

'A safe place and a safe time'

Providing effective advocacy to Black and Minoritised victim-survivors of domestic abuse and harmful practices in contact with the criminal justice system



Executive summary

Victim-survivors of domestic abuse* and harmful practices** who are also in contact with the criminal justice system (hitherto known as 'victim-survivors') often either choose to withdraw their case or see their cases dropped by criminal justice agencies. It has been evidenced that Black and Minoritised victim-survivors may face even greater barriers to participating in the criminal justice process than their white counterparts, due to (i) the fear of, or actual reprisals from, community members should they report domestic abuse; (ii) having additional language needs; and (iii) issues with their immigration status.

However, it has been recognised that specialist support from advocates can help mitigate these barriers for Black and Minoritised victim-survivors. This research project explored (i) the value of specialist advocacy for Black and Minoritised victim-survivors; (ii) how these advocacy services support Black and Minoritised victim-survivors; and (iii) the barriers they encounter in doing so.

The Centre for Justice Innovation conducted a rapid evidence and policy review, along with nine interviews and a workshop with practitioners working in specialist domestic abuse and harmful practices advocacy about their experiences of supporting victim-survivors.

Findings

► Black and Minoritised victim-survivors often don't prioritise reporting abuse

Reporting abuse to criminal justice agencies is often not a priority for Black and Minoritised victim-survivors who have more pressing needs around accessing accommodation, safety planning, accessing employment, and receiving emotional and mental health support to help them cope with their experiences. Black and Minoritised victim-survivors with issues around mental health or substance misuse may be more reluctant to engage with the criminal justice system due to fear that these issues will undermine their credibility. Consequently, Black and Minoritised victim-survivors may not prioritise engaging with the criminal justice system until their other needs have been resolved. If these more urgent issues are not addressed their unmet safety and support needs can often make it difficult for Black and Minoritised victim-survivors to engage with the criminal justice system, even if they would otherwise choose to.

► Black and Minoritised victim-survivors may face additional barriers which make them less likely to report abuse

Black and Minoritised victim-survivors often report negative experiences and perceptions of public services which can lead to a reluctance to report abuse to the criminal justice system. Cultural and religious factors can also act as barriers, making it more difficult for them (i) to challenge assumptions around marriage and gender roles; (ii) to identify domestic abuse and harmful practices; (iii) report it, for fear of being cut off from their community. Additionally, Black and Minoritised victim-survivors are more likely to not have English as a first language, to fear deportation where they have with no recourse to public funds and have an increased level of economic dependency on the perpetrator and wider family. Black and Minoritised victim-survivors with intersecting identities relating to sexual orientation, disabilities and neurodiversity may struggle to access specialist support which accommodates all their needs.

* 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. 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.

** 'Harmful practices' refers to persistent practices and behaviours that are grounded on discrimination on the basis of sex, gender, age and other grounds as well as multiple and/or intersecting forms of discrimination that often involve violence and cause physical and/or psychological harm or suffering.

► **The criminal justice system creates additional barriers to engagement for Black and Minoritised victim-survivors**

Once in contact with the criminal justice system, victim-survivors face a range of barriers to engaging with the system. Victim-survivors often face long wait times, repeated adjournments and inconsistent communication from criminal justice agencies. In addition, Black and Minoritised victim-survivors often report experiencing culturally insensitive conduct from professionals and a lack of trauma-informed practice which can increase their risk of re-traumatisation. It can be difficult for Black and Minoritised victim-survivors to access consistent support for additional language needs throughout the system. Additionally, Black and Minoritised victim-survivors may face risks of intimidation from the perpetrator and other community members during the pre-court process as well as having to encounter the perpetrator at court.

► **Specialist advocacy services provide holistic support to Black and Minoritised victim-survivors**

Support often begins by helping Black and Minoritised victim-survivors to recognise domestic abuse and harmful practices, safety planning and linking victim-survivors up with relevant agencies to support them with their other needs. Once in contact with the system, specialist advocates explain the system to Black and Minoritised victim-survivors, help them access interpreters and special measures, liaise with and relay information to criminal justice agencies on their behalf, and provide emotional support with police interviews and in court. Several services provided specialist mental health support, language provision and support to Black and Minoritised victim-survivors with no recourse to public funds.

► **There are numerous barriers to providing this support**

Practitioners within specialist advocacy services reported having a lack of access to training in criminal justice processes, which can create difficulties navigating the system. Practitioners within specialist advocacy services also reported a variety of funding and resourcing challenges. Practitioners further reported that communication and coordination from criminal justice agencies was poor and thought that this often compromised the quality of support they could offer to Black and Minoritised victim-survivors.

Conclusions and recommendations

Our report identified a range of ways in which the current provision of advocacy to Black and Minoritised victim-survivors can be improved:

- 1 Enhance partnerships and coordination:** Partnerships between criminal justice agencies emerged as an obstacle for practitioners working with victim-survivors more generally. Practitioners felt that the police and Crown Prosecution Service (CPS) should engage more with advocacy services in their local areas.
- 2 Revive Specialist Domestic Abuse Courts:** The revival of a Specialist Domestic Abuse Court model nationally could improve coordination and partnership working between criminal justice agencies, as well as improve the experiences of Black and Minoritised victim-survivors.
- 3 Specialist criminal justice training for advocates:** Criminal justice agencies should seek to engage more with specialist advocacy organisations who work with Black and Minoritised victim-survivors and seek to share knowledge and resources about the criminal justice system with them.
- 4 Train statutory agencies in culturally sensitive practice:** Practitioners also felt that professionals within criminal justice agencies would benefit from more training around domestic abuse and harmful practices more generally, and culturally sensitive practice which would especially assist Black and Minoritised victim-survivors.
- 5 System-wide secure funding:** The provision of increased funding for specialist advocacy services and adjacent services also emerged as a key need that would allow Black and Minoritised victim-survivors to access culturally sensitive support for all their needs.
- 6 Longer timescales of support:** Many advocates are funded to provide short-term interventions to victim-survivors in high-risk situations, even though a victim-survivor may be in contact with the criminal justice system for years if their case goes to trial. Advocacy services should be funded to provide longer-term support to victim-survivors in contact with the criminal justice system.

Black and Minoritised victim-survivors

We acknowledge that the language around ethnicity and ethnic groups can be sensitive and particularly tricky to get right. In this report, where possible, we have referred to specific ethnic groups rather than using the umbrella term 'Black and Minoritised'. In some instances, we have not been able to do so because of limitations in the evidence we are referring to and instances in which interviewees talked about their caseload generally. For the purposes of this report, we have used the terms 'Black and Minoritised' to reflect only from a statistical point of view the smaller numbers of particular ethnic groups in England.

Further, we recognise that ethnic groups are not homogeneous in nature and respect the differences between and within different groups.

Harmful practices and honour-based abuse

The term 'harmful practices' developed as an alternative to 'honour-based abuse'. The use of the term 'honour-based abuse' is controversial and has been criticised for wrongly assuming that 'honour' and 'shame' drive all domestic abuse perpetrated in non-western cultures but can never play a role in driving domestic abuse in western cultures – sometimes referred to as the 'culturisation of domestic abuse'^{1 2}. Moreover, the term may reduce individual women and their experiences of abuse to their cultural background to the exclusion of other factors.

We have chosen to adopt the terminology 'harmful practices' in this report. However, some practitioners interviewed for this report used the term 'honour-based abuse' within their organisations; consequently, it features in some answers. 'Honour-based abuse' refers to domestic abuse which is perpetrated in order to protect the 'honour' of an individual, family or community and avoid bringing shame.³

Background

Victim-survivors of domestic abuse face complex barriers at all stages of the criminal justice system. These include: ongoing emotional and economic ties to the perpetrator; worrying for their safety should they report⁴; worries about not being believed by the police and on the witness stand⁵; and experiencing secondary victimisation through having to continuously recount experiences of abuse and encounter the perpetrator at court.⁶ Consequently, victim-survivors often choose not to report at all, not report again following a negative experience with the system⁷, or decide to withdraw their statement during the criminal justice process.⁸

A lack of understanding of domestic abuse and poor coordination between criminal justice agencies has been shown to hamper the processing of domestic abuse cases.⁹ Victim-survivors face long wait times coming to court, and often cases are dropped because an investigation has not been completed within a statutory time limit or they do not meet the evidential threshold for a charge to be made; such instances have undermined faith in the criminal justice system's capacity to address domestic abuse.¹⁰

Black and Minoritised victim-survivors in contact with criminal justice system

Harmful practices in Black and Minoritised groups

It has been recognised that Black and Minoritised victim-survivors may experience a greater prevalence of certain manifestations of domestic abuse, predominantly a set of behaviours that are referred to as 'harmful practices'. 'Harmful practices' refers to persistent practices and behaviours that are grounded in discrimination on the basis of sex, gender, age and other characteristics, as well as multiple and/or intersecting forms of discrimination that often involve violence and cause physical and/or psychological harm or suffering.¹¹

Criminal justice agencies have access to a range of guidance documents relating to harmful practices.¹² The information contains examples (although not an exhaustive list) such as: murder, unexplained death (suicide), fear of or actual forced marriage, controlling sexual activity, domestic abuse (including psychological, physical, sexual, financial or emotional abuse), child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment, forced abortion. However, the guidance has been criticised for not containing examples of activities or actions that may proceed harmful practices and increase the risk of harmful practices occurring.¹³

Prevalence of domestic abuse and harmful practices in Black and Minoritised groups

Recent data from the national crime survey showed similar rates of self-reported prevalence of being a victim of domestic abuse between ethnic groups in the year ending March 2022. The data showed that 5% of white adults over 16 self-identified as having been a victim of domestic abuse once or more, compared to 8.7% of mixed ethnicity adults, 3.9% of Asian adults and 5.9% of black British adults.¹⁴

Research on the experiences of Black and Minoritised victim-survivors seeking support and engaging with the criminal justice system

Barriers to seeking support and reporting

Emerging evidence suggests that Black and Minoritised victim-survivors may face greater barriers to accessing support for domestic abuse and harmful practices than their white counterparts. Black and Minoritised groups have historically experienced discrimination when using public services; this can take various forms including of experiencing racism, not being believed, language barriers and lack of culturally sensitive practice from professionals. Negative perceptions and experiences of public services may reduce confidence in the criminal justice system and the willingness to report.¹⁵

Cultural and religious factors may also present as barriers to Black and Minoritised victims seeking support. Victim-survivors may face ostracism from their family and community if they choose to leave the abusive relationship and fear spiritual consequences for dissolving a marriage.^{16 17} Black and Minoritised victim-survivors are also more likely to experience abuse from multiple perpetrators such as family members as well as intimate partners, adding a further layer of complexity to the process of seeking support. Cultural factors often intersect with language barriers – victim-survivors may be reliant on

interpreters to access support from services.¹⁸ Researchers have reported issues whereby the victim-survivor's interpreter is from the same cultural community as them which has led to them inhibiting disclosure when seeking support.¹⁹

Black and Minoritised survivors with uncertain status and no recourse to public funds face additional barriers to seeking support. Black and Minoritised victim-survivors in this group may have recently migrated to the UK through a spousal visa. This visa prohibits spouses from accessing public funds (such as welfare benefits) until they have lived in the country for two years. Consequently, if they flee an abusive relationship within this time, they are not entitled to any statutory support.²⁰ This presents a major barrier to women leaving abusive relationships and reporting domestic abuse and harmful practices, especially if they have children to support and cannot secure employment.²¹ Black and Minoritised victim-survivors do have the option of seeking a Destitution Domestic Violence (DDV) concession, but this only entitles them to public funds for three months. They are expected to find a place to live and employment within this timeframe.²²

Research has also shown that cultural factors can influence Black and Minoritised victim-survivors' engagement with public services in the UK as willingness to use support organisations is influenced by how services respond to domestic abuse and harmful practices in their country of origin. A study of Portuguese migrant women in the UK found that perceptions of domestic abuse services in Portugal impacted how these women navigated UK services;²³ women were less likely to engage with third sector agencies for support as that was not perceived as a mainstream response to domestic abuse in Portugal.

Barriers encountered once in contact with the system

Literature has documented that once Black and Minoritised victim-survivors are in contact with the system, professionals can be reluctant to engage with them due to attitudes of 'cultural privacy' and 'cultural relativism'. Such perceptions assume that domestic abuse and harmful practices are inherent to the culture of some ethnic minority groups and that intervention would imply disrespect for aspects of that particular culture.²⁴ Another problematic component of this view is the misconception that no dissent to domestic abuse and harmful practices exists within particular communities.

A recent report exploring Muslim women's contact with the criminal justice system found that police officers lacked the competency to be able to identify and safeguard victim-survivors experiencing or at risk of harmful practices. It also found that they lacked empathy in interactions with victim-survivors. Muslim victim-survivors also reported not being updated on the progression of their case by officers.²⁵

Although not specifically related to Black and Minoritised victim-survivors of domestic abuse and harmful practices, a recent research report exploring language barriers for people in contact with the criminal justice system found that those with English as a second language encounter additional barriers when in contact with the system. Notable barriers included: information about an individual's language barriers being lost whilst shared between agencies which could compromise the consistency of provision; a lack of standardised approach to assessing whether someone required an interpreter; a lack of training and awareness of the professional guidance around English as a second language amongst practitioners and the process of how to book interpreters; difficulty finding interpreters for rarer languages and dialects; a lack of knowledge of the criminal justice system amongst interpreters which compromises the support they could offer; varying quality of interpretation; and, a general shortage of written and website material available in languages other than English for people in contact with the criminal justice system.²⁶

Limitations of the evidence base

Research on Black and Minoritised victim-survivors in the UK to date has been limited, largely focusing on the experiences of South Asian women, Muslim women and women with no recourse to public funds.²⁷ Some critics suggest that the findings of these studies have been overgeneralised to victim-survivors from other Black and Minoritised groups and individuals with differing levels of acculturation.

Others have pointed out that existing studies of Black and Minoritised victim-survivors lack a consideration of the concept of intersectionality.²⁸ The concept of intersectionality, coined by Kimberlé Crenshaw, suggests that our unique and multidimensional identities result in some individuals experiencing differing and compounding forms of discrimination.²⁹ Consequently, little is known about how the intersection between ethnicity and culture and other identities may impact how Black and Minoritised victim-survivors engage with the criminal justice system. Moreover, the literature focuses predominantly on barriers to leaving a relationship and seeking holistic support as opposed to barriers to engaging with the criminal justice response to domestic abuse and harmful practices.

Policy and commissioning landscape

Recent policy commitments

The handling of domestic abuse within the criminal justice system has increased in salience as a policy issue in recent years. The signing of the Domestic Abuse Act (the Act) into law in April 2021 is a historically significant advancement in the protection of victims of domestic abuse. The Act implemented, for the first time, a statutory definition of domestic abuse and created the post of Domestic Abuse Commissioner for England and Wales to improve performance and 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.³⁰ The Act enhanced protections and support for victim-survivors participating in the prosecution in court, mandating the provision of screens, video evidence and other special measures which are intended to help victims give their best evidence during a trial and 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.³¹

The Domestic Abuse Act was complemented by the Domestic Abuse Statutory Guidance Framework, 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.³² 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.³³

Domestic abuse and harmful practices advocacy services

It has been recognised that specialist support from an advocate can help mitigate the barriers that victim-survivors of domestic abuse and harmful practices face when reporting to the police and engaging with the criminal justice process.³⁴

Advocacy services have their roots in community services and were developed in the US in the 1970s before being quickly adopted in the UK; services initially operated out of independent refuges and had a feminist and victim-centred orientation.³⁵ Victim-centred practice refers to supporting the victim towards achieving their preferred outcome rather than attempting to persuade them to pursue what is considered to be the best option for support; for example, supporting a victim-survivor's wishes not to report abuse to the criminal justice system.

Independent Domestic Abuse Advocates

The UK domestic advocacy landscape changed in 2006 with the widespread introduction of Independent Domestic Abuse Advocates or Advisors (still commonly known as IDVAs despite the terminology moving from 'domestic violence' to 'domestic abuse'). IDVAs work with victim-survivors in high-risk cases and provide a short-term crisis intervention, typically for a duration of three months.³⁶ IDVAs typically serve as the victim-survivors' primary point of contact with a range of services. Typically, IDVAs undertake a range of roles including risk assessment, explaining the service landscape, safety planning and addressing additional support needs of victim-survivors and their children. IDVAs are typically part of wider community-based domestic abuse services and address the safety of victim-survivors at high risk of harm from domestic abuse and harmful practices. IDVAs typically work alongside MARACs and link victim-survivors with more holistic support such as health, mental health and accommodation services.³⁷

There is strong evidence that access to advocacy can enhance a victim-survivor's feelings of safety and wellbeing and encourage engagement with the criminal justice system.³⁸ A recent mapping report by Safelives and the Domestic Abuse Commissioner's Office also found that victim-survivors highly value support from IDVAs over other forms of support.³⁹

Specialist domestic abuse and harmful practices advocacy

The current landscape of provision of domestic abuse and harmful practices advocacy in England and Wales is complex. Depending on what's on offer in their local area, victim-survivors may be able to access advocacy that specialises in supporting victim-survivors with particular needs and providing particular forms of support and advice.⁴⁰ It is important to highlight that not all practitioners who deliver domestic abuse and harmful practices advocacy may be accredited IDVAs, even though they may fulfil very similar responsibilities and duties in their roles.

The following section will define and explore some of the different forms of specialist advocacy operating in England and Wales, adopting a particular focus on 'by and for' and culturally specific advocacy, and specialist criminal justice advocacy.

Specialist Domestic Abuse Courts and specialist criminal justice IDVAs

Specialist criminal justice IDVAs have specialist training and significant experience of working with victim-survivors in the context of the criminal justice system and specialist knowledge of how the system operates. Specialist criminal justice IDVAs were introduced in England and Wales in 2006 alongside Specialist Domestic Abuse Courts (SDACs)⁴¹. SDACs provide a dedicated response to managing domestic abuse cases at court and seek to increase the timeliness of domestic abuse cases coming to court. They aim to improve the experience of victim-survivors through clustering domestic abuse cases into a singular court room and by ensuring domestic abuse cases are heard by highly experienced and specially trained professionals.⁴²

Despite promising evidence suggesting that SDACs improve outcomes for and the safety and experiences of victim-survivors⁴³, SDACs have been defunded and suffered deterioration and closures over the past ten years, currently very few SDACs are in operation across England and Wales and not all SDACs in operation can provide victim-survivors with access to specialist criminal justice IDVAs.⁴⁴ Subsequently, few victim-survivors are currently able to benefit from specialist criminal justice IDVA support. Safelives estimated that 79% IDVA services supporting victim-survivors going through the criminal justice system do not provide IDVAs with specialist training around the criminal justice system.⁴⁵

Presently in England and Wales, specialist criminal justice IDVAs may be co-located within police or court facilities or operate exclusively within the remaining SDACs.⁴⁶ They may support victim-survivors with all their other needs as well as with criminal justice matters or work in partnership with another IDVA who provides the victim-survivor with holistic support for their other needs.

Current evidence suggests that support from specialist criminal justice IDVAs improves the experience of victim-survivors due to factors such as the IDVA being able to explain the criminal justice system better and being able to advocate for victim-survivors during proceedings.⁴⁷ A 2022 London-based study reported mixed findings on the effects of receiving support from an IDVA within a SDAC, finding that victim-survivors being supported by an IDVA in court had increased the risk of repeat victimisation.⁴⁸ However, these results can be read as victim-survivors feeling more confident in the criminal justice system and being more likely to report further abuse due to recognising domestic abuse and having had more positive experiences with the system; the study has also been criticised for not taking into account the views of victim-survivors on the support they received.

Specialist 'by and for' and culturally specific domestic abuse advocacy services

'By and for' and culturally specific advocacy services provide specialist support to victim-survivors of domestic abuse and harmful practices with protected characteristics, such as people from specific ethnic, racial and cultural minorities, LGBTQI+ and people with disabilities.⁴⁹ It is important to note that although 'by and for' services may provide culturally sensitive provision, they are distinct from 'culturally specific' services, which are often provided from within a large and generic domestic abuse organisation that was not initially set up or delivered by members of the cultural backgrounds they service.

'By and for' IDVA services are often rooted in the communities they serve and provide bespoke and specialist support to marginalised and minoritised victims-survivors of domestic abuse and harmful practices who often face the greatest barriers to accessing support. Advocates working within 'by and for' may not be accredited IDVAs, however, they often fulfil a similar role.

Research with victim-survivors from minoritised and marginalised backgrounds has shown that 'by and for' services were hugely valued as victim-survivors feel welcome and that the service understands their cultural needs and the additional challenges they face in accessing support.⁵⁰ A recent mapping report by the Domestic Abuse Commissioner's Office found that 78% of Black and Minoritised victim-survivor survey respondents who had accessed a 'by and for' service felt safer compared to 48% who had accessed another kind of service and 30% who had accessed no support whatsoever.⁵¹ The study also reported that 67% of Black and Minoritised victim-survivors would prefer to be supported by a 'by and for' service, but only 51% of those who wanted support from a 'by and for' service could access a service in their local area. A concerning gap in community provision for victim-survivors with no recourse to public funds was also reported.⁵²

Evidence supports the effectiveness of providing culturally sensitive advocacy. A Cochrane review focusing on identifying effective components of domestic abuse advocacy reviewed studies from across 15 countries and found that building strong therapeutic alliance is important for effective advocacy. The review noted that this alliance might be improved when advocates are matched with victim-survivors on ethnicity or abuse experience who understand the structural barriers faced by minoritised and marginalised women and exercise cultural humility.⁵³ Cultural humility refers to professionals learning about cultural beliefs and practices with and from individuals, this consists of not only bringing a strong awareness of cultural beliefs and practices to their work, but also being open to new knowledge and changing views, and not viewing other cultures as being inferior or monolithic.⁵⁴

The review also found that domestic abuse advocacy may be particularly helpful for Black and Minoritised women in buffering against negative beliefs of, or past experiences with, the system. In other words, advocacy can help to redress victim-survivors' learned helplessness and/or deeply held negative beliefs about the criminal justice system.

Commissioning of domestic abuse advocacy services

Domestic abuse and harmful practices advocacy services currently operate from within statutory services such as police stations, courts and health services as well as third sector and community-led organisations. Some have argued that the absorption of IDVAs into publicly funded services has compromised the extent to which they can be thought of as 'independent' from the public services; some have argued that victim-survivors may be more reluctant to engage with support from statutory advocacy services due to viewing them as being aligned with services such as the police.⁵⁵ IDVAs working within public services may need to align their approach with the approach of statutory services, which can compromise their independence and/or the ability to advocate and challenge professionals in other agencies.

Domestic abuse and harmful practices advocacy services can be commissioned by a mix of bodies, with some commissioned nationally by government departments and/or NHS England (such as the Domestic Abuse Helpline) and others commissioned locally by Police and Crime Commissioners (PCCs), Clinical Commissioning Groups (CCGs) and local authorities.⁵⁶ There is currently no framework or structure that brings together the range of public sector bodies who provide support services to victim-survivors and in many cases, there is no coherent strategy across a local area to coordinate service provision. The provision of domestic abuse and harmful practices advocacy services varies across England and Wales and not all victim-survivors can access the right support in their local area resulting in the range of services they access feeling disjointed and difficult to move between.⁵⁷

In response to these issues, the draft Victim's Bill will set a new duty on local authorities, PCCs and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse and harmful practices to facilitate more holistic and coordinated support services. Additionally, the Bill sets out to create a definition of the IDVA role and create a duty for the Secretary of State for Justice to issue guidance about IDVAs with the aim of this definition to ensure greater clarity and consistency across the sector and protect the specialism of this role. The guidance will cover how IDVAs work with victims with specific needs and how other individuals and agencies can best work with IDVAs to support victims in a holistic way. The funding for IDVAs and Independent Sexual Violence Advocates (ISVAs) will be increased to £185m by 2024/25, which will aim to increase the number of ISVAs and IDVAs in England and Wales from 700 to over 1000.⁵⁸

'By and for' support services are disadvantaged within the current funding landscape and are subsequently disproportionately underfunded with considerable gaps in provision across England and Wales. A mapping report by the Domestic Abuse Commissioner's Office found that 'by and for' advocacy services were six times less likely to receive statutory funding than mainstream domestic abuse or violence against women and girls (VAWG) organisations. The report found that 'by and for' services are also more likely to have had to cease services due to a lack of funding – with 27% of domestic abuse or VAWG organisations having had to cease services compared to 45% of 'by and for' organisations.⁵⁹ Moreover, 'by and for' services reported their reliance on small amounts of short-term funding and were particularly disadvantaged by biases and priorities of individual local commissioners.⁶⁰ Mapping work has also shed light on geographical disparities: 44% of 'by and for' services are based in the London area, meaning victim-survivors living elsewhere may not be able to access specialist support.⁶¹

The Tackling Domestic Abuse Plan announced an intention to increase the amount of statutory funding available to specialist 'by and for' services by £1.5 million. In addition to this, the plan stated that, where possible, funding should be awarded on a multi-year basis to ensure smaller organisations can offer a stable service to victim-survivors. The plan also urged that local authorities should seek specialist advice from 'by and for' organisations to ensure the particular needs of specific groups of victims and survivors are considered.⁶²

Research findings

About this research

This report presents findings from a research project exploring the value of specialist advocacy for victim-survivors from Black and Minoritised ethnic groups in contact with the criminal justice system. Additionally, we sought to understand how 'by and for', 'culturally specific' and 'specialist criminal justice' domestic abuse advocacy services provide support in relation to the criminal justice system and to understand the barriers they encounter in doing so.

A note on terminology

Given that the focus of this research is on advocacy provided by 'by and for' advocacy organisations, 'culturally specific' advocacy organisations and 'specialist criminal justice' advocacy organisations, we will refer to these organisations collectively as 'specialist advocacy services' throughout the remainder of this report. This choice of terminology also reflects the fact that not all professionals who provide advocacy are accredited IDVAs, even though they may perform many of the same tasks and duties.

By focusing on the experiences of Black and Minoritised victim-survivors in the criminal justice system we sought to fill the gap between two existing bodies of research: a) exploring the barriers that all victim-survivors experience to engaging with the criminal justice system, and b) an emerging evidence base which details the barriers that Black and Minoritised victim-survivors experience in leaving relationships and seeking initial support.

This research builds on our evaluation of the Westminster Specialist Domestic Abuse Court, which was funded by the Department of Culture, Media and Sport as part of Standing Together Against Domestic Abuse's Mentor Court project. That evaluation detailed the core components, activities and impacts of the SDAC model and found that victim-survivors using the court highly valued support from specialist criminal justice IDVAs, who were able to support victim-survivors by explaining the criminal justice system to them.⁶³

Research questions

The following questions formed the basis for this research:

- 1. What barriers do Black and Minoritised victim-survivors experience to accessing the criminal justice system?**
- 2. What barriers do Black and Minoritised victim-survivors experience to engaging with the criminal justice system?**
- 3. How do specialist advocacy services support Black and Minoritised victim-survivors in contact with the criminal justice system?**
- 4. What issues do specialist advocacy services encounter when supporting Black and Minoritised victim-survivors in contact with the criminal justice system?**

Fieldwork approach

In light of the rapid timescales of this project and the difficulties we had finding victim-survivors to participate in our previous evaluation of the Westminster SDACs, we decided to interview frontline practitioners currently working within advocacy services rather than Black and Minoritised victim-survivors who had been supported by advocates. Several practitioners in our sample spoke with victim-survivors they supported prior to being interviewed by us and fed back their perspectives and experiences to us.

We interviewed nine practitioners providing specialist advocacy to victim-survivors of domestic abuse and harmful practices in London: five practitioners worked in managerial and operational roles within their organisations but had previous frontline experience; three practitioners were currently supporting victim-survivors as IDVAs; and one practitioner was working in a hybrid research and advocacy role.

One interviewee worked as a specialist criminal justice IDVA, one interviewee worked as an IDVA for a culturally specific service that was overseen by a large organisation, and the remaining seven interviewees worked within specialist 'by and for' organisations, some of whom were accredited IDVAs.

The reach of services varied from supporting victim-survivors nationally and across all boroughs of London to supporting victim-survivors who resided in certain boroughs in London. Some 'by and for' services supported specific cultural groups such as Gypsy, Roma and Traveller women (GRT) and Middle Eastern women, others provided services to all Black and Minoritised women within reach of the service. All interviewees were female and primarily worked with victim-survivors who were women.

Interviewees were recruited with the help of Standing Together Against Domestic Abuse, a national domestic abuse charity who disseminated information about the project to their network. Interviews took place both in person and online using a semi-structured approach. Following the completion of fieldwork, five practitioners attended a workshop where findings were presented and recommendations around policy and practice change were discussed. Once completed, the interviews and workshop were analysed using a grounded theory approach.

List and description of participating organisations:

| Service name | Advocacy type | Service users | Participating organisations service descriptions |
|-------------------------------------|-----------------------------------|---|--|
| Advance | Specialist criminal justice IDVAs | Women in contact with the criminal justice system –high-risk cases in Chelsea, Westminster, Hammersmith and Fulham | Advance is a national charity that seeks to reach women experiencing domestic abuse and other forms of violence or are involved in the criminal justice system by providing independent, non-judgmental support and advocacy through referral pathways and improved access to services. Advance provides the Westminster SDACs with specialist criminal justice 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, providing emotional support and explaining the criminal justice system to the victim-survivor, assisting with safety planning throughout proceedings and providing the victim-survivor with timely updates about case hearings. IDVAs work closely with the 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. Web: https://www.advancecharity.org.uk/ Number: 0800 059 0108 |
| Al Hasaniya Moroccan Women's Centre | Specialist 'by and for' charity | Middle eastern women experiencing all forms of domestic abuse and honour-based abuse who are high-risk. They support women in Westminster, Hammersmith and Fulham, and Kensington and Chelsea, but also offer advice to women throughout the UK and are able to offer advice to professionals working on complex cases. | Al Hasaniya Moroccan Women's Centre was established in 1985 and is a UN ECOSOC accredited charity. They are a specialist 'by and for' charity based in London, that offers a culturally sensitive service to Moroccan and Arabic speaking women. Their organisation's aim is to empower women into making informed decisions by ensuring they are aware of their rights and options. They have a number of projects at the centre, including, Mental Health, Domestic Abuse and the Older People Projects. They also run a fortnightly, free legal drop-in service, ESOL classes and a general drop-in service which women can access for further support. Their Arabic speaking IDVA is able to offer advice, support and safety planning to victim-survivors whilst ensuring that the support is led by them, giving them a voice and validating their experiences. They work also extends to campaigning and calling for change for Migrant women and those who have no recourse to public funds. Web: https://www.al-hasaniya.org.uk/ Number: 020 30484488 |

| Service name | Advocacy type | Service users | Participating organisations service descriptions |
|---|--|---|---|
| Asian Women's Resource Centre (AWRC) | 'By and for' IDVAs and women's centre | Black and Minoritised women – high-, low- and medium-risk. Pan-London | <p>AWRC is a voluntary sector grassroots organisation, based in Brent, London, which has been providing services for women who are, or have been experiencing domestic abuse, for nearly 43 years.</p> <p>Their approach to supporting women is holistic and person centred. AWRC use their understanding of women's issues to provide practical and emotional support, ensuring that women are able to make informed choices about their future. Their services include the professional provision of advice, information to survivors of domestic abuse, to support in securing safe housing, advocacy and interpreters, access to counselling and legal advice. The project works closely with local, statutory, and non-statutory bodies, aims to deliver measurable outcomes and create best practice serving the needs of BME communities whilst working with them to eradicate violence against women.</p> <p>AWRC provide support in the following languages: Arabic, Azerbaijani (Azeri), Bengali, Bangla, Dari, Dutch, Farsi, Gujarati, Hindi, Hinko, Italian, Konkani, Kurdish, Marathi, Pashto, Patwari, Persian, Portuguese, Punjabi, Somali, Tamil, Turkish and Urdu. Our service ensures cultural sensitivity, confidentiality and listening time in a safe, non-judgemental environment. We have an open-door policy to all women in need, from all ethnicity and backgrounds.</p> <p>Web: https://www.asianwomenscentre.org.uk/</p> <p>Number: 020 8961 6549 /5701</p> |
| Eastern European Independent Gender-based Violence advocacy (IGVA) service – Refuge | Culturally specific IGVA service, part of Refuge | Eastern European women in West London – high-risk. | <p>Refuge opened the world's first refuge in Chiswick in 1971 for women and their children escaping domestic abuse. Since 1971, Refuge has led the campaign against domestic abuse, growing to become the country's largest single provider of specialist domestic and gender-based violence services.</p> <p>Refuge is a national charity that now has accommodation and community services providing much needed support in numerous areas around England. This includes their Tech Facilitated Abuse service that helps survivors who have had technology used against them as a weapon of domestic abuse, to secure their technology and take back control of their lives. Refuge has the only dedicated, expert tech abuse team in the UK.</p> <p>Web: https://refuge.org.uk/i-need-help-now/how-we-can-help-you/culturally-specific-services/</p> <p>Number: 07725245777</p> |

| Service name | Advocacy type | Service users | Participating organisations service descriptions |
|---|--|---|---|
| Hopscotch Women's Centre | Women's organisation providing culturally sensitive and trauma-informed service across London (VAWG) | All Black and Minoritised women, Pan- London for services that include welfare advice and VAWG services. | <p>Hopscotch was first formed after the Second World War when a war-torn Camden community had to rebuild itself. Established as an independent organisation by Save the Children in 1979 and registered as charity in 1998, their vision is a community where all women are respected and safe, and where they can achieve their full potential. Their values and principles are rooted in protecting and promoting minoritised ethnic women and girls' human rights and ensuring their safety. Hopscotch currently works with all ethnic minoritised women and girls, offering support around poverty, unemployment, better employment, violence and abuse, and peer support groups.</p> <p>Web: https://hopscotchuk.org/</p> <p>Number: 020 7388 8198</p> |
| IKWRO – Women's Rights Organisation | 'By and for' women's organisation | Middle Eastern, North Africa and Afghanistan women and girls experiencing domestic abuse, honour-based abuse and harmful practice. Pan-London, low- to high-risk. | <p>IKWRO is a leading organisation within the field of gender-based abuse and harmful practices, particularly 'honour-based abuse' and 'FGM', affecting Middle Eastern, North African and Afghan women (MENA). IKWRO's unique specialism enables them to provide a holistic, supportive and non-judgemental service to enable safeguarding and empowerment of women and girls from MENA and other communities.</p> <p>All IKWRO advisors and counsellors originate from the communities they work with and therefore they have an authentic understanding about the challenges and issues women face and are able to deliver services in community languages. IKWRO's reputation has grown over the years with both their client group and with professionals such as the police, government agencies i.e. Forced Marriage Unit and other statutory/voluntary organisations.</p> <p>Web: https://ikwro.org.uk/</p> <p>Number: 020 7920 6460</p> |
| Middle Eastern Women and Society Organisation (MEWso) | 'By and for' women's organisation | Middle East and North African women experiencing domestic abuse and harmful practices. Pan-London | <p>MEWSo is a women's charity run by and for women from ethnic minority communities. The majority of the communities they serve are Middle Eastern, North African, and Asian backgrounds. They specialise in domestic violence and welfare advice and provide these services in community languages where possible.</p> <p>MEWSo's specialised domestic abuse advice services have changed the lives of over a thousand women in their 12 years of service. Beneficiaries will not only have access to qualified advisors who can communicate in their home languages, but MEWSo also offers a more holistic approach by offering guidance and support through their befriending services, as well as other therapeutic workshops such as mindfulness and dance classes, art therapy and storytelling, and group therapy.</p> <p>Their aim as a charity is to equip women with knowledge about their individual rights so that they will, in turn, feel empowered to fight, advocate, and defend themselves in the face of injustice, both at home and in the wider community. MEWSo are here to guide clients through the best courses of action until they feel empowered within themselves.</p> <p>Web: https://www.mewso.org/</p> <p>Number: 07780 983 152</p> |

| Service name | Advocacy type | Service users | Participating organisations service descriptions |
|------------------------|-----------------------|---|--|
| Southall Black Sisters | 'By and for' service | Black and Minoritised women. Some services are west London specific, others are pan-London. | <p>Southall Black Sisters, a not-for-profit, secular and inclusive organisation, was established in 1979 to meet the needs of Black (Asian and African-Caribbean) women. Their aims are to highlight and challenge all forms of gender-related violence against women, empower them to gain more control over their lives, live without fear of violence and assert their human rights to justice, equality and freedom.</p> <p>For more than three decades Southall Black Sisters have been at the forefront of challenging domestic and gender-related violence locally and nationally, and have campaigned for the provision of proper and accountable support services to enable women and their children to escape violent relationships and live in dignity.</p> <p>The organisation runs an advice, advocacy and resource centre in West London which provides a comprehensive service to women experiencing violence and abuse and other forms of inequality. They offer specialist advice, information, casework, advocacy, counselling and self-help support services in several community languages, especially South Asian languages. Whilst their focus is on the needs of Black and Minority women, Southall Black Sisters will not turn any woman away who needs emergency help.</p> <p>Web: https://southallblacksisters.org.uk/about/</p> <p>Number: 0208 571 9595</p> |
| The Traveller Movement | 'By and for' helpline | Gypsy, Roma and Traveller communities, pan-UK | <p>The Traveller Movement are primarily a policy and campaigns organisation that focuses on education, criminal justice, discrimination, youth and women's work. Their work aims to advocate for and work with Gypsy, Roma and Traveller people to tackle discrimination and promote equality. They are a recognised bridge between the GRT sector, service providers and policy makers.</p> <p>Within their women's work, The Traveller Movement provide direct support to GRT women through their national domestic abuse helpline. Alongside direct advocacy, they offer Traveller-led training to service providers and produce accompanying resources.</p> <p>Web: https://travellermovement.org.uk/</p> <p>Number: 020 7607 2002</p> |

Findings

Hierarchy of needs in specialist domestic abuse and harmful practices advocacy

Engaging with the criminal justice system is just one of the ways specialist domestic abuse and harmful practices advocates support Black and Minoritised victim-survivors; in order to contextualise the victim-survivor's experiences of the criminal justice system, we consider the criminal justice response in relation to other support needs and what can motivate criminal justice engagement.

Criminal justice system engagement is not a priority for victim-survivors

All interviewees stated that their service operated from a 'victim-centred' standpoint, meaning that the victim-survivor's viewpoint and needs dictated the support that was offered; if victim-survivors did not seek criminal justice remedies then advocacy workers would not pressure them to pursue this route. Interviewees reported that the majority of Black and Minoritised victim-survivors who used their services did not opt to engage with the criminal justice response to domestic abuse and harmful practices. When asked to explain this pattern, interviewees mostly felt that Black and Minoritised victim-survivors did not consider legal and criminal justice remedies to be priorities in a time of crisis. Most interviewees only supported Black and Minoritised victim-survivors during the 'high-risk' 'crisis' period when Black and Minoritised victim-survivors left the abusive relationship and tried to begin anew. During this period, interviewees reported that assisting with safety planning, securing safe accommodation and accessing mental health support were typically more pressing concerns for Black and Minoritised victim-survivors than legal and criminal justice remedies.

" You're looking at, for example, Maslow's hierarchy of needs. The main thing is my shelter, my food, my safety and security. I'm not thinking about anything else. I'm not thinking about the police or about court or about getting justice. My priority is where am I going to sleep tonight? How am I going to eat? And how am I going to try and stay as safe as possible? [Practitioner]

Several interviewees reported that criminal justice remedies were viewed as being antithetical to establishing safety, as initiating proceedings against a perpetrator may increase risk of reprisals in the short term. Several interviewees felt that pursuing the criminal justice response conflicted with victim-survivors' aims as they would have to maintain ties with the local area where the abuse had occurred to gain justice, whereas, many Black and Minoritised victim-survivors who had left an abusive relationship wanted to relocate to another area of the UK as quickly as possible.

" Reporting to the police, it sort of makes the abuse more public which then escalates the risk of reprisals from the perpetrator, or the family. [Practitioner]

" The majority of women I've seen are just more interested in trying to relocate as fast as possible. [Practitioner]

Motivators of criminal justice involvement

Practitioners reported that a range of long- and short-term potential outcomes could motivate Black and Minoritised victim-survivors to engage with the criminal justice system response to domestic abuse and harmful practices. One motivation was seeking to improve short-term safety. Interviewees reported that Black and Minoritised victim-survivors may elect to initially call the police to send a warning to the perpetrator, hoping that being apprehended by the police would decrease the likelihood of further domestic abuse and harmful practices occurring. In these instances, Black and Minoritised victim-survivors often had no intention of supporting a charge being made following the police call out.

" You have the other sort of side where they would call the police because they were so scared or to teach him a lesson and so that he learns that it's wrong. And, you know, there are limits to his behaviour. But he's learned his lesson and then they don't take it further. [Practitioner]

Some interviewees observed that being able to secure protection through bail conditions could motivate Black and Minoritised victim-survivors to engage with the criminal justice system. This was often viewed as a smoother and quicker route to gaining legally enforceable protection compared with having to apply for legal aid and submit an application for a non-molestation order.

" If the person decides to take the matter, you know, with the courts, sometimes they feel protected because they're protected by bail conditions. [Practitioner]

Gaining 'justice' and the perpetrator being placed on a custodial sentence could also motivate criminal justice system involvement, although interviewees stated these were rarely primary motivators and that they would often have to manage victim-survivor's expectations around these outcomes being achieved.

“ *They feel like I've gone this far and I've done all of this and I want this person to pay for what they've done which would be a prison sentence.* [Practitioner]

Barriers to Black and Minoritised victim-survivors accessing and engaging with the criminal justice system

Black and Minoritised victim-survivors face particular challenges in reporting domestic abuse and harmful practices and accessing the criminal justice response. In addition to the general issues that most victim-survivors experience regardless of their background, Black and Minoritised victim-survivors may also face additional barriers related to their ethnicity and cultural background.

| | Reporting abuse | Engaging with the system |
|---|--|---|
| Barriers to using the criminal justice system | <ul style="list-style-type: none"> • Lack of recognition of domestic abuse and harmful practices • Distrust of statutory agencies • Lack of awareness/ misconceptions of system/ laws • Economic/ emotional ties to perpetrator • Fear of care proceedings and caring responsibilities • Pre-trial therapy restrictions | <ul style="list-style-type: none"> • Escalated risk of domestic abuse and intimidation from perpetrator, family, community • Interactions with the system being re-traumatising • Long wait times/ adjournments/ delays in updates • System disruptive to life • Lack of knowledge of the criminal justice process • Pre-trial therapy restrictions |
| Additional barriers often faced by Black and Minoritised victim-survivors | <ul style="list-style-type: none"> • Fear of reprisals/ ostracism from family and community • Lack of practical and social resources outside of community • Language and communication needs • Fear of deportation if they have no recourse to public funds • Lack of cultural sensitivity from agencies and experiences of discrimination • Spiritual reprisals | <ul style="list-style-type: none"> • Lack of culturally sensitive conduct from professionals and institutional discrimination • Inconsistent quality of interpreters, language and literacy barriers • Lack of effective complementary culturally sensitive provision |
| Additional identities and complex needs | <ul style="list-style-type: none"> • LGBTQI+, disabilities, physical health, neurodiversity, caring responsibilities, mental health, substance misuse, concurrent family justice involvement | |

Barriers to Black and Minoritised victim-survivors accessing the criminal justice system

This section will outline barriers that may prevent Black and Minoritised victim-survivors from reporting domestic abuse and harmful practices to the police.

Negative perceptions of and experiences with services

Practitioners voiced that Black and Minoritised victim-survivors often harboured negative perceptions of public services. Perceptions were often coloured by current and historic experiences of discrimination and racism from authorities such as the police brutality experienced by Black people and the police's role in the forcible eviction of Gypsy, Roma and Traveller people from residential sites. Such experiences fed into perceptions of the police as being racist and corrupt. Practitioners voiced that Black victim-survivors often choose not to report due to worries that Black perpetrators would receive harsher treatment in the criminal justice system than perpetrators from other ethnic backgrounds.

“ Roma women have said ‘I would never go to the police because they’re literally your abuser or they’re the ones that, you know, evicting you from your house, saying and like leaving you with no support. I wouldn’t turn to an abuser to fight another abuser’. [Practitioner]

“ So for Black women, I think they feel as though they are betraying their community by turning their partners over to the police because of the inherent racism their community has faced. [Practitioner]

Interviewees stated that, in some instances, Black and Minoritised victim-survivors' perceptions of public services in England and Wales were often influenced by how public services operated in their home country. For example, if it was perceived that the police were corrupt in a victim-survivor's home country, they would expect the police in England and Wales to also be corrupt and be more reluctant to report abuse. Several interviewees pointed out that in certain countries it is the norm for police to support patriarchal hegemony and collude in abuse; interviewees made this point specifically in relation to specific Middle Eastern and Eastern European countries.

“ When someone has come from another country, what is their relationship with authority? In certain countries they may see the police as a corrupt system that has participated in harming them not protecting them. So then they transfer those ideas and beliefs to the UK. What if they don’t listen to me? What if they do the same thing? What if he’s able to, you know, get away with something? [Practitioner]

A further factor, which was seen to contribute to reluctance to report abuse, was that some Black and Minoritised victim-survivors harbour a perception that the criminal justice system was inefficient, voicing that it was not worth the effort of going through the system for the eventual outcome. Sometimes this stemmed from negative experiences of the police attending call outs which discouraged further reporting. Two practitioners recounted examples of authorities dropping cases because there was insufficient evidence to proceed to a charge; this was seen to devastate victim-survivors and decrease the likelihood of them reporting domestic abuse and harmful practices to the police in the future.

“ They’re very disappointed with the outcome because they don’t feel it matches what the law says. On paper the law says this person should be put in prison...but in the end, that person is released. [Practitioner]

“ So with one client there was a decision from the CPS to not proceed with one charge, but to go ahead with other charges. But the client felt that the charge the CPS didn’t want to go ahead with was quite serious for her. [Practitioner]

Three interviewees reported that Black and Minoritised victim-survivors had had similar experiences with civil orders which had not been enforced once the perpetrator had breached them; this worked to undermine faith in the system. One practitioner reported that victim-survivors thought current sentences being issued for domestic abuse and harmful practices were overly lenient and were not sufficient enough to protect victim-survivors and prevent further crime. Practitioner views seemed to echo the views they reported of victim-survivors and conveyed that they did not think the criminal justice system adequately responded to domestic abuse and harmful practices.

“ There’s no enforcement of civil order – not just from the police side but even from the court. I don’t know whether the court should be able to have some kind of monitoring system where they can see or be notified by the police if there’s been a breach and then do something quickly... [Practitioner]

Moreover, practitioners voiced that the majority of Black and Minoritised victim-survivors viewed the criminal, civil and family justice systems as one entity, meaning that a negative experience with any one of these systems could deter further involvement with other justice systems. This was a pertinent issue as many victim-survivors had concurrent family justice involvement relating to custody of children.

“ We’ve got a lot of clients at the moment who either have lost custody of their children for various reasons, some of them, you know, the perpetrator’s family or the perpetrator have taken the children. So they haven’t seen their children for a very long time. So we kind of work with them to try and get their children. [Practitioner]

Limited knowledge of UK law and public services

Interviewees stated that victim-survivors with lower levels of acculturation lacked knowledge around laws in England and Wales and knowledge of how public services typically respond to domestic abuse. Interviewees stressed that victim-survivors may not know the role that each statutory agency performs in the UK or what the purpose of the criminal justice process is.

“ They don’t know what they’re going to court for. They don’t know what the first hearing is for. They don’t know and they don’t understand the system – and there’s no one to explain what is going on. [Practitioner]

Recognising domestic abuse and harmful practices

Black and Minoritised victim-survivors being able to recognise that the pattern of behaviour they were experiencing is domestic abuse and harmful practices was highlighted as often presenting as a barrier, particularly if the dynamic they were experiencing was commonplace within their community and if they and the community did not have much exposure to UK law and public services. Interviewees observed that Black and Minoritised victim-survivors may inadvertently frame domestic abuse and harmful practices as ‘normal’ couple conflict and downplay what they were experiencing when speaking to professionals. In these instances, professionals may not always identify and question harmful patterns.

“ In certain languages, there’s no word for domestic abuse. There’s no word for sexual assault. There’s no word for any of those things. So often when a woman is explaining that you then often have to tell her, ‘you know what you’re saying to me’. [Practitioner]

Language, literacy and communication

Inconsistent provision of interpreters to those with English as an additional language was perceived to constrain Black and Minoritised victim-survivors’ ability to engage with the criminal justice response to domestic abuse and harmful practices, especially for languages where it was more difficult to resource professional interpreters. Interviewees stated that there are next to no interpreters available who speak the Roma or the Tamil languages. The Roma language is also not featured on any telephone translation services which act as the primary interpretation resource for the criminal justice system.

Several interviewees identified issues with literacy as being a barrier to seeking support. Sometimes needs around literacy co-occurred with language needs which created issues accessing written information and corresponding with professionals that were not proficient in their language. Jargon-heavy documents relating to legal matters were particularly problematic.

“ Even if sometimes you understand the language, writing it down is also very different. But also filling out forms. A lot of the forms that we fill out are quite heavy jargoned. [Practitioner]

One interviewee stated that literacy was a common difficulty experienced in the Gypsy, Roma and Traveller community; victim-survivors are often reluctant to disclose literacy issues to professionals due to fear of being judged. This barrier is compounded if practitioners are less likely to exercise professional curiosity when enquiring about literacy if they are working with someone who is white and has English as a first language, as is often the case for the Gypsy, Roma and Traveller minorities.

“ There’s a presumption of literacy. Again, there’s a presumption of understanding, and social workers are not taking the time to actually explain or understand. [Practitioner]

Several interviewees stated that some Black and Minoritised victim-survivors had difficulties accessing online resources or printing equipment, meaning they often had issues with supplying documents and corresponding with professionals; in some instances a victim-survivor may not have an email address.

It was noted that sometimes Black and Minoritised victim-survivors could be reluctant to disclose these needs to professionals.

“ *Sometimes you need a printer or camera to provide the proof, and not all clients have access to that. Sometimes they don't think it's worth the hassle, even though it's an easy barrier to overcome.* [Practitioner]

Religious and cultural beliefs and practices

Many interviewees were of the view that cultural and religious beliefs and practices could play a role in maintaining and driving domestic abuse and harmful practices within specific communities. Several interviewees reported that patriarchal norms were commonplace within certain communities; interviewees referenced this point in relation to Polish, Albanian, Afghan, Iranian, Kurdish, Gypsy, Roma and Traveller, and North African minorities. Patriarchal values were seen to create a climate in which domestic abuse and harmful practices could become a norm and go potentially unrecognised and unchallenged. Two interviewees also noted patriarchal structures could exacerbate economic abuse through control over household finances being placed with the man, often resulting in the women becoming economically dependent on their spouse; this was thought to present a major barrier to leaving the relationship and seeking support.

“ *There are certain aspects around gender roles still being traditional. Not everyone is the same but some families still subscribe to the idea of having kind of a male breadwinner and a female kind of homemaker. The person who cares for the kids and everything else.* [Practitioner]

Some interviewees stated that patriarchal norms could be underpinned by religious beliefs and interpretations of scripture. Some Black and Minoritised victim-survivors may fear seeking support due to worrying about the spiritual consequences of opposing religious beliefs and scripture. Interviewees referenced this pattern in relation to women from communities that practiced Islam and Catholicism.

“ *There are religious misconceptions that they may have about abuse. A woman may say in our religion it says that 'I should be patient' or 'I should be a good wife'... 'I need to give him another chance.'* [Practitioner]

Family and community ostracism, collusion and reprisals

Interviewees highlighted that many Black and Minoritised victim-survivors they supported came from socially isolated cultural backgrounds, meaning a victim-survivor's likelihood of making connections outside of their community was often hampered by language barriers and low acculturation. Consequently, a victim-survivor's whole life often played out within their cultural community. Interviewees reported that it was not uncommon for victim-survivors who sought support to face a choice between reporting abuse and being ostracised by their community or staying silent and keeping their existing community; this resulted in the social consequences of reporting domestic abuse being very high. Practitioners stated that children, parents and other community members such as religious leaders could often collude in abuse.

Some interviewees voiced that family and community members often colluded with the perpetrator which could make conducting risk assessments and safety planning extremely difficult as professionals would have to factor in the motivations of a number of family and/or community members.

“ *It is definitely challenging. So you know if you've got multiple perpetrators, to try to do a risk assessment, to get all the information and understand what risks are present.* [Practitioner]

Fears of deportation

Interviewees voiced that Black and Minoritised victim-survivors with no recourse to public funds often feared that reporting to police would lead to them being asked about their status and, subsequently, being arrested and deported. Several practitioners reported that perpetrators often instilled and maintained these fears within victim-survivors to prevent them from reporting. One practitioner recounted an instance of a Black and Minoritised victim-survivor being detained by the police following the report of abuse on the grounds of their immigration.

“ *We have seen all the time the perpetrator threatening them with their immigration status. That's a bad thing and makes it difficult for them to access all services, and even police.* [Practitioner]

Complex and intersecting needs

Many interviewees stressed that the Black and Minoritised victim-survivors they supported often had other intersecting identities and complex needs which intersected with their ethnic and cultural background. These were seen to compound the barriers they faced to engaging with the criminal justice system. Three practitioners provided examples of Black and Minoritised women who also had LGBTQI+ identities facing additional barriers and having to choose between these two identities when accessing specialist support for domestic abuse and harmful practices.

“ *It's forbidden to be LGBTQI+ in our community so the women then have to hide it. We have had a couple of LGBTQI+ young girls being forced to marriage and then came to our refuge to disclose.* [Practitioner]

Interviewees discussed Black and Minoritised victim-survivors with co-occurring substance misuse and mental health issues facing additional barriers to reporting; in particular, worries about their needs undermining their credibility as a witness, engendering victim blaming and perceived mental capacity. Some interviewees reported that there is a lack of understanding and stigma surrounding mental health needs within some communities and that a reluctance to disclose such needs could also hamper a victim-survivor's willingness to report and seek support.

“ *Some women using substances think that they're not going to be taken seriously in court, so they might as well just call it a day.* [Practitioner]

“ *Let's think about how mental health is viewed in Eastern countries or Middle Eastern countries and – the view is it's not just mental health but that you are crazy. Women are sometimes petrified when I start talking to them about counselling.* [Practitioner]

For Black and Minoritised victim-survivors with caring responsibilities, the fear of children being removed was cited as a major barrier to reporting domestic abuse and harmful practices to police, especially in communities where there was a long-standing mistrust of public services. Childcare commitments also often presented a barrier to attending appointments and court.

“ *They fear children getting taken away from them. So that's another barrier as well. You don't want your children to be taken away from you.* [Practitioner]

“ *They are worried about childcare. They don't have childcare. They think 'I don't want to bring my child to court. I don't want to risk the perpetrator seeing my child and causing distress or his family seeing the child and causing distress'.* [Practitioner]

Victim-survivors' capacity to report hampered by lack of system-wide support

Many practitioners felt that the barriers Black and Minoritised victim-survivors faced in using the criminal justice system were not specific to criminal justice agencies but rather system-wide. Victim-survivors' capacity to engage with the criminal justice system is dependent on them successfully accessing a range of other services which can support safety and emotional resilience. Two practitioners pointed out that inconsistent provision of interpreters impeded a Black and Minoritised victim-survivor's access to confidential mental health support whilst they were accessing the criminal justice system which could make attrition from the process more likely.

“ *Mental health services and charities also need to be able to cater for Arabic speakers. The NHS only offers six sessions with an interpreter, and who wants to have therapy with a third person in the room.* [Practitioner]

One interviewee observed that Black and Minoritised victim-survivors are often faced with a trade-off between entering mental health support and engaging with the criminal justice system, identifying constraints around receiving pre-trial therapy as a barrier. Current CPS guidelines dictate that if victim-survivors receive therapy in advance of a trial, the therapist is obliged to share relevant information relating to the offence which is disclosed in therapy with the CPS and police.⁶⁴ This clause means that there is potential for information disclosed to be considered in a case as 'oral evidence' and used by the defence to undermine a victim-survivor's credibility through highlighting inconsistencies in testimony and/or suggesting that the process of the victim-survivor receiving therapy has tampered with their initial memory of the incident. Subsequently, therapists often provide limited support to victim-survivors awaiting trial and avoid discussing abuse, even where it might be the main source of a victim-survivor's present distress. One interviewee suggested that many Black and Minoritised victim-survivors forgo

engaging with the criminal justice system, at least initially, in order to be able to fully engage with therapeutic support.

“ *If they are involved with criminal justice or the court, we normally say that they don't see a counsellor until that's been done because of the complexity. As they may say something to the counsellor and we may have to then share it with the court.* [Practitioner]

A practitioner also pointed out that having limited English could impede a Black and Minoritised victim-survivor's employability outside of their community which could prevent them from leaving a relationship. One interviewee noted that refuges often cannot provide accommodation to women with more than two children which disadvantaged ethnic minority groups where larger families are more common. Being unable to secure a place in refuge could prevent Black and Minoritised victim-survivors from pursuing the criminal justice response.

“ *And, of course, without English as a first language – it's more difficult to find work outside of the community.* [Practitioner]

“ *A lot of the time refuges are not built to be able to support multiple children in a family and, if the community tends to have more children, they're not always given a space for that.* [Perpetrator]

Although not directly relevant to their criminal justice system engagement, difficulties in accessing legal aid were thought to create an indirect barrier to Black and Minoritised victim-survivors' engagement by complicating their access to safety and security. There was a widespread perception that legal aid was very difficult to access and that it was rare to come across solicitors who worked with client's dependent on legal aid. Furthermore, interviewees pointed out that many Black and Minoritised victim-survivors narrowly missed the eligibility threshold for legal aid.

“ *There are not many solicitors around who accept legal aid clients. That is a big problem actually.* [Practitioner]

Issues accessing legal aid could impact a Black and Minoritised victim-survivor's ability to apply for non-molestation orders and child arrangement orders and, if a Black and Minoritised victim-survivor had no recourse to public funds, prevent them from applying for a DDV. Inability to access legal aid could result in a Black and Minoritised victim-survivor still navigating risk and insecurity which presented as barriers to considering the criminal justice response.

“ *Some of the challenges we've been finding with protective orders is applying for legal aid. We're finding a lot of our clients are working full time and they're above the threshold for legal aid.* [Practitioner]

Barriers to Black and Minoritised victim-survivors engaging with the criminal justice system

Practitioners reported that, once in contact with the criminal justice system, Black and Minoritised victim-survivors experience a range of barriers to engaging with the system. Practitioners also voiced that it was not uncommon for Black and Minoritised victim-survivors to retract from the system as a consequence of these obstacles, or for cases to be dropped by agencies due to these issues.

Wait times and defendant-centred process

It was voiced that the criminal justice process typically centres on the defendant's needs and experience to the detriment of the victim-survivor's needs. Interviewees felt that this could create opportunities for defendants to manipulate the system to their advantage, particularly whilst awaiting trial. Defendants could fail to turn up for hearings, for example, resulting in repeated adjournments and delays. Defendants could also opt for their trial to be heard in the Crown Court rather than magistrates' court, which increases the wait times for a trial – often from months to years. Increased wait times and uncertainty around whether hearings and trials would go ahead were perceived to exacerbate victim-survivor distress and increase their likelihood of withdrawing from proceedings.

Re-traumatisation

All interviewees stressed that contact with the criminal justice system had the propensity to re-traumatise Black and Minoritised victim-survivors. Black and Minoritised victim-survivors were often required to relive their experiences of domestic abuse and harmful practices in interviews with professionals and whilst giving evidence in the courtroom. The experience of giving testimony was often accompanied by having to re-encounter the perpetrator of the abuse at court which could further exacerbate distress. Interviewees expressed that a wish to avoid re-traumatisation could prevent Black and Minoritised victim-survivors from going through the criminal justice process at all as well as often presenting as a reason for Black and Minoritised victim-survivors choosing to withdraw from proceedings.

“ Experiencing domestic abuse is very traumatising. And the idea of going to court is very daunting. The idea of recalling information is very daunting. The idea of listening is very daunting. The idea of knowing he's there, even though you've got, you know, protective measures, et cetera, it is all very daunting. So all of that. And then the waiting for the sentence. [Practitioner]

Discontinuity during the court process

Some practitioners expressed that Black and Minoritised victim-survivors who ended up attending court could often experience discontinuity of support at this stage of criminal justice involvement. This was due to IDVAs not being allowed or unable to attend court with victim-survivors due limited capacity within frontline services. Advocacy services often provide short-term support to victim-survivor that may be inconsistent with the increasing timeframes that victim-survivors are facing when awaiting trial. Subsequently, victim-survivors are often no longer supported by an advocate when their trial date arrives. In such instances, attending court alone or with someone unfamiliar such as the witness care service or a volunteer could prove to be disorientating.

“ We try and go to court with them, but we aren't always available. If an advisor isn't available, we may ask a volunteer to attend. [Practitioner]

Lack of cultural competency from professionals

Inadequate training and a lack of culturally sensitive conduct and provision from professionals within statutory services, such as the police and social workers, was seen to present a barrier to Black and Minoritised victim-survivors engaging with criminal justice responses to domestic abuse and harmful practices. Interviewees outlined examples of police officers adopting flippant and insensitive attitudes towards Black and Minoritised victim-survivors who were reporting – subsequently, Black and Minoritised victim-survivors often felt and feared being disbelieved.

Several interviewees pointed out that culturally sensitive conduct could refer to having an awareness of the meaning of body language and eye contact within other cultures and applying this awareness when interacting with service users. Interviewees recounted multiple instances where professionals such as police failed to consider this when engaging with victim-survivors.

“ Sometimes people from certain communities don't give eye contact and stuff like that...they might take a while to open up because you know you don't really talk about personal things to your family, let alone to someone that you don't know. But then let alone to the police. So then you've got those added layers as well. [Practitioner]

Lack of understanding of protocol and how to present in court

A practitioner who worked with Gypsy, Roma and Traveller women stated that victim-survivors from this background often did not know how to behave at court and tended to speak directly to the judge during proceedings, unaware that this is not typically part of protocol.

“ You can't just correct a judge when they're speaking in court...but there's a presumption that everyone should know that in a court session and that you're not supposed to speak unless the judge addresses you and all this kind of thing. But that is actually a massive presumption. But what if a victim-survivor has never been in that setting before and has no one else. [Practitioner]

Quality of language and communication support

Several interviewees expressed dissatisfaction with the quality of interpreters they had been provided with and mentioned instances of inaccurate translation during the criminal justice process. One interviewee named an instance where a Black and Minoritised victim-survivor had withdrawn from an interview after recognising their interpreter due to concerns over confidentiality. Another respondent mentioned that once an interpreter had scolded a Black and Minoritised victim-survivor for speaking out when they were interpreting in an interview.

“ The interpreter didn't help, but like it was not her plan to translate this in a bad way or whatsoever... We find that there is lots of this miscommunication. [Practitioner]

“ A female interpreter came on online and said hello to the client. Then, my client immediately hung up and I didn't know why. I tried to call her back. She said that she spoke to the interpreter and said hello, there was an exchange of greetings – but she knew the translator from her community. [Practitioner]

Increased risks of intimidation throughout the criminal justice process

Several practitioners felt that a major barrier to some Black and Minoritised victim-survivors engaging with the criminal justice system process was the risk of family and community members intimidating victim-survivors and witnesses throughout the criminal justice process and protective orders not being sophisticated enough or well-enforced enough to counteract this risk. Furthermore, it was noted that the outcome of the perpetrator being taken into custody at the end of proceedings did not incentivise victim-survivors to report as they would most likely still face risks from others even if this outcome was realised.

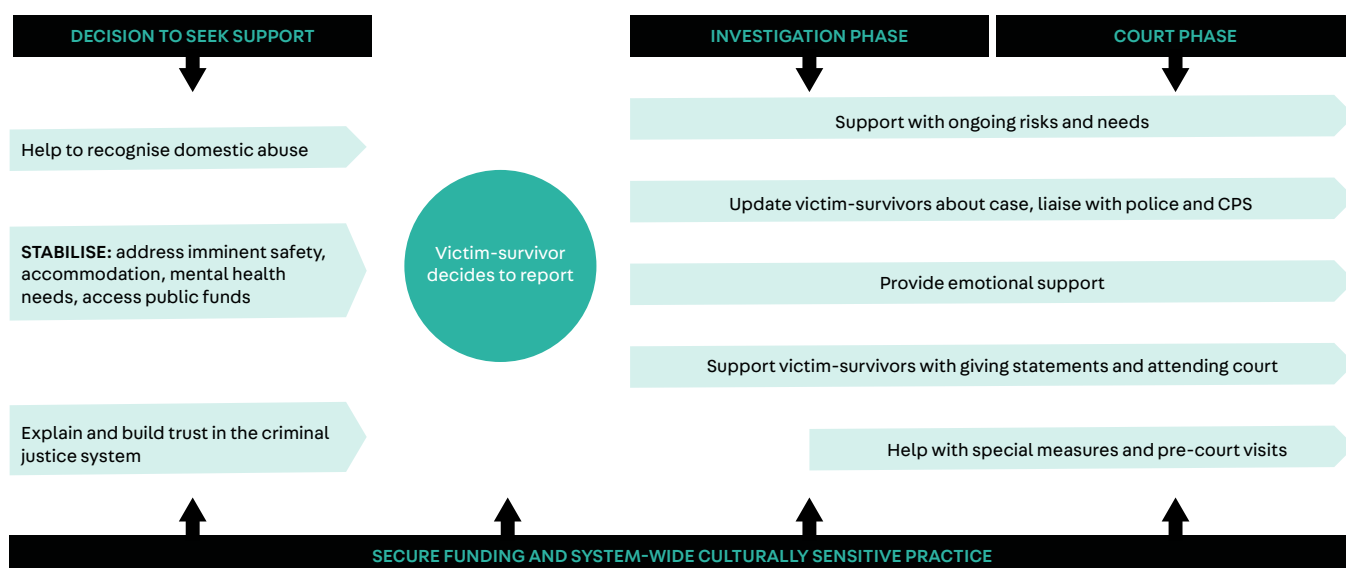
“ The perpetrator is not allowed to contact her, but then you get neighbours coming and knocking constantly, making her feel guilty, saying, why did you do this? That she's not right – she's not a good woman, a bad wife, and you know. [Practitioner]

How do specialist advocacy services support Black and Minoritised victim-survivors in contact with the criminal justice system?

Specialist advocacy services provide holistic support to Black and Minoritised victim-survivors. Support often begins by helping Black and Minoritised victim-survivors to recognise domestic abuse and harmful practices, safety planning and linking Black and Minoritised victim-survivors up with relevant agencies to support them with their other needs. Once in contact with the system, specialist advocates liaise with and relay information to criminal justice agencies on the victim-survivor's behalf, explain the system to victim-survivors, help victim-survivors access interpreters and special measures, and provide emotional support for the victim-survivor with police interviews and in court. Several services provided specialist mental health support, language provision and support to Black and Minoritised victim-survivors with no recourse to public funds.

This section will discuss the ways in which specialist advocacy services support Black and Minoritised victim-survivors to engage with the criminal justice system. The following themes relate to activities that occur within specialist 'by and for' services, culturally specific advocacy services and specialist criminal justice domestic abuse advocacy services.

Effective advocacy during the criminal justice process



Recognising domestic abuse and harmful practices

Several practitioners stated that to support Black and Minoritised victim-survivors to engage with the criminal justice system, they focused on helping them to understand domestic abuse and harmful practices and how to identify patterns and behaviours. Some practitioners did this personally in one-to-one interactions, whereas other organisations ran courses, such as the Freedom Programme, for victim-survivors in order to build understanding. Practitioners voiced that building a foundational awareness of domestic abuse and harmful practices was often an initial step towards taking other actions such as pursuing legal and criminal justice remedies.

Developing a knowledge of domestic abuse and harmful practices often helped victim-survivors make statements to solicitors and police if they were pursuing legal or criminal justice actions. Black and Minoritised victim-survivors were able to better relate their experiences with official definitions of domestic abuse and harmful practices, rendering their statements more accessible to statutory professionals.

Work around recognising domestic abuse and harmful practices could also take the form of advocacy services engaging in community outreach and engagement – such engagement aimed to develop recognition of domestic abuse and harmful practices within cultural communities and to empower communities to recognise and oppose domestic abuse and harmful practices they witness.

Establishing safety and addressing co-occurring needs

Interviewees expressed that once a victim-survivor had decided to leave a relationship and seek support they often focused on addressing immediate safety and well-being concerns. Immediate priorities often included accessing safe accommodation and mental health support. Several interviewees reported helping victim-survivors secure a place at a culturally sensitive refuge that was often linked to their own service.

Interviewees also possessed a knowledge of culturally sensitive mental health support available in London as well as mental health support delivered in different languages so that an interpreter did not need to be present. Several interviewees reported that they had successfully secured funding to resource in-house counsellors who could work with victim-survivors in their first language for six or more sessions.

One interviewee stated that her organisation encouraged Black and Minoritised victim-survivors to interact and build friendships with other women from their cultural background who had experienced domestic abuse and harmful practices and had sought support. To facilitate this, their organisation provided group programmes for women from similar backgrounds where they could discuss their experiences and form bonds.

“ We try to provide women with holistic support...that could be group workshops focusing on mindfulness and arts. So they can meet other women from their community in a similar situation. [Practitioner]

Provision of tiered and floating support

There was variation between the organisations that participated in this study regarding how long they were able to support Black and Minoritised victim-survivors for. Support windows varied from only offering time-bound support for Black and Minoritised victim-survivors deemed to be ‘in crisis’, facing a high-risk of further harm or domestic homicide occurring, to supporting Black and Minoritised victim-survivors of all risk levels over a longer duration. Some advocacy services based within women’s centres and organisations provided Black and Minoritised victim-survivors with tiered support with victim-survivors being designated a new caseworker or advocate specialising at a lower risk level once their overall risk level decreased and being able to access support for a prolonged period. This difference was often rooted in caseworkers within women’s centres often being responsible for supporting women with needs other than domestic abuse and harmful practices, with centres having other internal teams specialising in social welfare, housing and mental health.

Interviewees expressed that the provision of longer-term support may increase Black and Minoritised victim-survivors’ likelihood of engaging with the criminal justice system. Increased timescales could result in there being a sufficient window for a victim-survivor’s initial needs around safety planning, safe accommodation and mental health support being resolved, leaving them with time to consider the criminal justice response in a safe situation and whilst still receiving support from an advocacy worker. It was widely acknowledged that the criminal justice system route was typically fraught with delays and adjournments. Consequently, access to support through the entire process was perceived as vital to sustain engagement.

“ A lot of them are with us for years – we’re trying to work with them through the immigration issues and often they can be quite complex depending on what kind of issues they are. There could be ongoing child contact issues involved. A police investigation involved. So many things going on. So it really depends on the case, how long we work with women. [Practitioner]

Conducting dynamic risk assessments that take into account risk of family and community collusion

Several ‘by and for’ interviewees stated that their services had developed specialisms in conducting complex and dynamic risk assessments that accounted for the risk of family and community members colluding in and being subjected to abuse. Conducting this type of assessment could be labour intensive to undertake due to the amount of factors included in them. One interviewee stressed that it was important to review these assessments on a monthly basis to account for emerging risks. Several organisations in this research provided support to statutory services in conducting complex risk assessments where harmful practices may be present and reported being commissioned by local authorities outside of London to assist with risk assessing specific cases. Other organisations regularly trained public sector professionals in conducting complex risk assessments.

“ Our risk assessment is different from the DASH risk assessment. We have developed a very special risk assessment for the honour-based abuse and forced marriage which has different questions so we don't miss anything. [Practitioner]

Explaining legal and criminal justice processes

Several practitioners stated that Black and Minoritised victim-survivors often lacked knowledge of what legal and criminal justice responses were available to them and that it was the advocate's role to explain each option and its benefits and drawbacks. Interviewees felt that explaining the criminal justice process to Black and Minoritised victim-survivors could motivate them to engage in proceedings. Explaining the process often reassured victim-survivors that their needs would be met. An interviewee reported that Black and Minoritised victim-survivors often felt more reassured once they knew they could access emotional support and interpreters when dealing with the police and court. Interviewees stated that they often explained the purpose of victim impacts statements to Black and Minoritised victim-survivors and supported them to submit one to maximise the chances of receiving the sentencing outcome that they hoped for.

Two interviewees with experience working as specialist criminal justice IDVAs stated that their role often extended to explaining aspects of the criminal justice system that related to domestic abuse to police officers – for example, reminding officers of the protocol that certain cases could still be taken forward without the victim-survivor supporting the prosecution.

“ The police often think there's no case because the victim won't give a statement. I always say to them a victim can't give a statement if there's been a murder. But they still manage to find the perpetrator and still manage to get a conviction. So it can be the same with domestic abuse. [Practitioner]

Training statutory professionals in culturally sensitive practice

Several organisations included in this study have a formal training and consultancy offer available for statutory agencies. This training often covers what harmful practices are and how to identify them; information about cultural and religious practices and beliefs and how to navigate these as a professional; and building awareness of the impact of trauma on the victim-survivors. This training is often delivered to agencies such as the police, housing services or local authority MARACs.

“ We work with the police, MARACs and primary care services to better understand harmful practices. It's important everyone can recognise that and support victims. [Practitioner]

Supporting victim-survivors with no recourse to public funds

Several organisations have secured funding to support Black and Minoritised victim-survivors with no recourse to public funds. Other interviewees mentioned making onward referrals to agencies with funding to support Black and Minoritised victim-survivors with no recourse to public funds. Two practitioners told us that their organisations assist Black and Minoritised victim-survivors in applying for a destitution domestic violence (DDV) concession which provides them with access to benefits for a period of three months. Several agencies reported that practitioners had completed the necessary accredited training to be able to support Black and Minoritised victim-survivors complete the DDV concession application; another practitioner stated that their organisation helped Black and Minoritised victim-survivors secure legal aid and assistance from a solicitor to secure a DDV.

Several services had also secured funding to support Black and Minoritised victim-survivors with no recourse to public funds, whilst they awaited the approval of their DDV concession. This money was often used to cover basic necessities such as food, clothing and accommodation in hotels or refuges. Another element of supporting victim-survivors with no recourse to public funds was reassuring them that if they reported abuse to the authorities they would not face the consequence of being deported.

“ We have funding to provide interim support to them, put them up in hotel, help with the necessity while the DDV is processed. [Practitioner]

One service had developed pathways to support victim-survivors from the European Union to apply for settlement status through helping them secure employment in the UK for a period of three months.

Facilitating access to interpreters

The majority of practitioners working within 'by and for' services reported that their organisation employed advocacy workers who spoke a range of languages and dialects. Several services reported matching Black and Minoritised victim-survivors with a case worker who spoke their native language or dialect, where possible. Consequently, a victim-survivor's IDVA or support worker could often act as their interpreter when they were engaging with professionals in other services. Some services had a preference for employing independent interpreters and having an IDVA or support worker with language proficiency present during the interpretation to ensure the interpreter is accurately representing the Black and Minoritised victim-survivor. One service reported having a list of preferred independent interpreters to use and most services insisted that interpreters were female. Two practitioners also mentioned using external services for interpretation in the event that a suitable interpreter could not be resourced.

Support extended to helping Black and Minoritised victim-survivors review and prepare written documents that were needed for their case and for additional support services.

" If they have issues writing, we help them to give that information. Often we write it for them if they want us to, and then obviously we get them to understand what it means and why it's important. But it is an everyday struggle to give them that access to information. [Practitioner]

Emotional and practical support in interviews and attending court

Several interviewees from 'by and for' services mentioned that they supported Black and Minoritised victim-survivors to attend interviews with the police, such as when the victim-survivor needed to provide an initial statement detailing the domestic abuse and harmful practices. One interviewee stated that they sometimes arrange for police interviews to be conducted at their premises rather than the police station to increase the victim-survivor's levels of comfort during this interaction. Some interviewees from 'by and for' services reported attending court in person with Black and Minoritised victim-survivors to provide emotional support; this could prove invaluable in terms of helping victim-survivors feel safe in the court building and courtroom.

" I'd support them with communicating with the police if they having difficulties doing so. I could chase up the police for them. Sometimes if the police need to speak to them, we would arrange for the police to come to our centre. So then it's a bit more of a safer, you know, neutral place where they could speak to them there if they need to carry out any interviews. I sometimes go with them to the police station just to offer that reassurance. [Practitioner]

All interviewees talked about the importance of securing access to special measures for Black and Minoritised victim-survivors should they choose to pursue a criminal justice remedy to domestic abuse and harmful practices. Such provision could entail liaising with witness care to secure a pre-court visit, allowing the victim-survivor to know what to expect on the day of the hearing, and learning about secure spaces in the courthouse where there would be no risk of encountering the perpetrator.

Partnerships with statutory agencies and specialist criminal justice IDVAs

Some interviewees reported that there were established partnerships between 'by and for' services and specialist criminal justice IDVAs in their area; this entailed Black and Minoritised victim-survivors going through the criminal justice system receiving both general support from 'by and for' services as well specialist support at court from an IDVA with specialist training in the processes of the criminal justice system. 'By and for' interviewees reported being in regular contact with the criminal justice IDVA via email to arrange activities such as pre-court visits, receive updates about a victim-survivor's case and arrange for the criminal justice IDVA to support the victim-survivor to attend court.

" We work in partnership with culturally specific agencies. So if a victim-survivor feels more comfortable speaking to someone or working with someone from their particular culture, for example, we will offer that support with them. We will work in partnership with the other agencies, partner agencies. So we will update them on any criminal processes. [Practitioner]

Several interviewees also reported holding strong relationships with local witness care units which enabled them to arrange provisions such as pre-court visits. The specialist criminal justice IDVA we spoke to reported holding strong relationships with the statutory agencies in the SDAC court partnership in Westminster and was co-located within the local police station. Co-location and strong relationships enabled the specialist criminal justice IDVA to receive regular updates on the progression of cases and contact statutory agencies for information where relevant.

“ Working with the police officers, sitting like next to each of them was very helpful in terms of partnership working...just being able to hear what they're doing. You know they would be on calls and with people who have gone through domestic abuse alongside other things and we would be able to be involved straight away. [Practitioner]

Working with other specialist services to accommodate intersecting identities

Several interviewees also reported working closely with other specialist 'by and for' services in instances where Black and Minoritised victim-survivors had other identities that warranted specialist provision. One organisation reported working closely with a specialist LGBTQI+ organisation that typically supports people from white British backgrounds. This partnership working ensured that the other service developed an awareness of the intersection between the victim-survivor's cultural background and their LGBTQI+ identity and had helped to mitigate barriers around victim-survivors accessing mainstream services. Other interviewees mentioned having a strong knowledge of, and being in contact with, other 'by and for' services in London so they were best placed to make a referral elsewhere if needed.

“ For LGBTQI+, we normally refer them to a specialist organisation...but we insist of them staying with us when they start that support, so we can support whilst they learn to trust that agency. It's not always easy for them, especially if they're new to this country and the whole custom and culture around LGBTQI+ is different. [Practitioner]

What issues do specialist advocacy services encounter when supporting victim-survivors in contact with the criminal justice system?

This section will outline the issues that practitioners working within specialist advocacy services reported encountering whilst supporting Black and Minoritised victim-survivors in contact with the criminal justice system. Many themes that arose related to issues experienced when providing a consistent and sustainable service to all Black and Minoritised victim-survivors. Thus, themes relate to aspects of the criminal justice process and to funding issues impacting many organisations in the 'by and for' advocacy sector.

Poor coordination during the criminal justice process

Poor coordination during the criminal justice process was outlined as a barrier for practitioners which contributed to victim-survivor attrition from the process. Interviewees mentioned instances of updates about case progression not being relayed to Black and Minoritised victim-survivors in time; special measures and pre-court visits not being set up in advance of court days; interpreters not being resourced for court days and interviews; and cases being dropped without adequate justification. All these factors fed into Black and Minoritised victim-survivors having to endure long wait times coming to court and damaged their faith in the robustness of the system.

“ *The system is not always organised, so there's that as well. You can end up wasting time, yeah, yeah, yeah, without even anticipating that, without knowing why. So that is frustrating.* [Practitioner]

One interviewee stated that poor coordination could present as more of an obstacle in relation to medium-risk domestic abuse and harmful practices cases; typically, high-risk cases are more likely to be handled by the same police officer throughout proceedings and there are recurring opportunities for professionals from relevant agencies to discuss issues relating to the victim-survivor at the local authority MARAC. In these instances, interviewees recounted being able to ask police officers questions about cases in person at MARAC, meaning they could pass on up-to-date information to the victim-survivor. In contrast, interviewees felt that medium-risk cases were often handled by multiple officers throughout proceedings and were not referred into the MARAC; these factors undermined the coordinated community response for medium-risk cases and resulted in an increased likelihood of information being lost throughout the process; information relating to increased risk being missed; less engagement of the victim-survivor; and a higher likelihood of the case being dropped.

“ *People who come in and who are standard- or medium-risk we need to work even harder to protect. The police officers on the case are always changing and we can't speak to them at MARAC. They're the ones we have to keep a track on and make sure we know when their risk level is changing.* [Practitioner]

Training around criminal justice processes

Interviewees varied in terms of how confident they were in their knowledge of the criminal justice system. Current and former specialist criminal justice IDVAs had received highly specialised training in the legal response to domestic abuse and the criminal justice system from the CPS and were highly confident in their knowledge of the criminal justice process. Most interviewees had received IDVA training from Safelives; although it was pointed out that this training covers the criminal justice system, some practitioners felt that this training did not include a detailed unit on criminal justice processes and that they had to acquire this knowledge through experience in work. One interviewee reported that training around the criminal justice system focused more intently on the police and reporting domestic abuse, and that current training could place more focus on the latter stages of the criminal justice system relating to the CPS and courts.

“ *Our training around the police processes are pretty good, there tends to be less around the CPS and what happens when a case goes to court.* [Practitioner]

An interviewee working for a culturally specific service that was overseen by a large service provider reported receiving in-house training in the criminal justice system but felt that this training mostly focused on applying for civil orders rather than reporting to the police. One service stated that they often relied on the goodwill of other third sector organisations to provide 'top up training' to their staff and that finding enough money in their budget to purchase specialist training was currently a struggle. An interviewee had not received official IDVA training and was working in a hybrid role which included some

policy and research work as well as advocacy for women; they stated that they had had to learn about the criminal justice process in their own time.

“ A lot of training depends on the good will of our partners...they sometimes provide top up sessions to our advisors for free. [Practitioner]

Lack of culturally sensitive and trauma-informed practice within criminal justice agencies

Interviewees felt their capacity to support Black and Minoritised victim-survivors was often compromised by a lack of culturally sensitive practice within criminal justice agencies. Many practitioners felt that staff within the police and social services lacked knowledge of how domestic abuse and harmful practices present and how to identify the signs of abuse in Black and Minoritised groups.

“ The police just have a complete lack of knowledge and empathy about what is going on – no understanding of cultural sensitivity. [Practitioner]

Interviewees recounted that statutory professionals often harboured a misconception that domestic abuse and harmful practices are an inherent component of all or specific Black and Minoritised cultures and, subsequently, extrapolated that it is not the job of the authorities to intervene in domestic abuse and harmful practices that occur in Black and Minoritised groups. Practitioners felt that they were often fighting an ‘uphill battle’ with the police, having to remind them to take the cases seriously and educate them on how to identify abuse.

“ I think the police are also scared of being called racist as well. So they wouldn’t necessarily interfere or try to intervene...they think ‘that’s in their community’, but all that does is then sends a message to victims and survivors that there’s no one here to help me. [Practitioner]

One practitioner also pointed out that there are misconceptions about the types of abuse, such as female genital mutilation (FGM), virginity testing and forced marriage; such misconceptions often result in professionals failing to identify domestic abuse and harmful practices. Additionally, practitioners recounted instances such as professionals being unaware that the Gypsy, Roma and Traveller group is comprised of several different ethnic and cultural groups.

“ They [the police] think FGM is only happening in the Somali Muslim community and then, things like the hymen checkers...people think its only happening in the Turkish or Kurdish community when actually it is happening in a lot of communities. It’s happening in the traveller communities; it’s happening in the Jewish community. It’s happening in so many communities. [Practitioner]

“ We always really have to start at the basics of like, what does GRT (Gypsy, Roma, Traveller] mean. We have to show them that the three are completely distinct ethnic identities. And sometimes they just get lumped into one. [Practitioner]

Two practitioners pointed out that the ability of agencies to accurately understand and identify harmful practices is currently hampered by the lack of a standardised definition of the concept and poor training.

“ The government needs to have a solid definition of what honour-based violence [harmful practices] is. Once we have a definition, we know what we’re working with. You know, agencies, statutory agencies are able to work in a coordinated way. We’re all able to work together so that we don’t fail a victim-survivor. Without a definition, anything can sort of be thrown in the pot. [Practitioner]

Furthermore, several interviewees voiced that professionals in statutory agencies did not understand the importance of providing specialist advocacy to Black and Minoritised victim-survivors and had not properly engaged in training they had previously delivered to them on domestic abuse and harmful practices.

Lack of understanding of domestic abuse and trauma-informed practice within statutory agencies

Many interviewees observed that knowledge and understanding within the police and the CPS of domestic abuse was generally poor. Professionals were perceived to be particularly poor at identifying less acute forms of domestic abuse such as coercive control and commonly displayed a lack of understanding around what the impact of domestic abuse is on all victim-survivors from all backgrounds.

Resourcing of specialist advocacy

Interviewees from 'by and for' services stated that securing long-term funding was an ongoing issue. Several services recounted only receiving one years' worth of funding for specific projects, which meant that they were unable to offer staff permanent contracts. Needing to provide monitoring and evaluation to secure further funding was reported to place strain on 'by and for' services which would need to dedicate resource away from supporting victim-survivors and towards monitoring projects. One interviewee stated that this requirement sometimes compromised the ethos of their organisation, as, in order to secure initial and further funding, the organisation was required to monitor and evidence the aims of the funder which sometimes diverged from the aims and ethos of the service.

“ Money is always the challenge that we are facing. It's always so short-term, normally up to a year maximum. [Practitioner]

Interviewees reported that different strands of their service had different funders. Depending on who the funder was, some strands of provision were available to victim-survivors from all areas of London, whereas others only catered for specific areas. This caused agencies some frustration as, due to the funding structure, services may have to turn away Black and Minoritised victim-survivors from accessing some provision if they did not meet the funding criteria. Despite this, several services stated that they operated a 'never turn anyone away policy'; if they were approached by a Black and Minoritised victim-survivor outside of their catchment they would try their utmost to support them and, in some instances, utilise their reserve funds to support these victim-survivors.

“ Our sort of motto is to never turn anyone away and to never say no. So even if we're funded by specific boroughs, we take calls and inquiries from all over England, Wales and Scotland. [Practitioner]

The 'by and for' organisation for Gypsy, Roma and Traveller women had not secured funds to provide women with caseworker style advocacy and instead operated a helpline which provided ad-hoc emotional and practical support, as well as letters of support that could be used to access statutory support and accommodation services. Consequently, Gypsy, Roma and Traveller women could not access any specialist 'by and for' caseworker style advocacy.

Some services that participated in this study were commissioned to support Black and Minoritised victim-survivors whose case was assessed as being high-risk during a 'three-month window of crisis' – after which the victim-survivor would have to be referred elsewhere. Although it is typical for most advocacy services to provide some follow-up support after the high-risk period, some interviewees felt that these limited timescales compromised the quality of wrap-around support they could deliver and felt that a three-month window of support was insufficient to address all of a victim-survivor's imminent needs.

Strained caseloads and vicarious trauma

The majority of interviewees stated that they were juggling an extremely high caseload, and spent much of their working day supporting Black and Minoritised victim-survivors emotionally as well as practically. One interviewee stated that there was a widespread misconception that IDVAs provide mental health interventions for victim-survivors. The interviewee pointed out that often other services fail to determine the difference between an official mental health intervention and providing emotional support; IDVAs provide the latter and are not trained to provide counselling even though other services often expect them to meet this requirement. Needing to meet a victim-survivor's emotional support needs as well as facilitate access to a range of other support can frequently place undue demands on an IDVA, particularly if the victim-survivor is not accessing official mental health support.

Several IDVAs reported receiving regular supervision designed to help mitigate the risk of experiencing vicarious trauma due to working with a caseload who have experienced high levels of abuse and trauma. Despite receiving supervision, several interviewees felt they were emotionally impacted by their role, stating that they found some cases more difficult to manage due to being personally impacted by the described abuse.

“ A lot of people leave the sector because of burnout and vicarious trauma...I don't think you realise how much it affects your work. [Practitioner]

Conclusions and recommendations

It is clear that being able to access specialist advocacy and support across a range of fronts can improve the experiences of Black and Minoritised victim-survivors and mitigate the barriers they face to engage with the criminal justice system. In particular, being able to access culturally sensitive provision can help to address distrust of public services and enable engagement with the criminal justice process. Similarly, access to specialist criminal justice advocacy can enhance a victim-survivor's understanding and their expectations throughout the process. However, poor partnership working, a lack of coordination between agencies, disparities in the professional's knowledge and awareness relating to culturally sensitive practice, and advocacy practitioners not having access to consistent training in the criminal justice system were consistently raised as issues by interviewees in this study.

We propose six recommendations to improve the experiences of Black and Minoritised victim-survivors of domestic abuse and harmful practices in contact with the criminal justice system:

1 Improve partnership working between specialist advocacy organisations and the criminal justice system, particularly between the police, CPS and advocacy services

Improving coordination and partnership between advocacy services and statutory agencies is a key priority. Practitioners in this study expressed an interest in working more closely with both the police and CPS throughout criminal justice proceedings. This largely referred to sharing more regular updates and information relating a victim-survivor's case. In particular, practitioners thought that professionals in the CPS could take a more active role in engaging with local advocacy services. Particular recommendations focused on VAWG leads within the CPS engaging with local services and attending local meetings, and the CPS communicating with advocacy services directly about the evidence needed from victim-survivors for a charge to be made.

2 Revive the Specialist Domestic Abuse Court model

Poor coordination between statutory agencies resulting in adjournments and delays was consistently thought to pose a challenge to supporting all victim-survivors in contact with the criminal justice system. Managing domestic abuse and harmful practices cases through the SDAC model aims to address the issue of poor coordination in the system through the provision of a court coordinator who oversees information sharing between statutory agencies. Provision of a court coordinator can help to increase the timeliness of information sharing and ensure information does not get lost throughout the court process. Moreover, professionals within the SDAC model have specialist knowledge of domestic abuse, understand the impact of abuse on victim-survivors and can apply this knowledge to their practice and decisions in the courtroom. Reviving the SDAC model nationally would improve support for victim-survivors in contact with the criminal justice system through improving the flow of information to them and reducing delays.

3 Resource additional criminal justice training for IDVAs and caseworkers, particularly in relation to understanding CPS processes and the court.

An issue emerging in this research was Black and Minoritised victim-survivors often experiencing discontinuity in the provision of advocacy throughout the criminal justice process. This pertained to having advocacy in court provided by a volunteer or support worker who they had not previously met nor built a rapport with. Given the likelihood of experiencing re-traumatisation as a result of attending court, having a familiar person in attendance is important for helping victim-survivors to feel safe when in a space where the perpetrator may be present. Specialist training in supporting victim-survivors throughout the criminal justice system should be made widely available to domestic abuse and harmful practices advocates to ensure continuity of support. Practitioners in this study perceived there to be a particular gap in training and knowledge once cases go to court and in the processes of the CPS. Criminal justice IDVAs spoke positively about receiving direct training from the CPS in criminal justice processes. We recommend such training is rolled out more widely and made available to IDVAs working mostly in the community.

4 Provide widespread training in culturally sensitive practice, domestic abuse and harmful practices to criminal justice professionals, including the police and CPS

A vital need that emerged from our research was for professionals within the police and CPS to receive regular and comprehensive training in how to provide culturally sensitive provision and training designed to build awareness of the impact that experiencing domestic abuse and harmful practices can have on victim-survivors by ensuring that professionals respond in a trauma-informed way. Beyond providing training, practitioners voiced the importance of ensuring professionals fully engage in training and apply its content to their work.

5 Fund the provision of complementary support for victim-survivors.

Effective advocacy in this area is dependent on culturally sensitive provision from adjacent services such as refuges and mental health services, as well as on professionals within criminal justice agencies and other public services practicing with cultural humility. This is particularly important given that practitioners felt that Black and Minoritised victim-survivors often do not consider reporting to the criminal justice system until their more urgent safety, accommodation and mental health needs have been addressed.

6 Fund specialist advocacy services to provide longer-term support to victim-survivors in contact with the criminal justice system

Once past the reporting and investigation phases, victim-survivors from all backgrounds often face long wait times between court hearings and trial. If a victim-survivor's case goes to Crown Court for sentencing, this process can often take years. In contrast to these long timescales, provision of intensive wrap-around support from many IDVA services is only funded to last three months after which the victim-survivors will either stop receiving support or, in more fortunate instances, be referred on to a caseworker who specialises in working on cases considered lower risk. This means that, depending on the local services in their area, many victim-survivors are not able to access specialist support whilst awaiting hearings and trial. Meanwhile, they may still have unmet and emerging needs, face risks to their safety from the perpetrator, family or community, and experience continuing disruption to their life as a result of criminal justice involvement. Victim-survivors who are in contact with the criminal justice system, whose case is no longer considered as high-risk, should be able to access continuous support from a caseworker or advocate throughout the whole process.

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