

# Evaluation of the Westminster Specialist Domestic Abuse Court

Part of the Standing Together Against Domestic  
Abuse Mentor Court project



# Contents

Summary	2
1. Introduction	4
2. Aims of this evaluation	8
3. The Westminster Specialist Domestic Abuse Court Model	9
<b>Findings</b>	
4. What problems does the Westminster SDAC Model seek to address?	13
5. The Westminster SDAC Model	18
6. What external factors have facilitated or obstructed the development of the model?	26
7. Conclusions	31

# Summary

The Specialist Domestic Abuse Courts (SDACs) in Westminster's Magistrates Court offer a dedicated and alternative court approach to processing domestic abuse (DA) cases. The SDAC model was born out of the recognition that domestic abuse is a different kind of offence, which the traditional criminal justice process has not been able to effectively respond to. This different approach was developed to provide a more consistent and coordinated court process that improves the safety and satisfaction of victim-survivors, holds people who commit domestic abuse to account and increases public confidence in the system. The Westminster SDACs achieve this through improving information sharing and partnership working between key agencies, providing training in DA issues to court staff, listing DA cases in dedicated court sittings and DA trials in physically safe courtrooms that have facilities for special measures. It is regarded as one of the leading models of SDAC practice in England and Wales.

There are plans to showcase the workings of the Westminster SDAC model across other courts in England and Wales through the Mentor Court Project. The project aims to spread the learning that the specialist team at the Westminster SDACs have amassed from two decades of coordinating multi-agency justice system responses to domestic abuse by developing the Westminster SDACs into a mentor court, that will provide information, advice and support to other sites seeking to enhance their own provision and learn from this approach. The Mentor Court Project will also conduct a mapping activity to examine the landscape of domestic abuse within magistrates' courts around the country.

## Domestic abuse and the criminal justice system

The criminal justice system has struggled to provide an effective response to domestic abuse. This is evidenced by the consistently low arrest, prosecution and conviction rates for domestic abuse, which have been declining in recent years. The police have faced criticism for failing to adequately respond to domestic abuse callouts. Victim-survivors have described experiencing issues when reporting incidents to police, who often demonstrate a limited understanding of domestic abuse, which confines it to incidents of physical violence.

The ability of the criminal justice system to successfully process domestic abuse offences is undermined by a range of complex factors. A common challenge is often the withdrawal of support for the prosecution from the victim-survivor, due to feelings of love, shame, guilt, isolation, fear of the process or a language barrier to name a few. Criminal justice system responses to domestic abuse can be disjointed, confusing and suffer delays that are often unexplained to the victim-survivor, they are often left in a state of limbo while waiting for a new hearing date to be set after previous ones had been adjourned.

## Project background and methodology

The Centre for Justice Innovation have received Tampon Tax Funding via Standing Together Against Domestic Abuse, as part of the Mentor Court Project. This report presents the findings of the external evaluation of the Westminster SDACs conducted by the Centre for Justice Innovation. The evaluation sought to explore the impact of the SDAC model and the lessons that can be learned from the court to facilitate the development, implementation and replication of the model elsewhere.

The evaluation explored the following research questions:

1. What are the key features of the Westminster SDAC model as delivered currently in London?
2. What evidence is available around the impact of the Westminster SDAC model in London?
3. What lessons can be learned for future implementation of the SDAC model?

A methodology consisting of a document review, interviews with stakeholders, and interviews with victim-survivors who had used the Westminster SDACs was employed. The findings of the document review and qualitative research were synthesised to develop a theory of change for the Westminster SDAC model which sought to describe how the core elements of the model work to achieve impact.

## Findings

Our evaluation into the workings of the Westminster SDACs found that:

- The ability of criminal justice system agencies in standard courts to effectively address DA is hampered by a range of issues. Focus on internal performance targets, poor information sharing between agencies and lack of awareness of DA issues from criminal justice system agencies were seen to contribute to high victim-survivor attrition rates and cracked cases during the court process. This resulted in victim-survivors feeling excluded from the court process and their safety not being properly addressed both inside and outside of the courtroom.
- The Westminster SDAC model seeks to address these issues through several key features such as; the provision of a dedicated court coordinator to track cases and package together key information for the court, provision of training to professionals around DA issues, hosting regular multi-agency steering and operational groups, allowing for DA cases to be heard on clustered court days and the provision of specialist criminal justice Independent Domestic Violence Advocates (IDVAs) who provide victim-survivors with one to one support and information during court proceedings.
- It was felt that these features improved victim-survivor feelings of safety and engagement during the court process as well as improving information sharing, multi-agency working and accountability between criminal justice system agencies. The SDAC model facilitated more informed recommendations and decision-making by the professionals who were able to access more information about cases as well as apply their specialist knowledge of DA when imposing sentences, bail conditions and protective orders.
- Several barriers to the SDACs achieving impact were identified. Notably, the model was often obstructed by a lack of long-term secure funding, lack of buy-in and accountability from statutory agencies as well as high rates of staff turnover in some statutory agencies.
- A range of ways to enhance the model were discussed. These largely pertained to expanding the capacity of the court through increasing the number of dedicated staff and court days, establishing aspects of the model in the crown court and enhancing the range of safety provisions currently offered.

## Our next steps

It is hoped that the conclusions of this evaluation can be applied to develop the workings of the Westminster SDAC model through highlighting areas for future optimisation. Furthermore, our findings enhance the current evidence base around SDACs and can be utilised to guide their development elsewhere through identifying the key elements of the model, positing how they work to achieve impact and understanding how external factors have facilitated and obstructed the development of the model in Westminster.

# 1. Introduction

Under UK law, domestic abuse is defined as an incident that involves controlling, coercive or threatening behaviour, violence or abuse between intimate partners or family members over the age of 16. This definition broadly covers a range of harms, which include but are not limited to: psychological, physical, sexual, financial or emotional abuse.<sup>1</sup> The individual impact of domestic abuse on the victim is often serious and long-lasting, resulting from the endurance of mental, emotional, physical, social and/or financial harm. Under the Domestic Abuse Act (2021), children affected by domestic abuse are also recognised as victims in their own rights. Children who witness domestic abuse can also suffer short and long term cognitive, behavioural and emotional challenges as a result. In addition to the individual impact on the victim and their family, domestic abuse imposes wider societal costs. These include state expenditure on police, health and social care and support services, as well as the victim's loss of time spent in paid employment and undertaking caring responsibilities. The overall financial cost to society is estimated to be £15.73 billion per year.<sup>2</sup>

While domestic abuse can be experienced or committed by anyone, the vast majority of cases involve abuse perpetrated from a male towards a female. In 2013-14, 93% of defendants in domestic abuse court cases were male, and 84% of victims were female.<sup>3</sup> It is estimated that almost one in three women aged 16-59 will experience domestic abuse in their lifetime.<sup>4</sup> Female homicide statistics also indicate the prevalence of domestic abuse; almost half (46%) of adult female homicide victims were killed by a family member.<sup>5</sup> Research also shows that women are four times more likely than men to be killed by a current or former partner.<sup>6</sup> The intensity and severity of domestic abuse is also gendered. Studies show that women are more likely to experience physical violence, threats and harassment, be repeat victims of domestic assault, be seriously injured and report feeling fearful for their safety in their own home.<sup>7</sup> Studies have also found that women tend to suffer from long-term psychological issues as a result of domestic abuse, to a greater extent than men.<sup>8</sup> While gender is well documented in cases of domestic abuse, official statistics lack important information on the impact of other societal inequalities, such as race, ethnicity, disability, sexual orientation and class.<sup>9</sup>

The prevalence of domestic abuse is difficult to accurately quantify. Cases are often underreported as a result of the complex victim-perpetrator relationship, and the likelihood of it occurring within the privacy of the home.<sup>10</sup> While the last 15 years has seen a gradual decline in domestic abuse, the Office for National Statistics's annual crime survey, for the year ending March 2020, estimated that there were 2.3 million victims in England and Wales.<sup>11</sup>

There has been a significant spike in domestic abuse since the onset of the Coronavirus pandemic in the spring of 2020. This increase was captured by domestic abuse services across the country, who reported a substantial increase in demand for their support. The National Domestic Abuse Helpline documented a 65% increase in calls between April and June 2020, compared to the first three months of the year.<sup>12</sup> Lockdown measures and restrictions on freedoms introduced by the Government to stop the spread of the virus have been attributed to this rise in cases. Domestic abuse service providers have described how victims have been trapped in close proximity with the person who is abusing them, with limited freedom to leave their house and restricted access to family, friends and support services.<sup>13</sup> This has also enabled greater control to be exerted over victims, by limiting access to their phone, the internet and other people. Economic instability has long been associated with increased cases of gender-based violence. Economic hardship and poverty have become more widespread as a result of the pandemic, with rising employment levels, wage reductions for furloughed workers and a loss in earnings for the self-employed. This has been identified as an additional factor driving up rates of domestic abuse.<sup>14</sup>

Simultaneously, domestic abuse service providers have faced greater challenges to deliver their services during the pandemic. Research from Women's Aid showed a 40.6% reduction in refuge vacancies in England between 23rd March and 31st May 2020, compared to the same period in 2019, citing a chronic lack of suitable accommodation and concerns regarding managing the spread of the virus.<sup>15</sup>

## The policy landscape

Significant progress has been made in the last twenty years in developing legal protections for victims of domestic abuse.

- **The Home Office's 'Domestic Violence: A National Report'** was published in 2005, and is seen as the British Government's first public commitment to tackling domestic abuse through policy. The report sought to strengthen the capacity of statutory services and the domestic abuse sector to reduce the prevalence of domestic abuse, adequately protect victims and increase the rate of domestic abuse offences that are brought to justice. It brought in new guidance and training for the police, the Crown Prosecution Service and judiciary, as well as specialist courts for domestic abuse cases and quality measures for service providers.<sup>16</sup>
- **In 2010, the Coalition Government introduced a cross-departmental approach to tackling violence against women and girls**, which formally acknowledged the need for a coordinated approach to domestic abuse.<sup>17</sup> The strategy championed bringing together different agencies to work in partnership to reduce repeat victimisation.<sup>18</sup>
- The power of the police, prosecution and courts to combat domestic abuse was strengthened in 2015, when **'controlling or coercive behaviour in an intimate or family relationship' was made an offence under the Serious Crime Act 2015**. This expanded the protection of the law to abusive behaviour that did not involve physical violence.<sup>19</sup>
- **The signing of the Domestic Abuse Act (the Act) into law in April 2021** is a very recent, yet historically significant, advancement in the protection of victims of domestic abuse. The Act implements for the first time a statutory definition of domestic abuse, and introduced the Domestic Abuse Commissioner role to improve performance and improve consistency across local areas and agencies that respond to domestic abuse.

The Act also strengthened the capacity of the justice system to protect victim-survivors. It expanded and modernised the scope of offences to include post-separation coercive control, non-fatal strangulation and threats to disclose private sexual images.<sup>20</sup> The creation of Domestic Abuse Protection Notices and Orders will enable courts to impose restrictions on people convicted of domestic abuse, and the police to provide victim-survivors with immediate protection.<sup>21</sup> The Act enhanced protections and support for victims participating in the prosecution in court. It mandated the provision of screens, video evidence and other special measures to help victims give their best evidence during a trial in criminal courts, and aims to prevent further trauma and distress. It also prohibited victims from being cross-examined by their abuser in family court proceedings.

In addition to these legislative changes, the Act shaped public and policy discourse around domestic abuse, raising awareness of it as a serious and widespread societal issue that needs to be at the top of the agenda at all levels of government.<sup>22</sup>

- **The 2020 Domestic Abuse Statutory Guidance Framework** complements the Domestic Abuse Act, by setting out the arrangements and guidance for stakeholders in statutory agencies who work with people whose convictions or behaviour involve domestic abuse. The framework was introduced to reduce domestic abuse related offences, by developing a more consistent and coordinated approach to identifying domestic abuse, and effectively managing the risk of individuals in a way that safeguards current and future victims.<sup>23</sup>

The framework emphasises the importance of multi-agency arrangements that facilitate cooperation between different agencies, (primarily the police, courts, prisons and probation), such as the Multi-Agency Public Protection Arrangements (MAPPA). MAPPA was introduced by the 2003 Criminal Justice Act as a mechanism to bring organisations together in partnership to manage violent and sexual offenders. Similarly, Multi-Agency Risk Assessment Conferences (MARAC) were introduced to facilitate information sharing and jointly-commissioned management plans for the highest-risk cases of domestic abuse.<sup>24</sup>

These are important arrangements, which form the basis of a joined up system that is better placed to reduce the risk of cases slipping through the safeguarding system. It makes it possible to see the whole picture and make joint decisions to assess, manage and reduce risk. This makes it more likely to be able to stop domestic abuse at an early stage or prevent it from happening in the first place.<sup>25</sup>

## Domestic abuse in the criminal justice system

Despite these reforms, the criminal justice system (CJS) continues to struggle to provide an effective response to domestic abuse. This is evidenced by the consistently low arrest, prosecution and conviction rates for domestic abuse, which have been declining in recent years.<sup>26</sup> In 2016, the average charge rate for domestic abuse cases was 23.2%. In 2020 this had dropped to 9%.<sup>27</sup> Research suggests that on average across England and Wales, there is only a 25% chance that an individual who commits domestic abuse will be charged or cautioned.<sup>28</sup>

The police have faced criticism for failing to adequately respond to domestic abuse callouts. Victims have described experiencing issues when reporting incidents to police officers, who often demonstrate a limited understanding of domestic abuse, which confines it to incidents of physical violence, that is limited to incidents of physical violence. Pervasive myths and problematic victim-blaming attitudes about domestic abuse have also been found to impede an effective approach from the police as first responders to abuse against women, with some police officers not treating domestic situations as serious crime, but 'just another domestic'.<sup>29</sup> A Women's Aid study shows how there is a regular lack of follow up from the police, as well as delays in arresting and charging individuals.<sup>30</sup> A survey of victims of domestic abuse conducted by the Drive Partnership found that whereas 70% of respondents said that the police had responded to the incident they reported, nearly half (46%) felt the police had been unhelpful.<sup>31</sup>

The ability of the CJS to successfully process domestic abuse offences is undermined by a range of complex factors. A common challenge is often the withdrawal of support for the prosecution from the victim, due to feelings of love, shame, guilt, isolation, fear of the process or a language barrier.<sup>32</sup> The traditional court approach often fails to provide victims with adequate specialist support, which is a vital mechanism to help them overcome these issues, safely give evidence and see through the prosecution process. A Safe Lives report found that 71% of victims of domestic abuse do not receive support from any criminal justice agency.<sup>33</sup> This fuels low victim confidence in the system, which in turn deters the reporting of future incidents and leads to the loss of vital legal protection.<sup>34</sup>

This is exacerbated by the fact that justice system responses to domestic abuse can be disjointed, confusing and suffer delays that are often unexplained to the victim.<sup>35</sup> A Crown Prosecution Service (CPS) report on the court backlog in England and Wales describes how victims of domestic abuse are often left in a state of limbo while waiting for a new hearing date to be set after previous ones had been adjourned. It also found that some magistrate's courts were scheduling provisional dates that often changed, and led to victims and witnesses ending up with entirely different dates for their hearings. The report describes how courts were also listing multiple cases for the same time, to increase the number of cases the court could potentially process, which often led to repeated trial date rescheduling. This is an extremely unsettling process for victims, and feeds the belief that their experience and harm is not taken seriously, which fosters a lack of trust in the system and a sense of futility in pursuing prosecution through the courts.<sup>36</sup>

While in recent years there has been movement to address these issues, such as the introduction of training and awareness raising for police and court staff about the realities and impact of domestic abuse, attrition rates continue to remain high. In the year ending March 2019, the number of suspected domestic abuse related offences referred from the police to the CPS fell 19%, from 98,470 to 79,965.<sup>37</sup>

## Specialist Domestic Abuse Courts (SDACs)

SDACs offer a specialist, alternative court approach to processing domestic abuse cases. It was born out of the recognition that it is a different kind of offence, which the traditional criminal justice process has not been able to effectively respond to. This different approach was developed to provide a more consistent and coordinated court process that improves the safety and satisfaction of victims, holds people who commit domestic abuse to account and increases public confidence in the system.

Generally operating out of existing courts, SDACs cover a range of practice models that are distinguished by common features, such as<sup>38</sup>:

- Facilitating speedy access for victims to comprehensive multi-agency support and information services
- Multi-agency information sharing and management of the case
- Listing domestic abuse cases in one dedicated court sitting
- Physically safe courtrooms 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.)
- Domestic abuse trained court staff, including magistrates and court officers
- Considering the victim's needs in placing court interventions on the person who has been accused of domestic abuse, pre- and post-sentence, including the use of restraining orders.

### History of SDACs

Specialist Domestic Violence Courts (SDVCs) were first piloted in a number of sites across England and Wales in 1999, introducing a version of problem-solving courts already in existence in the USA, Canada and Australia.<sup>39</sup> Over a five-year period, the model was rolled out nationally. In 2006, the National Specialist Domestic Violence Court Steering Group produced an accreditation system to certify and monitor these newly established SDVCs. By 2010, 141 SDVCs had successfully achieved accreditation across England and Wales.<sup>40</sup>

Despite this widespread adoption of the model in the early 2000s, SDVCs have suffered closures and deterioration over the past 10 years. As a result of reduced government funding and court reorganisations and restructures, many of these specialist courts across the country experienced reduced sitting days, inconsistent practice and delayed proceedings, which strained the service delivery and the political will to keep them running.<sup>41</sup> In this context, the SDVC model (renamed SDAC to include non-physical abuse) declined in prominence. By 2014 the number of SDVCs had fallen to 137. Today, there are an estimated 35-40 SDACs in operation in England and Wales, however, it is unclear if all of these SDACs are delivering all of the core SDAC principles.

## 2. Aims of this evaluation

This report presents the findings of an external evaluation of the Westminster Specialist Domestic Abuse Courts conducted by the Centre for Justice Innovation. The evaluation seeks to explore the impact of the SDAC model and the lessons that can be learned from the court to facilitate the development, implementation and replication of the model elsewhere.

The Centre for Justice Innovation is a third sector organisation that seeks to build a fair and effective justice system, by focusing on and resolving the issues that drive crime and social harm. This vision is met by providing hands on support to stakeholders in the justice system; conducting research into how things work right now and how they could work better; and promoting evidence-based and innovative policy reforms.

The Centre for Justice Innovation have been provided with onward funding from Standing Together Against Domestic Abuse to undertake an evaluation of the SDACs at Westminster Magistrates Court as part of their Mentor Court project.

### Research questions

The first phase of the evaluation explored the following research questions:

1. What are the key features of the Westminster SDAC model as delivered currently in London?
  - a) What need does it seek to address?
  - b) What impact does it seek to create?
  - c) What are its key components and principles?
2. What evidence is available around the impact of the Westminster SDAC model in London?
  - a) How do end beneficiaries and partner agencies perceive the impact of the model?
  - b) What elements of the SDAC model do end beneficiaries perceive to be driving outcomes?
4. What lessons can be learned for future implementation of SDAC model?
  - a) What improvements can be identified for the Westminster SDAC model?
  - b) What barriers have faced the Westminster SDAC model?
  - c) What, if any, elements of the Westminster SDAC model can be identified as good practice that should be adopted more widely?

### Methodology

The evaluation employed a methodology consisting of a document review followed by qualitative fieldwork with stakeholders and victim-survivors with ties to the Westminster SDAC. A theory of change for the Westminster SDAC model was then developed based on the findings of the document review and interviews.

- **Document review:** Relevant documents and research were reviewed to establish a comprehensive understanding of the SDAC model, as well as the background, aims and objectives of the Mentor Court Project.
- **Stakeholder interviews:** 10 interviews were conducted with members of the Standing Together SDAC team, the SDAC IDVAs, and key stakeholders from other agencies, to document the activities of the SDAC process, and the outcomes from the mapping of the SDAC courts.
- **Qualitative fieldwork with service users of the Westminster SDACs:** Short interviews were conducted with four victim-survivors whose cases were heard in the SDACs, to assess and understand the impact of the court. Some victim-survivors had been through standard courts as well as the SDACs and compared their experiences of both courts.
- **A theory of change for the Westminster SDAC model:** The findings of the document review and interviews were synthesised to create a theory of change for the model. The theory describes how the SDAC model's key inputs and activities create both long and short term impact for victim-survivors and criminal justice system agencies.

# 3. The Westminster Specialist Domestic Abuse Court Model

## The Westminster SDAC Model

The focus of this evaluation are the SDACs in Westminster's Magistrates Court. One of the first Specialist Domestic Violence Courts (SDVCs) was set up in 2002 in London. Based at Hammersmith Magistrates' Court (then known as the West London Magistrates' Court), the SDVC was initially set up as a pilot project. A key objective of the pilot was to enhance the judicial system's ability to provide protection and support to victims and witnesses of domestic abuse. A secondary objective was to improve the justice system's capacity to ensure that individuals charged with domestic abuse receive appropriate sanctions, by reducing prosecution and court delays through effective case management and the co-ordination of criminal justice agencies.

Following the success of the SDAC at Hammersmith which hears cases covering the boroughs of Hammersmith and Fulham and Kensington and Chelsea, a further SDAC was established in 2012 at Westminster Magistrates Court to hear domestic abuse cases from the borough of Westminster. This court also hears cases from City of London and British Transport Police.

In 2017, following the closure of the Hammersmith Magistrates' Court building, the SDAC at Hammersmith was re-located to Westminster Magistrates' Court, where it continues to operate. Both courts are well established with local partners and agencies and are regarded as the leading models of SDAC practice in England and Wales.

The principles of the Duluth Model of a Coordinated Community Response (CCR) underpin the workings of the Westminster SDACs. The CCR encompasses the broadest possible response to domestic abuse addressing prevention, early intervention, dealing with crisis, risk fluctuation, and long-term recovery and safety, working with a wide range of services, pathways, agencies and systems such as criminal justice, health, housing, social care and communities. The CCR is based on the principle that no single agency or professional has a complete picture of the life of a domestic abuse survivor and their children. Instead, agencies hold information that can be shared within an effective and systematic partnership, to increase the safety of survivors and their children. The response aims to tackle and prevent domestic abuse through supporting agencies to improve communication and to build stronger partnerships between public services.<sup>42</sup>

Standing Together Against Domestic Abuse are also part of the Impact Project, which is integral to the work of the SDACs in West London. The Impact Project is a partnership consisting of the London Borough of Hammersmith and Fulham, CJS agencies as well as Advance and Standing Together Against Domestic Abuse. The work of the Impact Project focusses on improving the progress of cases through the CJS: ensuring efficient and effective justice for offenders and fast, proactive support for victim-survivors of domestic abuse who report to police. The vision and success of the Impact Project are a result of dedicated, specialist professionals working together to share information and take action, including the provision of specialist IDVAS, trained police officers within the Public Protection team and provision of a performance review coordinator to monitor and improve the CJS's response to DA.<sup>43</sup>

## Scope of the Westminster SDAC

The SDACs at Westminster Magistrates Court predominantly hear domestic abuse cases from the London Borough of Hammersmith and Fulham, the Royal Borough of Kensington and Chelsea, Westminster City, City of London, and the London cases for British Transport Police cases.

The model also works to improve the capacity and practice of statutory criminal justice agencies operating in the local area in dealing with DA through improving professional awareness of DA issues, consolidating stronger partnerships and information sharing, and improving accountability. The intended impact of this is to improve information provided on police case files as well as improve the experience of victim-survivors and increase their confidence in the process, ultimately to encourage the reporting of future crimes and increase the successful prosecution of cases.

## The Mentor Court Project: Replicating the Westminster SDAC model elsewhere

There are plans to showcase the workings of the Westminster SDAC model for other courts in England and Wales through the Mentor Court Project. The Mentor Court Project is funded by the Department for Culture Media and Sport's Tampon Tax Fund, which seeks to improve the lives of disadvantaged women and girls.

The project aims to spread the learning that the specialist team at the Westminster SDACs has amassed from two decades of coordinating multi-agency justice system responses to domestic abuse by developing the Westminster SDAC model into a mentor court, that will provide information, advice and support to other sites seeking to enhance their own provision and learn from this approach. This will be achieved through rebuilding the knowledge and capacity of local areas to establish and spread this collaborative and enhanced court response to domestic abuse.

The Mentor Court Project also aims to identify trends across SDACs elsewhere in England and Wales and offer support for partner services in enhancing their current processes through mapping the practices of SDACs. STADA's aim is to look at general trends across SDACs and domestic abuse cases in general, rather than identifying issues within specific courts or areas. This would not disrupt the way that the court runs, but rather highlight ways to enhance the processes that surround the court, to allow for a smoother, more effective process in court<sup>44</sup>.

This evaluation contributes to the Mentor Court Project through improving understanding of how the Westminster SDAC model's core elements currently work to achieve key aims and impacts so these elements can be successfully replicated and embedded elsewhere. Furthermore, this report identifies ways that the practice of Westminster SDACs can be enhanced and how contextual factors external to SDAC's core elements have worked to either facilitate or obstruct the development of the model.

## Who is currently involved in delivering the Westminster SDAC?

### Standing Together Against Domestic Abuse (STADA)

STADA is a national charity that seeks to eradicate domestic abuse by transforming the way organisations and individuals understand and respond to it. STADA works with partner agencies in settings such as criminal justice, health, housing, MARAC, domestic homicide reviews, and faith and community work, to stop victims falling through gaps in support and holding people who commit domestic abuse to account. STADA works with partner agencies to ensure a CCR to domestic abuse by improving their understanding and response to survivors and perpetrators. STADA's aim is to stop survivors falling through gaps via these improved responses within and between voluntary and statutory organisations, and ultimately eradicate domestic abuse.

STADA was instrumental in the creation of the SDAC model alongside other national innovators in the early 2000s. As a result, the organisation has well established expertise on initiating, developing and managing multi-agency projects and programmes within a variety of statutory and voluntary sector organisations and services.

STADA oversees the provision of the core components of the model such as attending clustered court days, providing court coordinators, overseeing data and monitoring of the SDAC partnership as well as providing training around DA issues to other staff. STADA is also leading the Mentor Court Project.

### Advance

Advance is a national charity that seeks to reach women experiencing domestic abuse and other forms of violence or are involved in the CJS, by providing independent, non-judgmental support and advocacy through new referral pathways and improved access to services.

Advance provides the SDACs with specialist criminal justice Independent Domestic Abuse Advocates (IDVAs) to represent the victim-survivor and their wishes whilst they go through the criminal justice system. Victim-survivors are usually referred to Advance's IDVA service by the police following an arrest made for a domestic abuse incident. IDVAs are the victim-survivors' main point of contact during court proceedings, they provide emotional support and explain the CJS to the victim-survivor, assist with safety planning throughout proceedings and provide the victim-survivor with timely updates about case hearings. IDVAs work closely with the STADA court coordinators to ensure the victim-survivor's viewpoint is considered throughout proceedings and ensure that information about the victim-survivors circumstances is available to the court so that safe and effective measures can be put in place as necessary.

Advance also assists STADA with monitoring the SDACs through providing data on victim-survivors who have engaged with the IDVA service.

### **Statutory key partners**

To provide a joined up service, the the SDACs engage with a range of statutory partners including the Crown Prosecution Service (CPS), Her Majesty's Courts and Tribunals Service (HMCTS), the police, Witness Care Unit, The Probation Service, the Witness Service, and the Judiciary, amongst other statutory and non-statutory services. Staff from these services receive specialist information about SDAC processes from STADA.

### **Aims of the Westminster SDAC**

Five key aims of the SDAC model emerged from interviews with stakeholders.

#### **1. To more effectively consider the needs and viewpoint of victim-survivors during the criminal justice process**

The SDAC seeks to improve victim-survivors' experience of using the CJS and to ensure that victim-survivors have more of a voice during the court process. This largely refers to maximising victim-survivors' feelings of safety and engagement during court proceedings.

#### **2. Improve coordination, information sharing and partnership working across criminal justice system agencies**

The model seeks to improve multi-agency working within the CJS. This entails building stronger partnerships and improving the speed and quality of information sharing between CJS agencies.

#### **3. Improve the accountability of criminal justice system agencies and ensure each performs their role in addressing DA effectively and consistently**

Ensuring CJS agencies work to the CCR framework emerged as a central aim. This pertains to identifying and following up with issues in service delivery and finding new ways to improve practice.

#### **4. Improve the quality and effectiveness of interventions issued by the court for domestic abuse cases**

The model aims to improve court interventions issued for DA cases. This includes facilitating higher quality and more effective bail conditions, protective orders and sentences for perpetrators.

#### **5. Share workings and expertise of Westminster SDACs with partnerships across the country**

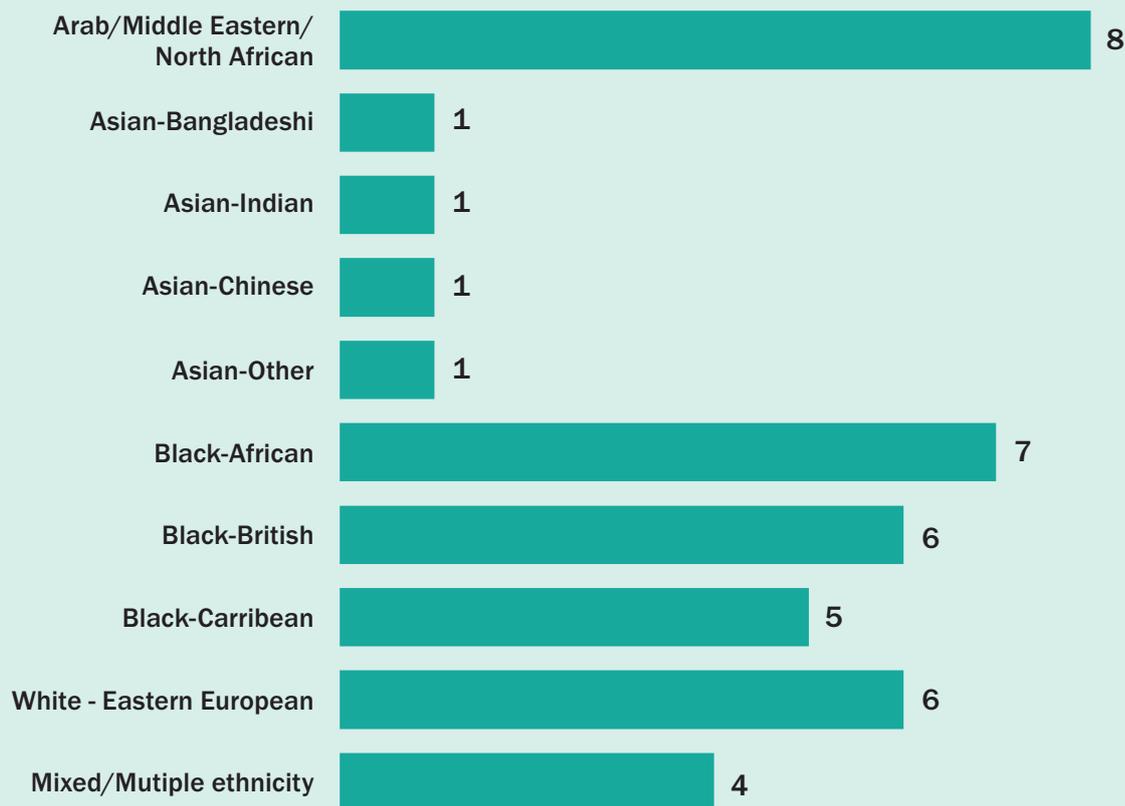
The Westminster SDAC model seeks to share its workings and expertise with other CJS partnerships around the country. This comprises of engaging with criminal justice agencies on a national scale so that they can learn about the model and support them to set up courts following a similar structure elsewhere.

## Service user demographics

Between July 2021 and March 2022, 94 women engaged with support from Advance's IDVA service. Support was offered to 100 women.

40 (44%) of those who engaged with support were from ethnic minority backgrounds. 31 (33%) were white british. Information about ethnic background was not available for 13 (14%) service users.

### Advance service users from ethnic minority backgrounds between July 2021 and March 2022



- 30 (31%) of those who engaged with the IDVA service identified as having mental health needs.
- 49 (51%) had experienced abuse from ex-partner, 23 (24%) had experienced abuse from multiple perpetrators, 15 (16%) had experienced abuse from a current partner and seven (8%) had experienced abuse from a family member.<sup>45</sup>
- 66 (79%) of women identified as being heterosexual, three (4%) identified as LGBTQI+, 14 (17%) did not disclose their sexual orientation.

# Findings

The following sections present key themes which emerged from the qualitative fieldwork undertaken with stakeholders working within the SDAC as well as victim-survivors who have used the service.

## 4. What problems does the Westminster SDAC Model seek to address?

### Issues experienced by victim-survivors in standard courts

#### Poor management of risks to victim-survivor outside of the courtroom

Stakeholders did not feel that risks posed to victim-survivors outside of the courtroom were effectively managed in standard courts. The intimate link between victim-survivor and perpetrator meant that perpetrators often knew the victim-survivor's living circumstances and could subsequently coerce or threaten the victim-survivor's safety directly or indirectly whilst they were going through the court process.

Several reported that standard courts often made errors with bail conditions such as not realising that the perpetrator's bail address was the same as victim-survivor's which could significantly escalate victim-survivor risk outside of the courtroom.

*" Whereas with this, you have to take that into consideration when thinking about bail addresses. Well, are they going to just get bailed back to the victim's address? Then they have got curfew, so they have to stay in the victim's address when, actually, that is a victim. Things like that do happen.*

[Stakeholder]

Stakeholders expressed dissatisfaction with the quality of protective orders granted to victim-survivors in standard courts, stating that the conditions of these orders were often not appropriate for the case in question such as specifying restrictions on the perpetrator that were not feasible to enforce. Many also felt that granting protective orders that were only in place for a specified period of time as opposed to indefinite orders placed victim-survivors at greater risk from perpetrators once the order expired, especially as victim-survivors might not know when these orders expire.

#### Poor management of risks to victim-survivor within the courtroom

The majority felt that not enough was being done in standard courts to promote victim-survivor safety within the courtroom. The victim-survivor and perpetrator coming face to face in the courtroom could be highly distressing for victim-survivors and fear of this situation was perceived by many to contribute to high victim-survivor attrition rates from the CJS process. Many stakeholders emphasised that victim-survivors were rarely offered special measures such as screens, separate entrances and waiting rooms from the perpetrator, the opportunity to testify remotely or afforded the opportunity not to testify in court in standard courts.

*" There are tactics that perpetrators use when they are abusing their partners, there have been cases where perpetrators have maybe made a certain noise before they have attacked a victim-survivor or, and then that noise can have a real significance to a victim-survivor in terms of making them feel fear, and no one in the court maybe would realise that.*

[Stakeholder]

Victim-survivors reported distressing experiences in standard courts such as having to wait for hours alone in court waiting rooms to attend hearings and instances of having no security in place to prevent them from encountering the perpetrator.

“ I went out to have a cigarette and then there was no security, there was nothing, and he came out of the court at the same time when I was having a cigarette.

[Victim-survivor]

### **Lack of information about the court process**

Many stakeholders felt that victim-survivors going through standard courts did not have the court process adequately explained to them in advance of going through proceedings and therefore did not have a clear idea of what to expect at each stage. Stakeholders felt that this alienated victim-survivors from their case and made the process of attending court even more distressing for victim-survivors who were unaware of what proceedings may entail.

“ They don't really know what they're expecting. That's the first thing because they only come to court for a trial, which is a very different process to the rest of it.

[Stakeholder]

### **Lack of voice in proceedings**

Most stakeholders stated that victim-survivors were rarely engaged by court staff throughout standard court proceedings with the CPS largely handling the case on their behalf and having minimal contact with the victim-survivor. Police officers were expected usually to attend and follow hearings on the victim-survivor's behalf, but their presence in court was reported as being inconsistent.

“ I've had experiences as an IDVA before ringing round trying to get in contact with someone from the police or the court system or whatever, and that can be very difficult, and there's often kind of like administrative delays with court decisions.

[Stakeholder]

Stakeholders also felt that victim-survivors had limited opportunity to change their wishes during the court process regarding their wishes around protective orders due to their lack of access to court staff.

“ Instead of giving people time they do, if they immediately say “Oh I don't want [a restraining order] just continuing that kind of liaison.

[Stakeholder]

### **Victim-survivors not provided with timely updates**

Lack of access and proximity to court staff resulted in victim-survivors not being provided with timely updates on their case in standard courts or in some instances not being updated of changes at all. Not relaying case updates to the victim-survivors in real time was also thought to compromise victim-survivor safety and was reported to have highly distressing consequences for the victim-survivor such as the perpetrator being released from custody without their knowledge.

“ So he went to The crown court and he was granted bail. No one knew. So when it came to sentencing, the victim-survivor came to court to deliver her personal statement and he was sat there. The police officer in the case wasn't informed either, so he was released from custody. And no one was informed.

[Stakeholder]

## Lengthy process for victim-survivors

Stakeholders felt that long wait times and delays during standard court proceedings were issues for victim-survivors who often experienced high anxiety and disruption to their daily life whilst their case was ongoing. Stakeholders felt that this issue fed into high attrition rates from victim-survivors who were more likely to retract their case the more adjournments and delays it was subject to.

“ I mean it can take a month up to a whole year and I had cases where the victim-survivor just withdrew the statement in that year because she just changed her mind. You have so much time on your mind that you just don't want to do it anymore?

[Stakeholder]

Many felt that the disruption associated with court delays disproportionately affected victim-survivors with childcare and work commitments and contributed to high victim-survivor attrition during the court process.

“ They're like I can't just organise two weeks of my life not knowing what's going to happen, that I have to drop all my children off and I'm working with friends and going to court like it's just not practical

[Stakeholder]

## Lack of domestic abuse knowledge and trauma-informed practice from professionals

Several stakeholders thought that the lack of knowledge of DA dynamics and trauma-informed practice from professionals created issues for victim-survivors in standard courts. Examples of this included court staff not believing the victim-survivor's story and instances of magistrates asking victim-survivors if they'd like restraining orders while the perpetrator was present in the courtroom.

“ Things like judges asking, “Does the victim-survivor want a restraining order?”, and just saying that in open court, in front of the defendant, that can again escalate risk because they are having to turn round and say, “Yes, the victim-survivor wants this.” That might upset the defendant, that might, again, escalate risk.

[Stakeholder]

Victim-survivors stated that they were required to recount their experiences of DA multiple times to different criminal justice agencies which was 're-traumatising' as it forced them to relive highly distressing events every time they retold their story.

“ I have to keep continuously sitting there explaining everything, which of course is traumatic, it's frustrating, because I've already explained it to 10 people already.

[Victim-survivor]

## Issues faced by criminal justice system agencies in standard courts

### Cracked cases

An issue identified by several stakeholders was the high likelihood of DA cases being dropped during court proceedings, often due to poor communication and agencies experiencing a high volume of cases. Several instances of this were highlighted such as police officers not taking an initial statement from the victim-survivor in time or completing their investigation within the statutory timeframe.

“ I wasn't aware of this but the case was dropped because the investigation wasn't completed on statutory timeframe, so [the] case [was] just dropped.

[Stakeholder]

Stakeholders also alluded to instances of cases being abandoned due to victim-survivors not attending court hearings. Several reasons of this were proposed, such as the court process causing too much distress and disruption to the victim-survivor's life and fear of encountering the perpetrator in court.

*“ She has a court case and a drug and alcohol appointment or probation appointment or something like that going on, on the same week, it is very easy for a victim to turn around and go and at least one of those things get dropped. Like anyone, you have to prioritise, and these are highly stressful situations and things that people don't always want to constantly talk about all the time.*

[Stakeholder]

*“ They're not ready. They may be frightened to go to court for, for repercussions - not just the perpetrator, but from family members as well.*

[Stakeholder]

### **Pressure to focus on internal targets rather than victim-survivor needs**

Stakeholders felt that pressure was placed on probation to turn over fast Pre-Sentencing Reports (PSRs) for DA cases, which compromised the quality of PSRs.

*“ In other courts, they are sometimes doing oral reports in DA cases, is kind of very short, oral reports and they're not always getting that background information.*

[Stakeholder]

Many felt PSRs for DA cases in standard courts did not provide magistrates and judges with enough information to properly assess victim-survivor risk when considering which bail conditions, orders and sentences might be most appropriate for the case. It was stated that magistrates in standard courts often made these decisions without referring to the perpetrator's offending or the call out history which led to them not properly assessing risks that certain options might pose to the victim-survivor's safety.

*“ Lots of courts won't listen to a call out history or any history between two people, or that perpetrator and another person, which informs risk. When you make your decisions you should make your decisions based on the whole picture.*

[Stakeholder]

### **Poor information sharing between agencies**

Poor information sharing and coordination was outlined as an issue facing criminal justice agencies in standard courts. Links between agencies were perceived as weak, and the process of criminal justice agencies accessing each other's databases was perceived as being slow and difficult. Often stakeholders were unsure who their points of contact were in other agencies and often reported having to continually chase for requested information.

*“ Just kind of tracking down who is the right police officer to speak to. And you know, you might email an officer in the case, get their email from the CPS papers to try and get call out detail from.*

[Stakeholder]

## Difficulties in providing specialist support for domestic abuse cases

Stakeholders saw an issue with DA cases being mixed in with other types of offences in standard court proceedings. No unique offence type exists for DA and instances of DA are listed under the names of offences such as 'common assault' and GBH. Subsequently, cases were perceived as difficult to track within this system and court staff tracking DA cases reported having to move between multiple courtrooms. Additionally, DA cases being mixed in with other offences meant that court staff were not given the opportunity to develop the necessary expertise and experience to understand issues that are unique to DA cases.

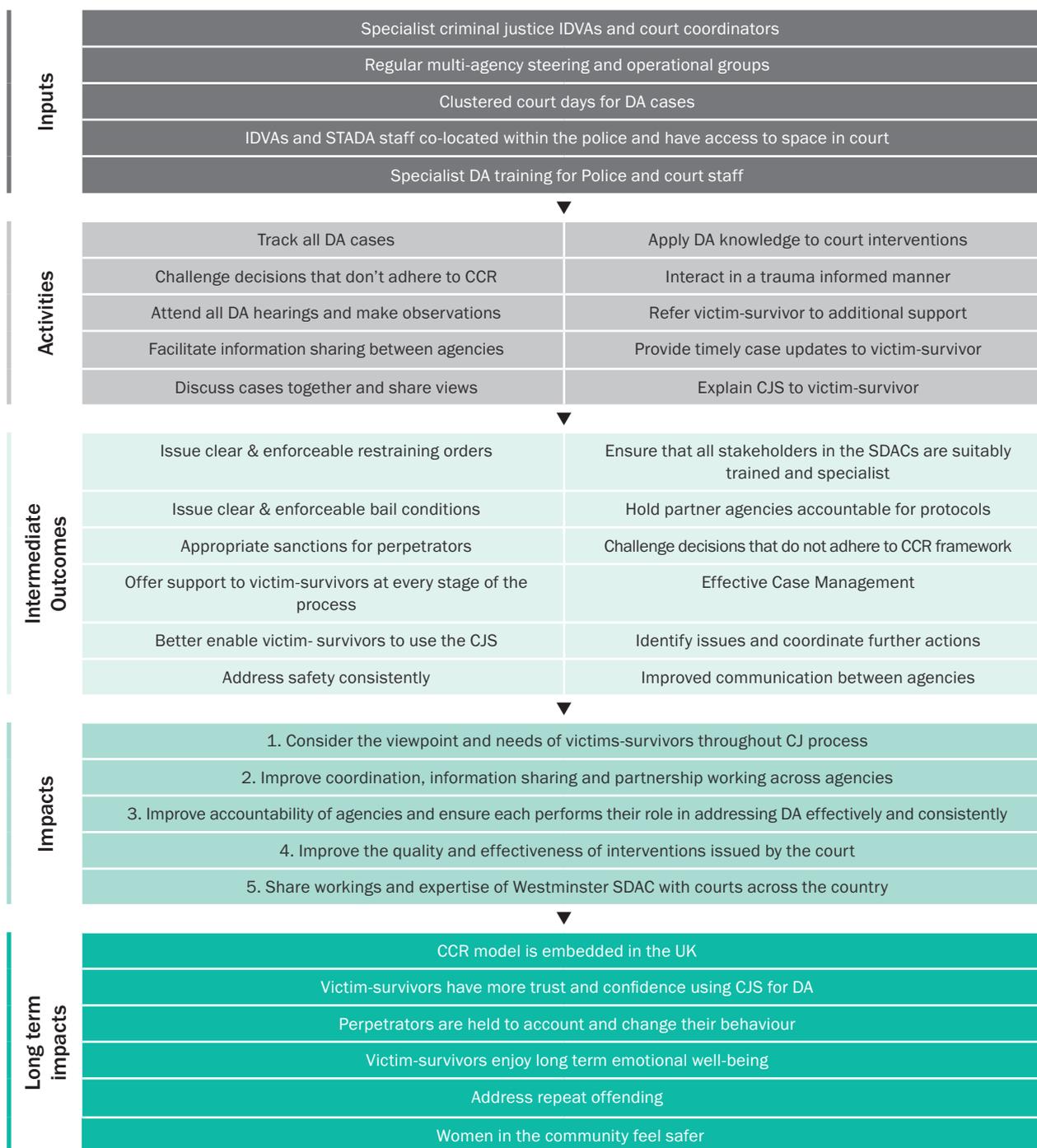
*“ You're not in a clustered court. Your case is just one of many with a prosecutor who could have... For instance, if it's coming in on a remand day you could be 30 cases on that remand day and yours is just one of them. So it's a churn. You haven't got a specialist prosecutor.*

[Stakeholder]

# 5. The Westminster SDAC Model

## A Theory of Change (ToC) for the Westminster SDAC model

The ToC was developed through synthesising the findings of the document review and interviews with stakeholders working within the SDACs. The ToC seeks to describe how the key elements of the model work together to achieve the SDAC’s intended impacts. The framework utilized in the ToC was guided by concepts developed by the New Philanthropy Capital (NPC).<sup>46</sup>



### Definitions

**Inputs:** The resources that go into the project that a team or organisation needs to be able to carry out its activities

**Activities:** The things that an organisation or project does or the way it chooses to deliver a project day-to-day. Activities are within an organisation or project's control

**Intermediate outcomes:** Products, services or facilities that result from an organisation or project's activities. These are often expressed quantitatively; for example, number of users, how many sessions they receive and the amount of contact they had with a project

**Impacts/ long term impacts:** Changes, benefits, learning or other effects that result from what a project or organisation does. These short-term steps will contribute to a final goal and may include changes in users' knowledge, skills, attitudes, and behaviour. A useful way to think about long term outcomes is the outcomes achieved after the project—what service users take away from.

## Key elements of the SDAC model

This section elaborates on the ToC through describing the key elements of the SDAC model and details how these elements operate to achieve impact. Stakeholders and victim-survivors perceived the provision of a court coordinator, the provision of dedicated and trained court staff, regular multi-agency steering and operational groups, the provision of specialist criminal justice IDVAs and DA cases being heard on clustered court days as the core features through which the SDAC model achieved impact.

### The court coordinator

#### *Improved information sharing*

The activities carried out by the court coordinator were perceived to be of central importance to the SDAC model creating impact. Impact was achieved through the coordinator ensuring all agencies had access to essential information about cases by packaging this information into prep sheets and circulating these in advance of court hearings.

*“ I will send out the prep sheet before the court date, and then on a morning we just go up into their room, on the morning of the DA court. We will go up to their room and just basically say, “Have you got any questions, is there anything that you need from me?” Just making them feel like we are part of their team, I think, is huge.*

[Stakeholder]

The court coordinator facilitates information sharing between key agencies and helps to share essential information with agencies through being able to access key databases within the court system and police. External stakeholders felt that this worked to speed up the information sharing process, helped to relieve some of their internal workload and helped them feel more prepared for court.

*“ The court coordinator is not passive in terms of waiting for information. They will chase up if something is not right.*

[Stakeholder]

#### *Tracking cases and improving accountability*

An additional benefit of having a court coordinator in place was that they were able to keep track of all cases listed on SDAC court days from start to finish and identify any gaps in service provision. Coordinators attended all SDAC days in person and completed observations of court outcomes as well as assessing how well the SDAC model was adhering to the CCR framework. Several stakeholders thought this worked to foster more accountability between different agencies, as the coordinator would often follow up on instances where they thought practice and decisions could be improved.

*“ We’re tracking those cases through the whole history of that case we can see where the mistakes happen, where the gaps are. What we do in that specialist court is fill those gaps and make sure that everything... Instead of a jigsaw puzzle with pieces missing, all our pieces are in place.*

[Stakeholder]

#### *Improving victim-survivor safety*

The court coordinator’s activities were perceived to facilitate better decisions and recommendations from court staff regarding orders and sentencing. This arose from the fact that the court coordinator helped staff access more information about cases such as the perpetrator’s call out history with the victim-survivor and other partners, the perpetrator’s offending history and information about the victim-survivor and perpetrator from other services.

*“ We tend to be more likely to get call out information. So we tend to have a sort of a better perspective on kind of, you know, is this sort of the tip of an iceberg. Obviously, we know that a lot of DA goes unreported anyway, so that’s always kind of a something we would bear in mind when making the assessments*

[Stakeholder]

The court coordinator was perceived to play an important role in ensuring victim-survivor safety by advising what restraining order conditions were suitable for each case. Coordinators reported working closely with IDVAs and victim-survivors to identify what conditions would mitigate risks and be feasible to enforce.

“ If they want a huge area to be included on the restraining order and we think, “Oh, actually, it is very unlikely that they are going to get that”, because it has to be reasonable and the courts, we have seen it a lot in courts where they have said, “No, it has to be a smaller area.” So we could then go back to them and say, “Okay, we will ask for this, but if they want a smaller area, what is the smallest you would go?”

[Stakeholder]

### **Dedicated and trained court staff**

Many stakeholders thought a distinctive and impactful aspect of the model was that cases were being handled by a dedicated prosecutor, a dedicated probation officer and by dedicated magistrates with significant experience and expertise dealing with DA issues and dynamics as well as an awareness of the impact of trauma on victim-survivor's experiences.

#### ***Improving victim-survivor experience***

Victim-survivors who had attended court provided positive feedback around the conduct of court staff, stating that they were respectful towards them and helped them feel more at ease in the courtroom.

“ The staff there in general, they were really reassuring to me, they were comforting, they would check in on me, they were polite, they were kind.

[Victim-survivor]

#### ***Applying expertise to decisions***

Improved awareness of DA issues from court staff was perceived to improve the quality of recommendations and interventions issued by magistrates and probation. Court staff were able to draw on training to better identify important information when assessing victim-survivor safety during proceedings.

“ If you've got an engaged management, local management, which we do have, we've had access to prosecutors and been able to give them that training. So, that has given them the kind of resource that they need to do a good job.

[Stakeholder]

### **Regular multi-agency steering/operational groups**

The provision of regular court management steering and operational groups was identified as a key aspect that helped the SDACs to create impact. These groups met regularly to discuss court practice and included representation from all key statutory and non-statutory agencies as well as from governing authorities.

#### ***Improved multi-agency working***

Groups were seen to facilitate a space where different stakeholder perspectives could be heard and also helped to maintain good stakeholder communication and partnerships through regular meetings. Several participants also felt groups helped to resolve conflicting motivations and aims between agencies as the meetings placed the key focus on discussing the wellbeing of victim-survivors and how each agency can each contribute to achieve that.

“ Being part of that operational group, and the ability to be part of those discussions and hear what people are saying and get different perspectives, means that they will then take away other information.

[Stakeholder]

### **Improved accountability**

Stakeholders thought these meetings promoted accountability between stakeholders as how to promote best practice around implementing the CCR framework was discussed and issues were raised and resolved.

“ *The SDAC framework has really sort of empowered us as stakeholders to say, well, actually no. It’s not appropriate to do the reports in that format, and you know ‘cause I know that my colleagues in SDAC from other agencies will back me up on that if I am under pressure, you know, and they will perhaps raise concerns if they see something like that happen.*

[Stakeholder]

### **Provision of specialist criminal justice IDVAs**

#### **Dedicated role in SDACs**

Stakeholders felt that the SDAC model's IDVA service was distinctive from IDVA services in other courts due to IDVAs working in the clustered court setting and their close partnership with STADA court coordinators. This resulted in IDVAs gaining specialist knowledge of the workings of the Westminster SDAC model as well as garnering significant experience with victim-survivors using the court and the issues that they typically face.

“ *The Impact Project that’s been at Hammersmith has had criminal justice IDVAs and we’ve shown that you get better engagement and consistency and everything if you’ve got the same person going in.*

[Stakeholder]

Victim-survivors in the SDACs are referred to an IDVA immediately after a charge has been made, an earlier point in proceedings than in standard courts. It was felt that having IDVAs handling communications with the victim-survivor from early on in proceedings instead of the police improved victim-survivor engagement from the onset, as victim-survivors were reportedly often mistrustful of police conduct.

“ *We’ve noticed that, quite often, victims won’t respond to the police because of who they are. Therefore, if the police can refer to the IDVAs then you’ll get a better response and engagement out of the victim because of that.*

[Stakeholder]

Speedy referrals within the SDAC are facilitated by the co-location of the SDAC specialist criminal justice IDVAs and court coordinators within the police station which enabled close partnership working between STADA, Advance IDVAs and the police.

“ *We sit here co-located, we’re vetted like any other police officer. What we’re doing is saving that police officer time in doing that.*

[Stakeholder]

#### **Assisting victim-survivors to engage in the criminal justice process**

The role of the IDVA is perceived to be central to improving victim-survivor engagement during the SDAC process. IDVAs facilitated better flow of information to and from the victim-survivor, ensuring victim-survivor wishes were heard and implemented in court and ensuring that the victim-survivor was also kept up to speed with their case in real time. Victim-survivors felt IDVAs were easy to contact if they had any questions and acted pro-actively when resolving their requests.

Stakeholders felt that another important part of the IDVAs’ role was to help the victim-survivors understand what would happen during the CJS so that they could have a clear idea of what was happening and what to expect later on in the process. Victim-survivors reported that having accurate expectations of the process had been valuable in encouraging them to continue with their case.

“ *She was there and she rang me. I mean, I knew everything before the police rang me from the IDVA, everything.*

[Victim survivor]

Several IDVAs felt an important component of their role was to support victim-survivors to engage further with the court process by encouraging them to proceed with and submit victim impact statements. These statements were seen to impact positively on court outcomes as they prompted the court to consider the victim-survivor's perspective when issuing or recommending court orders and sentences.

*" I think that we have to strike a balance between protecting the victim and just giving her a platform to be heard in court. I can tell that most of the cases that are in the domestic abuse court involve reading the victim impact statement as standard. It's powerful, because then probation will give a recommendation.*

[Stakeholder]

#### **Victim-survivor safety**

IDVAs were seen to play a crucial role in ensuring victim-survivor safety by assessing risk and assisting with safety planning early on in the court process. This supported victim-survivors to access special measures early on in the process, such as screens, separate entrances and separate waiting rooms whilst attending court.

*" Yes, so I was able to come through a side entrance...I was put in separate rooms, and they would come and check on me often...Yes, they were good like that, I can't fault them for that.*

[Victim-survivor]

Victim-survivors also reported that IDVAs had helped them to feel safer from perpetrators outside of court by facilitating access to measures such as providing an alternative special phone to assist with contacting police urgently, enforced doors for their homes and panic buttons.

*" I mean, also, I had an alarm in the house, you know, like a panic button and I also had one of those fake mobile phones that I could carry, so I could press that if anything happens.*

[Victim-survivor]

#### **IDVA presence in court and emotional support**

Victim-survivors emphasised the importance of receiving emotional support from IDVAs whilst going through the court process and stressed the value of being able to speak to someone who understood their situation. IDVAs being present at hearings and whilst victim-survivors were waiting to go into hearings was seen as immensely valuable and resulted in victim-survivors feeling more supported in the courtroom.

*" They have been absolutely amazing, explaining everything to me and just sitting in the waiting rooms with me and making sure that I'm okay, and giving me encouragement and strength to reassure me that it's okay.*

[Victim-survivor]

#### **Referring victim-survivor to additional services**

IDVAs felt an impactful aspect of their role was helping victim-survivors to access additional support services through their referral. After an initial assessment, IDVAs could refer victim-survivors to emotional support services as well as services such as housing services and financial support. It was felt that additional support helped to mitigate practical and emotional barriers victim-survivors experienced proceeding with their case.

*" If they disclose that they're having depression and anxiety, then we can look into suggesting it...otherwise housing is a big issue, social services and financial support they can be quite daunting as well, so these are the main areas that we work with. And if the criminal justice as a route is not working - we look at the civil law now.*

[Stakeholder]

## Clustered court days

Cases being heard on clustered court days was perceived by stakeholders to increase the impact of the model. DA cases were all listed together in the SDACs which made it easier to track DA cases as they progressed through the court. A further benefit of this is it allowed court staff to gain significant understanding of and expertise dealing with DA issues due to experience they gained working on many DA cases consecutively.

*“ We’re going to have a specialist court on a Tuesday, all our cases are going to be clustered into that court and the listing framework is designed by HMCTS to facilitate that. The partnership go back to the police and say, Right, all your DA cases, you flag them, they’ve got to be listed in this court on this day. The police set that up to happen.*

[Stakeholder]

## What changes to the model have the potential to improve impact?

### Longer term funding

Stakeholders suggested a range of changes that could improve the impact of the SDAC model. A key need that emerged in terms of facilitating improvements to the service was for the model to receive longer term secure funding.

*“ Better, more intense, better support of funding, longer-term funding so that you don’t have a switch-around all the time. I wouldn’t want a court to close, causing victim-survivors to have to travel miles.*

[Stakeholder]

### Increasing court capacity

Stakeholders suggested that additional funding could be used to expand the current capacity of the court so that more cases could be taken on and less DA cases would have to go through standard proceedings. Stakeholders suggested this could be achieved through expanding the current number of clustered court days from 2 to up to 5.

*“ It’s not a criticism of the SDACs but I think it’s only two days a week and we would like it for five days a week really. Because there are many cases that don’t, especially those [perpetrators] who remanded in custody for court in the morning, we have no control over that and the possibility is unless it’s a Tuesday or Thursday.*

[Stakeholder]

Some stakeholders expressed an aspiration to broaden the reach of specialist criminal justice IDVA service to male victim-survivors. Although there have been some instances of male victim-survivors using the SDACs, these service users are typically supported by a witness care officer and cannot access specialist criminal justice IDVAs due to the fact that Advance only supports women. Expansion could be achieved through resourcing a specialist IDVA from another agency which works with male victim-survivors.

*“ Having said that, Advance do not support male victim-survivors. So that is a little bit of a spanner in the works.*

[Stakeholder]

Currently local services, including the police, are aware of referral pathways for male survivors of domestic abuse and regularly refer to appropriate support services. STADA, in their role as coordinators, work closely with the police and local support services to ensure that male survivors are able to access support through the CJS.

## Expanding safety provisions

Several stakeholders thought expanding the provision of special measures available to victim-survivors could improve the SDAC model. Suggestions for improvements included always being able to offer to pay for taxis for victim-survivors to take them to and from court hearings so they wouldn't have to worry about the risk of encountering the perpetrator when arriving at or leaving court.

*" I'd want resources to pay for them to have taxis and stuff like that, but I think this is part of the thing, is that partnership working is not costly.*

[Stakeholder]

## Increasing number of dedicated staff

Many felt the model could be enhanced by providing more staff with special expertise in DA issues such as instating a permanent legal advisor specialising in DA issues to provide advice to magistrates. It was also thought that the model could benefit from additional specialist criminal justice IDVAs being brought into the service which would help expand the court's current capacity and increase the quality of support offered to victim-survivors.

Stakeholders thought the service could benefit from having a dedicated officer within the police to take the victim-survivor's initial statement of the reported offence. It was felt the officer could draw on specialist knowledge of DA during interactions and would also ensure that initial victim-survivor statements were taken in time for the case to progress.

*" The officer in case has to be more dedicated. I don't even know how that would work because that's the stress with so many things that have to do because like you do it, taking the full statement on time or so during the victim-survivor personal statement, giving their information.*

[Stakeholder]

## Establishing a presence in the Crown Court

Several stakeholders felt that the impact of the SDAC model could be enhanced by allowing IDVAs to establish a presence in the crown court. More severe SDAC cases are typically sent to the crown court for sentencing following an initial hearing in the SDACs, after this point cases are no longer within the scope of the Westminster SDAC model. IDVAs expressed that it often became difficult to follow the progress of cases once they were sent to the crown court from the magistrates court for sentencing. The SDAC model has not been implemented in the crown court, thus IDVAs and Court Coordinators do not directly attend hearings and are updated on the progression of cases by statutory staff at the crown court. Information on cases was often not fed back to IDVAs by the crown court in a timely fashion, and sometimes the outcomes of hearings were not fed back at all. This could create situations which compromised victim-survivor safety such as victim-survivors not being informed of perpetrator's release from custody.

*" Another issue that we do have is when a case is gone to the crown court we kind of lose track of it. So if someone is gone to the crown court for sentencing, for example, they sentence within 28 days. And then you know, we don't know what, when, where, how.*

[Stakeholder]

Some stakeholders thought that elements of the SDAC model should be implemented in the crown court such as providing specialist training for court staff on dealing with DA. It was felt that this would improve the quality of current orders and sentences issued by the court.

*" Again with the crown courts. They tend to give orders for five years, for example, I had one who has perpetrated very serious, serious assault in the crown courts. He had a five year restraining order, but he was in prison for 3 1/2 years. So you know, that's a year and a half earlier when he's released from prison. So it's kind of -they have better understanding of the risks and safety for the victim-survivor.*

[Stakeholder]

## Improving partnership working

A suggested improvement was to facilitate more direct communication outside of the courtroom between key partners such as enhancing the direct channel between IDVAs and the CPS. Stakeholders felt that this would be beneficial in speeding up communication between the victim-survivor and their representation as well as helping the CPS to achieve their own commitment towards working more closely with IDVAs.

*“ We’d like to know who are the prosecutors? What are the contact details? ...It also says in the CPS guidelines that CPS should work more closely with IDVAs - it makes such a difference. ‘cause sometimes it’s last minute in court and we can’t speak to them because the defendant is there.*

[Stakeholder]

## 6. What external factors have facilitated or obstructed the development of the model?

This section will focus on how the workings of the SDAC model have been impacted by factors such as support from statutory partners, availability of funding, staffing, local policies and COVID. It is hoped that the findings of this section can contribute to the Mentor Court Project by helping to guide the replication of the SDAC model elsewhere through examining how external factors have influenced the development of the model.

### Engaging statutory agencies

The support of statutory agencies for the model was identified as a factor which had obstructed and facilitated the workings of SDAC model. Most stakeholders agreed that buy-in from agencies was essential for the SDAC model to operate given that that multi-agency and partnership working is the central principle of the CCR framework.

*“ In an actual fact, we’re in a situation where we want to do ourselves out of a job. Nothing pleases me more, I guess, when I’m sitting in court and I see a prosecutor talk to a probation officer, who then goes and talks to the IDVA, and together they make a decision. I don’t want to be involved in that. I think my job is done by bringing them together, if you see what I mean.*

[Stakeholder]

Without buy-in, non-statutory partners stated it could be difficult to challenge the rationale behind statutory agencies’ decisions and alluded to being met with hostility if it was suggested certain decisions be reassessed. Reluctance to re-do work and detachment from the victim-survivor’s perspective by staff in statutory agencies were highlighted as barriers to achieving more accountability within the SDACs.

*“ It’s making everyone sit round the table, listen to the people who have the information and the expertise, and actually fix something.*

[Stakeholder]

Stakeholders anticipated that engaging agencies could pose a challenge to implementing the model in other courts. It was felt that getting staff working at other courts to listen to and understand the key benefits of the SDAC model could be difficult due to resistance to ‘breaking the status quo’ and adopting the policies of another area.

*“ We’re just hitting a little bit more resistance just because they don’t know Standing Together and they have not had court- coordinators before. They have not had involvement with our service, although they do have a specialist court so they’re kind of like that used to their way of doing things.*

[Stakeholder]

### Strongly embedded partnership working

Most felt that the effectiveness of the model had improved over the years due to strong partnerships being consolidated over time and SDAC model becoming strongly embedded in partner services.

*“ One of the good things about having a dedicated DA court and such a strong framework in place is that it is actually very difficult for them to withdraw. Because the stakeholder relationship is so strong and the terms of reference they can’t really derogate from.*

[Stakeholder]

Stakeholders acknowledged that SDACs can take years to establish as it takes time to develop strong stakeholder partnerships and for dedicated members of staff from non-statutory agencies to become truly embedded in and essential to statutory partners. This was not seen as an easy task and was perceived to require a lot of dedication from staff across agencies.

“ *We are good as a partnership because we have this specialist court framework, it’s easier for everyone to be able to pull that together. When I’ve gone out and had a look, there is a lack of that elsewhere. People will struggle to keep those partnerships together.*

[Stakeholder]

## Buy-in and mentality towards the objectives of the model

Many stakeholders felt an important enabler was that staff and agencies within and in partnership with the SDACs genuinely believed in and were committed to delivering the model’s intended aims.

“ *I think there’s so much value in having people involved with processes like this and just in general with things related to domestic abuse who actually want to be there and believe in what we’re doing.*

[Stakeholder]

Delivering the CCR framework should also be underpinned by partners having a solid understanding of what the framework is and what it seeks to achieve.

“ *I feel like it is really important to make sure that people have got that knowledge about kind of why things work the way that they do and why the framework is the way it is and what the benefit is.*

[Stakeholder]

## Availability of funding

Lack of adequate and secure funding was a perceived obstacle to further development of SDACs. Stakeholders felt that it might be difficult for new sites to secure the same level of support as the Westminster SDACs as their initial funding may not be sufficient to cover the core elements of the model.

“ *It might not be possible for everyone to go back to their area and have the exact replica of what we have here. Because we are lucky to have funding for coordination.*

[Stakeholder]

## Access to dedicated facilities

HMCTS and the police were perceived to have facilitated the development of the SDACs through providing non-statutory partners with access to dedicated facilities. Buy-in from HMCTS was essential for allowing clustered court days for DA cases.

“ *You have to cluster cases for it to work properly because if you’ve got cases all over the place that’s not going to work, how can you track them, how can you have your IDVAs?*

[Stakeholder]

Stakeholders also felt the development of the model had been enhanced by HMCTS allowing non-statutory staff access to a dedicated space within the court house to work from. This provided IDVAs with a confidential space where they could make phone calls to victim-survivors and partners. This was seen as instrumental in allowing timely communication with the victim-survivor from court by protecting the IDVA’s identity from the perpetrator and their representation within the court which also protected victim-survivor safety.

“ *Having a place in the court where we can keep the folders or we can just meet so that you know we can plug in our phone or we can just coordinate around restraining orders... because we can't do it in open quarter because the perpetrator will be there.*

[Stakeholder]

Having the opportunity to co-locate specialist SDAC stakeholders within the police station was identified as an important facilitator to the SDACs functioning successfully. It enabled regular communication between the SDAC team and the police, speeding up IDVA referrals and the flow of information for DA cases.

“ *Because of the way that we're set up, we've got the co-location, we are able to get information on call out history and everything much quicker than would ordinarily happen. Because of the set-up that we've got and the agreement with our police officers and information sharing and everything, we will get that information to them much quicker if it's related to our cases.*

[Stakeholder]

### Access to statutory databases

Buy-in from the police was also seen as vital in terms of underpinning information sharing in the SDACs. Police vetting and multi-agency information sharing agreements enable the court coordinator to access their databases on cases and share information with other agencies. This was seen to greatly speed up the information sharing process.

“ *Currently they enjoy access to our crime databases and our case file build systems and that is key, because if they're sitting in court they need to access information in real time now.*

[Stakeholder]

### Agencies working together to ensure cases are heard in the SDAC

Many felt that the CPS was valuable to the SDAC model in terms of ensuring that appropriate cases were referred into the service.

“ *We have got a really good manager of our Crown Prosecution Service, if we are trying to get a DA case into the DA court and we are getting some pushback from the list caller... he is there to step in.*

[Stakeholder]

Police engagement was also highlighted as important in ensuring that cases were referred to the SDACs. Instances of this included the police informing STADA staff of the DA cases coming into custody which allowed STADA staff to work out if the case had been known to the SDACs previously and know in advance which officers to contact.

“ *Again, they can have an early heads up in terms of what is in custody, who is in the cells, they have details of the allegation they have. Yeah, so that that can enable them to target relevant officers or supervisors, and especially where to give perhaps early advisor engagement if they're known to the SDAC in the past. For instance, they may contact the officer just to highlight something.*

[Stakeholder]

## Staffing

### Staff experience

Many participants felt that employing staff with significant knowledge of and experience with DA had helped to facilitate the Westminster SDAC model's success as they were able to bring and share their knowledge of DA with the service.

*" Making sure you have trained staff, qualified staff that you know has that understanding of domestic abuse? So it's just, you know, just making sure that people are fully aware of the risks.*

[Stakeholder]

### Staff in place for long tenure

Stakeholder felt that having staff in both statutory and non-statutory agencies in place for long tenures had enabled them to gain significant experience and familiarity with the SDAC model and had helped to establish it.

*" We've been doing it for so many years that usually, when somebody presents a problem, we'll have probably experienced it, worked it out. Not necessarily always effectively, but we'll have ideas, and people will be able to learn from our experiences.*

[Stakeholder]

### Staffing issues

However, several stakeholders voiced that statutory agencies often experienced staffing issues which had obstructed the development of the SDAC model. Stakeholders voiced frustrations that partner services were sometimes difficult to contact due to the fact they were under-resourced and experiencing a high volume of cases, and that this could hamper the workings of the SDAC model through obstructing information sharing and victim-survivor access to special measures in court.

*" Yeah, they're really good sometimes, but sometimes they're completely disengaged. Sometimes we spent the afternoon trying to call them.*

[Stakeholder]

### High staff turnover

Stakeholders felt that a number of staff within statutory agencies did not remain in place for enough time to develop the necessary expertise around DA needed for the model to function well. Training new staff was seen as costly and not particularly valuable due to staff not staying in post long.

*" I think they are going through a stage where they are understaffed and struggle to resource attending meetings like this.*

[Stakeholder]

## Inconsistent policies across different areas

Stakeholders felt that variation in provision and policies between different areas could be an obstacle to rolling out the SDAC model elsewhere. Several felt roll out of the model elsewhere would be obstructed by authorities not putting in place a policy of co-location between IDVAs and the police. It was also noted that local authorities have different existing provisions for victim-survivors.

*" So basically it's which model you are using, how good the person who is there, and how the monitoring is taking place. So there's a lot of things that need to be in consideration.*

[Stakeholder]

## Ongoing effects of COVID

COVID restrictions were also perceived to have had an adverse impact on partnership working within the court. Staff from different agencies were no longer in regular proximity to each other which was seen to undermine information sharing and close working relationships. IDVAs in particular felt that the pandemic had affected their ability to work closely with the police, due to co-location not being possible.

“ *Being based in this police station just makes it a lot easier to build positive relationship with officers, to ensure the best outcome for victim-survivors, this has not been possible during COVID.*

[Stakeholder]

The impacts of the pandemic has also prevented other courts and authorities from visiting the Westminster court and gaining insight into how it operates which has obstructed the model being implemented more widely.

“ *Of course, we envisaged that a lot of the work would be physically coming to court and seeing the courts. We still do believe that, but, of course, COVID has changed the way we view things, quite a lot.*

[Stakeholder]

## 7. Conclusions

Overall, stakeholders felt that the SDAC model worked effectively to address many issues faced by CJS agencies and victim-survivors in standard courts.

- The SDAC model was perceived to improve victim-survivor engagement with the CJS as well as improve the management of risks victim-survivors faced inside and outside the courtroom.
- The model was seen to facilitate better information sharing and partnership working between key statutory and non-statutory agencies. This, coupled with CJS staff possessing a better understanding of DA issues and trauma, led to court staff issuing better recommendations and interventions for DA cases.
- Moreover, stakeholders felt that the SDAC model fostered better accountability between agencies regarding how well they were performing their role in addressing DA and implementing the CCR framework.

Several core elements of the model were identified as facilitating its impact.

- The role of the court coordinator was essential to ensuring CJS agencies could access key information about cases, tracking cases throughout the system, ensuring accountability from court staff and providing advice on court orders.
- Staff expertise and training in DA issues was also perceived to contribute to victim-survivors having better experiences of court and to strongly factor into better court decisions being reached.
- Multi-agency steering and operational groups promoted better partnership working and accountability by allowing agencies to discuss cases all together and raise issues.
- Specialist IDVAs were seen as crucial in terms of supporting the implementation of safety measures in place for victim-survivors, helping them to engage in the CJS, emotionally supporting them throughout the process and linking them up to additional support.
- The clustered court format helped to enable tracking of cases and enabled court staff to gain significant experience working on DA cases.
- The co-location of the IDVAs and court coordinator in the police station was seen as important in facilitating strong partnerships between agencies as well as better information sharing between IDVAs, STADA and the police.
- A dedicated space in court for IDVAs and the court coordinator to use enabled better communications with victim-survivors from within court and ensured IDVAs remained anonymous to perpetrators and their representation whilst present at hearings.

The development of the SDAC model was perceived to be facilitated by buy-in from key statutory agencies, strongly embedded partnership working, staff being in place for long tenures, staff commitment to the model, staff expertise in DA, a policy of co-location and access to court facilities.

Limited funding to cover the core elements of the model, lack of buy-in from agencies, high staff turnover, inconsistent policies across areas and the effects of COVID on court operations were perceived to obstruct the development of SDAC model in Westminster and elsewhere.

A number of potential improvements to the model were suggested.

- A need that emerged was making the SDAC model available to more victim-survivors. It was suggested that this could be achieved by expanding the number of clustered court days and expanding the provision of the specialist IDVA service to male victims.
- Several stakeholders suggested expanding the number of dedicated staff working in the court as well using additional funding to provide more safety measures for victim-survivors.
- Stakeholders saw a difficulty with tracking cases and supporting victim-survivors if their cases were sent to the crown court and felt that efforts should be made to improve communications with the crown court and establish more of a presence for IDVAs there.
- Several non-statutory stakeholders felt that communications and partnership working with some statutory agencies could be improved.

### **Our next steps**

It is hoped that the conclusions of this evaluation can be applied to develop the workings of the Westminster SDAC model through highlighting areas for optimisation. Our findings enhance the current evidence base around SDACs and can be utilised to map and enhance SDACs elsewhere in the UK through identifying the key elements of the model, positing how they work to achieve impact and understanding how external factors have facilitated and obstructed the development of the model in Westminster.

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### Written by:

Hannah Jeffery, Lucy Slade and Stephen Whitehead

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