling safer and a reduction in repeat incidences of domestic violence.

Given the importance of sentencing for keeping the victim safe and reducing the reoffending of the perpetrator, the Centre for Justice Innovation and NEF plan to develop a more detailed research paper on how SDVCs can implement effective post-sentence practice.

Despite these difficulties and challenges, it is clear that there are many practitioners in the field who are trying very hard to ensure that positive change is felt on the ground. They include prosecutors, sentencers, court staff and IDVAs. Government, practice organisations, and charities like ours ought to provide them with every support they possibly can. Our collective commitment will ensure that domestic violence can be confronted and overcome effectively in the criminal justice system.

Annex A. Gap analysis: Effective practice principles mapped against government operational policy

In the following gap analysis, we have compared the effective practice principles derived from the existing literature with the Government's stated operational policy. This is primarily drawn from the Specialist Domestic Violence Court Programme Resource Manual, produced and reviewed by the Crown Prosecution Service, Her Majesty's Court and Tribunal Service and the Home Office. This gap analysis simply compares the principles developed at the centre to policy. It does not provide comment on the implementation of those principles.

Principles shaded green suggest operational policy is in line with effective practice principles; shaded yellow suggests that operational policy promotes it as preferred practice and red indicates that it is not part of operational policy at present.

Figure 2: Gap analysis: Effective practice principles mapped against government operational policy

Principles	Detail	Part of the SDVC model in England and Wales?
Speedy access for victims to comprehensive multi-agency support and information services	Speedy referral of victims, especially those assessed as most vulnerable, to specialist victim support	Yes. The Domestic Violence Resource Manual outlines the importance of "early identification of DV incidents particularly policing, health and social care interventions, through to specialised and generic victim support".
	Comprehensive services provide to victims, especially those assessed as particularly vulnerable, following arrest of the perpetrator	Yes. The Domestic Violence Resource Manual outlines "IDVAs will accept all referrals..." and highlights that "their focus is on providing a service to victims at medium to high risk of harm to address their safety needs and help manage the risks that they face".
	Multi-agency information sharing and management of the victim's case	Yes. The Domestic Violence Resource Manual outlines the importance of multi-agency information sharing and management, especially for cases identified as high risk.
Prioritised and specialised case processing	Domestic violence cases are identified early by the police, following arrest	Yes. The Domestic Violence Resource Manual states: "The police are absolutely essential to this objective..." and should have in place "a clear policy in responding to DV cases, including identification, risk assessment and flagging" as well as training "officers in the dynamics of DV at the commencement of their careers and as a continuing theme of their professional development."
	Charging decisions made by trained prosecuting staff	Yes. The Domestic Violence Resource Manual states: "Prosecutors in areas where specialist courts have been selected have been requested to train prosecutors working in the courts."

Figure 2: Gap analysis continued

Principles	Detail	Part of the SDVC model in England and Wales?
Prioritised and specialised case processing (cont)	Victims kept informed about and engaged in case progress	Yes. The Domestic Violence Resource Manual states: "The IDVA can ensure that the victim stays informed throughout the criminal justice process."
	Appropriate bail conditions, advocated by professionals who risk assess the victim's safety needs, are set	Yes. The Domestic Violence Resource Manual states that the IDVA "also co-ordinate the protection of the civil and criminal courts to avoid a victim being left with no protection. That is, they can ensure a solicitor has been briefed so that a civil law order can be sought immediately after bail conditions are dropped".
	Opportunities for victims' views to be heard in court process	Yes. Agencies and IDVAs can support victims in completing personal statements and notify them of their rights under the 'Victims Code of Practice'.
	Prompt scheduling of cases on the court calendar	In part. The Domestic Violence Resource Manual states that one option for courts is to "fast-track cases in terms of either first hearing, pre-trial reviews (PTRs), abridged trial dates."
Dedicated and safe courthouse	Domestic violence cases listed in one dedicated court sitting	Yes. The Domestic Violence Resource Manual states: "Once cases have been identified by the police and CPS, they should be listed in the SDVC court system where one is available."
	All court players, including judges and court officers, trained in domestic violence issues	Yes, where possible. The Domestic Violence Resource Manual sets out the training tools for court players that are available.
	Physically safe courthouses that use special measures (such as screened witness box, separate entrances for victims and perpetrators, separate waiting rooms, live TV link for witness testimony, etc.)	Yes, where available. The Domestic Violence Resource Manual states: "Court facilities can play an important role in improving the court experience for victims of domestic violence... Whilst court buildings vary in design and facilities available, the following components are desirable in SDVCs: <ul style="list-style-type: none"> • separate entrance / exits or making special provision • separate waiting facilities within or outside the courthouse.
Interventions available to keep victims safe and reduce offending by perpetrator	Consideration of victim needs in placing court controls on perpetrator, pre- and post-sentence, including the use of restraining orders	Less clear. However, see above and also the Domestic Violence Resource Manual states that sentencing options for perpetrators should be "integrated with specialist, proactive, associated support services. Ideally they should also be integrated with specialist associated children's services as well".
	Availability of perpetrator intervention programmes	In part. The Domestic Violence Resource Manual states that "there are only perpetrator programmes for male perpetrators who have been violent to female partners..." and "the effectiveness of DV perpetrator programmes has been a source of controversy for some years. In England and Wales, and internationally, research into their effectiveness has measured "success" in many different ways and has shown mixed results". It also says: "Programmes for suitable male perpetrators currently supervised by the probation service are provided throughout the National Probation Service in England and Wales and, on a limited basis, in some prisons."
	Supervision of perpetrator and sentence by court	No.

End notes

1. The Home Office currently defines domestic violence as: "any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been, intimate partners or family members regardless of gender or sexuality."
2. Home Office. (2011). Crime in England and Wales: 2010-11 homicides, firearm offences and intimate violence. Table 3.16.
3. Council of Europe. (2002). Recommendation Rec (2002)5 of the Committee of Ministers to Member States on the protection of women against violence adopted on 30 April 2002 and Explanatory Memorandum.
4. Women's Aid (n.d.) Domestic violence: FAQs. Retrieved from http://www.womensaid.org.uk/domestic_violence_topic.asp?section=0001000100220041§ionTitle=Domestic+violence+%28general%29 [accessed on 9 January 2014].
5. According to the 2010-11 British Crime Survey, 42% of victims of all violent offences reported the incident to police, compared with 23% of domestic violence victims. Source: Home Office. (2011). Crime in England and Wales: 2010/11 Homicides, Firearm Offences and Intimate Violence. Table 3.16.
6. Hester, M., Hanmer, J., Couldson, S., Morahan, M. & Razak, A. (2003). Domestic Violence: Making it through the criminal justice system. Northern Rock Foundation. Retrieved from <http://www.nr-foundation.org.uk/wp-content/uploads/2011/07/dv-attribution-report.pdf> [accessed 2 February 2014].
7. CAADA. 2012. Insights National Dataset 2011-12. Retrieved from http://www.caada.org.uk/policy/Appendix_CAADA_Insights_National_Dataset_2011-12.pdf [accessed on 9 January 2014]
8. For a fuller account on the history of domestic violence courts in the United States of America, refer to Mazur, R. & Aldrich, L. (2003). What makes a domestic violence court work? Lessons from New York. American Bar Association's Judges' Journal 5, 42 (No. 2) available at <http://www.tribal-institute.org/2010/D3-KathrynFordHO.pdf>
9. Cook, D., Burton, M. & Robinson, A. (2006). Enhancing "Safety and Justice": The role of specialist domestic violence courts in England and Wales. British Society of Criminology, volume 07. Retrieved from <http://www.britsoccrim.org/volume7/008.pdf> [accessed on 9 January 2014].
10. Crown Prosecution Service. (2013). Specialist Domestic Violence Courts 2013. Retrieved from <http://www.cps.gov.uk/publications/equality/vaw/SDVC.html> [accessed on 9 January 2014].
11. Ibid.
12. Mazur, R. & Aldrich, L. (2003). What makes a domestic violence court work? Lessons from New York. American Bar Association's Judges' Journal 5, 42 (No. 2) available at <http://www.tribal-institute.org/2010/D3-KathrynFordHO.pdf>; Center for Court Innovation. (2006). Responding to Domestic Violence: The role of the court system. Crown Prosecution Service (2008) Specialist Domestic Violence Courts Review - 2007/08.
13. Petrucci, C. (2002). Respect as a component in the judge-defendant interaction in a specialised domestic violence court that utilises therapeutic jurisprudence. Criminal Law Bulletin, 38 (2); Casey, P. & Rottman, D. (2003). Problem-Solving Courts: Models, commonalities and trends: The view from the United States. Problem-Solving Courts: An International Perspective', Psychology and Law International, Interdisciplinary Conference, Pre-Conference Workshop. Edinburgh; Valley, C et al. (2005). Evaluation of Domestic Violence Pilot Sites at Caerphilly (Gwent) and Croydon 2004/05.
14. Mazur, R. & Aldrich, L. (2003). What makes a domestic violence court work? Lessons from New York. American Bar Association's Judges' Journal 5, 42 (No. 2) available at <http://www.tribal-institute.org/2010/D3-KathrynFordHO.pdf>; Ventura, L. & Davis, G. (2004). Domestic Violence: Court case conviction and recidivism in Toledo. Urban Affairs Centre.
15. Gondolf, E. W. (1998). The Impact Of Mandatory Supervision on Batterer Program Compliance. Court Review; Mazur, R. & Aldrich, L. (2003). What makes a domestic violence court work? Lessons from New York. American Bar Association's Judges' Journal 5, 42 (No. 2) available at <http://www.tribal-institute.org/2010/D3-KathrynFordHO.pdf>; Ventura, L.A. & Davis, G. (2005). Domestic Violence: Court case conviction and recidivism; Cissner, A., Labriola, M., & Rempel, M. (2013). Testing the Effects of New York's Domestic Violence Courts. Center for Court Innovation.
16. Dunford, F. (2000). The San Diego Navy Experiment: An assessment of interventions for men who assault their wives. Journal of Consulting and Clinical Psychology, 68:468; Feder, L.R. & Dugan, L. (2002). A Test of the Efficacy of Court-Mandated Counselling for Domestic Violence Offenders: The Broward County experiment. Justice Quarterly, 19(2): 343- 375;

Bennett, L. & Williams, O. (2002). Controversies and Recent Studies of Batterer Intervention Program Effectiveness. University of Minnesota, Applied Research Forum; Babcock, J.C., Green, C.E. & Robie, C. (2004). Does Batterers' Treatment Work? A meta-analytic review of domestic violence treatment. *Clinical Psychology Review*, 23, 1023-1053, 2004; Feder, L., & Wilson, D. B., (2005). A Meta-Analytic Review of Court-Mandated Batterer Intervention Programs: Can courts affect abusers' behavior? *Journal of Experimental Criminology*, 1, 239-262; Bowen, E., Gilchrist, E.A., & Beech, A.R. An Examination of the Impact of Community-Based Rehabilitation on the Offending Behaviour of Male Domestic Violence Offenders and the Characteristics Associated with Recidivism. *Legal and Criminological Psychology*, 10, 189-209; Labriola, M. Davis, R. & Rempel, M. (2005). Testing the Effectiveness of Batterer Programs and Judicial Monitoring: Results from a randomized trial at the Bronx Misdemeanor Domestic Violence Court. Center for Court Innovation; Washington State Institute for Public Policy. (2006). Evidence-Based Adult Corrections Programs: What works and what does not. Washington State Institute for Public Policy; Peterson, R.R. (2008). Reducing Intimate Partner Violence: Moving beyond criminal justice interventions. *Criminology and Public Policy*, 7:537-545; Stover, C. S., Meadows, A. L., & Kaufman, J. (2009). Interventions for Intimate Partner Violence: Review and implications for evidence-based practice. *Professional Psychology: Research and Practice*, 40, 223-233; Bullock, K. Sarre, S. Tarling, R. & Wilkinson, M. (2010). The Delivery of Domestic Abuse Programmes: An implementation study of the delivery of domestic abuse programmes in probation areas and Her Majesty's Prison Service. Ministry of Justice.

17. Robinson, A.(2008). Measuring What Matters in Specialist Domestic Violence Courts. Cardiff School of Social Sciences. Retrieved from <http://www.cardiff.ac.uk/socsi/resources/wp102.pdf> [accessed 9 January 2014].
18. Crown Prosecution Service. (2012). Violence Against Women and Girls Crime Report, 2011-2012. Retrieved from http://www.cps.gov.uk/publications/docs/cps_vawg_report_2012.pdf [accessed 9 January 2014].
19. Compared to large metropolitan areas in England and Wales.
20. Coy, M., Kelly, L. & Foord, J. (2007). Map of Gaps: The postcode lottery of violence against women support services. End Violence Against Women/Equality & Human Rights Commission; Women's Aid. (27 November 2012). Cuts in refuge services putting vulnerable women and children at risk [press release]. Retrieved from <http://www.womensaid.org.uk/domestic-violence-press-information.asp?itemid=2944&itemTitle=Cuts+in+refuge+services+putting+vulnerable+women+and+children> [accessed on 9 January 2014]
21. Cory, G. (2011). Summing Up: A strategic audit of the criminal justice system. Victim Support. Retrieved from http://www.victimsupport.org.uk/~/_media/Files/Publications/ResearchReports/Strategic%20Audit-lo%20res-Amended.ashx [accessed on 9 January 2014].

Better courts: A snapshot of domestic violence courts in 2013



This work has been made possible by the generous support of the Hadley Trust, The Monument Trust, The Esmée Fairbairn Foundation and the Barrow Cadbury Trust.

We would also like to thank Standing Together and Refuge for their assistance in conducting the practitioner research.

Written by: Phil Bowen, Arsheen Qasim and Lauren Tetenbaum.

Thanks to: Greg Berman, Liberty Aldrich, Robyn Mazur, Anthony Wills, Nicole Jacobs, Stephen Whitehead, Ben Estep, Jessie Barnard, Jane Keeper at Refuge, Brenda Spink at Refuge, Melissa Altman, Seto Sullivan, Sandra Simpson.

Edited by: Juno Baker

Design by: www.danfarleydesign.co.uk



Centre for Justice Innovation
Kean House,
6 Kean Street
London, WC2B 4AS
Telephone: +44(0) 207 632 9070

Registered charity in England and Wales No. 1151939
Company Limited by Guarantee No. 8274430
© February 2014, Centre for Justice Innovation

ISBN 978-0-9928118-1-5



This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Unported License.
To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-nd/3.0/> and www.neweconomics.org/publications