

National Domestic Violence Delivery Plan

Annual Progress Report
2006/07

March 2007

CONTENTS

	Page
Ministerial foreword	3
Executive summary	5
Introduction	11
Developing a Co-ordinated Community Response	14
Objective 1: <i>To increase the early identification of – and intervention with – victims of domestic violence by utilising all points of contact with key front-line professionals</i>	16
Objective 2: <i>To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence</i>	21
Objective 3: <i>Developing a Co-ordinated Community Response</i>	see page 14
Objective 4: <i>To increase reporting rates and arrests rates for domestic violence</i>	32
Objective 5: <i>To increase the rate at which sanction detections are converted into offences brought to justice, particularly in high-incidence areas and/or communities, as well as in areas with high attrition rates</i>	34
Objective 6: <i>To support victims through the criminal justice system and to manage perpetrators to reduce risk</i>	39
Objective 7: <i>To develop the evidence base to close key knowledge gaps</i>	44
Legislative and procedural changes	49

MINISTERIAL FOREWORD

This year has seen more dedicated action against domestic violence at all levels of the delivery chain.

As with last year, the centrepiece of the National Domestic Violence Delivery Plan has been the continued expansion of the Specialist Domestic Violence Court (SDVC) Programme. The key feature of the Programme is the multi-agency approach to putting victims at the heart of the criminal justice system (CJS) and continuing to improve criminal justice outcomes in domestic violence cases.

Emerging from the SDVC Programme has been the Multi-Agency Risk Assessment Conferences (MARACs) and Independent Domestic Violence Advisors (IDVAs). These initiatives will be the central focus for action to address domestic violence in the coming years, along with the continued development of the courts. We aim to expand IDVA services and MARACs further into areas outside the court programme.

This intention was reinforced by the Home Secretary's announcement at the beginning of March 2007 of a further £1.85 million to fund the roll-out of MARACs across the country. This will be supplemented by the recently announced £3 million to enable IDVAs to be employed as caseworkers to support the expanding MARACs and to offer tailored support for victims. This money has been identified in 2007/08 with further support offered for subsequent years.

This is a significant leap forward in providing a comprehensive set of interventions to ensure victim safety and to better manage perpetrators.

Domestic Violence, Crime and Victims Act 2004

When the Domestic Violence, Crime and Victims Act 2004¹ received Royal Assent in November 2004, it was agreed that sections of the Act would be rolled out in stages from March 2005, as and when resources became available.

In December 2006, the Prime Minister announced that the outstanding domestic violence-related sections would be introduced from 1 July 2007. This will complete the suite of measures aimed at providing better legal protection for victims and their children.

Homicide Reviews

Section 9 of the Domestic Violence, Crime and Victims Act 2004 creates a statutory basis for establishing and conducting domestic violence Homicide Reviews.

¹ See www.legislation.hms.gov.uk/acts/acts2004/20040028.htm

We have undertaken an extensive consultation exercise on the nature and scope of the Reviews, and have received valuable responses from stakeholders. We expect that the final guidance will be issued following clearance across government departments and once governance arrangements have been set.

The Co-ordinated Community Response

In last year's National Domestic Violence Delivery Plan report, we identified the SDVC model of service delivery as the catalyst for a more co-ordinated approach for action on domestic violence at the local level. Building on the experience of the SDVC Programme and what we know from research, the Domestic Violence Virtual Unit – along with regional colleagues – has been working to develop a more holistic model that all local partnerships can use, regardless of whether or not they have an SDVC. The draft model has been tested with regional and local colleagues to ensure that all elements of good practice have been captured.

We hope that local partnerships will adapt this model to ensure that their limited resources are targeted at the most vulnerable victims using the available public protection frameworks as a guide to safety.

Merging inter-personal violence workstreams

In the coming year, we will see a greater collaboration between the domestic violence and sexual violence delivery plans, which will help local partnerships to marshal resources and deliver services for these victims. Although there are distinct differences associated with each of the crime types, they also have much in common as they are so closely linked by their victim and perpetrator profiles.

Over the coming year, these plans will need to be read in concert with each other to ensure that both issues are dealt with equally by all agencies and local partnerships where appropriate.

Finally, I would like to thank those of you who have worked so hard to make this action plan a reality. It is only through the efforts of people at every level of the delivery chain that we will continue to keep victims and their children safe and bring perpetrators to justice.

Rt Hon Baroness Scotland of Asthal QC
Minister of State for Criminal Justice and Offender Management
Chair of the Inter-Ministerial Group on Domestic Violence

EXECUTIVE SUMMARY

Early identification and intervention

As in 2005/06, **the health service** has been making significant progress in the early identification of, and intervention with, domestic violence victims. The roll-out of routine enquiries for all pregnant women has been a major achievement. Progress has also been made on plans to collect violent crime data (including domestic violence) as part of embedding electronic patient records.

In work on domestic violence and **children**, there has been further progress on integrating an awareness of domestic violence into wider work to safeguard children. Domestic violence has been included in the Common Assessment Framework and in the work of the recently established Local Safeguarding Children Boards. We need to build on this to ensure that Multi-Agency Public Protection Arrangements (MAPPAs) and Multi-Agency Risk Assessment Conferences (MARACs) work effectively with child protection arrangements. We are learning more about how domestic violence can affect children, in particular from the work of Gordon Harold at Cardiff University and the Wave Trust.

We have seen innovative work with **employers** in the past year, with progress being made with government departments on staff training, domestic violence policies and awareness-raising. An excellent model is the Crown Prosecution Service's (CPS) employee domestic violence handbook for staff; it is being disseminated to other government departments as an example to follow.

The **Corporate Alliance Against Domestic Violence (CAADV)** also continues to grow, with over 160 new companies having joined since its launch in 2005. Over 2 million employees will now be better protected as a result. CAADV has developed a strategy for its continuing work over the next year, including improving workplace safety for domestic violence victims.

Building capacity within the domestic violence sector

The **Local Government Association (LGA) Domestic Violence Project** completed its final year in December 2006. The project will leave a lasting legacy of the crucial role of local government in tackling domestic violence. It has yielded important information about the role of local authorities in tackling domestic violence and has provided consultancy services to those local authorities who were part of the Specialist Domestic Violence Court (SDVC) Programme. During its three-year span, the LGA Domestic Violence Project produced a number of helpful guides to support local authorities in delivering national objectives. A significant one was *The vision for services and young people affected by domestic violence*, which was produced in conjunction with Women's Aid and the Children and Family Court Advisory and Support Service (CAFCASS) and will help to shape the commissioning of children's services in future years.

As we pursue the development of a Co-ordinated Community Response to domestic violence in 2007/08, the support and involvement of the LGA and local authorities will be crucial to its success.

In last year's report we identified that there was a pressing need to develop a **men's agenda** to engage with men in a coherent and co-ordinated way. It will involve men not just as victims or perpetrators of domestic violence, but also as a powerful lobbying force to challenge the culture and behaviour that colludes with this destructive crime.

In the past year we have linked two phone lines more closely: **RESPECT** (for male perpetrators) and **MALE** (the Men's Advice Line and Enquiries) (for those men who find themselves in abusive relationships). The Forced Marriage Unit (FMU) recently provided training on forced marriage to call handlers at MALE.

The Home Office funded **The Centre for Public Innovation** to host two seminars on changing men's behaviour in 2006/07. The seminars were attended by a wide range of groups who all have an interest in this emerging agenda. This work is ongoing; the aim is that it will develop into the National Men's Coalition in the coming year. This grouping has joined forces with the **Men's Health Forum** to consider the formation of a coalition of organisations to deal with men's health and behaviour, creating a powerful male voice to address violent behaviour.

We will be commissioning the delayed research into men as victims of domestic violence in this coming year.

During 2006/07 the **Forced Marriage Unit** (FMU) published the results of the national consultation held in 2005 on whether the Government should make forced marriage a specific criminal offence. As a result of the consultation, it was decided that legislation would not be introduced at this time. However, the Government is committed to supporting the civil law outcomes identified in Lord Lester's recent Private Members' Bill, and we plan to work with the Bill's backers to achieve a positive result.

The FMU is currently pursuing the other recommendations from the consultation and continues to provide assistance to approximately 300 victims and potential victims of forced marriage, to increase awareness of the issues, and to develop guidance for public service professionals. In 2006, two **honour killings seminars** with community leaders were jointly hosted by the Attorney General and Baroness Scotland.

We have a continued commitment to address the issues faced by **domestic violence victims from black and minority ethnic (BME) groups**, and as part of our commitment we have funded the charity IMKAAN to examine the number of BME victims of domestic violence who have accessed refuge accommodation in the past year. In addition, we have prioritised additional research in 2007/08 to look into the service needs and patterns of help-seeking behaviour of the BME population.

As domestic violence steadily grows in importance as a criminal justice issue, so too does the need to ensure that the domestic violence sector, its services and its workforce are all fit for purpose.

We aim to create consistency in services for victims and perpetrators. To this end, we are working to develop **national occupational standards** with the voluntary sector organisations that deal with domestic and sexual violence. Draft **service standards** have been prepared by Women's Aid and these are being circulated as part of a consultation exercise. In addition, draft occupational standards for Independent Domestic Violence Advisors (IDVAs) are being consulted on and will be developed further in 2007/08. This will be co-ordinated with the work on the **Victims of Violence and Abuse Prevention Programme (VVAPP)** to create a package of measures to ensure that the best possible responses to domestic and sexual violence are available locally.

We have demonstrated our commitment to the provision of a range of **accommodation options** for victims of domestic violence – from traditional solutions such as refuge provision and re-housing to the floating support detailed in the Sanctuary Scheme guidance published in December 2006 (it adds another option for care plans at the local level wherever victims and children need to be protected).

Her Majesty's Courts Service (HMCS) is continuing to build on the recommendations outlined in the report published in 2005 by Her Majesty's Inspectorate of Court Administration on the handling of domestic violence issues by CAFCASS and on the administration of family courts by HMCS. Progress on the implementation of the recommendations will be monitored on a regular basis.

HMCS has now produced a **DVD about the family court process**. *You don't have to live in fear* aims to address the concerns that victims may have when making an application for a civil injunction. HMCS has also repeated a survey of **special facilities available in the family courts** and has worked to increase awareness among victims and professionals about what to do when there are concerns about intimidation while at court.

Increasing reporting and arrests for domestic violence

We will continue to roll out the *Centrex/CPS Responses to Domestic Violence* training manual to embed the principles of the **Association of Chief Police Officers' (ACPOs) Guidance on Investigating Domestic Violence** in local policing policies. When this guide was published, the police set a target that all officers should be familiar with the guidance by 2008; over the past year, ACPO has been undertaking an audit of how close we are to reaching that target.

The lessons learned during the **domestic violence enforcement campaigns** (DVECs) mean that we continue to develop the evidence base on what works in relation to policing domestic violence. This includes innovative work such as the use of head cameras to aid effective evidence gathering when responding to domestic violence incidents. An interim report on the use of head cameras and

a report into policing domestic violence during the FIFA World Cup 2006 are both available at www.crimereduction.gov.uk/tvcp/tvcp05.htm.

Increasing the rate at which sanction detections are converted into offences brought to justice

Building on the success of the first SDVC Programme in 2005/06 – when 25 new sites were identified as having reached the nationally agreed standard for a specialist court – the Programme was expanded in 2006/07. There are now 64 sites working towards being operational by April 2007.

The launch of the expanded SDVC Programme at 10 Downing Street in September 2006 – together with the National SDVC Steering Group being nominated in the top three for the 2006 *Whitehall & Westminster World Award* for Joined-up Government – is another indicator that this work is a government priority.

The Centrex/CPS training manual was launched in February 2005, with a target to train all **CPS prosecutors** and caseworkers by April 2008. By January this year, over 2,400 CPS staff had been trained to handle domestic violence cases. This – and the dissemination of good practice guidance – has led to the successful prosecution rate for domestic violence rising from 46% in 2003 to 65.4% by December 2006.

Supporting victims through the criminal justice system (CJS) and managing perpetrators to reduce risk

IDVA involvement with victims of domestic violence has been shown to decrease victimisation, increase awareness of children at risk, and reduce the number of victims who are unwilling to support a prosecution.

During 2006/07, £3 million in funding has been used to pump-prime IDVAs in the 64 SDVC areas and to establish Independent Sexual Violence Advisors (ISVAs) in sexual assault referral centres (SARCs) and specialist sexual violence voluntary sector organisations. Accredited training has also been developed and provided for both roles.

To date, funding for this programme of work has been provided by the Home Office. However, the Department for Constitutional Affairs has now secured £3 million for 2007/08 for the funding of IDVA posts in all the court areas, with an ongoing commitment for future years. Funding for ISVAs will also continue for 2007/08, and will be reviewed after the evaluation is completed.

At the beginning of March 2007, the Home Secretary announced £1.85 million in funding for the development of MARACs across the country. These are a recent development in the services offered to victims of domestic violence, and they focus on high-risk victims (as indicated through the use of risk assessment processes). By sharing information, agencies get a better picture of victims' situations and so develop responses that are better tailored to the needs and goals of individual victims and their children.

In Cardiff – where the MARAC has been evaluated by Cardiff University – the level of reported repeat victimisation has dropped from 32% to below 10%. In 2006/07 the Home Office funded the development of a training package for MARACs based on the evaluated Cardiff model, and it is now being rolled out across the SDVC areas. MARACs will be rolled out to an agreed national standard in 100 areas by the end of April 2008.

All **probation service** areas now run a perpetrator programme accredited by the Correction Services Accreditation Panel (CSAP) for delivery in the community. During the beginning of 2006/07, all areas received programme sign-off by **satisfying** CSAPs quality standards, and for the first time targets were set by the National Offender Management Service (NOMS) for programme completion. **Women safety workers** (WSWs) play an essential role in the programmes: NOMS has provided additional funds and run four national training events in support of them.

Developing the evidence base

We have continued to take an **evidence-based approach to developing our policies** on domestic violence. In September 2006, we published the findings from the 2004/05 British Crime Survey on domestic violence, sexual assault and stalking. Jointly with the Northern Rock Foundation, the Government commissioned research into **male domestic violence perpetrators** entering the CJS, to identify help-seeking pathways and potential opportunities for early intervention and prevention.

Other planned research includes evaluating the Domestic Violence, Crime and Victims Act 2004; looking at the police/family protocol for family court practitioners to approach the police for information in relation to family cases; revising the forms used for child contact and residence applications; and evaluating a pilot project that was developed for staff in 12 mental health trusts to work with patients, asking them about their experiences of violence and abuse.

In addition, we will be commissioning research into the needs of lesbian, gay, bisexual and transgender (LGBT) communities. This work has been listed as a priority for the coming year.

Legislative changes

The **Domestic Violence, Crime and Victims Act 2004** introduced a number of new powers (and amendments to existing ones) to strengthen the victim's case when brought to the attention of the criminal justice system.

Three provisions that impact on civil remedies and criminal sanctions will be implemented from 1 July 2007. These are:

- Section 1: making breach of a non-molestation order a criminal offence. Breach will be punishable by up to five years' imprisonment on indictment.

- Section 4: making couples who have never cohabited or been married eligible for non-molestation and occupation orders.
- Section 12: enabling courts to impose restraining orders when sentencing for any offence and giving any person mentioned in a restraining order the right to make representations in court if an application is made to vary or terminate the order.

In 2004 the Home Secretary asked the Sentencing Advisory Panel (SAP) to consult on guidance **to the courts for dealing with domestic violence cases**. In December 2006, the **Sentencing Guidelines Council** published *Overarching Principles: Domestic Violence and Breach of a Protective Order*, definitive guidelines on sentencing in domestic violence cases.

Work continues within HMCS to improve **the interface between the family and criminal jurisdictions** and to **improve transparency and privacy in family courts**. In relation to the former, the Family-Criminal Interface Committee has been established to improve the interface between the family and criminal jurisdictions and to identify areas that have not yet been addressed, enabling all stakeholders to respond more effectively to child protection, domestic violence, and private and public family law issues within the forensic arena.

INTRODUCTION

This is the government's third annual progress report, and the second reporting on the National Domestic Violence Delivery Plan. The report outlines the continuing progress that has been made across workstreams during the last year. Although much of this work is still ongoing, there have been significant developments – especially in the criminal justice system (CJS), where 64 Specialist Domestic Violence Courts (SDVCs) will be established by April 2007.

Accompanying the development of the SDVCs has been the expansion of the use of Multi-Agency Risk Assessment Conferences (MARACs) and increased training (to the national standard) for Independent Domestic Violence Advisors (IDVAs). This trinity of developments is paving the way for considerable expansion in the coming year to transform the delivery of domestic violence services at the local level.

We are mindful that there is a continuing need to keep monitoring the data that is emerging from the SDVCs and the MARACs to ensure that the programme of work is kept on track and keeps on delivering its essential service. But it is equally important that we do not let up on developments in mainstream services such as health and local government as well as in the voluntary sector, all of which develop and refine responses and services for victims and assist in the management of perpetrators.

In relation to health, work with antenatal services, the production of a training manual for health workers, and the piloting of data collection from electronic patient records on domestic violence and alcohol-fuelled violence are all areas where we will be exploring possibilities and options for more effective interventions. In the coming year, we have to ensure that these workstreams have tangible goals and outputs so that we can quantify the impact of developments.

Similarly, work carried out through the Local Government Association (LGA) with local partnerships and local authorities identified the key role that local authorities need to play in order to achieve the substantially revised Best Value Performance Indicator (BVPI) 225. Performance on this indicator will need to be understood in the light of new partnership accountability arrangements and Local Area Agreements (LAAs). Again, progress on this needs to be monitored, as we are seeing more domestic violence targets included in the roll-out of LAAs.

The voluntary sector is pivotal in providing specialised and focused services for victims. Emerging work on occupational standards and the Change Up programme for Women's Aid services and the sector as a whole will grow in significance in the coming year. This is coupled with the consolidation of work with the National Domestic Violence Helpline and other smaller phone lines aimed at various sectors of the community.

Work has been undertaken by the Association of Chief Police Officers (ACPO) to gauge how far police forces have taken the Centrex/CPS training on

investigating domestic violence. Similar work is being carried out to monitor which risk assessment processes are being used at the local level, with a view to standardising the police approach.

The Probation Service continues to develop and implement its strategy, which includes having accredited domestic abuse treatment programmes running in every part of the country (this has now been achieved). In some areas, the issue of waiting times continues to be a challenge, but there has been significant progress in many other areas, as additional funding for victim safety work has been made available.

Perpetrator programmes outside the criminal justice system (CJS) are growing in importance, and principles and standards are being developed through RESPECT. This programme will aim to create consistency in the service and the approach, reflecting those of the Probation Service.

The objectives of the National Delivery Plan have been rationalised and re-defined to allow for greater transparency and to capture more clearly the emerging model of local delivery that is growing out of the SDVC Programme.

The outcomes of the National Domestic Violence Delivery Plan are as follows:

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

In 2006/07, the objectives of the National Domestic Violence Delivery Plan were as follows:

1. To increase the early identification of – and intervention with – victims of domestic violence by utilising all points of contact with key front-line professionals.
2. To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence.
3. To promote and promulgate a Co-ordinated Community Response to domestic violence.
4. To increase reporting rates and arrests rates for domestic violence.
5. To increase the rate at which sanction detections are converted into offences brought to justice, particularly in high-incidence areas and/or communities, as well as in areas with high attrition rates.
6. To support victims through the criminal justice system and to manage perpetrators to reduce risk.

7. To develop the evidence base to close key knowledge gaps, particularly around understanding the nature and scope of domestic violence, and understanding what works in reducing its prevalence.

However, these objectives have been revised for 2007/08 to reflect the move towards developing a Co-ordinated Community Response to domestic violence. The agreed objectives are now as follows:

1. To increase the early identification of – and intervention with – victims of domestic violence by utilising all points of contact with front-line professionals.
2. To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence.
3. To improve the criminal justice response to domestic violence (previously objectives 4 and 5).
4. To support victims through the CJS and to manage perpetrators to reduce risk.

Objective 3 has now become the overarching objective. What was Objective 7 ('To develop the evidence base to close key knowledge gaps') is to become work to support these objectives.

While there has been a degree of success in achieving improvement in criminal justice outcomes, next year there will be a stronger focus on reducing risk and harm to victims and their children. Although there are very good reasons to be pleased with the progress made this year, there is still a lot more work to be done to bring about changes in the deep-rooted culture that has colluded with domestic violence.

DEVELOPING A CO-ORDINATED COMMUNITY RESPONSE TO DOMESTIC VIOLENCE

At the heart of the National Delivery Plan has been the excellent work of the Specialist Domestic Violence Courts (SDVCs), which were expanded further in 2006/07 to reach a total 64 by April 2007. Independent Domestic Violence Advisors (IDVAs) and Multi-Agency Risk Assessment Conferences (MARACs) for victims have played a crucial role within these courts and have helped with the development of the Co-ordinated Community Response model to address national domestic violence work beyond the SDVCs.

In 2007/08 the 64 SDVCs will be consolidated and expanded, but a broader Co-ordinated Community Response will still be needed – irrespective of whether or not it is possible for victims to report incidents of domestic violence or stay involved in a criminal justice case. This approach recognises the fact that the majority of victims may disclose to a range of statutory and voluntary agencies before going to the police and continuing their involvement in a criminal case.

It is also recognised that, for a variety of reasons, some areas may not be able to set up an SDVC – but partnerships will still want to apply good practice and learning.

The development of the Co-ordinated Community Response is a continuation of a dialogue that the Government began with the domestic violence sector at last year's national conference for domestic violence co-ordinators and police force champions. We have tested the Co-ordinated Community Response model with a selection of regional and local co-ordinators to ensure that it has captured best practice.

The Co-ordinated Community Response model demonstrates the relationship between agencies and the levels of response needed to tackle domestic violence effectively. The model is designed to identify the dynamics of domestic violence and how it plays out in a community and social context. It also identifies the landscape that local partnerships will need to construct in order to successfully intervene and prevent domestic violence cases from escalating to serious injury or homicide.

The Co-ordinated Community Response model provides an illustration of the tiers of risk and illustrates the need for a co-ordinated interplay between local agencies – both local and statutory – through risk assessment, the MARAC process and (more importantly) detailed information sharing. The model has been informed by the sector's practitioners and policy makers and has borrowed heavily from the strategic work of Tower Hamlets in London.

Ultimately, the Co-ordinated Community Response model makes it clear that no one agency can deal effectively and safely with the effects of domestic violence, as the issue requires intensely close working between agencies and a collaboration which (although not always comfortable) can have a profoundly positive effect on the lives and the safety of families.

A draft PowerPoint presentation of the Co-ordinated Community Response model and a draft narrative can be viewed at the following website www.crimereduction.gov.uk.

OBJECTIVE 1: To increase the early identification of – and intervention with – victims of domestic violence by utilising all points of contact with key front-line professionals

Rationale

- Victims are often likely to be in contact with statutory health and social welfare services – such as social services, general practitioners, accident and emergency departments, midwifery services, health visitors, etc – before they decide to go to the police.
- Training practitioners in screening for domestic violence and in accessing referral routes and care pathways is essential for early identification and intervention.

Health and social care framework achievements

In 2006/07, the National Domestic Abuse Co-ordinator continued taking a strategic lead on domestic violence across the NHS. The Co-ordinator also continued to work with the Armed Forces overseas, supporting the development of good practice, and establishing strategies, guidelines and ongoing training.

A handbook for health professionals (*Responding to Domestic Abuse - a handbook for health professionals*) was published in December 2005 incorporating recommendations from the Domestic Abuse and Pregnancy Advisory Group set up in 2005. The handbook has been extremely well received and is now entering its second print run.

The pilot project at Her Majesty's Prison Foston Hall to provide female prisoners and staff with information on domestic violence began again in January 2007. The project aimed to identify the needs of prisoners within the new young offenders' unit.

In 2006, the Department of Health (DH) collected data on Training the Trainer sessions provided in 2005, with the intention of gauging the extent of training for health professionals' in particular local areas. An analysis of this data is now being planned.

The Victims of Violence and Abuse Prevention Programme (VVAPP) guide *Tackling the health and mental health effects of domestic and sexual violence and abuse* was launched by Caroline Flint, the Minister of State for Health in June 2006.

Other publications produced include *National service guidelines for developing sexual assault referral centres* (2005) and *The needs and effective treatment of young people who sexually abuse: current evidence* (2006). The VVAPP programme of research is on target to report by April 2007, with guidelines on identifying and responding to the needs of children, adolescents and adults affected by domestic abuse, and perpetrator interventions are on schedule for completion by October 2007.

Routine enquiry and raising awareness in the public health arena

Routine enquiries for all pregnant women when taking a social history have now been rolled out across midwifery services in England.

In June and July 2006, regional strategic breakfasts were held in all nine of the Government Office areas, run in conjunction with the Home Office Domestic Violence Team as part of the Tackling Violent Crime Programme (TVCP) with the aim of strengthening local partnerships. An evaluation of the breakfasts was conducted and a report was sent to delegates containing contact information for networking purposes to share best practice.

Department of Health response to health aspects of female genital mutilation, forced marriage and crimes committed in the name of honour

DH funded two female genital mutilation initiatives in 2006/07: a prevalence study, which will provide an estimate of the incidence of female genital mutilation in England, and a DVD for health professionals about the issue.

In 2006/07, DH also started work with the Foreign and Commonwealth Office to develop guidelines for health professionals on forced marriage.

Electronic patient records

An expert group continues to drive the electronic patient records work forward, and a template with appropriate codes relating to injuries has been embedded into this work. The expert group continues to take forward the DH Do Once and Share project.

Significant data has already emerged, and health partnerships have been able to share this with their crime reduction partners. The results of this pilot will inform further work and practice.

Action for 2007/08

- Reprinting/funding and implementing the policy outlined in *Responding to Domestic violence: A handbook for health professionals* making use of the regional networks in accordance with current NHS plans and reforms. (and associated training materials).
- Launching the prevalence study on female genital mutilation.
- Setting up the national mental health trusts pilot collaboration: Working with Survivors of Childhood Sexual Abuse. This project will pilot the introduction of explorations by staff from 12 mental health trusts of patients' experiences of violence and abuse as part of routine assessments and care planning. An evaluation has been commissioned, to report in April 2008.
- Negotiating the development of the health agenda with the strategic health authorities that have been given the lead for domestic violence.

Education, children and young people

Children suffer – both directly and indirectly – if they live in households where there is domestic violence. This can have an impact in a number of ways. Children living in families where they are exposed to domestic violence have been shown to be at risk of long-term developmental problems. Further, they have an increased risk of becoming victims and perpetrators of violence themselves: children in violent households are three to nine times more likely to be injured and abused – either directly or while trying to protect their parent. Both the physical assaults and psychological abuse suffered by adult victims who experience domestic violence can have a negative impact on their ability to look after their children.

An effective strategic framework to tackle the complex issues associated with children affected by domestic violence needs to include specific elements focused on identifying children at risk, putting in place appropriate support services, and ensuring inter-agency working to safeguard and promote the welfare of children.

It has therefore been important to ensure that domestic violence issues are adequately reflected in the Every Child Matters: Change for Children programme, and especially in safeguarding guidance. The following work has taken place in the past year:

- A revision of *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* has taken place. The document now includes guidance on issues such as domestic violence, forced marriage and female genital mutilation. It reinforces the need for agencies to collaborate closely when investigating these issues.
- On 1 April 2006 statutory Local Safeguarding Children Boards (LSCBs) were established to take over the functions previously carried out by Area Child Protection Committees (ACPCs). LSCBs are an important element of the improved safeguards for children put in place by the Children Act 2004. They have two key objectives: to co-ordinate the work of local agencies in relation to safeguarding, and to promote the welfare of children and to ensure the effectiveness of what is done. *Working Together to Safeguard Children* recommends that LSCBs and locally established domestic violence forums should have clearly defined links, including cross-membership and joint working on areas of common interest. Together, they can usefully contribute – in the context of the Children and Young People's Plan – to an assessment of children caught up in domestic violence, their needs, the adequacy of local arrangements to meet those needs, and the implications for local services. LSCBs and their members can play an important role by making clear how their work relates to MARACs where domestic violence impacts on safeguarding children.
- In late 2006, a new version of *What to do if you're worried a child is being abused* was published, complementing the revised *Working Together to Safeguard Children* guidance. While the latter describes how attention to

domestic violence and other related issues contributes to the wider safeguarding agenda, *What to do if you're worried a child is being abused* describes the process by which the effects of domestic violence should be reported to (and followed up by) the relevant agencies.

- Training materials published by the National Society for the Prevention of Cruelty to Children on behalf of the Department for Education and Skills were made to reflect domestic violence issues.
- Grant funding continued to be provided to Women's Aid to support the national 24-hour free domestic violence helpline.
- Domestic violence was included as one of the factors to consider in the Common Assessment Framework.

Action for 2007/08

- Promoting cross-agency collaboration by making clear to agencies how multi-agency risk assessment and management procedures relate to Local Safeguarding Children Boards.
- Reviewing the inclusion of domestic violence, as it affects children, in the Joint Area Reviews (JARs). JARs cover the work of local services to promote good outcomes for children and so should pick up any domestic violence issues affecting children.
- Continuing to provide funding for Women's Aid.
- Consider the development of a domestic violence manual for childcare workers.
- Identifying forced marriage 'champions' in LSCBs who can disseminate good practice on assisting victims of forced marriage (responsibility of the Forced Marriage Unit).

Employee domestic violence policy

By January 2007, seven government departments had employee domestic violence policies, with two further departments having their policies in development. Both the Northern Ireland Office and the Welsh Assembly Government have also developed policies.

The Inter-Ministerial Group on Domestic Violence monitors departmental employee policies on a quarterly basis.

An example of good practice is the implementation of the Crown Prosecution Service employee domestic violence policy, which was launched in 2003 and revised in 2007. It has expanded on the ways to address perpetrators in the workplace – whether they are harassing staff or committing acts of domestic violence at home. Care First provides any CPS employee (and their immediate dependants) facing domestic violence with a 24-hour service. Care First has a team of more than 700 fully trained and qualified counsellors to deal with domestic violence cases, as well as some specialist counsellors for particularly complex cases.

There is synergy between government departments and the Corporate Alliance Against Domestic Violence (CAADV), which includes the CAADV training package to be used to train departmental human resources staff.

Action for 2007/08

- Continuing to record and collate statistics on the number of staff being referred to welfare services about domestic violence issues across government.
- Developing standardised, work-based domestic violence policy across Government Offices in the regions.
- Disseminating the CPS employee domestic violence policy to all government departments.

Corporate Alliance Against Domestic Violence

Domestic violence currently costs UK business over £2.7 billion a year and affects thousands of working men and women every day. By proactively addressing the issue, organisations can both reduce the costs to their business and, most importantly, help to prevent domestic violence in society at large.

The Corporate Alliance Against Domestic Violence (CAADV) is a group of progressive companies and organisations working individually and collectively to address the impact of domestic violence in the workplace. The Alliance has over 160 members, representing over 2 million employees. The Executive Board includes The Body Shop International, KPMG, the NHS Employers organisation and AOL.

Employees can access information about domestic violence and employers can access online resources (such as a workplace policy template, strategic communications toolkit, case studies and other resources) www.corporateallianceuk.com.

A training package has also been developed; further information can be accessed via the website.

Action for 2007/08

- Deepening relationships with existing members.
- Assessing the impact on members' policy and practice.
- Promoting the CAADV training programme.
- Improving communications using the CAADV website.
- Delivering an effective annual conference.

OBJECTIVE 2: To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence

Rationale

- Evidence indicates that support services can vary in their effectiveness across the country.
- The development of accredited training for Independent Domestic Violence Advisors (IDVAs) has enabled the introduction of a consistent, independent, professional service for victims at the point of crisis. The service can also perform institutional advocacy to ensure that all agencies are able to provide to victims the most effective service possible. But IDVAs are only element of the domestic violence sector.
- An agreed set of standards across the spectrum of occupations and services within the domestic violence sector can create consistency in the service that is provided to victims of domestic violence.

Ensuring that all local partnerships include domestic violence in their crime reduction strategies

This year there has been a concerted effort to ensure that domestic violence is considered as part of local plans. In addition to the guidance issued in 2005, further guidance has recently been issued to provide suggested targets for domestic violence through Local Area Agreements.

The Best Value Performance Indicator BVPI 225 is designed to assess the overall provision and effectiveness of local authority services designed to help victims of domestic violence and to prevent further domestic violence. The indicator is measured as a percentage score of the number of questions to which an authority can answer 'yes'.

Data for the first year of BVPI 225 is now available; time series data will allow us to see where improvements are being made and will also help us to develop proposals for indicators as part of the new performance framework for local government. These proposals were set out in the local government White Paper and included a single set of around 200 performance indicators which would replace BVPIs. Indicators will be determined through the Comprehensive Spending Review 2007 process that is currently under way, and will be introduced from April 2008.

The nine Government Office domestic violence lead officials and officials from the Welsh Assembly Government have continued to provide co-ordination and guidance to local partnerships and have been instrumental in promoting and developing government policy throughout the regions and within local partnerships.

This has been most evident in the roll-out of the Specialist Domestic Violence Court (SDVC) Programme (see Objective 5) and the Tackling Violent Crime Programme (TVCP), and in the development of the emerging Co-ordinated Community Response, which will be promoted further this year.

The regional leads have proved to be an invaluable resource not only in promoting government policy but also in feeding back local intelligence that has tempered policy approaches to meet local conditions.

Local Government Association Domestic Violence Project

The Local Government Association (LGA) Domestic Violence Project completed its final year in December 2006. The project will leave a lasting legacy of the crucial role of local government in tackling domestic violence. It has yielded important information about the role of local authorities in tackling domestic violence and has provided consultancy services to those local authorities who were part of the SDVC Programme. During its three-year span, the LGA Domestic Violence Project produced a number of helpful guides to support local authorities in delivering national objectives. A significant one was *The vision for services and young people affected by domestic violence*, which was produced in conjunction with Women's Aid and the Children and Family Court Advisory and Support Service (CAFCASS). In addition, the Project hosted a conference on Homicide Reviews as well as a training workshop for elected members of local authorities. Although the Project has now ended, its success will continue as its work is mainstreamed through the LGA work programme.

As we pursue the development of a Co-ordinated Community Response to domestic violence in 2007/08, the support and involvement of the LGA and local authorities will be crucial to its success.

Action for 2007/08

- Providing further guidance to local partnerships to promote the Co-ordinated Community Response and co-ordinate work on sexual offending.
- Continuing to refine and promote Local Area Agreement guidance in relation to domestic violence.

Men's agenda

In last year's report, we identified that there was a pressing need to engage with men in a coherent and co-ordinated way not just as victims or perpetrators of domestic violence, but as a powerful lobby to challenge the culture and behaviour that colludes with this destructive behaviour.

In the past year we have linked two phone lines more closely: **RESPECT** (for male perpetrators) and **MALE** (the Men's Advice Line and Enquiries) (for those men who find themselves in abusive relationships). A grouping of organisations with an interest in men's issues has also joined forces with the **Men's Health Forum** to consider the formation of a coalition of organisations to deal with men's health and behaviour, creating a powerful male voice to address violent behaviour.

The Centre for Public Innovation was funded by the Home Office to host two seminars on changing men's behaviour in 2006/07. This work is ongoing; and the aim is that it will develop into the National Men's Coalition in the coming year.

Forced marriage and honour-based violence

During 2006/07, the Forced Marriage Unit (FMU) published the results of the national consultation held in 2005 on whether the Government should make forced marriage a specific criminal offence. The Government fully considered all the arguments before deciding whether or not to legislate, and in June 2006 Baroness Scotland announced that specific legislation would not be introduced at this time. However, the Government is committed to supporting the civil law outcomes in Lord Lester's recent Private Members' Bill and we plan to work with the Bills backers to achieve a positive result.

The FMU is currently pursuing the other recommendations from the consultation through the recently-agreed two-year strategy. This includes work in three areas: continuing our extensive programme of outreach work, strengthening work with statutory agencies to implement forced marriage guidelines (including increasing training for professionals), and making better use of existing legislation and civil remedies. Specifically, this has included the following:

- Continuing to provide assistance to approximately 300 victims and potential victims of forced marriage.
- Conducting a national publicity campaign involving radio, television and national and local press to raise awareness of the help offered by the FMU. This included holding regional conferences in Leicester, Birmingham, Manchester and London to take the message out more widely.
- Developing guidelines for health professionals.
- Developing guidance for social workers on dealing with children, young people and vulnerable adults.
- Publishing a Survivor's Handbook to offer information and practical support to survivors of forced marriage.
- Launching a pilot Survivors' Network in Derby to provide emotional support to forced marriage survivors.
- Helping to fund projects in Pakistan, Bangladesh and India designed to improve the links between our High Commissions and local non-governmental organisations (NGOs) in order to offer better assistance to victims of forced marriage.
- The Attorney General and Baroness Scotland meeting with community leaders in October and November 2006 to address the ways in which community groups could advise and support the victims of honour crimes.

- The Crown Prosecution Service is planning to conduct a pilot to monitor the prosecution of forced marriage and honour-based violence cases to inform any future guidance or training for staff.

Action for 2007/08

- Continuing to develop the way in which the FMU handles cases of forced marriage and seeking to contribute to UK-wide approaches to the issue. This will include developing closer relationships with partners in the UK (including statutory agencies, Parliament and the voluntary sector) as well as partners overseas (including UK embassies and High Commissions, foreign governments, NGOs and the EU); seeking to mainstream forced marriage into wider measures to combat domestic violence; and continuing our substantial programme of outreach activity across the country.

The FMU's two-year strategy will form the basis for this work, which will include the following:

- Publishing a handbook of legal remedies for family law professionals, holding a series of legal seminars for practitioners in the field, and developing ways of introducing forced marriage onto family law courses at universities and colleges.
- Working with government departments to secure statutory backing for forced marriage guidelines.
- Working with Parliament, other government departments and the voluntary sector to identify any gaps in existing legislation that could be filled.
- Working with the Immigration and Nationality Directorate at the Home Office to explore possible further changes to the immigration rules to better protect victims of forced marriage.
- Developing forced marriage guidelines for registrars.
- Hosting a conference on forced marriage as part of the wider EU Active Against Forced Marriage project.
- Taking forward work to engage with men, the lesbian, gay, bisexual and transgender (LGBT) community, and members of the older generation.
- Holding a joint forced marriage/child abduction conference in Dubai to share best practice and exchange information between embassies and High Commissions in the Middle East and South Asia on handling cases of forced marriage.

Development of National Occupational Standards for domestic and sexual violence services in partnership with Women's Aid Co-ordinated Action Against Domestic Abuse and RESPECT

As with last year, local partnerships are being encouraged to mainstream the commissioning of domestic and sexual violence services into the routine business of crime reduction and community safety. Such commissioning requires readily available service standards which in turn need occupational standards for staff employed in the delivery agencies. As this all begins to take shape, it is essential that the domestic violence workforce – in both the statutory and non-statutory sectors – is trained to appropriate levels of competence and that services are operating to agreed national standards.

Work has started on this and is being progressed on a number of fronts:

- Women's Aid produced a draft set of standards for the voluntary domestic and sexual violence sectors as part of last year's Change Up programme. The standards are currently out for consultation and the Home Office is funding a Women's Aid post to take this forward in the coming year.
- Occupational standards are being developed for IDVAs and Independent Sexual Violence Advisors (ISVAs), as well as for those services that employ them. This is being undertaken by Co-ordinated Action Against Domestic Abuse. In the coming year we envisage greater involvement from the sector skills councils, who will be able to provide a greater workforce development context for both the voluntary and statutory sectors.

These two pieces of work will be complemented by the Victims of Violence and Abuse Prevention (VVAP) Programme, which seeks to establish standards for therapeutic interventions.

National helplines

The continuing need to provide 24-hour access to support and information for all victims of domestic violence from all sections of the community remains the central plank of the National Delivery Plan's objective of providing nationwide support for victims. Under this objective, the Government funds and part-funds a matrix of national helplines that focus on particular sections of the community that need support and information.

The National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge)

The Government part-funds this helpline – along with the Association of London Government, Comic Relief and other charitable funders – and the host agencies have a challenging fundraising strategy to ensure that it remains fully operational. This past year has been a challenge for funders and the agencies as a new operational plan and new performance standards were agreed and implemented. This required a change in working patterns and processes to ensure that the service was using its resources to best meet the needs of the callers. The agencies have worked hard to reschedule rotas and make efficiency gains, including introducing a more formalised risk assessment protocol for all calls.

The helpline has also been instrumental in the development of materials for the Enough campaign, which was rolled out regionally to encourage third-party callers to seek help for their friends, neighbours and colleagues.

There are further challenges ahead in 2007/08 which will continue to test the service and its operation, but there is great commitment from funders, Women's Aid and Refuge alike to make this the best possible service for victims.

Men's Advice Line and Enquiries (MALE)

The issue of men as victims of domestic violence is complicated: although there is no doubt that men are sometimes victims, their service needs and the responses required are unclear. What is clear is that all victims – regardless of gender – need to be subjected to equality under the law. This remains a priority and will be part of the work programme for next year.

Alongside this, we have funded the Devon MALE helpline to offer a support and information service for male victims. The helpline was being promoted by a number of agencies and partnerships around the country, and it was becoming apparent that many of the calls were coming from outside Devon. Therefore, it was decided that the service should be housed with a complementary national service. In November 2006 the line was transferred to the management of RESPECT and was renamed the Men's Advice Line and Enquiries (MALE), but it kept its external brand and separate number.

Broken Rainbow helpline

It is known that domestic violence also occurs in the lesbian, gay, bisexual and transgender (LGBT) community. However what isn't known is the extent of the problem and what the community's service needs might be. Preliminary work has already been undertaken by

Bristol University and the University of Sunderland into same-sex domestic violence, and further work is due to be commissioned in the coming year. The Broken Rainbow charity has been funded by the Government to provide a helpline service to the LGBT community as well as contributing expertise to other broader training packages.

Broken Rainbow is currently restructuring its operational arrangements, and a review is also taking place to present options for the service's future in the first quarter of the new financial year. Whatever the outcome of these deliberations over the structure of the service, the Government remains committed to providing a service to the LGBT community.

Actions for 2007/08

- Developing new proposals for delivering a domestic violence service to victims from the LGBT community.

RESPECT helpline

We have recognised the need for perpetrators of domestic violence to have access to appropriate self-help services and information. RESPECT has provided this service, and directly complements the service standards that it is working on for voluntary sector perpetrator programmes.

Developing national standards for perpetrator programmes outside the criminal justice system

Last year, work began on developing national standards for perpetrator programmes outside the criminal justice system, led by RESPECT and jointly funded by the Home Office and the Lankelly Foundation. As awareness of domestic violence is growing, more perpetrators are expected to come forward to seek help, as the consequences of their actions become apparent to them and others. Therefore, services set up to help them must ensure that the programmes on offer are effective and consider the safety of the victims.

There has been good progress this year and pilot areas are currently being considered for trialling of the draft standards. In addition, further work is being considered on establishing the standards that will be required for services that offer individual work with domestic violence perpetrators who are not eligible for group work. It is essential that the same safeguards are put in place in order to protect victims.

Action for 2007/08

- Developing the national occupational standards for the voluntary sector organisations that deal with sexual and domestic violence.

- Continuing to develop the IDVA occupational and service standards.
- Piloting the service standards for perpetrator programmes outside the criminal justice system.
- Beginning work on standards that are required for individual interventions with perpetrators.

Accommodation and housing-related support

The dynamics of domestic violence mean that accommodation and support can play a vital role in the resolution of inter-personal violence and conflict. They are the foundation for ensuring that adult and child victims are afforded safety and security.

The Department for Communities and Local Government (DCLG) and the Local Government Association (LGA) have produced joint guidance for local authorities on setting up Sanctuary Schemes.

The Sanctuary Scheme is an innovative approach to homelessness prevention. It provides security measures to allow those experiencing domestic violence to remain in their own accommodation where it is safe for them to do so, where it is their choice and where the perpetrator no longer lives within the accommodation.

DCLG is currently surveying local authorities to look at the uptake and proliferation of Sanctuary Schemes across England. The results should be available during the summer.

Action for 2007/08

- Producing guidance for local authorities on homelessness prevention and accommodation options for domestic violence victims (the responsibility of DCLG).
- Providing £150,000 to support UKRefugesOnline, a UK-wide database of domestic violence services that underpins the delivery of the national 24-hour free domestic violence helpline that is delivered in partnership between Women's Aid and Refuge (the responsibility of DCLG).

Supporting People

Supporting People is a devolved programme that is delivered at the local level according to local needs and priorities. Each two-tier authority has a five-year Supporting People strategy in place, to be used to decide where support is needed in the area.

In 2005/06, over £59 million in Supporting People funding was used to provide housing-related support for victims of domestic violence. Figures for Supporting People spending on domestic violence services in 2006/07 will not be available until summer 2007.

Response to Her Majesty's Inspectorate of Court Administration's (Micas) report on the handling of domestic violence issues by the Children and Family Court Advisory and Support Service (CAFCASS) and the administration of family courts by Her Majesty's Courts Service (HMCS)

In October 2005, HMICA published its report *Domestic Violence, Safety and Family Proceedings*.² The report followed a thematic review, carried out in nine courts, of how domestic violence was dealt with in the family courts and by CAFCASS. The report contained 11 recommendations: six were directed at HMCS and five were directed at CAFCASS.

One proposal in response to the recommendations was for HMCS to look at the ways in which court users familiarise themselves with the court environment – as either witnesses or applicants. In liaison with the Family Justice Council Domestic Violence Sub-Group, HMCS has produced a DVD about the family court process, based loosely on Northern Ireland's *The Law on Your Side*. This new production, *You don't have to live in fear*, aims to minimise the concerns that victims may have when making an application for a civil injunction. It also aims to raise awareness among service providers and practitioners of the impact of domestic violence on an applicant and awareness of the practical problems that applicants face when seeking help. The DVD will be inserted into the existing Home Office leaflet of the same name and launched at the same time as the revised HMCS publication *Domestic Violence: A Guide to Civil Remedies and Criminal Sanctions*.

HMCS has also repeated a survey of special facilities available in the family courts and has distributed a poster for courts to display, with information about who to contact if applicants are worried about intimidation while they are at court.

A training and awareness programme has been devised for court staff to tie in with training to prepare for the implementation (in July 2007) of Sections, 1, 4 and 12 of the Domestic Violence, Crime and Victims Act 2004.

HMICA recently made its final assessment of the five CAFCASS recommendations: four of them have been 'fully met', and the first (shared with HMCS) – provision of information in the family courts – has been rated 'partially met'. This is on the basis that it is a continuing action point; the provision of information about the Children Act 2006 should be promoted in applications where there is domestic violence.

² See www.hmica.gov.uk/files/HMICA_Domestic_violence_linked1.pdf

Action for 2007/08

- Distributing the DVD and revised domestic violence guide, and carrying out associated work to monitor its impact.
- Conducting a recognition survey with practitioners in relation to the court posters.
- Carrying out training and awareness-raising for court staff on domestic violence generally and also on the provisions of the Domestic Violence, Crime and Victims Act 2004.
- Producing further information for service users (in either leaflet or poster format), building on the DVD for injunction applications (joint responsibility of CAFCASS and HMCS).
- Continuing the provision of in-depth domestic violence training for all CAFCASS staff (responsibility of CAFCASS).
- Implementing the new safeguarding framework for CAFCASS, incorporating the domestic violence standards and toolkit. (CAFCASS will do this in April 2007).
- Agreeing a joint protocol for information-sharing in private law cases (joint responsibility of CAFCASS and ACPO).

**OBJECTIVE 3: Developing a co-ordinated community response-
(see page 14)**

OBJECTIVE 4: To increase reporting rates and arrests rates for domestic violence

Rationale

- The police's initial response to a report of domestic violence is critical: it is likely to have a significant impact on the confidence of the victim and their family, and also on their subsequent continued engagement with the criminal justice system.
- Guidance from the Association of Chief Police Officers (ACPO) and the Home Office states that where possible, a proactive arrest policy should be pursued to assess risk, gather evidence, and investigate the precise nature of the alleged offence committed and the wider context of the incident.
- Despite domestic violence being a volume crime and representing a significant proportion of violent crime, much of it remains invisible due to under-reporting.
- The under-reporting problem appears to be particularly severe among some groups, for example victims from black and minority ethnic (BME) groups, male victims, and victims from the lesbian, gay, bisexual and transgender (LGBT) community.
- There is evidence that third-party reporting is an important means of driving up reporting rates, particularly when combined with effective support and protection services. These structures can also build the necessary linguistic and cultural knowledge for hard-to-reach communities.

Positive action in domestic violence cases

It is Home Office policy that where an arrest is possible in a domestic violence incident, this should usually be pursued (see *Home Office Circular 19/2000*). *Guidance on Investigating Domestic Violence* advises that 'in order to ensure that an effective investigation is completed and further offences prevented, an officer will normally need time with the victim after the reported incident and while the suspect is under arrest.'

Since 2005, ACPOs guidance has been being promulgated throughout forces in England and Wales through a modular Centrex training package for all police officers and support staff. This is due to be completed by 2008.

Domestic violence enforcement campaign

In 2006/07, the Tackling Violent Crime Programme (TVCP) ran a second domestic violence enforcement campaign (DVEC). Police Basic Command Units within the TVCP and within Specialist Domestic Violence Court (SDVC) areas were funded to provide a dedicated response to domestic violence during the FIFA World Cup

2006 competition. The results support research that suggests a link between sporting events, alcohol consumption and domestic violence.

During this second campaign there was a higher tendency than during the first (which ran during February and March 2006) for offenders to be charged rather than cautioned. There was also a subsequent increase in the rate of sanction detections, a lower rate of 'no further action', and a lower number of individuals being on bail for over four weeks. Although these results are positive, it is clear that there is still plenty of room for improvement.

Evaluation of police body-worn video devices (head cameras)

Body-worn video equipment is used to record the actions of individuals at incidents and the details of crime scenes. Devon & Cornwall Constabulary conducted a pilot trial of head cameras between September 2006 and March 2007, and the Home Office is funding an independent review of this trial. The findings thus far include an increase in recording, detection and conviction rates. Draft guidance for police forces detailing best practice on body-worn video equipment will be published in due course.

Enough campaign

The Enough campaign, which focuses on third-party witnesses who are aware of domestic violence in families, is being rolled out to the new SDVCs during March and April 2007.

Research was carried out before and after the previous Enough campaign (which ran from February to April 2006) ran. The areas included in the research were Plymouth and Devon, Leeds and the Midlands and the findings centred on the following:

- There was a significant difference in awareness following the advertising: the rate went from 37% to 50%. Even before the campaign, awareness was high by normal standards (it is often less than 10%); the increase (which equates to 35%) is very encouraging indeed.
- 80% of respondents said that the adverts made them think that the police and criminal justice system were taking domestic violence more seriously than before.
- Awareness of domestic violence were very high before the campaign, and so there was little effect on opinions afterwards. However, following the campaign respondents were more likely to intervene by either calling the police or giving assistance to the victim; the rate went up from 90% to 93%.

OBJECTIVE 5: To increase the rate at which sanction detections are converted into offences brought to justice, particularly in high-incidence areas and/or communities, as well as in areas with high attrition rates

Rationale

- A co-ordinated response to the incidence of reported domestic violence by the criminal justice system and other partners can have a major impact on achieving protection for victims and on bringing perpetrators to justice.

Specialist Domestic Violence Court (SDVC) Programme

The SDVC Programme has been the centrepiece of the National Domestic Violence Delivery Plan and contains 11 core components – including Multi-Agency Risk Assessment Conferences (MARACs) and Independent Domestic Violence Advisors (IDVAs) (see Objective 6) – that have all contributed to the positive outcomes that have been achieved.

Following the successful selection of 25 SDVCs in 2005/06, it was announced that the SDVC Programme would be expanded further in 2006/07: 64 SDVCs supported by the Programme will be established by April 2007

After the two selection rounds (2005/06 and 2006/07), the next steps for the national SDVC Programme are to:

- review the progress of those SDVCs selected in 2005/06;
- embed the SDVCs selected in 2006/07; and
- select further SDVCs following the review and implementation programmes.

The SDVC Programme has enabled the development of a network of IDVAs within the SDVC areas.

Co-ordinated local activities, which including the criminal justice system, can have a major impact on achieving protection for victims and on bringing perpetrators to justice. Increased charged cases and successful prosecutions of domestic violence cases have been recorded and monitored by the Crown Prosecution Service (CPS).

The SDVC Programme, which is jointly managed by the Home Office, the CPS and Her Majesty's Courts Service (HMCS), was shortlisted for *Whitehall & Westminster World's* 2006 Award for Joined-Up Government.

Action in 2007/08

- Establishing the lessons learned from a review of the first tranche of SDVCs selected in 2005/06.
- Carrying out implementation work with the new SDVCs selected in 2006/07.
- Expanding IDVA and MARAC provision beyond the court system into a broader Co-ordinated Community Response.
- Making a further selection of SDVCs in 2007/08.

CPS training for prosecutors and the whole of the service

The Centrex/CPS *Responses to Domestic Violence* training manual was launched in February 2005, with a target to train all prosecutors and caseworkers by April 2008. The following has been undertaken in the past year:

- By January 2007, over 2,400 CPS staff had been trained in domestic violence, of which 1,784 were prosecutors and caseworkers.
- Plans were put in place to ensure that all SDVCs had trained prosecutors to work within them by April 2007.
- By January 2006, all CPS domestic violence co-ordinators had qualified as trainers to deliver the programme on an ongoing basis. A second tranche of training was carried out for domestic violence co-ordinators in autumn 2006 to ensure that every area had a qualified domestic violence trainer.
- the training manual was developed into an e-learning format, for use by staff awaiting face-to-face training.
- A pilot took place with the Bar in early 2007 the test the use of the e-learning training programme.

Good practice guidance

The good practice guidance developed from the CPS Domestic Violence Project and the two SDVC pilots in Croydon and Caerphilly was disseminated to all CPS areas in 2005/06 to inform the 2006/07 business plans. The guidance outlined 10 key points of action to improve the number of offenders being brought to justice.

An audit was carried out in autumn 2006 to assess the implementation of domestic violence community engagement in the 42 areas. It found that 95% of area domestic violence co-ordinators were involved in their local domestic violence forums.

In early 2007 an audit of the implementation of the good practice guidance on domestic violence was undertaken with all CPS areas. The areas were informed of their successes and also of issues for further development to address best practice locally.

The Code of Practice for Victims of Crime and the Prosecutors' Pledge

The Code of Practice for Victims of Crime³ sets out the standards of service that victims can expect from the criminal justice agencies. It was launched in April 2006.

To complement the Code, the Attorney General published a Prosecutors' Pledge in October 2005. Broader than the Code, the Pledge addresses the impact on victims of crime of charging and accepting pleas. The commitments contained in the Pledge, alongside those in the Code of Practice for Victims of Crime, provide clear guidelines that should ensure that victims and witnesses are kept informed of any progress on their case. There is also an interactive website that enables victims to conduct a 'walkthrough' of their case.⁴

Domestic violence performance monitoring

- The number of recorded domestic violence prosecutions between April and December 2006 increased by 19% compared with the same period in 2005 (from 35,231 to 41,860 cases).
- Successful prosecutions increased from 59.7% in April 2006 to 65.4% by December 2006, reaching beyond the April 2007 target of 64%.⁵
- In the same period, the rate of discontinued domestic violence cases dropped from 33% to 28%, and the rate of the use of bindovers dropped from 15% to 8%.
- An indicator (the Police Performance Assessment Framework Key Diagnostic Indicator (KDI)) was used to identify the proportion of successful prosecution outcomes in relation to the number of incidents where an arrest was made, and reports of the results were made quarterly. Between April and September 2006 the KDI average was 17.1%, compared with 15.4% for the same period in 2005.
- From April 2006, domestic violence data was analysed according to the gender and ethnicity of the defendant. Between April and December 2006, 95% of defendants were male, with 17% coming from black and minority ethnic communities (the sample analysis was only carried out between July and September 2006).
- Since December 2006, all cases are also now monitored according to disability.
- Performance monitoring of the outcomes of the 25 SDVCs set up by April 2006 was undertaken by the CPS. The SDVCs showed improved performance; full data analysis of the first year will be available during 2007.

³ See www.homeoffice.gov.uk/documents/victims-code-of-practice

⁴ See www.cjonline.gov.uk/victim/walkthrough/index.html

⁵ Between April and March 2006, the average success rate for domestic violence cases was 59.7%. By the second quarter of 2006/07 (September–December 2006), the rate had risen to 65.4%

CPS snapshot

- In December 2006 a more detailed 'snapshot' of domestic violence case analysis was undertaken, with a report planned for July 2007.
- Changes were introduced in the computer monitoring system to enable the detailed analysis of cases to be recorded on an ongoing basis from April 2007.
- Data on case progression following victim retractions will be recorded. Plans are under way to monitor specific support for victims and the relationship between defendant and victim.

Victim care

- Witness care units deal with support for victims and witnesses.
- Specific procedures have been set up with No Witness No Justice (the National Victim and Witness Care Programme) to deal with domestic violence cases, ensuring that domestic violence specialists are the primary point of contact for domestic violence victims.
- Guidance on direct communication with victims is available for all prosecutors.
- See Objective 5 for the Code of Practice for Victims of Crime and the Prosecutors' Pledge.

Further work undertaken by the CPS in 2006/07

- The CPS ensured that equality issues within domestic violence are addressed through overall work plans. This links up with work by the Home Office-led working group on black and minority ethnic (BME) issues, including forced marriage, harmful traditional practices and female genital mutilation.
- The CPS ensured that any guidance on the Domestic Violence, Crime and Victims Act 2004 was published on the intranet.

Violence against women

- The CPS worked to link domestic violence with other types of violence, for example forced marriage, honour-based violence, rape, female genital mutilation, violence against children, prostitution, elder abuse, trafficking, etc.
- In March 2006, the CPS ran a poster campaign about violence against women, highlighting the range of offences that could be prosecuted within this theme. The campaign also listed support services for victims.
- In November 2006, the CPS was awarded top marks across government for its work on violence against women by the End Violence Against Women Campaign.⁶

⁶ The Women's National Commission and Amnesty UK coordinate the End Violence Against Women campaign

- In December 2006 the CPS launched its Single Equality Scheme, which included plans for a strategy and action plans for tackling violence against women to be drawn up by December 2007.
- Violence against women has been prioritised with the CPS six national strategic themes for 2007/08.

Action for 2007/08

- Producing guidance for prosecutors on the implementation of Sections 1 and 12 of the Domestic Violence, Crime and Victims Act 2004 (by July 2007).
- Driving up performance through improved performance management and implementation of good practice, with a new target of 70% successful prosecutions by April 2008 (responsibility of the CPS).
- Conducting ongoing analysis of SDVC data (to be done on a quarterly basis and co-ordinated by the CPS). An evaluation of the first 25 SDVCs will be carried out during 2007.
- Monitoring the new SDVCs (from April 2007 onwards).
- Training all other prosecutors and caseworkers (training to be completed by 2008).
- Updating domestic violence training materials annually and including them as part of e-learning. (A new format based on cases will be introduced after 2008).
- Further developing training for the Bar.
- Undertaking a pilot to investigate the prosecution of forced marriage and honour-based violence cases.
- Developing work with ACPO on the civil and criminal interface.
- Reviewing the implementation of good practice annually.
- Working with the Home Office, the Department for Constitutional Affairs and Her Majesty's Courts Service on the further development of IDVAs, MARACs and SDVCs within the Co-ordinated Community Response model.
- Reviewing domestic violence equality and diversity issues.
- Developing a strategy and action plans for tackling violence against women (by March 2008).
- Completing training for CPS human resources advisors on the revised CPS employee domestic violence policy and ensure that it is monitored.

OBJECTIVE 6: To support victims through the criminal justice system and to manage perpetrators to reduce risk

Rationale

- Providing specialist support to victims and enabling them to access a range of services can have a profound effect on their feelings of safety and on their engagement with the criminal justice system.
- A multi-agency approach to dealing with victims of domestic violence is crucial to understanding the dynamics and context of individual cases. By sharing information, agencies get a better picture of victims' situations and so develop responses that are better tailored to the needs and goals of individual victims and their children, as well as to the management of the perpetrator.

Independent Domestic Violence Advisors

Independent Domestic Violence Advisors (IDVAs) are trained specialists whose goal is the safety of their victims. Their focus is on providing a service to victims who are at medium to high risk of harm, addressing their safety needs and helping them to manage the risks that they face.

The role of the IDVA is a pivotal component of both the Specialist Domestic Violence Court (SDVC) model and the Multi-agency Risk Assessment Conference (MARAC).

IDVA involvement with victims of domestic violence has been shown to decrease victimisation, increase notification of children at risk and reduce the number of victims unwilling to support a prosecution. The evaluation report (which was launched in June 2005) on the SDVC pilots in Caerphilly and Croydon found that victims were more likely to participate in the criminal justice system if they were assisted by advocates.

During 2006/07, £3 million in funding has been used to seed-fund IDVAs in the 64 SDVC areas, and to establish Independent Sexual Violence Advisors (ISVAs) in sexual assault referral centres (SARCs) and specialist sexual violence voluntary sector organisations. Accredited training for IDVAs and ISVAs has been developed by the charity Co-ordinated Action Against Domestic Abuse (CAADA).⁷ In 2006/07, the Government funded training for 77 IDVAs and 38 ISVAs.

⁷ See www.caada.org.uk for more information

Action for 2007/08

- Locally funding IDVA posts in all the SDVC areas and in further selected areas (£3 million for 2007/08 and support for subsequent years – responsibility of the Department for Constitutional Affairs). (To date, funding for this programme of work has been provided by the Home Office).
- Continuing to fund the 38 ISVAs (responsibility of the Home Office).
- Evaluating both the ISVAs and the IDVAs.

Multi-Agency Risk Assessment Conferences

Multi-Agency Risk Assessment Conferences (MARACs) are a recent development in services offered to victims of domestic violence. MARACs focus on high-risk (as indicated through the use of risk assessment tools) victims of domestic violence.

Led by the police, MARACs are made up of statutory and voluntary representatives including social services, IDVAs, victim support services, health representatives (midwives, health visitors, child protection nurses and hospital staff as appropriate), housing services, probation services and education services. By sharing information, agencies get a better picture of victims' situations and so develop responses that are better tailored to the needs and goals of individual victims and their children, as well as to the management of perpetrator.

Members of the MARAC jointly construct and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm.

In Cardiff, where the MARAC has been evaluated, the level of reported repeat victimisation has dropped from 32% in 2004 to an average of under 10% in the period from April 2006 to December 2006.

In 2006/07, the Home Office funded the charity Co-ordinated Action Against Domestic Abuse (CAADA) to develop a training package for MARACs based on the evaluated Cardiff model; the training continues to be rolled out to all the SDVC areas. In February 2007, CAADA facilitated its first Training for Trainers course for MARAC training.

Action for 2007/08

In March 2007, the Home Secretary announced £1.85 million in funding to continue to roll out MARACs to the SDVC areas and to the further selected areas. This support will comprise the following:

- Pump-prime funding to support the MARACs (this will include the resources required to administer the MARAC⁸ and also the purchase or development of a case management resource to enable those cases heard at the MARAC to be documented and tracked).
- Continued funding for the MARAC training provided by CAADA.

Accredited domestic abuse perpetrator programmes within the criminal justice system

Probation Service

By the end of 2005/06, all Probation Service areas were running one of two domestic abuse treatment programmes accredited by the independent Correctional Services Accreditation Panel (CSAP) for delivery in the community. The Integrated Domestic Abuse Programme (IDAP) and the Community Domestic Violence Programme (CDVP) are both part of the Co-ordinated Community Response to domestic abuse. They promote co-operation and inter-agency working between statutory agencies and voluntary organisations. IDAP and CDVP are systems that focus on the planned intervention in relation to the sentenced perpetrator, and promote the safety of their victims and current female partners.

At the beginning of 2006/07, all Probation Service areas received programme sign-off by satisfying the quality assurance process that enables programme completion targets. For the first time, targets for programme completions were set by the National Offender Management Service (NOMS): for 2006/07, the national target was set at 1,200 completions, and probation areas are on course to meet this. Implementation plans are being reviewed to ensure that the programmes are being funded correctly. Women safety workers play an essential role in the programmes; in support of their role, NOMS has made additional funds available and has run four national training events.

Action for 2007/08

- Commissioning a process review prior to a full evaluation of the effectiveness of the accredited programmes (responsibility of NOMS).
- Upgrading training for women safety workers so that they can achieve an National Vocational Qualification.
- Collaborating with NOMS on a joint booster or one-to-one programme (responsibility of the programme designers).

⁸ Either through utilising existing posts or through the recruitment of a dedicated MARAC administrator

Prison Service

The Prison Service accredited programme is called the Healthy Relationships Programme and is a slight adaptation of a programme that is delivered across Canada's Correctional Service. CSAP has accredited the programme, meaning that it is of the view that it is likely to reduce future incidents of domestic abuse. The Healthy Relationships Programme is suitable for those prisoners who have convictions for violence against a partner or ex-partner, as well as for those who self-report such violence and are willing to address their abusive behaviour within their relationships. The programme is the same as the CDVP provided by the Probation Service.

Since the Healthy Relationships Programme has been piloted and subsequently accredited, the Prison Service has been gradually building up its delivery: the programme was completed by 58 perpetrators of domestic violence in four prisons in 2005. During 2006/07 an additional prison began to offer the programme, and there was a consequent increase to 66 completions.

Action for 2007/08

- Working towards having a dynamic risk assessment tool for domestic abuse.
- Increasing the total number of programme completions to more than 80.
- Developing a booster or relapse prevention programme.
- Developing a motivational programme.
- Improving staff training and selection.

Probation Service interim domestic abuse policy and strategy

To support the Probation Service domestic abuse policy and strategy, guidance was drawn up during 2006/07 which covered their principles and practice aims in more detail. The guidance was published on the Probation Service intranet and includes sections focusing on such topics as working with victims, the nature and context of domestic abuse, the SDVC programme, the assessment and management of risk of harm, and the use of interventions. Work is under way to develop a draft model policy for probation boards to consider adopting in respect of staff who may be victims or perpetrators of domestic abuse.

Action for 2007/08

- Monitoring the local implementation of the strategy and the use of the supporting guidance. Issuing additional guidance and updating existing guidance as necessary.

- Working towards the development of a NOMS domestic abuse strategy covering the work of both the Probation Service and the Prison Service.

OBJECTIVE 7: To develop the evidence base to close key knowledge gaps

Rationale

- Research and evaluation is required to develop an evidence base to support the formation of targeted and meaningful policy and intervention. Furthermore, statistics on domestic violence provide indicators by which to measure the impact of policy and practice.

Prevalence of domestic violence, sexual assault and stalking

The findings from the 2004/05 British Crime Survey self-completion module on domestic violence, sexual assault and stalking were published in September 2006.⁹ The report provides an overview of prevalence, changes over time, and the risk factors associated with inter-personal violence.

The key findings were as follows:

- Women over the age of 16 were more likely than men to have experienced intimate violence across all four forms of abuse (partner abuse, family abuse, sexual assault and stalking) the differences in relation to experiences were less marked.
- Partner abuse (non-sexual) was the most commonly experienced type of intimate violence among both women and men over the age of 16: 28% of women and 17% of men reported having experienced it since the age of 16.
- In the previous 12 months, stalking was the most commonly experienced type of intimate violence: 9% of women and 7% of men reported having experienced it during that period.
- Nearly half of women (48%) who had experienced intimate violence since the age of 16 had experienced more than one type of intimate violence. Men were less likely to have experienced multiple forms of intimate violence (the rate was 33%).
- 40% of women and 29% of men who had experienced intimate violence since the age of 16 had experienced intimate violence by more than one offender type.

⁹ See www.homeoffice.gov.uk/rds/pdfs06/rdsolr1206.pdf

- Less serious sexual assault was most likely to be committed by a stranger: 63% of women and 51% of men who had experienced less serious sexual assault reported that the offender had been a stranger.
- Perpetrators of serious sexual assault against both men and women were more likely to be known to the victim than to be a stranger. Just over half (54%) of female victims reported that a partner or ex-partner had perpetrated a serious sexual assault against them.
- The risk of intimate violence varied by demographic, socio-economic and lifestyle characteristics. Characteristics that were independently associated with an increased risk of intimate violence across the four forms of intimate violence included marital status (in particular being unmarried), tenure (social and private rental sector), age (under the age of 45) and having a limiting disability or illness.

Research into perpetrators of domestic violence

Exploratory qualitative and quantitative research was commissioned by the Northern Rock Foundation and the Home Office to develop a detailed picture of male domestic violence perpetrators entering the criminal justice system and to identify help-seeking pathways and any potential opportunities for early intervention and prevention.

A report presenting the key findings was published in April 2006,¹⁰ and in June 2006 a conference sponsored by the Northern Rock Foundation was held to disseminate the key findings. These were as follows:

- Male perpetrators were more likely to seek help at some kind of ‘crisis’ point – often when a partner gave them an ultimatum or actually left, or where there were child contact issues. It should be noted, however, that this was also the time at which perpetrators are more likely to be especially dangerous and homicidal. The safety of the women and children concerned therefore has to be a priority for any agency intervening at this time.
- Some perpetrators suggested that a criminal justice system sanction or threat (or consequence of sanction) provided an incentive to seek help, and proposed that intervention might be effective at this point. Indeed, some perpetrators wanted the police to direct them to domestic violence services and/or provide them with information about how to seek help.
- Health service responses should not refer perpetrators to counselling or related approaches, as these could reinforce the ‘poor me’ syndrome. Instead, GPs (who are often contacted by perpetrators for

¹⁰ *Domestic Violence Perpetrators: Identifying Needs to Inform Early Intervention* (see www.bristol.ac.uk/sps/downloads/FPCW/perpetratorsreport.pdf)

help and advice in relation to their abusive behaviour) and other health service staff should direct men to services that are critical of – and will aim to change – their violent behaviour.

- Criminal justice agencies, the health and social care sector, family proceedings and other sectors all need to work together to form coherent and co-ordinated approaches to perpetrators. These approaches should focus on tackling men's violent and abusive behaviour while also ensuring the safety of any women and children concerned. This should apply to the whole 'continuum' of domestic violence perpetrators, from early offending behaviour to chronic and severe offenders.
- Agencies that come into contact with perpetrators of domestic violence need the skills to safely ask about violent and abusive behaviour.
- Specialist services are needed for some groups, such as young men and men when English is not their first language.

Action for 2007/08

- Analysing further the interview data from both perpetrators and perpetrator co-ordinators (the results are to be published as an online research report in autumn 2007).

Assessing the needs of minority victims of domestic and sexual violence

Qualitative research was planned to be commissioned in 2006/07 to explore the nature of abuse and the service needs of minority and vulnerable victims, for example male victims and lesbian, gay, bisexual and transgender victims – to assess their needs with regard to service provision and engagement with agencies (including within the criminal justice system). Unfortunately, due to changes in Home Office spending commitments and priorities, the work was not commissioned. However, it is planned that it will be commissioned in 2007/08.

While we are waiting for the results of this research, the Government has funded IMKAAN to look into access to refuge provision for South Asian women. The project will be examining the occupancy and 'move on' rates of women who are using refuges and other housing options across the country.

Assessing Independent Domestic Violence Advisors (IDVAs) and Independent Sexual Violence Advisors (ISVAs)

A process evaluation to assess the role of IDVAs and ISVAs and their remit within the Co-ordinated Community Response is planned to be commissioned during 2007/08.

The impact of the 'Gateway form'

Revised forms for child contact and residence applications were introduced in 2005 to give applicants and respondents an early opportunity to raise issues of 'harm' for the court to consider.

The evaluation of the impact of the 'Gateway form' was submitted in March 2007.

Evaluating the Domestic Violence, Crime and Victims Act 2004

Researchers have been evaluating and comparing how domestic violence cases are handled at two magistrates' courts: Croydon and South Tyneside. A comparison will be made of how a non-specialist court and an innovative court deal with domestic violence – both prior to and post-implementation of the Domestic Violence, Crime and Victims Act 2004.

Since the implementation of some of the provisions of the Act will not take place until July 2007, the evaluation will be extended to facilitate the post-implementation part of the study in November 2007.

Association of Chief Police Officers (ACPO) police/family disclosure protocol

ACPOs police/family disclosure protocol sets out the procedure for family court practitioners to approach the police in a standardised and timely manner, for information in relation to family cases. ACPO instructed police force champions to implement the protocol across all police areas from April 2006, and a business information letter was circulated to the courts and the judiciary.

The pilot evaluation report and revised versions of the protocol have been posted on the website of the Department for Constitutional Affairs (DCA) and are linked to from the website of Her Majesty's Courts Service (www.hmcourts-service.gov.uk/infoabout/family_law/index.htm): the 'Domestic Violence Guidance and Information' link in the right-hand 'Further Information' box will take you to the DCA site).

National mental health trusts pilot collaboration: Working with Survivors of Childhood Sexual Abuse

- This project has been developed (with a training component) for staff in 12 mental health trusts to work with patients, asking them about their experiences of violence and abuse.
- An evaluation has been commissioned, to report in April 2008.

LEGISLATIVE AND PROCEDURAL CHANGES

The Domestic Violence, Crime and Victims Act 2004 introduced a number of new powers (and amendments to existing ones) to strengthen the victim's case when brought to the attention of the criminal justice system.

Three provisions that impact on civil remedies and criminal sanctions will be implemented from 1 July 2007. These are:

- Section 1: making breach of a non-molestation order a criminal offence. Breach will be punishable by up to five years' imprisonment on indictment.
- Section 4: making couples who have never cohabited or been married eligible for non-molestation and occupation orders.
- Section 12: enabling courts to impose restraining orders when sentencing for any offence and giving any person mentioned in a restraining order the right to make representations in court if an application is made to vary or terminate the order.

Children and Adoption Act 2006

The Children and Adoption Act 2006 completed its Parliamentary passage and received Royal Assent on 21 June 2006. Section 7 of the Act requires officers from the Children and Family Court Advisory and Support Service (CAFCASS), or Welsh family proceedings officers, to carry out risk assessments in private law proceedings under the Children Act 1989 (residence/contact/prohibited steps and specific issues orders) where they consider that there is cause to suspect that a child is at risk of harm. The officers are then required to inform the court of their findings in respect of the risk of the child who is suffering harm.

The Government is now considering the implementation of the provisions of the Act, including the provisions for risk assessments by CAFCASS.

Disclosure

The Children Act 2004 changed the rules for disclosure of information in family proceedings cases involving children. New rules took effect on 31 October 2005, detailing the new arrangements.¹¹

Improving transparency and privacy in family courts

As part of the work on the wider transparency agenda, a consultation paper, *Confidence and confidentiality: Improving transparency and*

¹¹ For full details, see www.hmcourts-service.gov.uk/docs/ex710_1105.pdf

privacy in family courts,¹² was published by the Government on 11 July 2006. The consultation closed on 30 October 2006.

The main proposals in the consultation paper were as follows:

- Making changes to attendance and reporting restrictions consistent across all family proceedings.
- Allowing the media – on behalf of and for the benefit of the public – to attend proceedings as a right. Allowing the court to exclude them where appropriate to do so and, where appropriate, to place restrictions on the reporting of evidence.
- Allowing attendance by other people on application to the court, or on the court’s own motion.
- Ensuring that reporting restrictions provide for anonymity for those involved in family proceedings (adults and children), while allowing for restrictions to be increased or relaxed, as the case requires.
- Introducing a new criminal offence for breaches of reporting restrictions.
- Making adoption proceedings a special case, so that there is transparency in the process up until the placement order is made, but beyond that point that proceedings remain private.

In addition to the proposals, the consultation paper invited consideration to be given to the following:

- Whether we should make special provisions for inspectors from Her Majesty’s Inspectorate of Court Administration and the Commission for Social Care Inspection (CSCI) and other specified groups to attend without needing to make an application to the court.
- Options for the further provision of information for adults who were involved in family proceedings as children.

A large number of responses were received from a broad cross-section of stakeholders, and these are now being looked at very carefully. Within the next few months, the Government will announce how it intends to proceed.

Sentencing guidelines

The Government asked the Sentencing Advisory Panel (SAP) to consult on guidance to the courts for dealing with domestic violence cases, and they did so in 2004. The Sentencing Guidelines Council published definitive guidelines on 7 December 2006: *Overarching Principles: Domestic Violence*¹³ and *Breach of a Protective Order*.¹⁴

Family justice and Her Majesty’s Courts Service

¹² See www.dca.gov.uk/consult/courttransparency1106/consultation1106.pdf

¹³ See www.sentencing-guidelines.gov.uk/docs/domestic_violence.pdf

¹⁴ See www.sentencing-guidelines.gov.uk/docs/breach_of_protective_order.pdf

The Family-Criminal Interface Committee was established to take an 'overview role' in co-ordinating all work currently being undertaken in England and Wales. Its aim is to improve the interface between the family and criminal jurisdictions and to identify areas that have not yet been addressed to enable all stakeholders to respond more effectively to child protection, domestic violence, and private and public family law issues within the forensic arena.

Action for 2007/08

- Assessing the effectiveness of the existing legal framework, structures and procedures, including primary and secondary legislation (responsibility of the Family-Criminal Interface Committee).
- Identifying legislative, structural, procedural and other changes that may be required to improve the interface between the family and criminal jurisdictions (responsibility of the Family-Criminal Interface Committee).
- Recommending and prioritising changes to be acted on by the Government and the relevant stakeholders (responsibility of the Family-Criminal Interface Committee).
- Identifying and promoting good practice on a consistent national basis for relevant stakeholders, for example on joint directions where there are concurrent criminal and family proceedings (responsibility of the Family-Criminal Interface Committee).
- Circulating guidance for legal practitioners to improve awareness of the family-criminal interface in both jurisdictions (responsibility of the Family-Criminal Interface Committee).