

# Understanding Court Support for Victims of Domestic Abuse



Mapping the provision of court-related domestic abuse support and advocacy across England and Wales on behalf of the Domestic Abuse Commissioner

June 2021



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# About the Domestic Abuse Commissioner

The Domestic Abuse Commissioner is an independent voice that speaks on behalf of victims and survivors. The Commissioner will use her statutory powers, which are set out in the Domestic Abuse Bill, to raise public awareness and hold both agencies and government to account in tackling domestic abuse.

The Domestic Abuse Bill will give her specific powers which will enable her to fulfil this role, and places legal duties on public sector bodies to cooperate with her and to respond to any recommendations that she makes to them. This will enable the Commissioner to really drive forward change and hold local agencies and national government to account for their role in responding to domestic abuse.

An estimated 2.3 million adults experienced domestic abuse between March 2019 and March 2020. One in five children lives with domestic abuse. These figures are unacceptable, and the Domestic Abuse Commissioner will use her unique powers to fight for change. She will campaign to ensure that domestic abuse services are available for everyone including Black, Asian and racially minoritised communities, LGBTQ+, and disabled survivors across England and Wales.

## About SafeLives

We are SafeLives, the UK-wide charity dedicated to ending domestic abuse, for everyone and for good.

We work with organisations across the UK to transform the response to domestic abuse. We want what you would want for your best friend. We listen to survivors, putting their voices at the heart of our thinking. We look at the whole picture for each individual and family to get the right help at the right time to make families everywhere safe and well. And we challenge perpetrators to change, asking 'why doesn't he stop?' rather than 'why doesn't she leave?' This applies whatever the gender of the victim or perpetrator and whatever the nature of their relationship.

Last year alone, nearly 13,500 professionals received our training. Over 70,000 adults at risk of serious harm or murder and more than 85,000 children received support through dedicated multi-agency support designed by us and delivered with partners. In the last four years, over 2,000 perpetrators have been challenged and supported to change by interventions we created with partners, and that's just the start.

**Together we can end domestic abuse. Forever. For everyone.**

**We want what you would want for your best friend**

- **Action taken before someone harms or is harmed**
- **Harmful behaviours identified and stopped**
- **Safety increased for all those at risk**
- **People to live the lives they want after abuse has happened**

## Acknowledgments

We are grateful to the Domestic Abuse Commissioner for giving SafeLives the opportunity to undertake this crucial work.

Our thanks also go to those partners and organisations who completed the survey and disseminated it on our behalf, despite facing unprecedented pressures in the sector. Your commitment has meant those pressures are highlighted and will be used to influence how we can improve the court support offer.

However, our biggest appreciation goes to the survivors who responded to the survey and shared their lived experience navigating the court process with us. Your lived experience has shaped this report, although your unique experiences may not be highlighted individually, what has stood out is the common issues survivors face in the justice system and, as such, sit at the heart and start of the recommendations in this report.



Please note some of the stories or quotes detailed in this report may be experienced as distressing or traumatising to some audiences.

# Definition of Roles

## Independent Domestic Violence Advisor (Idva)

Idvas address the safety of victims at high risk of harm from intimate partners, ex-partners or family members to secure their safety and the safety of their children. Serving as a victim's primary point of contact, Idvas normally work with their clients from the point of crisis to assess the level of risk, discuss the range of suitable options and develop safety plans. They are proactive in implementing the plans, which address immediate safety, including practical steps to protect themselves and their children, as well as longer-term solutions. These plans will include actions from the Multi-agency Risk Assessment Conference (Marac) as well as sanctions and remedies available through the criminal and civil courts, housing options and services available through other organisations. Idvas support and work over the short- to medium-term to put them on the path to long-term safety. They receive specialist accredited training and hold a nationally recognised qualification. Since they work with the highest risk cases, Idvas are most effective as part of an Idva service and within a multi-agency framework. The Idvas role in all multi-agency settings is to keep the client's perspective and safety at the centre of proceedings.

## Dedicated Court Support (Court Idva)

Dedicated Court Support is usually a specifically commissioned resource to provide support for all victims and survivors of domestic abuse through the different court systems and processes, the role is usually referred to as a Court Idva. Court Idvas should have the same training as an Idva but have advanced knowledge and experience of the justice process. They ensure victims and survivors have the right support needed to proceed through the justice process, advocating on their behalf where possible. The Court Idva may be co-located within the court building or just spend the majority of their time within the courts. Their role includes explaining the court process and the multiple options that are available, arranging pre court visits, ensuring special measures are in place, attending court with victims and liaising with court officials.

# Executive Summary and Key Findings

**This report was commissioned by the Domestic Abuse Commissioner to shine a spotlight on the support victims and survivors of domestic abuse receive in both the criminal and family justice system.**

A mixed methodology approach was used to gather both qualitative and quantitative data to ensure the voice of survivors is central to the report and a representative sample of services were captured. We also examined the existing evidence for court support.

The initial intention of the report was to also map court support for victims of sexual violence, however, due to a low response rate from services and difficulty reaching survivors of sexual violence we have not been able to provide the same insight for sexual violence in this report, although there are many overlapping issues including capacity issues and being excluded from court.

We believe dedicated court support provides better outcomes for victims and ensures perpetrators of domestic abuse are held to account. The role of the Idva as a trusted expert to support and advocate for victims and survivors, along with a clear care pathway through the system sits at the heart of what works to achieve better outcomes. Over a third (37%) of victims and survivors felt their experience improved because they had a court Idva. Yet the report findings show how the majority of survivors are not receiving dedicated court support, and many are receiving no support at all. We estimate 71% of victims navigating both the criminal and family justice system did so with little or no dedicated support meaning the benefits of this approach remain, on the whole, untapped.

Significantly one in five (21%) of Idvas were prohibited from supporting victims in court. These findings contradict the Victim's Code which sets out how victims are entitled to a standard of support at every stage of their journey from report to court and beyond into the recovery phase. Our research clearly sets out from survivors themselves that this right is not being met. We also know victims for whom society places additional barriers on do not have equity in the support they access or receive.

Another significant finding emerged through the voice of survivors, demonstrating how they are being traumatised by the court process, through a lack of understanding from judges and other court officials; fearing for their safety and that of their children; and in relation to family courts the poor interaction with CAFCASS and allowing the perpetrator to use the system for coercive control.

It is important to understand the COVID-19 pandemic has amplified the failings of the system to protect victims and hold perpetrators to account and this will continue in the wake of the pandemic unless action is taken.


## Recommendations

- Better strategic support, coordination and understanding of sexual violence.
- Need for urgent action on court backlogs and increased long-term investment.
- Recognising the role of Idvas as an integral part of court systems
- Realising 'trauma-informed' courts and driving cultural change

These key findings underpin the recommendations for action which could prevent further failure for victims and survivors in the criminal and family justice system and prevent the new DA Act having the intended impact.

## Key Findings

### 1. The majority of survivors are not receiving dedicated court support and their needs are not always being met



**71%**  
of survivors did not receive support from a domestic abuse service (or any other formal support)



**Only one in five** domestic abuse services provided dedicated court support



**Only one in ten** domestic abuse leads said services had secure funding for 3+ years



**21% DA** and **35% SV**  
**One in five Idva & one in three Isva services** were prohibited from supporting clients in court


### 2. Specialist court support improves the experiences of survivors



When asked what made a positive impact on their experience, the most common answers given were the specialist DA or SV service

### 3. The Family and Criminal Justice System retraumatizes victims

For survivors who received DA/SV support



**38%**  
had a negative experience due to attitudes of criminal justice professionals' towards domestic abuse

“General **delays in court** hearings due to backlog of cases, is increasing the **anxiety** and **pressure** on victims  
**DA leads survey respondent**

For survivors who had received DA/SV support



**16%**  
experienced poor safeguarding or insufficient special measures in court

### 4. The impact of the pandemic will be felt by services & victims for years to come

For DA services who told us about their case lengths



**67%**  
saw an increase in case lengths since the start of the COVID-19 pandemic

**DA 77%** and **SV 83%**  
The majority of services have adapted the court support they provide

“**Longer term engagement and support. Women dropping out of proceedings.** Delaying the woman moving on.  
**Supporting the frustration**  
**DA services survey respondent**

# Foreword

By Nicole Jacobs, Domestic Abuse Commissioner

**Courts, both criminal and family, are an essential avenue for victims and survivors of domestic abuse to seek protection, both for themselves and their children. At the moment, this system is routinely failing victims and survivors.**

The Covid-19 pandemic has both shone a light on and exacerbated the strains that criminal and family courts in England and Wales are under, and the inadequacies of the current systems in holding perpetrators to account and meeting the needs of victims and survivors of domestic abuse. It has also created new and evolving challenges.

This is why the domestic abuse support and advocacy services that help victims and survivors navigate these systems are more vital than ever. These services are in a unique position to provide essential support to survivors throughout their journeys within criminal justice and family law systems. With the right resource, they can engage early to invest time in building relationships with victims and survivors as individuals, developing the trust and confidence critical for the successful navigation of these often complex and challenging systems.

I am extremely concerned by the significant backlog of court cases, with reports of criminal court listings now running well into 2021 and 2022, and by whether current provision of domestic abuse support and advocacy services will be sufficient to meet the court-related needs of an ever-increasing number of victims and survivors.

Many domestic abuse services report caseloads which will exceed recommended levels, with demand increasing. This limits their capacity to invest the time in each case that is needed. Furthermore, these services almost always work with a wide range of victims and survivors with multiple and diverse needs. Not all of these cases will involve criminal or family court, and court-related support often has to be balanced with meeting other support needs, such as housing and welfare.

This is why I commissioned SafeLives to produce this important and timely report, in order to understand the current provision and capacity of these services, as well as their ability to manage and respond to any future surge in demand for court-related support linked to the Covid-19 pandemic and the backlog of court cases. This work has brought to light the serious challenges these services and the victims and survivors they support are facing.

It is clear that, despite the best efforts of the dedicated professionals working in domestic abuse services, current resource is not sufficient to fully meet the needs of victims and survivors as they navigate criminal and family court systems. This is felt especially sharply by the most marginalised victims and survivors, who already face additional barriers within these systems.

As national and local Government develop plans to address the impacts of the Covid-19 pandemic on the criminal and family court systems, I am very concerned by any overreliance on the ability of domestic abuse services to absorb the additional court-related support needs of victims and survivors. I would also challenge any assumptions that dedicated court-related domestic abuse support services are equally available in all areas, or that they have the capacity to support every victim and survivor accessing criminal justice or family law systems.

It is my sincere hope that this report can be used to inform these plans and help evidence the need for, and value in, further investment in and commissioning of dedicated court-related domestic abuse services, including Criminal Court and Family Court Idvas, ensuring that every survivor can access the support and advocacy that they need.





# Introduction

**Domestic abuse continues to be a significant part of the workload for the justice system. It is a gendered crime, with the majority of victims in domestic-abuse-related prosecutions being female, whilst, in contrast the majority of defendants in such prosecutions are men.<sup>1</sup>**

The Crime Survey for England and Wales shows that an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse in the last year, 1.6 million were women and 757,000 men<sup>2</sup>.

During Covid-19 there has been an increase in incidents of domestic abuse being reported. The data suggests that experiences of domestic abuse may have intensified during the lockdown and that victims faced difficulties in safely seeking support under these conditions<sup>3</sup>. Despite this most services still saw an increase in demand, including refuge, community-based services, online and telephone support.

The impact of this increase in incidents on the resources of the criminal and family justice system is likely to be significant, with underlying systemic issues in the criminal and family justice system, that long pre-dates Covid-19, amplifying the impact.

Over the years steps have been taken to improve the criminal justice response, including the introduction of Specialist Domestic Violence Courts and developments around Crown Prosecution Service (CPS) best practice. Despite these improvements survivors continue to have poor experiences, particularly within the family courts. The Ministry of Justice (MOJ) Family Harms Panel report in 2020 recommended a number of changes, including extending provision of specialist advocacy support workers in courts alongside support for children.<sup>4</sup> This has yet to be acted upon, though the MOJ's recent two-year funding settlements to uplift Idva provision in particular is welcome.

## About this report

In 2020, the office of the Domestic Abuse Commissioner commissioned SafeLives to undertake a mapping exercise to help understand the provision of court-related domestic abuse and sexual violence support/advocacy across England and Wales. In particular, we were asked to look at the proportion of criminal and family courts where domestic abuse and sexual violence support/advocacy services are able to support victims, including 'ad hoc' support for these client groups and services not specifically commissioned to do so. We were also asked to help build a picture of the current capacity of these services and their capacity to manage any future surge in demand.

This report will set out the quality and consistency resources that are currently in place to support victims and survivors of domestic abuse through the court process across England and Wales. It will also examine what support is currently commissioned and organised.

<sup>1</sup> Office for National Statistics (2020), Domestic abuse in England and Wales overview: November 2020. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2020>

<sup>2</sup> Office for National Statistics (2020), Domestic abuse in England and Wales overview: November 2020. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2020>

<sup>3</sup> Accessed at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2020#latest-figures-for-the-coronavirus-covid-19-pandemic>

<sup>4</sup> <https://consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/results/assessing-risk-harm-children-parents-pl-childrens-cases-report.pdf>

Importantly we have intentionally gathered many victims and survivors' voices, to ensure their experience of the court process and the support they've received is heard.

It was the intention of the Domestic Abuse Commissioner to map sexual violence services equally to that of domestic abuse, to increase our understanding of court support available to victims and survivors of sexual violence. This unfortunately has not been accomplished, whilst we have some findings we have not been able to achieve the same insight. We discuss this further in the Sexual Violence Section on page 28.

## The history of family and criminal court support for domestic abuse survivors and identified best practice

The Family Court as a single entity was established under Part 2 of the Crime and Courts Act 2013<sup>5</sup>, and hears public and private family law cases (previously there used to be different types of family court for different types of cases). Data from the MOJ<sup>6</sup> shows between January and December 2020, there were 18,051 public family law cases started, where the Local Authority is intervening to protect a child from significant harm. This more than trebled for private family law cases started between the same year, with 55,645 cases involving a dispute regarding a child's living or contact arrangements and 30,686 cases dealt with protection orders such as a non-molestation or an occupation order. In terms of forced marriage protection cases there were 283 cases started.

In 2020 the MoJ published a report on the failings of family court<sup>7</sup> and highlighted a number of barriers

survivors face when trying to evidence domestic abuse, including; a pro contact culture, lack of understanding of domestic abuse, disbelief and minimisation of domestic abuse, alongside the criminal and family courts working in silo. All of which led to poor protection of women and children. Survivors' disclosures of domestic abuse could be heard and accepted in the criminal court, however, not acknowledged or supported in the family court. There are currently very few family court IDVAs in England and Wales.

**The typical role of a family court Idva** - supports survivors navigating the family courts by offering practical and emotional support throughout both public and private law proceedings including non-molestation orders, child arrangement orders and local authority cases. They work in partnership with the courts to facilitate pre-hearing visits, explain special measures and keep survivors up to date with proceedings. They will attend solicitor appointments and support applications for legal aid. They will signpost and make referrals when necessary and will play an important part in ensuring the new DA Act (2021) is adhered to in family court regarding vexatious family proceedings and special measures. Family Court Idvas will risk assess on a continual basis to ensure safety plans are reflective of current risk and protective measures are in place to reduce any increase in risk.

SafeLives has promoted the need for all victims whose situation has been risk assessed by specialist domestic abuse professionals to have access to an Idva as they navigate the family justice system.<sup>8</sup> We know that for many survivors, having specialist domestic abuse professionals supporting them through this process helps to increase their safety and that of their children, as well as ensuring they can understand proceedings. Family court Idvas will often help to liaise with court staff, request special measures where needed and feed into risk assessments being made by Cafcass and Children's Social Care professionals. The support

<sup>5</sup> Crime and Courts Act 2013 ([legislation.gov.uk](https://legislation.gov.uk))

<sup>6</sup> [Family court - Courts data \(justice.gov.uk\)](https://www.justice.gov.uk/courts/court-data)

<sup>7</sup> [Assessing Risk of Harm to Children and Parents in Private Law Children Cases \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>8</sup>

of Idva and Family Court Liaison Advisors is regarded as vital by many survivors, but their time is often limited. A number of Specialist Domestic Abuse Family Liaison Officers we spoke to as part of our response to the Family Harms Panel Review also said that their professional judgement and risk assessments were routinely ignored by Cafcass officers and judges.<sup>9</sup>

Most Idvas will support clients through the court process if their contract allows it, however, it is important to note that often they are only funded to work with clients for short periods of time, meaning the clients are left without specialist advocate support in the midst of the court process. The average length of support provided by Idvas to clients was 14 weeks (an increase from 12 weeks in 2019).<sup>10</sup> While there is no dedicated data which shows the average length of cases involving domestic abuse going through the family or criminal courts, we know that it can take years in some cases. Data from Family Court hearings suggests that cases are lengthening and while it doesn't show whether these involve domestic abuse allegations, we know that a large proportion of private law cases do.<sup>11</sup> For example, in October to December 2020, it took on average 39 weeks for private law cases to reach closure which is an increase of 11 weeks from the same period in 2019.<sup>12</sup> 49% of cases supported by Idvas in 2020 involved ongoing conflict around child contact arrangements (an increase from 37% in 2019).<sup>13</sup>

With respect to criminal proceedings, the first Specialist Domestic Violence Court (SDVC) was set up in 1999 in Leeds. Following the 'Safety and Justice' consultation paper on domestic violence in 2003, the then Government rolled out SDVCs across England and Wales in 2005. By November 2010 there were 141 SDVCs across England and Wales. By 2014 this had fallen to 137.<sup>14</sup> A freedom of information response to the Ministry of Justice in 2012 revealed that "18 SDVC sites closed as part of the government's planned closure of courts."<sup>15</sup>

The SDCV Manual published in 2011<sup>16</sup> found SDVCs who were more successful in bringing perpetrators to justice had: "Idvas with a focus on supporting victims at court" while the SDVCs that were more successful in support and safety of victims had: "Idvas also focusing on engaging victims generally (among other components)".

“ A study of SDVCs in 2014<sup>17</sup> found:

*Idvas were consistently praised for assisting the prosecution with identifying relevant cases; keeping victims informed; keeping prosecutors briefed on victims' views; and ensuring the court kept a focus on the domestic violence.*

Victim Support's 'Survivor's Justice' report in 2018 also emphasised the important role of Idvas, with one survivor commenting:

<sup>9</sup>

<https://safelives.org.uk/sites/default/files/resources/190821%20SafeLives%27%20response%20to%20the%20Family%20Courts%20Review.pdf>

<sup>10</sup> Ibid.

<sup>11</sup> Studies indicate that the prevalence of domestic abuse in private law children cases is considerably higher than in the general population, with allegations or findings of domestic abuse in samples of child arrangements/contact cases ranging from 49% to 62%. Taken from:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/895175/domestic-abuse-private-law-children-cases-literature-review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895175/domestic-abuse-private-law-children-cases-literature-review.pdf)

<sup>12</sup> <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2020/family-court-statistics-quarterly-october-to-december-2020>

<sup>13</sup> <https://safelives.org.uk/sites/default/files/resources/Idva%20Insights%20Dataset%20201920.pdf>

<sup>14</sup> <https://questions-statements.parliament.uk/written-questions/detail/2014-12-15/218706>

<sup>15</sup>

[https://www.whatdotheyknow.com/request/118913/response/293888/attach/3/FOI%2076740%20Reply%20dated%205%20July%202012.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/118913/response/293888/attach/3/FOI%2076740%20Reply%20dated%205%20July%202012.pdf?cookie_passthrough=1)

<sup>16</sup> [https://www.cps.gov.uk/sites/default/files/documents/publications/sdvc\\_resource\\_manual\\_2011\\_v2.pdf](https://www.cps.gov.uk/sites/default/files/documents/publications/sdvc_resource_manual_2011_v2.pdf)

<sup>17</sup> <https://justiceinnovation.org/sites/default/files/media/documents/2019-03/a-snapshot-of-domestic-violence-courts-2014.pdf>

“ Whenever I needed them [Idva], they were on the end of the phone. Whenever I needed to just go in and just sit there even if it were to talk, they were there. They came to court with me every single time. It wasn't just once, it was every single time they came. That support was amazing. They've made me strong. Don't get me wrong it's not finished but I'm stronger than what I was and to be honest I don't think I'd have coped without them. (DA survivor, P)<sup>18</sup>

Victim Support recommended that SDVCs be made available to all domestic abuse survivors, because it gave them automatic access to Idva support.

The CPS 'deep dive' into domestic abuse commissioned courts in 2015 identified six courts that were achieving consistently high conviction rates for domestic abuse cases. This evidence was used to develop four best practice components<sup>19</sup>:

**The typical role of a court Idva** - spend the majority of their time working with survivors who are navigating the criminal justice system. They may be located or co located within court buildings and typically offer support from the point of charge until the court proceedings have completed. They explain court processes, support special measures, advocate during proceedings, keep survivors informed about court dates, bail applications and court outcomes.

Court Idvas offer any necessary support as a result of the domestic abuse or court proceedings, including emotional and practical support and referrals to other agencies. They will promote accessibility to court and justice through access to transport, childcare and safety. Idvas will risk assess on a continual basis to ensure safety plans are reflective of current risk and protective measures are in place to reduce any increase in risk.

Court Idvas also keep the CPS and police updated with any additional information shared by the survivor such as witness intimidation.

- A clear multiagency/community approach which addresses risk management and safeguarding procedures
- Idva Support
- Trained and consistently deployed staff across all agencies
- In court services: proactive witness services/pre-trial familiarisation visits/appropriate use of special measures.

However, there is no current record of which SDVCs remain in operation, as confirmed by the Minister in February 2021: “HM Courts and Tribunals Service (HMCTS) does not hold data on the number of SDVCs in operation in England and Wales.”<sup>20</sup> The Government's current preferred policy direction is for lessons from SDVCs to be rolled out through the DA Best Practice Framework which “aims to improve the capacity and capability of the criminal justice system to respond effectively to reports of domestic abuse offending, whilst providing a level of service to victims that increases their safety and their confidence in the criminal justice system”.<sup>21</sup>

## The 2 key functions of the court Idva to serve both victim and court officials

- **Building strong and robust relationships with victim, families, and witnesses and encouraging engagement throughout the justice process**

Many victims are often sceptical of the criminal justice system, even terrified of it, often having preconceived ideas. There are many understandable reasons for scepticism, not knowing what will be disclosed from their life, lack of trust in police, a lack of belief in the court system,

<sup>18</sup> [https://www.victimsupport.org.uk/sites/default/files/VS\\_Survivor%E2%80%99s%20justice.pdf](https://www.victimsupport.org.uk/sites/default/files/VS_Survivor%E2%80%99s%20justice.pdf)

<sup>19</sup> <https://www.cps.gov.uk/cps/news/domestic-abuse-prosecutions-supported-new-framework>

<sup>20</sup> <https://questions-statements.parliament.uk/written-questions/detail/2021-02-02/149189>

<sup>21</sup> <https://www.cps.gov.uk/domestic-abuse-cps-programme-2020-2021>

previous negative experiences, inaccurate information from professionals, and importantly fear for safety due to threats from the perpetrator or other family members that the CJS system will not keep them safe. In many cases, it will take considerable skill and time for professionals to break down those preconceptions, barriers and gain the trust of the victim, many of whom often do not want to engage with other domestic abuse support. The court Idva is able to conduct pre-trial visits, and in the case of the Magistrate Court to sit with victims as they give evidence and access the court building with victims through alternative ways so they do not see the perpetrator. Although these roles are usually undertaken by the witness service, having a Court Idva can further support the victim, providing expert knowledge, understanding of the dynamics of domestic abuse and support throughout the process.

- **Professionalism and understanding with court staff about victim and witness additional support needs during trial**

It is key for the Court Idva to build strong relations with the clerks, prosecutors/defence solicitors/ probation and magistrates within the court. This enables other professionals to understand their role, use them appropriately, and build up that respect and understanding of their professionalism and invite them to give evidence to the prosecution, when appropriate. One survivor told us in their response to our Every Story Matters Survey - 'Victims must be given much more support. Support services need more funding so they can provide it. Changes must be made to bring more perpetrators to justice as currently they get away with their actions for far too long and this means no deterrent for future reoffending or to put off new offenders'.<sup>22</sup>

Standing Together's Specialist Domestic Courts<sup>23</sup> model takes a one worker approach during court hearings and has had positive feedback from criminal justice agencies about its effectiveness during domestic abuse court cases.

SafeLives has long advocated for continuity of support for victims and survivors, with one worker or at a minimum a coordinated service to work with victims and witnesses through the whole justice process. In our response to the Domestic Abuse Bill consultation, we proposed a nationwide roll out of dedicated court support assigned to adults (and children) in criminal or magistrate cases.<sup>24</sup> We have also acknowledged the benefit of SDVCs<sup>25</sup> and recommended that all victims should have access to them alongside trained Court Idvas to support them through the process.

## Reducing victim attrition in domestic abuse and sexual violence

CPS data shows that 'complainant issues' which include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case' made up 53.1% of domestic abuse cases which resulted in a non-conviction in 2018-2019.<sup>26</sup> Reasons for victim withdrawal in domestic abuse cases are complex. They include being intimidated by the perpetrator or their family, believing the perpetrator's behaviour will change, having a lack of faith in the criminal justice process or wanting to move on with their life, among many others.<sup>27</sup>

<sup>22</sup> Respondent to Every Story Matters, SafeLives' Survivors' survey, April-May 2018

<sup>23</sup> Standing Together Specialist Domestic Courts model, Accessible here: <http://www.standingtogether.org.uk/local-partnership/specialist-domestic-abuse-courts>

<sup>24</sup> Page 43 DA Bill response

[https://safelives.org.uk/sites/default/files/resources/SafeLives%20Government%20DA%20Bill%20Consultation%20Response\\_%2031.05.18.pdf](https://safelives.org.uk/sites/default/files/resources/SafeLives%20Government%20DA%20Bill%20Consultation%20Response_%2031.05.18.pdf)

<sup>25</sup> Pg 42

[https://safelives.org.uk/sites/default/files/resources/SafeLives%20Government%20DA%20Bill%20Consultation%20Response\\_%2031.05.18.pdf](https://safelives.org.uk/sites/default/files/resources/SafeLives%20Government%20DA%20Bill%20Consultation%20Response_%2031.05.18.pdf)

<sup>26</sup> <https://www.cps.gov.uk/sites/default/files/documents/publications/cps-vawg-report-2019.pdf>

<sup>27</sup> Sleath, E. and Smith, L. L. (2016) Understanding the factors that predict victim retraction in police reported allegations of intimate partner violence.

The London Rape Review found that victim/survivor withdrawal was the most common form of attrition in the sample of classified cases with 58% of cases ending this way.<sup>28</sup> According to the review, the most common reason given by rape complainants for withdrawing was because of “the stress and trauma caused or exacerbated by the investigation, particularly because of having to talk in detail about the incident”. Other reasons included: a desire to move on from what happened, concern for their own safety particularly in relation to rapes within domestic abuse situations, feeling that reporting was enough and not wanting to report the rape in the first place.

Dedicated court support does seem to have a beneficial impact on victim attrition<sup>29</sup>, however, there are a number of factors which will affect the decision taken by victims to withdraw from criminal justice proceedings. These withdrawals result in offenders not being challenged, being invisible to systems working to protect victims and free to re-offend and cause more harm.

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<sup>28</sup> [https://www.london.gov.uk/sites/default/files/london\\_rape\\_review\\_final\\_report\\_research\\_-\\_embargo\\_until\\_31\\_july.pdf](https://www.london.gov.uk/sites/default/files/london_rape_review_final_report_research_-_embargo_until_31_july.pdf)

<sup>29</sup> [https://www.womensaid.org.uk/wp-content/uploads/2015/11/APPG\\_womens-access-to-justice2.pdf](https://www.womensaid.org.uk/wp-content/uploads/2015/11/APPG_womens-access-to-justice2.pdf)

# Methodology

A mixed methodology approach has been used to gather both qualitative and quantitative data for this report to ensure authentic voice and a representative sample of services were captured.

## Method to Capture Authentic Voice

A SafeLives Pioneer<sup>30</sup> worked as part of the team to create an online survey for victims and survivors who had been through the court process to complete. The aim of the survey was to capture the experience of survivors, what support they had received and the quality/effectiveness of that support.

### Survivor Survey (see appendix 1)

A range of open, closed and scaling questions were used. The survey was distributed via social media with the aim of reaching a wide and diverse range of responses across England and Wales. SafeLives' Pioneers also shared the survey, helping to reach survivors who we do not usually reach. Having a Pioneer work as part of the team, creating the surveys and giving their expert advice, was extremely valuable.

A total of 308 responses to the survivor survey were received. The survey included optional demographic questions, of which one in five respondents (19-22%) chose not to answer and these have been removed from the demographic analysis. Three quarters (77%) of respondents were from England and 19% from Wales. Nearly all respondents were female (99%), and the most common age group was 35-44 (47%) followed by 45-54 (25%). The vast majority (86%) of survivors characterised themselves as White British and heterosexual (96%) and three in ten (28%) had a disability.

Low responses from certain demographics were received; only one respondent was male; a small proportion of respondents were aged under 25 years (3%) or 55-64 years (6%); none were aged over 65 years. Seven respondents (3%) identified as bisexual or pansexual and one identified as lesbian. 14% were survivors from Black, Asian and racially minoritised communities.

## Method to Landscape Services

To try and reach a representative proportion of services we utilised a number of surveys and ways of distributing these surveys. Following an initial low response rate, which was frustrated by a number of factors including the Christmas holiday period, the second wave of the Covid-19 Pandemic and imminent national lockdown, a contingency plan was developed to reach Local Authority and PCC DA or VAWG strategic leads or commissioners.

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<sup>30</sup> Pioneers and Associate Experts by Experience lead our work: co-facilitating consultations, providing expertise and representing the survivor voice at meetings and presentations. We have a commitment to support Pioneers to achieve their personal goals and to assist their development.

### **SafeLives Practitioner Survey 2020**

The annual SafeLives domestic abuse practitioner survey was utilised as the primary route for gathering information from domestic abuse services. The survey is sent out to all domestic abuse services every year to understand the landscape of services. Questions were added to this year's survey to determine whether any court support was being provided. If services answered 'yes' they were asked to complete a more in-depth survey for this project. We received a total of 153 responses.

### **Domestic abuse service survey (see appendix 2)**

The in-depth survey launched on 17 December 2020 and was initially open for three weeks, this was extended to allow for additional responses to be submitted. The survey closed on 12 February 2021 and we received a total of 47 responses.

### **Domestic abuse local strategic and commissioning leads survey**

A short online survey was created for Local Authority and Police and Crime Commissioners and DAVAWG Strategic or Commissioning Leads across England and Wales to complete following a low response rate from the SafeLives practitioner's survey. The primary aim of this survey was to increase the data available to include in the court mapping database, in addition it allowed the views of those who commission services to be gathered. The survey launched 21 January 2021 and closed on 12 February 2021. We received a total of 70 responses to the survey for Local Authority and PCC DAVAWG Strategic or Commissioning Leads.

### **Sexual violence service survey (see appendix 3)**

The survey was co-created with professionals with experience of sexual violence services. It was launched on 17 December 2020 and was initially open for three weeks, this was extended to allow for additional responses to be submitted. The survey closed on 12 February 2021. We received a total of 23 responses to the survey for sexual violence services.

### **Method for Additional Service Capture**

Initial analysis of the surveys revealed a low response rate. In order to maximise services' opportunities to engage, follow up phone calls took place over a two week period. Those services who provide specialist support to survivors who face additional barriers to getting support were prioritised. Male survivor groups and the sexual violence sector were also targeted, due to a particularly low response rate. An offer was made to complete the survey on behalf of services or to collect any key points verbally to make it easier to take part. Over 40 services were contacted using this method which generated rich insight to the current situation faced by services.



# Findings

## Landscape of Dedicated Court Support and Community Based Services for Domestic Abuse

The findings from SafeLives Practitioner Survey provided a high level view of what services are currently available to support victims through the court process. The findings show there are very few dedicated court support services with only eight (5%) based or co-located in a court. These eight services were spread throughout England and Wales, with one in South Wales, Nottinghamshire, West Yorkshire, West Midlands, Hertfordshire, Thames Valley, London and Kent.

Half the services were located in more than one type of court, three based in criminal Magistrates’ Court, criminal Crown Court and Family Court, and one service based in criminal Magistrates’ Court and Family Court. Two services were based solely in criminal Magistrates’ Court and two were based solely in Family Court.

Staff at three of these services spent 100% of their time/resource supporting the court process, and one spent 90-99% of their time on it. One service said the proportion of time was 80-89%, one 50-59% and two said 40-49%.

Most wider community domestic abuse services (73%) still provided support to clients with court proceedings, however, this only accounted for a small proportion of their work, with 85% spending less than 40% of their time supporting the court process (see table 1).

Proportion of time community based domestic abuse services spent supporting the court process	% of Services (n = 102)
0-9%	15%
10-19%	23%
20-29%	27%
30-39%	20%
40-49%	6%
50-59%	4%
60-69%	3%
70-79%	1%
80-89%	2%
90-99%	0%
100%	0%

Table 1: The proportion of time spent by domestic abuse services with wider community based domestic abuse service supporting the court process, as taken from the SafeLives Practitioner Survey 2020

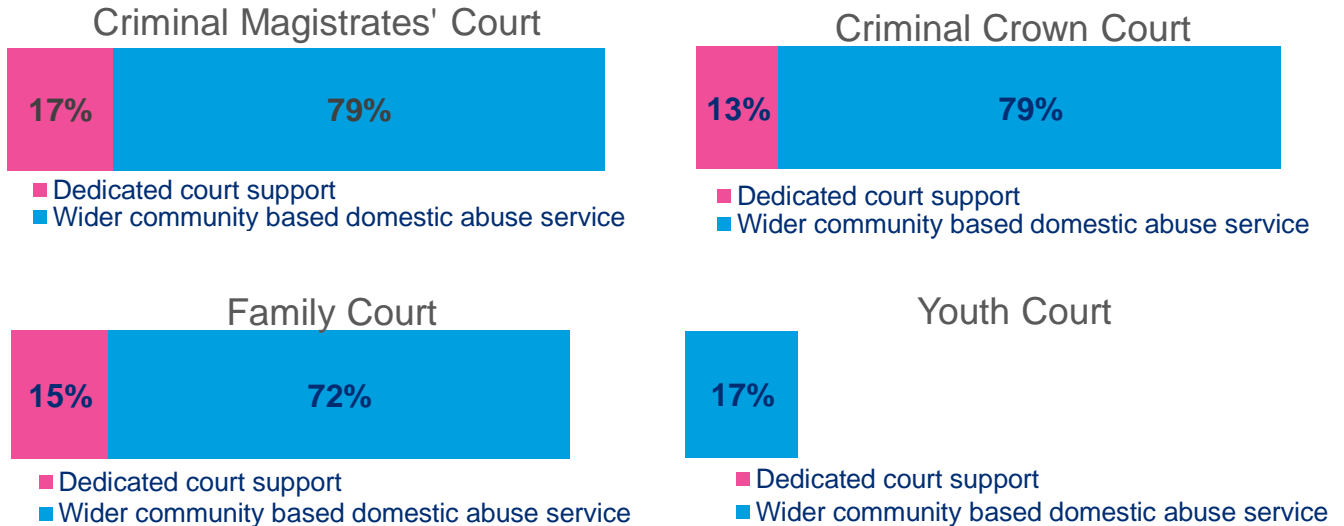
“ We have concerns that currently not all (domestic abuse) victims of crime are receiving specialist court support as the resources previously available to enable this have had to be moved towards supporting Marac Idvas.

DA leads survey respondent



**Only one in five** domestic abuse services provided dedicated court support

Our findings from the domestic abuse service survey confirm that court support for domestic abuse is largely being provided by wider community based domestic abuse services as opposed to dedicated court support. We found only one in five (21%) services provided dedicated court support. There were no commissioned services identified in the research providing dedicated court support for domestic abuse at Youth Courts, which provides an insight to the demographic of where services tend to be focused.



**Chart 1: The split between dedicated court support and wider community based domestic abuse service in domestic abuse services.**

### Court support for Black, Asian and racially minoritised victims

Bespoke court support provided for Black, Asian and racially minoritised groups was at a low level across all services. When services were asked if they provided any bespoke court support, a greater proportion of those that had dedicated court support provided bespoke support to survivors with protected characteristics compared to wider community based domestic abuse services (see Chart 2). For example, half (52%) of services with dedicated court support provided bespoke provision for Black, Asian and racially minoritised victims, compared to just 20% of wider community based domestic abuse services.

### Bespoke provision provided by domestic abuse services



**Chart 2: Proportion of domestic abuse services who provide bespoke provision for victims with protected characteristics or from minoritised groups.**

## Quality and Consistency of Support



*There does not seem to be much court specific support available from local services. I could do with it. I feel I have been further abused through the court process and the courts focus (was) on 'supporting' the abuser*

Survivor survey respondent (family court)

The analysis of the survivor survey found that 71% of survivors received no court support from an Idva and only 14% received dedicated court support. Cases being heard at Magistrates Court were more likely to receive dedicated court support for both DA and SV (26%), at Crown Court this was 15%. At Family Court only one in ten (11%) received support from a DA service.

The proportionality of resource directed towards support at Magistrates courts seems at odds with the reality of Crown Court where more serious criminal cases are heard and involve a jury trial which can be a daunting and intimidating experience for survivors who are already traumatised by the abuse they have been subjected to.

Nearly all (89%) of the survivors who received no support were not aware of support being available. Some survivors told of being denied support, and one even described being advised against receiving support or disclosing domestic abuse in fear of negative outcomes at court (family). This is a worrying finding which means services are probably only reaching a certain demographic and most are not able to counter any victim blaming attitudes. While 14% of survivors did receive support elsewhere, two in five (39%) had to rely on the support of family and friends. However, most worryingly is a third (32%) of survivors had no support at all, which may account for the attrition rate and traumatising impact of the system on survivors and their children. The proportion of survivors receiving either only informal or no support is largest when looking at those survivors who had been through the Family Court. Of these survivors, 47% received only informal support and 38% received no support. Both are more than double those seen in survivors who went through Magistrates' Court (16% and 14% respectively) and Crown Court (both 15%).

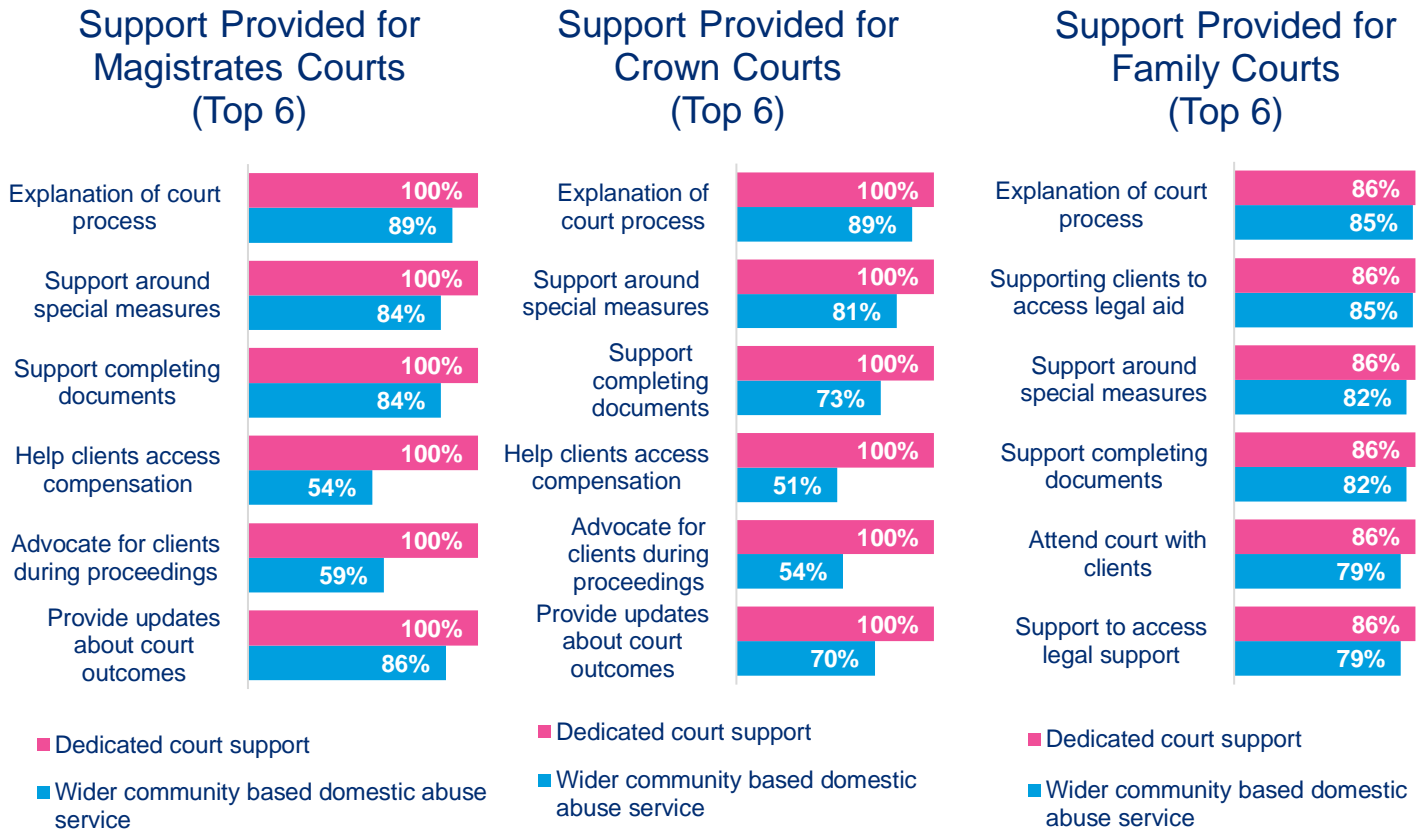


71%

of survivors did not receive **support** from a **domestic abuse service (or any other formal support)**

Two thirds (67%) of survivors whose cases were heard at Crown Court and over half (56%) of those whose cases were heard at Magistrates' Court received support after the court case was complete, only a third (35%) of cases heard at Family Court received support following completion at court. The lack of available support to victims following Family Court proceedings can have a lasting impact and can reinforce the trauma they have already experienced.

Further analysis of the domestic abuse services survey highlighted the differences in 'areas of court support' which a survivor might receive from either a wider community based domestic abuse service or dedicated court support, with the latter providing more comprehensive court support (see chart 3).



**Chart 3: The top 6 areas of support provided by domestic abuse services split by the court at which the client's case was heard. For more detail see appendix 4**

When survivors who had received DA support were asked about the type of court support they received the majority (55%) said the court procedure was not explained to them beforehand. This is highest for those survivors who went through Family Court (67%), compared to those who went through Magistrates' Court (45%) and Crown Court (25%). Survivors' understanding of the court procedure was poor, with 60% scoring 2 or less out of 5. Only 9% said they fully understood the court procedure (rating 5 out of 5). Again, understanding was worst for those survivors who had been through the Family courts, with 36% saying they didn't understand the process at all, and only 4% saying they fully understood. For clients going through Magistrates' and Crown Courts, smaller proportions didn't understand the process at all (27% and 13% respectively), while a greater proportion fully understood the process (18% and 13% respectively).

Please rate your understanding of the court process at the time		Magistrates' court (n = 11)	Crown court (n = 8)	Family court (n = 25)
Didn't understand at all	1	27%	13%	36%
	2	27%	38%	28%
	3	0%	13%	28%
	4	27%	25%	4%
Fully understood	5	18%	13%	4%

**Table 2: Level of understanding of the court process from the Survivor survey, split by the court their case was heard at**

When they went to court, almost half (48%) of those that received support were not confident in the court process. Confidence was lowest for those whose cases were being heard at Family

Court (72% selecting 1 or 2 out of 5), followed by Magistrates’ Court (64%) and Crown Court (50%).

Almost half (47%) of those that received specialist DA support were either somewhat dissatisfied or very dissatisfied. The rate of satisfaction differed depending on which court the case had been heard at. Only a third (32%) of those whose cases were heard at Family Court were either somewhat or very satisfied with the support they received. Two thirds (64%) of those that had been through the magistrates’ court were either somewhat or very satisfied with the support they received, and for those that went through Crown Court this increases to 75%.

How satisfied were you with the support you received	Magistrates’ court (n = 11)	Crown court (n = 8)	Family court (n = 25)
Very satisfied	45%	50%	12%
Somewhat satisfied	18%	25%	20%
Neither satisfied nor dissatisfied	9%	0%	8%
Somewhat dissatisfied	18%	13%	28%
Very dissatisfied	9%	13%	32%

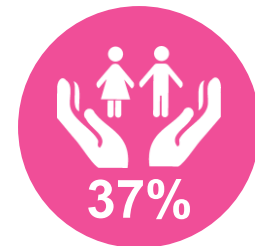
**Table 3: Level of satisfaction with support received from the Survivor survey, split by the court their case was heard at**

When asked what made a positive impact on their experience, the most common answers given were the specialist DA or SV service (37%), other external support (34%) and the police or court staff (29%). When looking by type of court their case was heard at, there was no difference in the top three themes.

When asked what made a negative impact on their experience, the most common answers given were professionals’ attitudes and understanding of DA (38%), the court experience in general (24%) and poor safeguarding, special measures or other safety concerns (16%). There were some differences when split by court. Of the eight who answered whose case went through criminal Magistrates’ Court, the most common answer was the court experience in general (three responses, 38%), followed by unsuccessful court outcome (two responses, 25%).



**38%** had a **negative experience** due to the **attitude of criminal justice professionals** towards domestic abuse



When asked what made **a positive impact** on their experience, the most common answers given were the **specialist DA or SV service**

Of the six who had been through criminal Crown Court, three (50%) said that the duration of the process had a negative impact on their experience. Two said professionals’ attitudes and understanding of DA and two mentioned lack of support outside of the court room.

Of the 22 who had been through Family Court, the most common answers given were professionals’ attitudes and understanding of DA (45%), the court experience in general (23%) and poor safeguarding, special measures or other safety concerns (18%).

When asked if there was anything else that could have made a positive impact, the most common answers were professionals having a better understanding of DA (34%), more or better quality support (29%), and better safety measures (17%). When looking by type of court their case was heard at, there was no difference in the top three themes.

## Funding and Capacity

The analysis of data from Commissioners and domestic abuse leads indicates the impact of short term funding and how this will reinforce pressures on the availability and quality of court related support.



Domestic abuse leads were asked how long the current funding for court related work will last. A third (35%) said that there was no specific funding in place. One in ten (10%) said that funding would last less than a year. Only 10% responded that services had secured funding for 3 or more years and only 7% said there was no end date to the funding.

**“ My concerns are that court support depends on the services being successful in applying for funding. Also, there is a postcode lottery for those (survivors) that don't have court Idvas.**

DA leads survey respondent

Strain on capacity of services was another common theme in answers from DA leads when asked if they had any specific concerns regarding either the court support provided or the court process (16%). Respondents also highlighted taking on additional support or workloads increasing (8%). The need for additional funding for dedicated court support or funding replaced which had been reallocated elsewhere was also mentioned in 10% of responses.

**“ The increased capacity required to ensure the additional support for victims as a result of case backlogs, delayed or deferred hearings, etc. puts significant strain on already stretched services and limited financial resources with which to commission the level of support needed to ensure availability of tailored support.**

DA leads survey respondent

Commissioning of Court Idvas is reported by some respondents to have been limited or withdrawn in favour of offering standard support as part of a wider DA support package, this support appeared to be mainly available to high risk victims being heard at Marac or victims known to the Police. This meant that cases not known to domestic abuse services or the Police with regards to family court were often left without specialist support at court or referred onto them.

**“ It would have been good to have specialist DV support alongside me but services are stretched too thin.**

Survivor Survey

## Impact of the system on victims and survivors

The survivor survey included the opportunity for respondents to provide any additional comments. Thematic analysis was conducted on these comments and were grouped to reflect

the overall impact on victims and survivors in the criminal and family justice system (see table 4) and findings suggest that the whole system is retraumatising them. For survivors whose cases had gone through Family Court, the most common theme was around poor understanding of domestic abuse by those involved in the court process (43%). This theme, although present, was less common in responses from survivors whose cases were heard at criminal courts. For survivors who had been through the Magistrates’ Court or Crown Court the most common theme was a poor experience of the criminal justice process (32% and 44% respectively).

Themes	Overall % (n = 180)	Magistrates’ court % (n = 19)	Crown court % (n = 9)	Family court % (n = 150)
<b>Poor understanding of domestic abuse by those involved in the court process.</b> This includes the respondent being discouraged from disclosing their abuse in case it harms their case, and the court believing the perpetrator over the victim or seeming to be on the perpetrator’s side.	38%	16%	11%	43%
<b>Poor access to special measures or other safety measures.</b> This includes safety measures being in place but not used properly, and any time the respondent felt unsafe or uncomfortable in court because they were forced to see their abuser.	12%	21%	11%	11%
<b>Children’s safety not considered.</b> Includes abusers being given custody over their children or the court process otherwise causing children harm.	17%	5%	0%	19%
<b>Lack of support, being advised not to take support or inadequacy of support received.</b> This includes any support needed in court (for example, for litigants in person) as well as support from specialist domestic abuse organisations.	22%	21%	22%	22%
<b>Poor experience of the justice process.</b> This includes staff incompetency, inappropriateness and not listening to evidence as well as respondents needing to spend large amounts of time and money on their case, and negative experiences with CAFCASS.	29%	32%	44%	27%
<b>Impact on mental health.</b> Includes any instance where the respondent talks about their mental health being affected negatively by the court experience.	8%	0%	11%	9%
<b>Continuing abuse from perpetrator.</b> Includes any instance where the perpetrator has been able to continue to abuse the respondent during or after the court case, including where the court process enabled abuse. Also includes references to the potential of continued abuse where it is unclear whether continued abuse actually took place.	17%	16%	22%	16%

Table 4: Thematic analysis of survivor’s additional comments

“ *The Family Court process has left me severely traumatised, worse than the DV itself. I was belittled, undermined, exposed to my abusive ex repeatedly, my children were not listened to and it felt like father’s rights trumped mine and negated his history of DV. I’ve never been more frightened and alone in my life.* ”

Survivor survey respondent

Survivors' stories have demonstrated how they are being retraumatised by the court process, through a lack of understanding from judges and fearing for their safety and that of their children in relation to family courts and the interaction with CAFCASS and/or Social Care. This adds weight to the evidence of other reports which have previously captured this finding<sup>31</sup>.

For some survivors support has actually been prohibited. A fifth (21%) of Domestic Abuse Services reported that they had been specifically prohibited from supporting victims in court. The most common reasons given for prohibition either the court not allowing them into the room, or the perpetrator objecting.



One in five Idva services were prohibited from supporting clients in court

“ *I was aware of support agencies but I was told by my own solicitor that the judge doesn't like these dv support groups....they have a vendetta ...Apparently.*

Survivor survey respondent

The findings also indicate that the family court system is re-traumatising survivors, who do not feel that they are getting appropriate support in family proceedings.<sup>32</sup>

“ *Some judges appear to have little understanding of the trauma attached to victims of DA and attending court. Services should be able to offer feedback, for example recently a judge applauded the perp for saying fathers should see their children, another stated that non mol orders are archaic.*

DA leads survey respondent

*For clarification purposes non-mol refers to a non-molestation order used to protect the person applying for the order, the victim, from the respondent's abusive behaviour.*

These findings contradict the Victim's Code which is a statutory code setting out the minimum level of service that all victims should receive from the criminal justice system. The Victims' Code applies to all criminal justice agencies, including the police, CPS, Courts Service and the Probation Service. Through this code, victims are entitled to a standard of support at every stage of their journey from report to court and beyond into the recovery phase. Our research clearly sets out from survivors themselves that this right is not being met. We also know victims for whom society places additional barriers on do not have equity in the support they access or receive.

## The Impact of Covid-19 and the Pandemic

It is clear that an immediate impact of the Pandemic was felt in the SDVCs as some courts were no longer held on nominated days which has resulted in changes in the support and resources available. Services reported an increase in workload due to the SDVC being cancelled and as a consequence having to make changes to delivery of support.

<sup>31</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report_.pdf)

<sup>32</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report_.pdf)



**“ Our court provision was designed to coincide with specialist SDVC courts, held on a Monday and Thursday. However, due to the high number of cases coming through the courts, we are now seeing DA cases heard throughout the week. In order to provide comprehensive support to all victims, we need to be able to fund fulltime court support. ”**  
DA leads survey respondent

### Delays in the court system leading to delays in the wider support system

There have been reports in the media of delays in court which have led to victims withdrawing from proceedings in some cases and attrition remains a huge concern for many frontline services.<sup>33</sup> However, court delays are not a new issue, as the Women’s Access to Justice report in 2014 from Women’s Aid showed.<sup>34</sup>

This has been supported by our findings, where services spoke of clients ‘losing faith in the system’ and ‘dropping out of proceedings’ due to delays in cases reaching court.

Many services in the survey talked about the existing delays in the justice process and fears that this is being exacerbated by the pandemic. For example, DA leads were asked if they had any specific concerns regarding either the court support provided or the court process. The most common theme was the impact on victims (74%). This included mention of court delays (30%).

**“ Those of us working in the sector have known for years that the system wasn’t working, many victims have historically experienced huge delays, and this is set to get much worse as a direct result of Covid. We are hearing now of trials pushed back to 2022. For victims this means a life on hold ”**  
Domestic Abuse Service

The trauma experienced by survivors has been intensified due to longer waiting lists to access counselling and mental health services. Some DA services reported having to increase the amount of emotional support they offered whilst survivors waited for other mental health support. One service has needed to introduce therapy sessions for clients suffering mental health issues as no statutory services were available.

<sup>33</sup> <https://www.independent.co.uk/news/uk/home-news/domestic-abuse-victims-dropping-charges-against-violent-expartners-due-to-lengthy-court-delays-triggered-by-covid-b1799941.html>

<sup>34</sup> [https://www.womensaid.org.uk/wp-content/uploads/2015/11/APPG\\_womens-access-to-justice2.pdf](https://www.womensaid.org.uk/wp-content/uploads/2015/11/APPG_womens-access-to-justice2.pdf)

## A work force stretched to breaking point

We asked domestic abuse services about current and previous caseloads and case lengths. Across all services, the majority were seeing increases in both caseloads and case lengths since the start of the Covid-19 pandemic.

Services providing dedicated court support who responded to the question on case length and caseloads, had all seen an increase in case length during Covid-19, while 60% also saw an increase in caseloads.

Of the six services that provided dedicated support to clients at Crown Courts, three told us about changes in caseloads, with two (66%) saying they had increased caseloads during Covid-19. Four told us of changes to case lengths, with all four (100%) saying they had increased.

Of the seven services that provided dedicated support to clients at Family Courts, five told us about changes in caseloads, with one (20%) saying they had increased during Covid-19, while three (60%) said they had reduced. The same five told us of changes to case lengths, with two (40%) saying they had increased, and one (20%) saying they had reduced.

Of the 40 wider community based domestic abuse services that provided court support to clients, 30 told us about changes in caseloads, with 20 (67%) saying they had increased during Covid-19, while five (17%) said they had reduced. There were 29 services that told us of changes to case lengths, with 19 (66%) saying they had increased, and one (3%) saying they had reduced.

Follow up conversations with services highlighted the utter exhaustion many staff were experiencing, a predominantly female workforce many of whom are juggling the demands of trying to engage vulnerable and at risk victims with home-schooling and the demands of working remotely. Survey results show three quarters (77%) of Idva services made changes to court support due to the Covid-19 pandemic. Changes to service fell into four themes: tailoring Idva support; an increased need for Court Idvas; change in court practices; and the impact on the victim. The most common theme was changes to court practices (56%).

**“ It’s really exhausting I feel guilty a lot of the time and I worry I am not doing either job very well, my kids need me but so do the women and so many of them have absolutely no one but me and all I can do is phone them. Domestic abuse service**

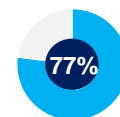
Higher caseloads came through from several services as a cause for concern, highlighting a ‘bottleneck’ being created in an already overwhelmed criminal and family justice system. Services expressed a concern that this justice gap could endure for years and a sense of dread prevailed over many conversations.

For DA services who told us about their case lengths



**67%**

saw an increase in case lengths since the start of the COVID-19 pandemic



The majority of services have adapted the court support they provide

## Conversation with the Domestic Abuse Sector

Services were supportive of the survey and appreciated the opportunity to have their voices heard at a national level.

Many services expressed gratitude that we were reaching out and were very apologetic they hadn't had time to complete the survey. All described a criminal and family justice system in chaos.

Services reported other concerns that warrant further consideration and analysis. For example, the Criminal Injury Compensation Authority (CICA) has a two year deadline for claims.

Some cases are now

being listed for 2022 and there is real fear that this will impact on survivors making claims for compensation. Some anecdotal evidence also emerged in the survey that perpetrators may be using the pandemic to 'game the system'. This should be investigated further.

### A criminal and family justice system seemingly in chaos

- Nightingale Courts not being utilised and concerns that survivors were directed to courts out of area during lockdown, for some this has resulted in long journeys on public transport which has increased fear and safety concerns in relation to public health.
- Breakdowns in communication between professionals resulting in special measures not being applied or in some cases wrong dates for trials being sent to the victim resulting in trials failing.
- Poor witness care and witness intimidation enabled through the use of Live Links for example perpetrators making gestures to victims.
- Social distancing measures limiting use of special measures.

“ *Offenders in DA cases which would normally be heard in Magistrates Courts are seemingly now electing for a Crown Court trial by pleading not guilty, and this was noted as due to offenders taking advantage of the delays in the hope that the case will be subject to the Public Interest Test and not pursued.*

DA leads survey respondent

Services also talked about the impact of the pandemic directly on staff with Idvas being unable to attend court due to self-isolation, high levels of sickness were reported across the sector over the November/December period when this survey took place.

However, despite the demands of managing services during a pandemic, most respondents were highly responsive in follow up calls, many said how glad they were just to have someone to talk to who was interested in the experiences of services and survivors on the ground.

### Unintended Benefits of the Pandemic

Support to clients prior to the pandemic was conducted predominantly through face to face meetings. Being forced to provide support remotely has, for some, been seen positively as it allows for greater choice and availability, Some services are reshaping to meet the demands of remote working and may continue in the future. Services also spoke of the addition of remote court links brought about due to the pandemic. This has been seen mostly as a positive step forward to improve the evidence giving process for victims.

“ *Benefits to online hearings include confidence of victims, reducing anxiety of victims, safety and reducing the stigma of a court appearance.*

DA leads survey respondent

# Court Related Support for Victims of Sexual Violence

We know that sexual violence is more often committed by someone known to the victim and much more common than stranger rape. In recognition of this overlap between domestic abuse and sexual violence we attempted to map the court support for victims of sexual violence.

Many of the issues raised in the report span across both policy areas, but there were some unique elements and this short section reflects these.

As stated in the introduction we received a very low response from the sexual violence services, though significant effort was put into trying to increase uptake. When we did speak to services they were happy to take part and answer questions appreciating the time we were taking to understand their perspective.

## Landscape of sexual violence services

All of the sexual violence services who responded are commissioned to provide court support as part of their role and it was unsurprising that the vast majority provided support at Crown Court (see chart 4).

### Court Support for Sexual Violence

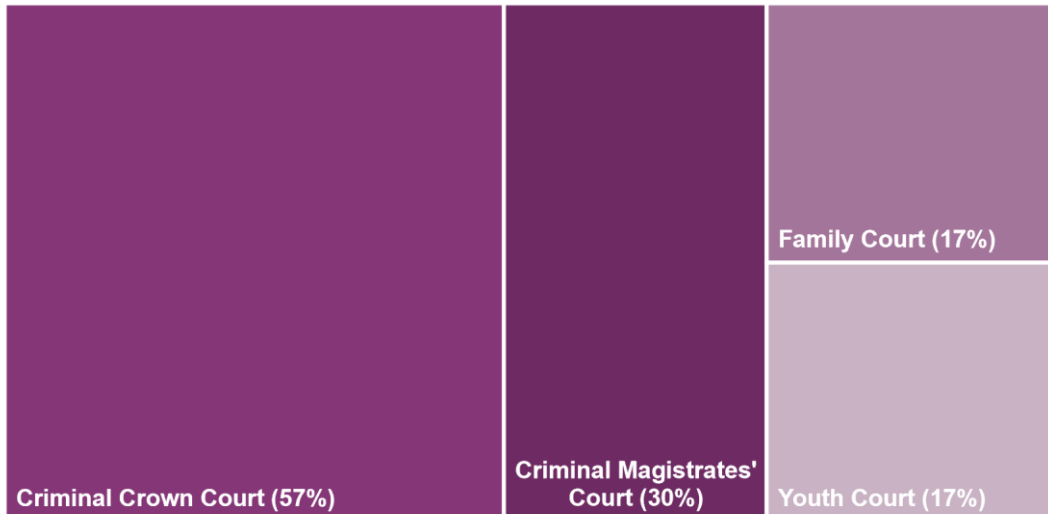


Chart 4: The proportion of sexual violence services that provide support to clients at each court

## Funding and Capacity

Sexual Violence services' responses highlight that only one in five (21%) had funding for 3 or more years. Half (52%) of services told us that the court support provided is primarily funded by statutory grants. Four services (17%) said trusts and foundations funded the work and three gave other answers.

### Victims prevented from accessing support at court

A third (35%) of sexual violence services reported on occasion that they had been specifically prohibited from supporting victims whose cases were at court. The most common reasons given were either the court not allowing them into the room, or the perpetrator objecting.



One in three Isva services were prohibited from supporting clients in court

“ *Sometimes judge does not allow us in (all courts). Other times, the victim's solicitor says we shouldn't be accompanying them (family court)*

Sexual violence service respondent

### No access to justice for some

A finding which came out strongly from discussion with the sexual violence sector related to access to justice was for Black and minoritised young women or women with disabilities. Services said court support wasn't a significant issue for these women as so few service users reported sexual violence.

Barriers to accessing the criminal justice system were highlighted as a lifetime of experiencing institutional and personal discrimination, childhood sexual abuse and or sexual exploitation combined, resulting in many service users feeling that reporting sexual violence was not an option for them.

“ *The women we support feel they are unable to access justice.*

Sexual violence service respondent

### Impact of the COVID-19 pandemic

Many services talked about the existing delays in the justice process and fears that this is being exacerbated by the pandemic. For example, when asked if there was anything additional to mention, two thirds (67%) of sexual violence services spoke of court delays, with one service saying cases were now being delayed until 2023.

“ *Victims and survivors of sexual crime tell us that they have waited sometimes up to 2 years from the point of reporting the sexual crime. To have sexual offence trials now being adjourned up to 2022 it is not surprising that victims of this high impact crime feel they are not being prioritised. Short notice on adjournments have not helped with their increased anxieties and their emotional wellbeing. This has led to some feelings of suicidal ideation and increased self-harm for several support service users.*

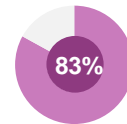
Sexual violence service respondent

“ *We have clients who are facing very long waiting times (over a year) until their cases are due to be heard in court. This is really impacting on their mental health and one client wanted to withdraw the case once she heard of the wait, as she didn't want her life to be on hold for over a year, but the CPS would not drop the case.*

Sexual violence service respondent

“ *Isvas are now holding much higher case loads of clients who's trials have been postponed. Supporting those clients to stay engaged in the Criminal Justice Process has been reported by the Isvas as one of the biggest challenges during the pandemic.* ”  
Sexual violence service respondent

Services have been reshaped as a result of the pandemic and whilst there has been huge effort to ensure survivors get the support they need some respondents felt this had caused a decline in the standards of service they could offer. 83% of Isva services made changes to court support due to the Covid-19 pandemic with 52% working remotely.



The majority of services have adapted the court support they provide

“ *Support over the last year has been mostly by phone - would normally be mostly face to face.* ”  
Sexual violence service respondent

Staff also spoke about the double stigma of reporting rape outside of an established intimate relationship in the pandemic. Victims fear being judged both for being a victim of sexual assault and for breaching lockdown rules. This is likely to have a huge impact on future demand for therapeutic services.

### A workforce stretched

Conversations revealed a sector under extreme stress with high levels of staff sickness. Services talked about huge pressures, high caseloads and increases in levels of sexual violence during the pandemic that were not being reported to the police. From the survey of sexual violence services, eleven services told us about their caseloads, more than half (55%) said they had seen an increase since the start of the Covid-19 pandemic. Nine services told us about their average case lengths and all had seen an increase.

“ *I would want to mention Idva/Isva fatigue and resilience of workforce, the impact of COVID will go on for longer than when the restrictions are lifted. Long term funding needs to be considered to support that. The number of cases we are holding has increased and the emotional impact to victims is taking its toll in holding them for extended periods, from previously 2 years now likely to be in some case 4 years and beyond.* ”

Sexual violence service respondent

A theme which came up consistently through the follow up phone calls to the sexual violence sector was the difficulty staff faced in trying to boundary home and work/family life when dealing with sexual violence. This resulted in a significant concern for staff's mental health and wellbeing.

“ *We have never worked so hard, a 12 hour day most days and then falling into bed.* ”  
Follow up phone call respondent

“ *Many of our staff are now utterly exhausted, we have increased clinical supervision and do regular wellbeing checks but the work is relentless, there seems to be no end in sight.* ”  
Follow up phone call respondent

Staff also spoke about the complexity of supporting women who are already at increased risk of harm due to their existing vulnerabilities, such as homelessness, addiction, and poverty. They feared these women were slipping through the net when it comes to accessing the additional support they urgently need.

In common with the DA sector, some services reported changes they had made to support survivors during Covid-19 which had a hugely beneficial impact.

“ *In Wales we are in the process of setting up remote court links, they will be seen as an extension of providing evidence from home but in a more controlled environment with specialist support. This is a very big positive step forward, not just to help address the delays caused by the pandemic but also as we move into the future post Covid-19. They will give victims an alternative option when giving evidence, helping to enhance their experience of the Criminal Justice Process. Thankfully, there is a good working relationship between the sector and the courts.*

Sexual violence service respondent

### **Gaps in knowledge of services for male victims**

Most sexual violence services see male and female victims. However, we attempted to connect with support services who work exclusively with male victims to try and understand the support available for men as we understand this continues to be a very under reported area of abuse and violence. Despite much effort we were unable to reach any dedicated support for men.

# Discussion

**The findings presented in this report have shone a spotlight on the support victims and survivors of domestic abuse are receiving as they experience the criminal and family justice system. Whilst there is some limitation to the findings due to us not being able to reach all services across England and Wales, we strongly believe the findings are representative of the current situation.**

When we analysed the findings from the surveys and discussions and then considered what we know works in supporting victims, four key areas emerged which we have set out here to enable a more focused and relevant discussion.

## **1. The majority of survivors are not receiving dedicated court support and their needs are not always being met.**

From the landscaping of dedicated court support and wider community based domestic abuse services it is clear that the vast majority of victims are not receiving the support they need, at the time they need it, with many receiving no support at all. This is particularly true for minoritised groups.

In addition, the quality and consistency of support is variable with the majority of survivors reporting the support they received was not enough. We know there is under-resourcing for Idvas and particularly Court Idvas, the impact of this can be heard in the voice of survivors with many saying they were still not adequately prepared for court even when they had support. This is not surprising when services are stretched so thin they are unable to provide adequate support. The quality of dedicated court support requires time and expert resource, it is also important that the Idva and Isva role at court is understood, respected and not considered as a substitute for legal representation.

Services are reporting a lack of funding and an uncertainty of funding, which is impacting on their ability to meet demand, and record that the system of support to court was already broken before the pandemic struck.

Survivors voices captured within this report demonstrate inequity in who gets support with survivors whose case is being heard at family and youth courts the least likely to receive any support. Meaning children and young people are probably suffering the most.

However, it is worth noting that although fewer victims get to Crown Court, it is here that they feel most confident in the process. This is most likely due to the Crown Court having a quite prescriptive approach in offering support to victims through awareness raising materials such as, easy to follow guidance for witnesses and videos explaining how the court works. We can learn from this in Family, Magistrate and Youth Courts who do not provide the same level of support and accessible information.

## **2. Specialist court support improves the experience of survivors**

As discussed in the introductory section of this report, previous studies have shown the importance of dedicated court support and SDVCs. The findings in this report continue to support this approach and yet we see little focus or funding directed towards dedicated court support. This would now seem at odds with the new Domestic Abuse legislation which sees the introduction of several measures to improve the experience of victims in the justice system. Without dedicated court support which is independent and victim focused we are unlikely to see the full impact of the new legislation.



### 3. The family and criminal justice system retraumatizes victims

Survivors' voice has been strong on how they are retraumatized by the system. Services also support this view and have given examples of the rights of victims being ignored, with some being prohibited from accessing support. There was a strong theme of victim blaming along with a system perpetuating myths of domestic abuse and sexual violence. This seemed to go right through the system and was not impacted by either dedicated court support or standard support.

### 4. The impact of the pandemic will be felt by services and victims for years to come

This report has highlighted the current issues of the Covid-19 pandemic faced by the sector: an increase in workload, delays in going to court and a strained work force. However, there is likely to be a much longer term impact. Noting that gender inequality and discrimination are amongst the root causes of violence against women and that structural power imbalances remain between women and men in varying degrees across all communities, it is clear that the pandemic has widened the gender gap. Reports have highlighted women as carrying the burden of the social and emotional impact of Covid-19<sup>35</sup>. In addition, many of the exacerbating factors have worsened in society, which contribute to violence and its consequences, including poverty, unemployment, lack of resources, isolation, hopelessness and loss.<sup>36</sup>

We know that on average, high-risk victims live with domestic abuse for 2.5 years<sup>37</sup> and medium risk victims for 4 years<sup>38</sup> before getting help. The pandemic has brought with it an increase in the number of reported DA incidents and increased demand on services. It is likely that the length of time for some survivors disclosing will be extended, the increase in severity of abuse greater and as a consequence the ongoing impact on demand for support will be exacerbated. The additional barriers faced by survivors who have a disability or from a Black, Asian or racially minoritised group may further increase disclosure times and limit access to court support.

**An additional finding and a consistent theme during the engagement stages of the surveys was the adaptability, flexibility and resilience of Idva/Isva services. Many services pivoted immediately to ensure they were responsive to the changes required during Covid-19 despite uncertainty of funding and sustainability.**

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<https://www.oecd.org/coronavirus/policy-responses/women-at-the-core-of-the-fight-against-covid-19-crisis-553a8269/>

<sup>36</sup> <https://www.endvawnow.org/en/articles/300-causes-protective-and-risk-factors-.html>

<sup>37</sup> <https://safelives.org.uk/sites/default/files/resources/Idva%20Insights%20Dataset%20201920.pdf>

<sup>38</sup> <https://safelives.org.uk/sites/default/files/resources/Outreach%20Insights%20Dataset%20201920.pdf>

## Recommendations

This report has identified barriers for victims of domestic abuse and sexual violence to accessing effective support across the justice system. It has also identified that the support offered does not always meet the needs of victims.

We anticipate that the demand we have already seen increasing on frontline domestic abuse and sexual violence services will continue to grow post-pandemic, which will translate into increased demand for dedicated court support. We make the following recommendations to ensure that all victims have independent and high quality support that is recognised by all agencies as an integral part of the justice system helps to make the recently revised Victim's Code a reality.

The following recommendations are about taking proactive action to meet the continued increase in demand on frontline services and the court system, ensuring the best chance of justice for victims and perpetrators being held to account.

### Need for urgent action on court backlogs and increased long-term investment.

- Court backlogs are leading to victim attrition and place a significant challenge for frontline domestic abuse and sexual violence services who are trying to support clients across much longer periods of time. We recommend **the Government fast-track cases where domestic abuse and sexual violence are a feature through increased provision of 'Nightingale courts'** so that victims receive justice quickly and close to home. This will require an uplift in funding for court and legal staff, as well as for frontline services to ensure victims can be supported safely through an expedited process.
- Investment is required to ensure the already fragile services for supporting victims are shored up and robust enough to meet the future demand. **Funding for criminal court and family court Idva roles needs to be long term and secure** to ensure quality and consistency of provision. This should not be at the expense of community-based services funding but in addition to it.
- The Victim's Funding Strategy, the planned Victim's Bill and Comprehensive Spending Review provide an ideal opportunity to ensure victims across all courts are able to access the dedicated support they need through a specific **uplift in the funding for Police and Crime Commissioners to commission additional capacity to ensure dedicated criminal and family court Idvas and Isvas can meet the needs of their population**. Such a commitment would also satisfy the Family Harms Panel recommendation that the Government provide sustainable funding in extra provision to meet the needs of child and adult survivors of domestic abuse in the family courts. It would also enable the CPS' Best Practice Framework for domestic abuse cases in the criminal court justice process to be fully realised.

### Recognising the role of Idvas as an integral part of court systems

- We recommend dedicated court support services, specifically Idvas, are **recognised as an integral part of court systems** and viewed as equally important as other professionals supporting victims at court or advising the court in relation to risk and safety. The role of the Idva should be formally recognised by the judiciary in consultation with specialist services and the Ministry of Justice, with the role of the Idva formally described and recognised in dedicated court related guidance, policies and practice. This would help to avoid a situation where some Idvas are permitted to support their clients through the court process through judicial discretion, while others

are not. This would also support the implementation of the Harm Panel recommendations in this area.<sup>39</sup>

- Alongside the support for adult victims of domestic abuse, we recommend that **children who are victims of domestic abuse receive specialist support** throughout the family court process to ensure their trauma is addressed.
- We recommend that Idvas who support victims at court should be able to access **specialist training** to help increase their knowledge and ability to navigate the court systems for their clients.
- The experience of **survivors navigating the civil justice system remains under-researched**. We suggest further research is undertaken to better understand what changes should be made within this part of the legal system.

### Realising ‘trauma-informed’ courts and cultural change training for all professionals

- Ensure **all courts are ‘trauma-informed’ and introduce cultural change programmes**, both for the judiciary and for all professionals involved, to improve understanding of domestic abuse and coercive controlling behaviour throughout the justice system (criminal, family and civil) to mitigate trauma experienced by victims and their children, to ensure the risk posed by offenders is fully recognised and mitigated.

Many elements of these recommendations are relevant to sexual violence also. Whilst it proved extremely challenging in terms of contacting sexual violence services, of those we spoke to they were responsive and reported huge demands on service and a need for additional support for staff. This in part may explain why the response rate was so low. However, we have specific recommendations for the sexual violence sector based on the findings in this report. We believe these are of particular significance now in light of the current situation with movements such as ‘Everyone’s Invited’<sup>40</sup> and the exposure of endemic sexual violence towards women and girls.

- Undertake mapping of the national infrastructure and support networks in place for the sexual violence sector
- Explore options for better strategic support, coordination and understanding of sexual violence
- Mapping of services available.

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<sup>39</sup> Harm Panel Report, p.178.

<sup>40</sup> Welcome - Everyone’s Invited ([everyonesinvited.uk](http://everyonesinvited.uk))

# Appendices

## 1. Copy of the survivor survey

# Court support: Domestic abuse and sexual violence survivors' experience of the Courts

### About SafeLives

We are SafeLives, the UK-wide charity dedicated to ending domestic abuse, for everyone and for good.

We work with organisations across the UK to transform the response to domestic abuse. We want what you would want for your best friend. We listen to survivors, putting their voices at the heart of our thinking. We look at the whole picture for each individual and family to get the right help at the right time to make families everywhere safe and well. And we challenge perpetrators to change, asking 'why doesn't he stop?' rather than 'why doesn't she leave?' This applies whatever the gender of the victim or perpetrator and whatever the nature of their relationship.

### About this survey

We are undertaking a project on behalf of the Domestic Abuse Commissioner's Office to map provision of court-related domestic abuse and sexual violence support across England and Wales. We want to hear what support you received, and to understand your experience of the court process.

The survey should take approximately 5-10 minutes to complete.

### How to complete it

Use the 'Next' button at the bottom of each page to move through the survey. If you want to go back to a previous page click 'Back'. **You can click the 'Exit' button at the bottom of each page if you need to.** Once you have finished the survey a 'Submit' button will appear on the bottom of the page. Please ensure you click this button in order to send us your answers.

**If you would like to talk to somebody about your experiences, you can contact:**

**England: National Domestic Abuse Helpline** Freephone 0808 2000 247 to speak to an advisor (24 hours)

**Wales: Live Fear Free Helpline** Freephone 0808 80 10 800 (24 hours) or visit <https://gov.wales/live-fear-free>

**Men's Advice Line** (for male domestic abuse victims) Monday–Friday 9am-5pm on freephone 0808 801 0327 or visit [www.mensadvice.org.uk](http://www.mensadvice.org.uk) for more information

**National LGBT+ Domestic Abuse Helpline** Call 0800 999 5428 or email [help@galop.org.uk](mailto:help@galop.org.uk). For more information visit [www.galop.org.uk/domesticabuse](http://www.galop.org.uk/domesticabuse)  
**Karma Nirvana**, UK Helpline for 'honour'-based abuse and forced marriage: 0800 5999 247

**Victim Support National 24 hour Supportline:** 0808 1689 111

**For online support for domestic abuse victims go to**

<https://chat.womensaid.org.uk/>

**For Deaf victims: BSL Health Access** is a new way to support communication in British Sign Language so that Deaf and hearing people can communicate more easily. [www.BSLHealthAccess.co.uk](http://www.BSLHealthAccess.co.uk) enables you to connect to a qualified BSL interpreter online so that you can place a phone call, or even use the interpreter to support in-person conversation.

**Childline** offers free, confidential advice and support for those 18 or under. Whatever your worry, whenever you need help. Call 0800 1111 to talk to a trained counsellor any time of day or night.

### Advice during Covid-19:

**SafeLives** have created a page containing resources and guidance to help support people through this difficult time which can be accessed [here](#).

Additional advice from **Surviving Economic Abuse** to support economic wellbeing and safety if you are living with someone who abuses you and it is available [here](#).

### Your Location

1. **Where are you?** [single select]

- England
- Wales
- Elsewhere

[If Q1=England]

2. **Which region?** [single select]

- East Midlands
- Eastern
- London
- North East
- North West
- South East
- South West
- West Midlands
- Yorkshire and the Humber
- Prefer not to say

[If Q1=Elsewhere]

Thank you for your interest in completing this survey. As this study is focused only on England and Wales we would not be able to include your experiences in this report. [Takes you to end of survey]

### Your experience of domestic abuse or sexual violence at court

3. **Which court have you ever had your case heard at?** [multiple select + free text box if 'other' selected]

- Criminal Magistrates' Court
- Criminal Crown court
- Family courts
- Youth courts
- Other

4. **Which court was your case most recently heard at?** [single select + free text box if 'other' selected]

- Criminal Magistrates' Court
- Criminal Crown court

- Family courts
- Youth courts
- Other

The following questions relate to your recent experience at that court

**5. When going through court, did you receive support from either of the following:** [single select]

- Specialist domestic abuse service [Go straight to Q11]
- Specialist sexual violence service [Go straight to Q11]
- Other court support (e.g. Victim support, Witness Care Unit)
- Only informal court support (e.g. friends and family)

[If Q4=Neither]

**6. Did you receive any other court support while going through the court process?** [single select + free text box if 'Yes' selected]

- Yes
- No

[If Q5=Yes]

**7. How satisfied were you with the court support you received?** [single select]

- Very satisfied
- Somewhat satisfied
- Neither satisfied nor dissatisfied
- Somewhat dissatisfied
- Very dissatisfied

[Go straight to Q23]

[If Q5=No]

**8. Were you aware of court support available to you at the time?** [single select]

- Yes
- No

[If Q7=No, go to Q22]

[If Q11=Yes]

**9. When did you become aware of these services?** [free text]

[Go straight to Q22]

**10. Where did you find out about this service?** [multiple select + free text box if 'other' selected]

- Police
- The courts
- Friend
- Family member
- Web search
- Poster, leaflet or other advertising
- Other
- Don't know

[If Q4= specialist domestic abuse service OR specialist sexual violence service]

**11. Who referred you to the service?** [free text for each option + free text box if 'other' selected]

- Self-referral
- Police
- Marac
- GP
- Hospital – A&E
- Hospital – Maternity
- Hospital - Other
- Community Health

- Health Visitor
- Mental Health
- Housing
- Drug services
- Alcohol services
- Education
- Children's social services
- Adult social services
- Probation
- CRC (Community Rehabilitation Company)
- Refuge
- Outreach
- SARC (Sexual Assault Referral Centres)
- Citizens Advice
- Victim Support
- Don't know
- Other

**12. At what point in the court process did you start to receive support?** [single select + free text box if 'other' selected]

- Immediately after disclosure
- During the police investigation
- Just before you entered court
- During the court process
- After the court process was complete
- Other

**13. Was the court procedure explained to you beforehand?** [single select, if yes "From whom?"]

- Yes
- No

**14. Please rate your understanding of the court process, with 1 meaning you didn't understand the process at all and 5 meaning you fully understood the process.** [single select]

- 1
- 2
- 3
- 4
- 5

**15. When your case went to court, how confident were you in the court process? With 1 meaning you were not at all confident in the process and 5 meaning you were fully confident in the process** [single select]

- 1
- 2
- 3
- 4
- 5

**16. Did you go to court?** [single select]

- Yes in person
- Yes virtually
- No, I chose not to
- No, I didn't need to
- Not applicable

[If Q18=No]

**17. Did you not go to court for any of the following reasons:** [multiple select + free text box 'please describe below' if 'other' selected + free text box 'Please tell us who or what made you feel intimidated' if 'feeling intimidated' selected]

- Lack of support
- Lack of protection
- Feeling intimidated
- Didn't want to
- Length of the process
- Delays in the process
- Didn't want the perpetrator punished
- Withdrawal of key witnesses or evidence
- Other

**18. Did you receive support in any of the following areas?** [multiple select + free text box if 'other' selected]

- Support to access legal support
- Support applying for legal aid
- Support completing documents
- Support completing victim impact/personal statement
- Support with pre-trial therapy
- Pre-court visit
- Support accessing special measures (e.g. screen, separate waiting rooms, interpreters)
- Support to access court (e.g. childcare, transport)
- Support person (e.g. Idva, Isva) attended court with me
- Support person (e.g. Idva, Isva) attended court without me
- Support to attend court remotely
- Support person (e.g. Idva, Isva) advocated for me during proceedings
- Provided updates about court outcomes
- Support with my own charge/conviction
- Support with application of civil orders
- Support with distribution of civil orders
- Support with accessing compensation
- Other

**19. Did you receive support after the court process was complete?** [single select]

- Yes
- No
- The process is not yet complete

**20. Did you have any expectations of the support you would receive prior to the court case?** [single select]

- Yes
- No
- Unsure

[If Q22=Yes OR Unsure]

**21. Do you agree with the following statement: The support that was in place met my expectations** [single select]

- Strongly agree
- Agree
- Uncertain
- Disagree
- Strongly disagree

**22. How satisfied were you with the support you received?** [single select]

- Very satisfied
- Somewhat satisfied
- Neither satisfied nor dissatisfied



- Somewhat dissatisfied
- Very dissatisfied

**23. What made a positive impact on your experience?** [free text]

**24. What made a negative impact on your experience?** [free text]

**25. Is there anything that could have made a positive difference to your experience?** [free text]

**26. Is there anything else you would like to tell us about either the support you received or the court process?** [free text]

If you would like to tell us about an experience at a different court, then please complete and submit this survey and then open the link again to retake the survey.

### About You

The following questions are about you. We are asking these questions because we want to understand more about different people's experiences, including whether there are differences based on intersecting identities. This information will help to identify the needs of the local community. The information you provide will be kept entirely confidential and will never be traced back to you as an individual.

**27. I do not wish to answer these questions** [If tick box selected then move to consent question]

**28. How old are you?** [single select]

- Under 16
- 16 to 19
- 20 to 24
- 25 to 34
- 35 to 44
- 45 to 54
- 55 to 64
- 65+
- Prefer not to say

**29. What is your gender?** [single select]

- Woman
- Man
- Non-binary
- Prefer not to say
- Prefer to self describe (if ticked, 'Please state')

**30. Does your gender match the sex you were assigned at birth?** [single select]

- Yes
- No
- Partially
- Don't know
- Prefer not to say

**31. What is your ethnicity?** [single select]

- White – British
- White – Irish
- White – Other
- Gypsy or Traveller
- Arab
- Asian/Asian British – Bangladeshi
- Asian/Asian British – Indian
- Asian/Asian British – Pakistani
- Asian/Asian British – Other

- Black/Black British – African
- Black/Black British – Caribbean
- Black/Black British – Other
- Chinese/Other Ethnic – Chinese
- Chinese/Other Ethnic – Other
- Mixed – White and Asian
- Mixed – White and Black African
- Mixed – White and Black Caribbean
- Mixed – Other mixed heritage
- Other
- Prefer not to say

**32. What is your sexual orientation?** [single select]

- Bisexual or Pansexual
- Gay or lesbian
- Heterosexual or straight
- Prefer not to say
- Prefer to self describe (if ticked, 'Please state')

**33. Are you disabled or do you have a disability (physical and/or mental health)** [single select]

- Yes
- No
- Don't know
- Prefer not to say

**34. Please indicate if you are happy for SafeLives to use anonymous quotes from your comments on the following:**

- The SafeLives website**
- Social media (e.g. SafeLives Twitter feed or Facebook page)**
- In press and media to help raise awareness**
- In our reports**

[single select]

- Yes
- No

## 2. Copy of the domestic abuse service survey

# Domestic abuse frontline service: Court support survey

### About this survey

This is a SafeLives' survey for Managers/CEOs of frontline domestic abuse services. We are undertaking a project on behalf of the Domestic Abuse Commissioner's Office to map provision of court-related domestic abuse and sexual violence support across England and Wales. We would like to hear about the court related support that you provide, and what effect the Covid-19 pandemic may have had. Note that we ask questions on caseloads and staffing levels specific to Criminal Magistrates, Criminal Crown, Family and Youth Courts.

The information we gather will help to create a comprehensive understanding of court services, as well as providing recommendations for best practice both during and after the Covid-19 pandemic.

The survey should take approximately 10-15 minutes to complete.

### About SafeLives

We are SafeLives, the UK-wide charity dedicated to ending domestic abuse, for everyone and for good.

We work with organisations across the UK to transform the response to domestic abuse. We want what you would want for your best friend. We listen to survivors, putting their voices at the heart of our thinking. We look at the whole picture for each individual and family to get the right help at the right time to make families everywhere safe and well. And we challenge perpetrators to change, asking 'why doesn't he stop?' rather than 'why doesn't she leave?' This applies whatever the gender of the victim or perpetrator and whatever the nature of their relationship.

### How to complete it

Use the 'Next' button at the bottom of each page to move through the survey. If you want to go back to a previous page click 'Back'. **You can click the 'Exit' button at the bottom of each page if you need to.** Once you have finished the survey a 'Submit' button will appear on the bottom of the page. Please ensure you click this button in order to send us your answers.

### Your details

35. **Your name** [free text]
36. **Your position** [free text]
37. **Your organisation** [free text]
38. **Contact email address** [free text]

1. **Do you provide specifically commissioned domestic abuse support or advocacy in any of these courts? (Tick all that apply)** [multiple select]
  - Criminal Magistrates' Court
  - Criminal Crown Court
  - Family Court
  - Youth Court
2. **Do you provide ad hoc domestic abuse support or advocacy in any of these courts? (Tick all that apply)** [multiple select]
  - Criminal Magistrates' Court
  - Criminal Crown Court
  - Family Court
  - Youth Court

\* By ad hoc we mean any court related domestic abuse support provided to a client as part of their needs based support that hasn't been specifically commissioned

[Q3 -Q16 is repeated for each court selected in Q1 – commissioned support]

### Specifically commissioned support

3. **How many FTE staff members do you have who are specifically commissioned to provide Criminal Magistrates' Court support? For instance, if one full time Idva is based in a court setting for half their time, enter 0.5.** [free text]
4. **What was your average caseload before the Covid-19 pandemic for this specific role?** [free text]
5. **What is your current caseload for this specific role?** [free text]
6. **What was your average case length before the Covid-19 pandemic for this specific role? (in months)** [free text]

7. **What is your current average case length for this specific role? (in months)** [free text]
8. **What is the maximum number of cases you can have open for this specific role?** [free text]
9. **What are the five most common referral pathways and mechanisms through which you are made aware of clients in need of this support? Please rank by placing 1 to 5 next to the five most common pathways, which 1 being the most common.** [free text for each option + free text box if 'other' selected]
- Self-referral
  - Police
  - Court
  - CPS
  - Marac
  - GP
  - Hospital – A&E
  - Hospital – Maternity
  - Community Health
  - Mental Health
  - Housing
  - Drug services
  - Alcohol services
  - Education
  - Children's social services
  - Adult social services
  - Probation
  - CRC
  - Refuge
  - Outreach
  - Other
10. **Do you apply any referral criteria for these cases?** [single select + free text box 'Please describe the criteria below' if 'yes' selected]
- Yes
  - No
11. **Does your service provide any of the following for clients at a Magistrates' Court:** [multiple select + free text box if 'other' selected]
- Explanation of court process
  - Supporting clients to access legal aid
  - Support to access legal support
  - Arranged a pre-court visit
  - Attend court with clients
  - Attend court without clients
  - Support to attend court remotely
  - Provide updates about court outcomes
  - Advocate for clients during proceedings
  - Support clients with their own charge/convictions
  - Support with application of civil orders
  - Support with distribution of civil orders
  - Help clients access compensation
  - Support completing documents
  - Support clients to make reports
  - Support around special measures

- Support to access court (e.g. childcare, transport)
- Other

**12. Does your service provide any bespoke provision for victims at Magistrates' Court with any of the following protected characteristics?** [multiple select + free text box if 'other' selected]

- Black, Asian and minoritised ethnic victims
- Disabled victims
- Older victims (61 years and older)
- Young people (16-25 years)
- Children (up to 15 years)
- Male victims
- Lesbian, gay or bisexual victims
- Trans victims
- Victims with no recourse to public funds
- Other

**13. What percentage of cases heard at Magistrates' Court are offered support with their court proceedings (per month)?** [single select]

- 100%
- 90-99%
- 80-89%
- 70-79%
- 60-69%
- 50-59%
- 40-49%
- 30-39%
- 20-29%
- 10-19%
- 0-9%

**14. What percentage of cases heard at Magistrates' Court take up the offer and receive support with their court proceedings (per month)?** [single select]

- 100%
- 90-99%
- 80-89%
- 70-79%
- 60-69%
- 50-59%
- 40-49%
- 30-39%
- 20-29%
- 10-19%
- 0-9%

**15. What is the most common reason why a client who is offered Magistrates' Court support does not receive it?** [single select + free text box if 'other' selected]

- Client declines offer
- Client moves to another area
- Legal proceedings are terminated
- Service already at full capacity
- Other

**16. Please select any other common reasons why a client who is offered Magistrates' Court support does not receive it** [multiple select + free text box if 'other' selected]

- Client declines offer
- Client moves to another area
- Legal proceedings are terminated
- Service already at full capacity
- Other

[Q17 -Q19 is repeated for each court selected in Q2 – ad hoc support]

### Ad hoc support

**17. Approximately what proportion of your time/resources is spent on ad hoc support or advocacy for clients at a Criminal Magistrate's Court?** [single select]

- 100%
- 90-99%
- 80-89%
- 70-79%
- 60-69%
- 50-59%
- 40-49%
- 30-39%
- 20-29%
- 10-19%
- 0-9%

**18. Does your service provide any of the following:** [multiple select + free text box if 'other' selected]

- Explanation of court process
- Supporting clients to access legal aid
- Support to access legal support
- Arranged a pre-court visit
- Attend court with clients
- Attend court without clients
- Support to attend court remotely
- Provide updates about court outcomes
- Advocate for clients during proceedings
- Support clients with their own charge/convictions
- Support with application of civil orders
- Support with distribution of civil orders
- Help clients access compensation
- Support completing documents
- Support clients to make reports
- Support around special measures
- Support to access court (e.g. childcare, transport)
- Other

**19. Does your service provide any bespoke provision for victims at Magistrates' Court with any of the following protected characteristics?** [multiple select + free text box if 'other' selected]

- Black, Asian and minoritised ethnic victims
- Disabled victims
- Older victims (61 years and older)
- Young people (16-25 years)
- Children (up to 15 years)
- Male victims

- Lesbian, gay or bisexual victims
- Trans victims
- Victims with no recourse to public funds
- Other

[Q20 -Q24 only shown if ANY court selected in Q2 – ad hoc support]

As a service that provides ad hoc court support, please could you provide the following:

20. **What was your average caseload before the Covid-19 pandemic for this specific role?**  
[free text]
21. **What is your current caseload for this specific role?** [free text]
22. **What was your average case length before the Covid-19 pandemic for this specific role? (in months)** [free text]
23. **What is your current average case length for this specific role? (in months)** [free text]
24. **What is the maximum number of cases you can have open?** [free text]

[The remaining questions are shown to everyone]

### Your Service

The following questions relate to all court related support that your service offers

25. **Have you ever been specifically prohibited from supporting victims whose cases are at court?** [single select + free text box 'Please describe below, include by whom and indicate any difference between courts where applicable' if 'yes' selected]
  - Yes
  - No
26. **Do you currently operate a waiting list for any clients who receive or may receive court support?** [single select + free text box if 'yes' selected: 'How long is the waiting list? If the waiting list is specific to clients at a particular court then please indicate this below. If you operate different waiting lists for clients at different courts, please also indicate this in your answer']
  - Yes
  - No
27. **Have you had to make any changes to court support/advocacy due to the Covid-19 pandemic?** [single select + free text box 'Please describe these changes below' if 'yes' selected]
  - Yes
  - No
28. **Do you plan to make any changes to court support/advocacy due to the Covid-19 pandemic?** [single select + free text box 'Please describe these changes below' if 'yes' selected]
  - Yes
  - No

[Q29 only shown if ANY court selected in Q1 – commissioned support]

29. **How is your specifically commissioned court support funded?** Indicate any difference between courts where applicable [free text]

**30. How is your service primarily funded?** [single select + free text box if 'other' selected]

- Statutory grants
- Trusts and foundations
- Other

**31. Does your service receive additional funding from any of the following sources?** [multiple select + free text box if 'other' selected]

- None
- Statutory grants
- Trusts and foundations
- Other

**32. Is there anything else you would like to tell us about either the court support you provide or the court process?**[free text]

**33. Please indicate if you are happy for SafeLives to use anonymous quotes from your comments on the following:**

- v) The SafeLives website
- vi) Social media (e.g. SafeLives Twitter feed or Facebook page)
- vii) In press and media to help raise awareness
- viii) In our reports

[single select]

- Yes
- No

### 3. Copy of the sexual violence service survey

## Sexual violence frontline service: Court support survey

### About this survey

This is a SafeLives' survey for Managers/CEOs of frontline sexual violence services. We are undertaking a project on behalf of the Domestic Abuse Commissioner's Office to map provision of court-related domestic abuse and sexual violence support across England and Wales. We would like to hear about the court related support that you provide, and what effect the Covid-19 pandemic may have had. Note that we ask questions on caseloads and staffing levels specific to Criminal Magistrates, Criminal Crown, Family and Youth Courts.

The information we gather will help to create a comprehensive understanding of court services, as well as providing recommendations for best practice both during and after the Covid-19 pandemic.

The survey should take approximately 10-15 minutes to complete.

### About SafeLives

We are SafeLives, the UK-wide charity dedicated to ending domestic abuse, for everyone and for good.

We work with organisations across the UK to transform the response to domestic abuse. We want what you would want for your best friend. We listen to survivors, putting their voices at the heart of our thinking. We look at the whole picture for each individual and family to get the right help at the right time to make families everywhere safe and well. And we challenge perpetrators to change, asking 'why doesn't he stop?' rather than 'why doesn't she leave?' This applies whatever the gender of the victim or perpetrator and whatever the nature of their relationship.



### How to complete it

Use the 'Next' button at the bottom of each page to move through the survey. If you want to go back to a previous page click 'Back'. **You can click the 'Exit' button at the bottom of each page if you need to.** Once you have finished the survey a 'Submit' button will appear on the bottom of the page. Please ensure you click this button in order to send us your answers.

### Your details

1. **Your name** [free text]
2. **Your position** [free text]
3. **Your organisation** [free text]
4. **Contact email address** [free text]

### Location

5. **Which police force(s) does your service cover?**  
[Multiple select drop down with all police forces + 'other' option]
6. **Please select the areas covered by your service**  
[Multiple select showing districts based on answer to Q5 OR free text box if 'other' was selected]

### About your service

7. **Does your organisation have charitable status?** [single select]
  - Yes
  - No
8. **Do you provide specifically commissioned sexual violence support or advocacy in any of these courts? (Tick all that apply)** [multiple select]
  - Criminal Magistrates' Court
  - Criminal Crown Court
  - Family Court
  - Youth Court

[Q9 -Q23 is repeated for each court selected in Q8 – commissioned support]

### Specifically commissioned support

9. **How many FTE staff members do you have who are specifically commissioned to provide Criminal Magistrates' Court support** [free text]
10. **Approximately what proportion of your time/resources is spent on support or advocacy for clients at a Criminal Magistrate's Court?** [single select]
  - 100%
  - 90-99%
  - 80-89%
  - 70-79%
  - 60-69%
  - 50-59%
  - 40-49%
  - 30-39%
  - 20-29%
  - 10-19%
  - 0-9%
11. **What was your average caseload before the Covid-19 pandemic for this specific role?** [free text]

12. What is your current caseload for this specific role? [free text]
13. What was your average case length before the Covid-19 pandemic for this specific role? (in months) [free text]
14. What is your current average case length for this specific role? (in months) [free text]
15. What is the maximum number of cases you can have open for this specific role? [free text]
16. What are the five most common referral pathways and mechanisms through which you are made aware of clients in need of this support? Please rank by placing 1 to 5 next to the five most common pathways, which 1 being the most common. [free text for each option + free text box if 'other' selected]
- Self-referral
  - Police
  - Court
  - CPS
  - Witness Care Unit
  - Marac
  - GP
  - Hospital – A&E
  - Hospital – Maternity
  - Hospital - Other
  - Community Health
  - SARC
  - Health visitor
  - Mental Health
  - Housing
  - Drug services
  - Alcohol services
  - Education
  - Children's social services
  - Adult social services
  - Probation
  - CRC
  - Refuge
  - Outreach
  - Other
17. Do you apply any referral criteria for these cases? [single select + free text box 'Please describe the criteria below' if 'yes' selected]
- Yes
  - No
18. Does your service provide any of the following for clients at a Magistrates' Court: [multiple select + free text box if 'other' selected]
- Submission of forensic evidence
  - Submission of intelligence to police
  - Explain how to record evidence/facts
  - Support client to complete victim impact/ personal statement
  - Support client to make an anonymous report
  - Liaise with witness care and court process
  - Support client to complete pre-trial witness interview
  - Facilitate use of intermediary

- Support client with victim's right to review (VRR) process
- Prepare report for court
- Prepare client for trial
- Support client to review video recorded evidence (pre-trial)
- Engage client with victim liaison services
- Support client to access legal support
- Attend hearings
- Provide updates about court outcomes
- Advocate for client during proceedings
- Support client with their own charge/conviction
- Help client to access compensation
- Support around special measures
- Support to access court (e.g. childcare, transport)

**19. Does your service provide access to interpretation for clients at a Magistrates' Court:**

- With English as an additional language (Yes/No)
- Who are deaf or hard of hearing (Yes/No)

**20. Does your service provide any bespoke provision for victims at Magistrates' Court with any of the following protected characteristics? [multiple select + free text box if 'other' selected]**

- Black, Asian and minoritised ethnic victims
- Disabled victims
- Older victims (61 years and older)
- Young people (16-25 years)
- Children (up to 15 years)
- Male victims
- Lesbian, gay or bisexual victims
- Trans victims
- Victims with no recourse to public funds
- Other

**21. What percentage of cases heard at Magistrates' Court are offered support with their court proceedings (per month)? [single select]**

- 100%
- 90-99%
- 80-89%
- 70-79%
- 60-69%
- 50-59%
- 40-49%
- 30-39%
- 20-29%
- 10-19%
- 0-9%

**22. What percentage of cases heard at Magistrates' Court take up the offer and receive support with their court proceedings (per month)? [single select]**

- 100%
- 90-99%
- 80-89%
- 70-79%
- 60-69%
- 50-59%
- 40-49%

- 30-39%
- 20-29%
- 10-19%
- 0-9%

**23. What is the most common reason why a client who is offered Magistrates' Court support does not receive it?** [single select + free text box if 'other' selected]

- Client declines offer
- Client moves to another area
- Legal proceedings are terminated
- Service already at full capacity
- Other

**24. Please select any other common reasons why a client who is offered Magistrates' Court support does not receive it** [multiple select + free text box if 'other' selected]

- Client declines offer
- Client moves to another area
- Legal proceedings are terminated
- Service already at full capacity
- Other

[The remaining questions are shown to everyone]

### Your Service

The following questions relate to all court related support that your service offers

**25. Have you ever been specifically prohibited from supporting victims whose cases are at court?** [single select + free text box 'Please describe below, include by whom and indicate any difference between courts where applicable' if 'yes' selected]

- Yes
- No

**26. Do you currently operate a waiting list for any clients who receive or may receive court support?** [single select + free text box if 'yes' selected: 'How long is the waiting list? If the waiting list is specific to clients at a particular court then please indicate this below. If you operate different waiting lists for clients at different courts, please also indicate this in your answer']

- Yes
- No

**27. Have you had to make any changes to court support/advocacy due to the Covid-19 pandemic?** [single select + free text box 'Please describe these changes below' if 'yes' selected]

- Yes
- No

**28. Do you plan to make any changes to court support/advocacy due to the Covid-19 pandemic?** [single select + free text box 'Please describe these changes below' if 'yes' selected]

- Yes
- No

**29. How is your court support primarily funded?** [single select + free text box if 'other' selected]

- Statutory grants
- Trusts and foundations
- Other

**30. Does your service receive additional funding for court support from any of the following sources?** [multiple select + free text box if 'other' selected]

- None

- Statutory grants
- Trusts and foundations
- Other

31. Is there anything else you would like to tell us about either the court support you provide or the court process?[free text]

32. Please indicate if you are happy for SafeLives to use anonymous quotes from your comments on the following:

- The SafeLives website
- Social media (e.g. SafeLives Twitter feed or Facebook page)
- In press and media to help raise awareness
- In our reports

[single select]

- Yes
- No

## 4. Domestic abuse service survey - Analysis tables

### Breakdown of support provided by domestic abuse services with dedicated court support

Does your service provide any of the following	Magistrates' court		Crown Court		Family Court	
Explanation of court process	8	100%	6	100%	6	86%
Supporting clients to access legal aid	8	100%	6	100%	6	86%
Support to access legal support	8	100%	5	83%	6	86%
Support client with victim's right to review (VRR) process	7	88%	5	83%	3	43%
Support client to review video recorded evidence (pre-trial)	4	50%	4	67%	3	43%
Arranged a pre-court visit	8	100%	6	100%	4	57%
Attend court with clients	8	100%	6	100%	6	86%
Attend court without clients	4	50%	3	50%	1	14%
Support to attend court remotely	8	100%	6	100%	6	86%
Provide updates about court outcomes	8	100%	6	100%	4	57%
Advocate for clients during proceedings	8	100%	6	100%	6	86%
Support clients with their own charge/convictions	5	63%	3	50%	2	29%
Support with application of civil orders	7	88%	5	83%	6	86%
Support with distribution of civil orders	3	38%	3	50%	3	43%
Help clients access compensation	8	100%	6	100%	2	29%
Support completing documents	8	100%	6	100%	6	86%
Support clients to make reports	7	88%	5	83%	5	71%
Support around special measures	8	100%	6	100%	6	86%
Support to access court (e.g. childcare, transport)	5	63%	5	83%	4	57%
Other	2	25%	0	0%	0	0%

## Breakdown of support provided by domestic abuse services with wider community based domestic abuse service

Does your service provide any of the following	Mag	Crown	Family	Youth
Explanation of court process	33 89%	33 89%	29 85%	3 38%
Supporting clients to access legal aid	34 92%	27 73%	29 85%	3 38%
Support to access legal support	34 92%	26 70%	27 79%	3 38%
Support client with victim's right to review (VRR) process	20 54%	18 49%	14 41%	2 25%
Support client to review video recorded evidence (pre-trial)	15 41%	14 38%	9 26%	3 38%
Arranged a pre-court visit	30 81%	26 70%	21 62%	4 50%
Attend court with clients	35 95%	31 84%	27 79%	3 38%
Attend court without clients	15 41%	12 32%	7 21%	2 25%
Support to attend court remotely	25 68%	26 70%	20 59%	2 25%
Provide updates about court outcomes	32 86%	26 70%	20 59%	4 50%
Advocate for clients during proceedings	22 59%	20 54%	21 62%	2 25%
Support clients with their own charge/convictions	17 46%	16 43%	12 35%	2 25%
Support with application of civil orders	33 89%	30 81%	27 79%	2 25%
Support with distribution of civil orders	9 24%	10 27%	11 32%	1 13%
Help clients access compensation	20 54%	19 51%	16 47%	3 38%
Support completing documents	31 84%	27 73%	28 82%	4 50%
Support clients to make reports	24 65%	22 59%	26 76%	4 50%
Support around special measures	31 84%	30 81%	28 82%	4 50%
Support to access court (e.g. childcare, transport)	22 59%	19 51%	19 56%	4 50%
Other	3 8%	2 5%	1 3%	1 13%

## Ranking comparison of support provided by domestic abuse services with either specialist or wider community based domestic abuse service

Specifically commissioned support		Ad hoc support	
Does your service provide any of the following	Rank	Does your service provide any of the following	Rank
Advocate for clients during proceedings	=1	Attend court with clients	=1
Attend court with clients	=1	Explanation of court process	=1
Explanation of court process	=1	Supporting clients to access legal aid	=1
Support around special measures	=1	Support with application of civil orders	4
Support completing documents	=1	Provide updates about court outcomes	=5
Support to access legal support	=1	Support around special measures	=5
Support to attend court remotely	=1	Support completing documents	=5
Supporting clients to access legal aid	=1	Support to access legal support	=5
Arranged a pre-court visit	=9	Arranged a pre-court visit	9
Help clients access compensation	=9	Support clients to make reports	10
Provide updates about court outcomes	=9	Support to attend court remotely	11
Support with application of civil orders	=9	Advocate for clients during proceedings	12

Support client with victim's right to review (VRR) process	=13	Support to access court (e.g. childcare, transport)	13
Support clients to make reports	=13	Help clients access compensation	14
Support to access court (e.g. childcare, transport)	=13	Support client with victim's right to review (VRR) process	15
Other	=16	Support clients with their own charge/convictions	16
Support client to review video recorded evidence (pre-trial)	=16	Attend court without clients	17
Support clients with their own charge/convictions	=16	Support client to review video recorded evidence (pre-trial)	18
Support with distribution of civil orders	=16	Support with distribution of civil orders	19
Attend court without clients	20	Other	20

## Bespoke support provided by domestic abuse services with dedicated court support

Does your service provide any of the following	Magistrates' (n = 8)	Crown (n = 6)	Family (n = 7)
Black, Asian and minoritised ethnic victims	38%	50%	43%
Disabled victims	38%	50%	43%
Older victims (61 years and over)	38%	50%	43%
Young people (16-25 years)	38%	50%	57%
Children (up to 15 years)	0%	17%	29%
Male victims	25%	33%	43%
Lesbian, gay or bisexual victims	38%	50%	43%
Trans victims	38%	50%	43%
Victims with no recourse to public funds	25%	50%	29%
Other	0%	0%	0%

## Bespoke support provided by domestic abuse services with wider community based domestic abuse service

Does your service provide any of the following	Magistrates' (n = 37)	Crown (n = 37)	Family (n = 34)	Youth (n = 8)
Black, Asian and minoritised ethnic victims	16%	11%	15%	25%
Disabled victims	14%	11%	15%	25%
Older victims (61 years and over)	14%	11%	15%	25%
Young people (16-25 years)	14%	11%	15%	25%
Children (up to 15 years)	8%	11%	9%	13%
Male victims	14%	11%	9%	25%
Lesbian, gay or bisexual victims	14%	11%	15%	25%
Trans victims	14%	11%	15%	25%
Victims with no recourse to public funds	14%	11%	15%	25%
Other	8%	5%	9%	25%

**5. Domestic abuse leads survey - Analysis tables**

How long does your current funding for court related work last	% (n = 49)
3+ Years	10%
2-3 Years	10%
1-2 Years	20%
Less than 1 Year	10%
No specific funding	35%
No end date/Unsure	14%

**6. Sexual violence services survey - Analysis tables**

Type of Court	(n = 23)
Criminal Magistrates' Court	30%
Criminal Crown Court	57%
Family Court	17%
Youth Court	17%

How long does your current funding for court related work last	% (n = 14)
3+ Years	21%
2-3 Years	14%
1-2 Years	29%
Less than 1 Year	7%
No specific funding	21%
No end date/Unsure	7%

**7. Respondents voices**

**The majority of survivors are not receiving dedicated court support and their needs are not always being met**

“There does not seem to be much court specific support available from local services. I could do with it. I feel I have been further abused through the court process and the courts focus (was) on ‘supporting’ the abuser.” **Survivor survey respondent**

**Landscape of Commissioned or Ad Hoc specialist services**

“We have concerns that currently not all victims of crime are receiving dedicated court support as the resources previously available to enable this have had to be moved towards supporting Marac Idvas.” **DA leads survey respondent**

**Funding**

“My concerns are that court support depends on the services being successful in applying for funding. Also, there is a postcode lottery for those (survivors) that don't have court Idvas.” **DA leads survey respondent**

**Negative impacts on victims and survivors  
Pre Covid**

“My concerns are that court support depends on the services being successful in applying for funding. Also, there is a postcode lottery for those that don't have court Idvas.” **DA leads survey respondent**



“We have concerns that currently not all victims of crime are receiving dedicated court support as the resources previously available to enable this have had to be moved towards supporting Marac Idvas.”

[DA leads survey respondent](#)

“The increased capacity required to ensure the additional support for victims as a result of case backlogs, delayed or deferred hearings, etc. puts significant strain on already stretched services and limited financial resources with which to commission the level of support needed to ensure availability of tailored support.” [DA leads survey respondent](#)

“It would have been good to have specialist DV support alongside me but services are stretched too thin.” [Survivor survey respondent](#)

“There does not seem to be much court specific support available from local services. I could do with it. I feel I have been further abused through the court process and the courts focus on ‘supporting’ the abuser.” [Survivor survey respondent](#)

### The Justice System Retraumatizes Victims Prohibited Support

“Sometimes judge does not allow us in (all courts). Other times, the victim's solicitor says we shouldn't be accompanying them (family court).” [Sexual violence service respondent](#)

I was aware of support agencies but I was told by my own solicitor that the judge doesn't like these dv support groups....they have a vendetta ...Apparently.” [Survivor survey respondent](#)

“Our court provision was designed to coincide with specialist SDVC courts, held on a Monday and Thursday. However, due to the high number of cases coming through the courts, we are now seeing DA cases heard throughout the week. In order to provide comprehensive support to all victims, we need to be able to fund fulltime court support.” [DA leads survey respondent](#)

### Delays in the court system - delays in the wider support system

Those of us working in the sector have known for years that the system wasn't working, many victims have historically experienced huge delays, and this is set to get much worse as a direct result of Covid. We are hearing now of trials pushed back to 2022. For victims this means a life on hold.” [Follow up phone call respondent](#)

“Delays to criminal proceedings are making it harder to keep victims on board and retain their confidence in reporting.” [DA leads survey respondent](#)

“General delays in court hearings due to backlog of cases, is increasing the anxiety and pressure on victims dying and not being able to prosecute or the need to explore a victimless prosecution. Victims having to travel further to get to other courts in the region due to response to backlog.” [DA leads survey respondent](#)

“Victims and survivors of sexual crime tell us that they have waited sometimes up to 2 years from the point of reporting the sexual crime. To have sexual offence trials now being adjourned up to 2022 it is not surprising that victims of this high impact crime feel they are not being prioritised. Short notice on adjournments have not helped with their increased anxieties and their emotional wellbeing. This has led to some feelings of suicidal ideation and increased self-harm for several support service users.” [Sexual violence service respondent](#)

“We have clients who are facing very long waiting times (over a year) until their cases are due to be heard in court. This is really impacting on their mental health and one client wanted to withdraw the case once she heard of the wait, as she didn't want her life to be on hold for over a year, but the CPS would not drop the case.” [Sexual violence service respondent](#)

### A work force stretched to breaking point

“I would want to mention Idva/Isva fatigue and resilience of workforce, the impact of COVID will go on for longer than when the restrictions are lifted. Long term funding needs to be considered to support

that. The number of cases we are holding as ISVAs has increased and the emotional impact to victims is taking its toll in holding them for extended periods, from previously 2 years now likely to be in some case 4 years and beyond.” [Sexual violence service respondent](#)

“It’s really exhausting I feel guilty a lot of the time and I worry I am not doing either job very well, my kids need me but so do the women and so many of them have absolutely no one but me and all I can do is phone them.” [Follow up phone call respondent](#)

“We have never worked so hard, a 12 hour day most days and then falling into bed.” [Follow up phone call respondent](#)

“Many of our staff are now utterly exhausted, we have increased clinical supervision and do regular wellbeing checks but the work is relentless, there seems to be no end in sight.” [Follow up phone call respondent](#)

“ISVAs are now holding much higher case loads of clients who’s trials have been postponed. Supporting those clients to stay engaged in the Criminal Justice Process has been reported by the ISVAs as one of the biggest challenges during the pandemic.” [Sexual violence service respondent](#)

### Accelerated Learning

“In Wales we are in the process of setting up remote court links, they will be seen as an extension of providing evidence from home but in a more controlled environment with specialist support. This is a very big positive step forward, not just to help address the delays caused by the pandemic but also as we move into the future post Covid-19. They will give victims an alternative option when giving evidence, helping to enhance their experience of the Criminal Justice Process. Thankfully there is a good working relationship between the sector and the courts.” [Sexual violence service respondent](#)

### The Impact of the Pandemic will be felt by services and victims for years to come

“We have been operating almost entirely remotely with regards to court support.” [DA leads survey respondent](#)

“Support over the last year has been mostly by phone - would normally be mostly face to face.” [Sexual violence service respondent](#)

“Attending fewer pre-court visits, clients are being offered a talk through the court on the telephone by witness service or being shown the process on-line.” [Sexual violence service respondent](#)

“Support is being tailored ... to accommodate the changes to court listings including additional support when hearings are delayed/deferred at short notice.” [DA leads survey respondent](#)

“...Idvas are not working in the courts due to Covid, however they continue to liaise with prosecution and witness care on behalf of the victim. Court hearing have been delayed due to Covid, Court listing send to Idva have been incorrect. Idvas are not always aware of cases heard at magistrates court so miss an opportunity to speak to the victim and request a restraining order. Victims have expressed how nobody other than the Idva service have contacted them.” [DA leads survey respondent](#)

“Witnesses in a trial can now only take one person with them to support. This has often meant that Idva support had to be via phone rather than in person.” [DA leads survey respondent](#)

“Idvas are not currently attending SDVCs on a temporary basis but an Idva will be available on the day for the prosecutor in court to call.” [DA leads survey respondent](#)

“The application process for non-molestation orders and the hearings with a judge are easier for a victim now that they are being done remotely. Not having to wait in the court building for a judge to be available is an improvement.” [DA leads survey respondent](#)

### **The Justice System is retraumatising Survivors**

“The Family Court process has left me severely traumatised, worse than the DV itself. I was belittled, undermined, exposed to my abusive ex repeatedly, my children were not listened to and it felt like father's rights trumped mine and negated his history of DV. I've never been more frightened and alone in my life.” [Survivor survey respondent](#)

“Some judges appear to have little understanding of the trauma attached to victims of DA and attending court. Services should be able to offer feedback , for example recently a judge said applauded the perp for saying fathers should see their children, another stated that non mol orders are archaic.” [DA leads survey respondent](#)

“Issues in the family court with judges not having sufficient understanding of the impact of coercive control and sexual violence on victims and children.” [DA leads survey respondent](#)

“We often receive feedback from our service providers around challenges they face with courts awareness and knowledge around the complexities of DA.” [DA leads survey respondent](#)

### **The Current Issues are reinforcing loops of abuse**

“Delays to criminal proceedings are making it harder to keep victims on board and retain their confidence in reporting.” [DA leads survey respondent](#)

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“General delays in court hearings due to backlog of cases, increasing the anxiety and pressure on victims Victim's dying and not being able to prosecute or the need to explore a victimless prosecution Victims having to travel further to get to other courts in the region due to response to backlog.” [DA leads survey respondent](#)