



# **INSPECTION OF DOMESTIC VIOLENCE, SAFETY AND FAMILY PROCEEDINGS**

**March 2005**

## **HM COURTS SERVICE OVERALL RESPONSE OCTOBER 2005**

## 1. **HMICA RECOMMENDATION**

### **Recommendation 6:**

That, in order to improve its care of court users, HMCS should:

- ensure that the information sent to family court users before they attend court includes details of the facilities that may be available for vulnerable parties such as survivors of domestic violence.

### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ Publicise the availability of facilities (through information leaflets and a list - such as the one that exists for video conferencing facilities - at each court) to stakeholders e.g. children's lawyers and advise them on how to inform relevant clients.
- ◆ Carry out a sample survey with local solicitors (via Resolutions) and / or Court User Groups to cross-check if they have seen the 'Special Facilities' poster and if they have ever asked and had access to 'special facilities'.
- ◆ Implement a system for early identification of cases where special facilities might be needed, prompting a 'trigger' system on application whereby all courts (county and FPCs) will automatically notify the vulnerable or intimidated party (applicant or respondent), or their legal representative, of special facilities available locally.

**OVERALL IMPROVEMENT TARGET: All court users (legal representatives and parties in person) know what 'Special Facilities' are available at the court they are attending and how to access them, or seek an alternative venue.**

**BY (DATE): JUNE 2006**

## **2. HMICA RECOMMENDATION**

### **Recommendation 7:**

That, in order to improve its care of court users, HMCS should:

- develop and implement domestic violence policies that address the availability and use of facilities for vulnerable or intimidated parties in family law cases.

### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ Develop HMCS national strategy and standards on treatment to be applied in all courts where a case involves domestic violence, building on the established systems for the treatment of victims in the criminal courts and the outcomes of the consultation on the Victims Code of Practice, and linked to the development of specialist family centres. Strategy to include, among other things a 'prompt' to transfer cases so that they may be heard at courthouses across the estate that have special facilities for vulnerable and/or intimidated parties.
- ◆ Promote video conferencing facilities now available in the Care Centres and Magistrates Courts to re-enforce the message that these facilities may be offered, as a matter of course, in any family case application where domestic violence is alleged, as long as local facilities allow.
- ◆ Follow up the 'Special Measures' mapping exercise and write again to all county courts to ask if they are displaying the 'Special Facilities' poster and distribute posters for display in FPCs.

**OVERALL IMPROVEMENT TARGET: All family courts apply a consistent approach to informing and providing special facilities.**

**BY (DATE): 31 MARCH 2007**

### **3. HMICA RECOMMENDATION**

#### **Recommendation 8:**

That, in order to improve its care of court users, HMCS should:

- take steps to ensure an appropriate balance is maintained between safety and service delivery through the use of robust risk assessment procedures.

#### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ HMCS Estates Directorate will review current departmental health and safety policies and risk assessments and consider appropriate training for court staff in light of that review
- ◆ Consult with court staff, ushers, security/reception staff, judiciary, court user groups and HMCS Estates as well as DV survivors (and representative bodies – WAFE, Refuge, etc) – locally and nationally – to assist in identifying areas of vulnerability in court buildings.
- ◆ Develop instructions to be issued to courts to try to avoid parties leaving chambers unescorted, or at the same time.
- ◆ Establish the extent to which court located interview room(s) have panic button facilities or staff have personal attack alarms.
- ◆ Liaise with senior judiciary and/or Court User Group on how vulnerable court users might be directed to 'safe seating'.
- ◆ Consider adopting existing, and / or developing new, videos, CD-Rom, website virtual resources, for the family court scenario - for example, the video used for Jurors to familiarise them with the court setting; a 'virtual courtroom' for criminal courts; video being developed in Northern Ireland; and target user groups where there is a demand (eg specific BME groups).

**OVERALL IMPROVEMENT TARGET: A national risk assessment procedure is operated across the court estate**

**BY (DATE): 31 MARCH 2006**

#### **4. HMICA RECOMMENDATION**

##### **Recommendation 9:**

That, in order to improve its care of court users, HMCS should:

a) identify the management information required to:

- establish the number of cases that involve domestic violence
- establish the demand for support from survivors

b) identify how such information will be used to improve service delivery

c) collect and use the information systematically to improve service delivery.

##### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ Continue to collect data from new Gateway forms to establish number of Section 8 cases that involve any form of domestic abuse.
- ◆ Evaluate that information together with qualitative research planned.
- ◆ Consider use of court user surveys and other methods of engaging with survivor groups to improve service.
- ◆ Pilot an Integrated Domestic Violence Court

**OVERALL IMPROVEMENT TARGET: To have effective monitoring systems in place to capture accurate information on DV related cases in the family courts**

**BY (DATE): MARCH 2007**

## **5. HMICA RECOMMENDATION**

### **Recommendation 10:**

That, in order to improve its care of court users, HMCS should:

- develop organisational links with national and local community groups to improve its understanding of the particular difficulties faced by survivors of domestic violence from ethnic minority backgrounds in accessing the family justice systems.

### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ Establish, via the DV Advisory Group or the mapping exercise a named contact at each county court / court user group to facilitate the exchange of information to and from the DVAG.
- ◆ Establish best practice among *Chartermark* courts.
- ◆ Back up awareness with article(s) in 'Hearsay' and/or 'In Court' – re-circulate Terms of Reference.
- ◆ Highlight this issue in FJC conferences on DV

**OVERALL IMPROVEMENT TARGET: Disseminate best practice guidance on the development of community links.**

**BY (DATE): MARCH 2006**

## **6. HMICA RECOMMENDATION**

### **Recommendation 11:**

That, in order to improve its care of court users, HMCS should:

- provide appropriate training to assist staff in gaining a greater understanding of domestic violence and its impact on survivors.

### **OVERALL HMCS RESPONSE i.e. HMCS will:**

- ◆ Carry out a Training Needs Analysis for events such as those delivered to Crown Courts (eg 'Dealing with Vulnerable Witnesses & Victims') and other events for security staff and court staff.
- ◆ Carry out a mapping exercise to establish other examples of where judges, staff and other agencies have designed and carried out joint training events and/or published guidance.
- ◆ Highlight successes and best practices from the evaluation of Specialist DV Courts for incorporation into listing officers' training to provide examples of ways to prioritise DV cases.
- ◆ Investigate the feasibility of adapting the existing criminal court training on "Vulnerable and Intimidated Witnesses" to suit the family courts.
- ◆ Investigate the processes for passing best practice examples of staff training material to the Judicial Studies Board for information.
- ◆ Engage court staff (including HM Courts Service Estates) in the delivery of awareness training.

**OVERALL IMPROVEMENT TARGET: (a) all new [family court] staff undergo DV Awareness [& Safety] Training within one year of joining; (b) all existing [family] court staff undergo DV Awareness [& Safety] Training.**

**BY (DATE): ROLLING PROGRAMME FOR NEW STAFF / MARCH 2007 FOR EXISTING STAFF.**