Seeking Justice for Survivors...

1996 - LBHF

**1,024** Domestic Abuse incidents reported

**55** charges
5%

**10** convictions
18%

Population of Hammersmith and Fulham 156,000

80,000 Woman make up 53%

One in 10 women experienced domestic violence in past year

8,000

Incidents reported to police in whole borough 2,000

This is the area the Pilot will cover

1,024 Incidents reported to Fulham police 1996, of which:

- Recorded as crimes 537
- Arrears 174
- Charges (Cases handed over by police to CPS) 55
- Convictions 10
- Probation orders 5

*Estimated figures for Fulham.
Seeking Justice for Survivors…

1998 Partners set up **Advance** & **Standing Together**

2000 Strategic & Operational Response **“CCR”** by **Standing Together**

2002 First **“SDAC”** Court in LBHF

2005 **“IDVA”** model and co-locations by **Advance**

2011 Minerva model by **Advance**

2013 Impact model

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Seeking Justice for Survivors...

Population of Hammersmith and Fulham
- 156,000
- 80,000
- 8,000
- 2,000

One in 10 women experienced domestic violence in past year

Incidents reported to police in whole borough

This is the area the Pilot will cover
- 1,024
  - Incidents reported to Fulham police 1996, of which:
    - Recorded as crimes
      - 537
      - 174
    - Charges (Cases handed over by police to CPS)
      - 55
    - Convictions
      - 10
    - Probation orders
      - 5

*Estimated figures for Fulham.

1996 - LBHF

2018 – CSEW

- 2,000,000
- 1,200,000
- 599,549
- 89,091
- 68,098

DA offences
- 599,549
- ↑23%

Prosecutions
- 89,091
- 15% v 5%

Convictions
- 68,098
- 76% v 18%

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Seeking Justice for Survivors...

In 2018, Domestic Abuse is highest in five years

- **85,000** DA incidents reported in London
- **173** DA related homicides in the UK; **29** in London
- Survivors call the police every **30 seconds** for help
- Survivors wait **3 years** (50+ incidents) for effective help

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Survivor’s Journey for Justice ...

Advance supports the survivor throughout the process

Reporting & Investigation

Pre-Trial & Trial

Post-sentence

Sentencing

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Survivor’s Journey for Justice ...

The journey from reporting to sentencing is complex
Survivor’s Journey for Justice ...

What survivors want from this journey

➢ To be safe and protected
➢ The abuse to stop
➢ To feel empowered
➢ To access support so they can rebuild their lives
Survivor’s Journey for Justice ...

The first stage ...

- Reporting & Investigation
- Post-sentence
- Sentencing
- Pre-Trial & Trial

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“The first police officer who talked to me convinced me to make a statement so the police could tell him his behaviour wasn’t okay. She made me feel safe and that it would be okay. She then had a week off and another officer took over.

He listened but said things to me like “not that I’m supporting the perpetrator, but I do that with my kids”. It seemed that (he) had been charmed by the perpetrator and seemed to be convincing me to make peace with him. I thought the police were on my side but they weren’t.”
Reporting and Investigation
Survivors need to feel understood

“They were very nice to me but they just don’t know what domestic violence is. You don’t feel you can open up to them as I don’t feel they are very interested.”

“I don’t think they are used to dealing with anything other than thugs. Domestic abuse perpetrators are not thugs; they are manipulators”
Reporting and Investigation
Survivors need to trust before disclosing

“…Reporting the Threat to Kill was kind of testing the water as it were,
you know if they’d decided to charge him for that and I felt believed and supported on that,
then I probably would have told them everything...”
Reporting and Investigation
Survivors can feel blamed and not believed

“Every time I go to the police I just get ignored –
to be honest I just stopped going there.

I also feel like I’ve been blamed, for example
they would said ‘why didn’t you say before’,
and the reason is because I am never believed.”
Reporting and Investigation
Survivors can find the process problematic

“Myself and Advance had to chase the police quite a lot for information…. and everything felt very last minute.”

Bail lacking protection “feels like a broken promise”

“There was always not enough evidence, it was very frustrating.”
Reporting and Investigation

Police feedback and Justice Inspectorate Report 2019

- Limited understanding of Domestic Abuse
- Limited resources
- Limited tools

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Survivor’s Journey for Justice ...

The next stage...

- Reporting & Investigation
- Pre-Trial & Trial
- Sentencing
- Post-sentence
Pre-Trial and Trial
Survivors need to feel they are heard

“[The Prosecution is] faceless, it’s not like when you see the police officers face and the judge; but the CPS, when making charging decisions, make this huge decision with a life changing impact and they are completely faceless, and something feels very wrong about that. I would have really liked to...understand why”
Pre-Trial and Trial
Survivors need to be a vital part of the process

“it’s your case but it’s like you’re not at all important in this...you’re terrified and shaking and then he [Prosecutor] walks in ‘hi and how are you’ and walks out again. And I thought ‘do you not want to know what he was like this strange man’.”
Pre-Trial and Trial
Survivors can find the process problematic

“It’s been one of the longest cases. The police submitted evidence late, on day of trial, so judge couldn’t accept it. It was a voice recording of him [perpetrator] admitting the offence.”

“My child has given evidence multiple times, lots of other evidence, and nothing has ever come of it”
Pre-Trial and Trial
Survivors can find it stressful and re-traumatising

It can feel like “replacing a bully for a bully....the defence lawyer is replacing the bully that you’ve got away from, and he is in your face, and because he is the lawyer and you are cornered - you’ve lived that life, and now you’ve got an official doing it, and that is hideous. It should not be allowed.”
Pre-Trial and Trial

Crown Prosecution feedback

- Limited specialisation of Domestic Abuse
- Limited resources
- Limited use of tools
  Coercive Control not routinely charged
Survivor’s Journey for Justice …

At the last stages...

- Reporting & Investigation
- Pre-Trial & Trial
- Sentencing
- Post-sentence
Sentencing
Survivors need the gravity of the abuse reflected

“...I made a four page personal statement and it never made it to court which was disheartening.”

“His sentence was very lenient – it was a real disappointment - so many women are too scared to press charges, and then you see someone getting 3 months for ABH, it just isn’t going to deter him from doing it again.”

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Post-sentence

Survivors need to be kept **safe after his release**

- Disjointed communication by professionals
- Limited information or warning by Probation
- Limited safety plans

“I knew he was released from prison when I saw him walking down my road”
Survivor’s Journey for Justice ...

Survivors need access to support beyond the Justice System

- Adult Social Care
- Family courts
- Children Social Care
- Education schools
- Pre-Trial & Trial
- Post-sentence
- Reporting & Investigation
- Sentencing
- Immigration
- Health [GP, A&E, Maternity]
- Mental Health
- Substance misuse
- Housing
- Finances [Debt]

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Survivor’s Journey for Justice...

She tells us that it is

Her Story

But

Not Her Justice

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The ‘Whole Justice’ Approach

The IMPACT Model
- CJ Coordination
  - Standing Together
- CJ Advocacy
  - Advance

- Reporting & Investigation
- Pre-Trial & Trial
- Sentencing
- Post-sentence

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Coordinated Community Response

Every agency who has a responsibility for safely supporting victims of violence against women and girls and their children within their own agency

**AND**

with all the other agencies who also have that responsibility in order to secure the safety of the victim and their children and hold perpetrators to account.

**CCR = integrated and managed process**
"Activists and advocates need to be continually reflective about how institutions, such as the criminal justice system, reproduce relations of domination in society, whether gendered, racialized, or classes. And the workings of power are often far more visible to women on the margins of society, or those situated in the intersections of different relations of inequality, than to those nearer the center."

Ellen Pence
Standing Together: Building the CCR

- Health-A&E and walk-in centres
- Structures and referrals pathways
- Specialist courts and CJS operations
- Community based work
- Children and Young People
- MARAC
- Housing
- Maternity and acute trusts
- Mental Health
The SDVC Coordinator

A day in the life at court:

- Presence in the court
- Case enquires resolved prior to court start
- Record case results
- Collate files for hearings; identify repeat victim/witnesses
- Liaise with victim/witness support services
- Maintain case files
- Note court practice
The SDVC Coordinator

A day in the life at court (cont’d):

- ID people attending court
- Coordinate observers/visitors
- Give guidance re the protocol
- Ensure support and information/administrative supplies
- Feedback forms for victims/witnesses
### CCR: Criminal Justice Response

**What can be achieved?**

**SDVC conviction rate**

- **year 1 - 36%**
- **year 9 - 52%**

<table>
<thead>
<tr>
<th>What can be achieved</th>
<th>Percentage 1</th>
<th>Percentage 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case files contain details of special measures</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>Restraining orders address on file</td>
<td>71%</td>
<td>58%</td>
</tr>
<tr>
<td>Restraining orders imposed</td>
<td>Twice as likely</td>
<td></td>
</tr>
<tr>
<td>Early guilty pleas</td>
<td>Twice as likely</td>
<td></td>
</tr>
<tr>
<td>Breaches of bail dealt with at court</td>
<td>100% failure to 100% success</td>
<td></td>
</tr>
<tr>
<td>Referral to IDVA from Police</td>
<td>125% from year 1 to year 2</td>
<td></td>
</tr>
<tr>
<td>Higher conviction rate</td>
<td>77%</td>
<td>66-69%</td>
</tr>
<tr>
<td>Reduction in unsuccessful court cases where the primary reason with V/W evidential issues</td>
<td>64% to 54%</td>
<td></td>
</tr>
<tr>
<td>Increase on arrest leading to charge</td>
<td>28% to 43%</td>
<td></td>
</tr>
<tr>
<td>Prosecutions which did not require the V/S statement</td>
<td>1 in 6 months to 6 in the following 6 months</td>
<td></td>
</tr>
</tbody>
</table>
Turning Points 2013

Turning Point >> the moment during the survivor’s journey when she believes her situation will improve.

Participants contacted 4 agencies (average) before reaching a ‘Turning Point’

Almost all survivors specifically cited a DA specialist service as instrumental in their Turning Point

Shortest path to Turning Point when Police worked with Advance: 24% survivors reached Turning Point contacting just 2 agencies.

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The Whole Justice Approach

The IMPACT Model
> CJ Advocacy
Advance

Advocacy
✓ Trauma-informed support
✓ Training
✓ Co-location
✓ Info sharing with agencies

Reporting & Investigation

Post-sentence

Pre-Trial & Trial

Sentencing

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The Whole Justice Approach

The IMPACT Model
> CJ Advocacy

Advocate

Post-sentence

Sentencing

Pre-Trial & Trial

Reporting & Investigation

- Advocacy
- Support Case Building
- Trauma-informed support
- Info sharing
- Police, CPS, Survivor
- SDA Court

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The Whole Justice Approach

The IMPACT Model
> CJ Advocacy

Advancing

Advocacy
- Trauma-informed support
- Info sharing Probation, Survivor, others
- Support Police with VPS

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The Whole Justice Approach

The IMPACT Model

> CJ Coordination
  Standing Together
> CJ Advocacy
  Advance

Survivors at the centre of the CJ response ensuring they are safe, informed and supported through the CJ journey

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IMPACT: Survivor feedback

“[Advance] changed my life.”

“She [Advance] kept in contact, provided information (explained the language) and never made me feel like a burden. This is the third domestic violence service I’ve worked with and it is definitely the best I ever worked with – [Advance] was amazing.”
IMPACT: Survivor feedback

“If it hadn’t been for Advance I wouldn’t have gone through the court case. Now I feel really confident that I can trust the police.”

“They were very supportive; Advance was the one guiding me and the police. Advance reminded them about screens. Considering how few their (police) resources are, they did an excellent job on my case.”

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Impact of Advance model

Survivors tell us that with the support of our Advocates

- 94% feel improved confidence in reporting
- 90% have improved safety
- 96% have a reduction in abuse
Evaluation of IMPACT model

- Survivors stay engaged with CJS
- Better trained and informed Professionals
- Improved information-sharing by all Professionals
- Improved safeguarding measures
# Evaluation of IMPACT model

<table>
<thead>
<tr>
<th></th>
<th>LBHF</th>
<th>Similar Borough</th>
</tr>
</thead>
<tbody>
<tr>
<td>restraining orders on file</td>
<td>71%</td>
<td>58%</td>
</tr>
<tr>
<td>DA history on file</td>
<td>94%</td>
<td>76%</td>
</tr>
<tr>
<td>early guilty plea</td>
<td>52%</td>
<td>29%</td>
</tr>
<tr>
<td>Bail conditions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>✓ Arrests to charges <strong>+54%</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>from 28% to 43%</td>
</tr>
<tr>
<td>✓ Convictions</td>
<td>78%</td>
<td>66% (London)</td>
</tr>
</tbody>
</table>
Improving the Justice response

Recommendations: Legal framework

- **Domestic abuse Bill** DA definition / an offence
- **Statutory duty** for full DA services for all survivors
- **Code of conduct** towards survivors throughout
- **Review** DA attrition and **bail** breaches/ penalties
Improving the Justice response

Recommendations:

Reporting and investigation - Police

✓ Resources for investigation and evidence gathering
✓ Charging for Coercive control
✓ Pre-charge bail: no unconditional ‘released under investigation’

Pre trial and Trial – Prosecution and Courts

✓ Consistency and DA specialisation: case building to prosecuting
✓ Resources for Prosecution to review case pre-trial
✓ Proportionate sentencing reflecting the gravity of the abuse

Post sentencing – Prisons and Probation

✓ Prisons and Probation in a joint-up multi-agency approach
✓ Probation work on survivor safety plans and pre-sentence reviews
Improving the Justice response
‘Whole Justice Approach’ framework

✓ **Trauma-informed practices**: impact of trauma on survivor response
✓ Improve **understanding of DA** by CJ professionals
✓ **Hold the perpetrator to account**; not survivor
✓ Justice system **for and about the victims**, not despite them
"The welfare of the people is the supreme law"

Cicero, De Legibus– Inscription from The Old Bailey

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