

Domestic violence

Two women are killed at the hands of their partner or former partner every week.

Tina Orr-Munro looks at how domestic violence courts are improving conviction rates.

The cost of the domestic homicide of adult women is an estimated £112 million each year. In 2001, the criminal justice system alone spent £1 billion dealing with domestic violence cases, nearly a quarter of its budget for violent crime.

The financial and emotional scale of domestic violence cannot be underestimated which is why three years ago domestic violence courts were introduced to increase prosecutions and convictions for this type of crime.

Domestic violence courts offer specially-trained dedicated prosecutors, police and magistrates. Cases are often fast-tracked to make sure they move through the judicial system as quickly as possible. Some courts have separate entrances, exits and waiting areas at the courts themselves, so that victims do not come into contact with their attackers.

Following successful trials in Croydon and Gwent, 25 courts were set up across the country. Last month the government announced that the number of domestic violence courts would double from 25 to 50. The new courts should be up and running by April 2007.

According to the Crown Prosecution Service, overall cases ending in convictions increased from 46 percent in December 2003 to 59 percent in December 2005. But, when cases are heard in specialist courts, that conviction rate increases to as much as 71 percent.

In Durham, domestic violence has been grouped with hate crime and homophobia to create a 'sensitive issues' court, established two years ago. The vast majority of cases involve domestic abuse. Where possible the cases are heard in the Youth Courts which are less intimidating than the court rooms.

County Durham has 300 magistrates, the vast majority of whom have now received 'sensitive issues' training which involves spending a half day on each issue. For domestic violence training, a local representative from Durham constabulary gave the magistrates statistics on the extent of the problem and they were also shown a video on domestic abuse. A victim from the Witness Support Unit also spoke to magistrates about the intimidating atmosphere of the courts. "The training isn't about the structure of a domestic violence court, it is about raising the magistrates' awareness and being able to see the problem from the perspective of the victim.

"The training was quite powerful and I think it brought it home to magistrates the seriousness of the crime. Every magistrate should be able to deal with this issue," says Roy Partridge, the training manager for Country Durham.

However, any training for magistrates has to ensure their impartiality is not compromised.

"We have got to be careful. Training has to apply to both prosecution and defence witnesses and cannot be seen as biased towards anyone because of the nature of the crime," says Mr Partridge. Part of the success of the domestic violence courts relies on better working between the courts, CPS and the police and other agencies. This was one of the reasons former Cleveland police officer, Rachel Green, took up the post of Domestic Violence Strategic Coordinator for Durham because it offered the opportunity to work with others to get a better deal for victims.

"As a police officer in Middlesborough, every shift I would be dealing with a domestic violence situation, but they never seemed to go anywhere.

"I wanted to make a difference, but didn't know what to do. When the job came up in Durham, it was a chance to do something."

She says the multi-agency approach is the only way forward to tackling domestic violence, adding: "The fact is no one agency can be with a woman 24 hours a day. It isn't possible, but we do have a role to play."

One of the ways, Ms Green has tried to improve inter-agency working was to call a survivors' conference of 60 domestic abuse victims who were asked about their experience of the police, prosecutors and courts. This was



on trial

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directly followed by another conference of 130 professionals in the criminal justice system and other agencies to examine the women's feedback.

The former officer also works hard to overcome the frustrations some officers feel when their case is dropped by the CPS.

"We go to the CPS for advice on all domestic violence cases. More and more officers are doing that. Where we have not had that relationship, we have seen less cases going forward.

"Because of our relationship with the CPS, I can call them, on behalf of an officer, and ask them to explain why a case hasn't been taken forward."

Nationally, women endure 35 assaults before they report it to the police.

Another of Ms Green's role is to train frontline officers to encourage more women to prosecute by explaining the legal process.

"One of the main reasons why a victim won't testify is because they must face their attacker in court. We are trying to get across the idea that they don't have to go to court.

"Really the victim's statement should be the icing on the cake and then it needs only to be a brief statement such as 'my husband came home and hit me'. If we have got good evidence, such as photos of the bruises and medical records, it is up to us. Some officers have grasped this. Some still want that all-singing, all-dancing statement. We have to look outside the box when looking for evidence."

Despite the level of violence, some women will still refuse to go to court for a variety of reasons. Thirty five percent

of cases dealt with by Durham Constabulary are repeat victims which is why it is important 'the door is left open'.

"We can't underestimate the fear many have lived with for years. It doesn't matter how many times the police come to the house you need to be strong enough to leave. The retractment statement needs to leave that door open for them."

Ms Green also trains probationers and encourages them to visit women's refuges in the community and establish a working relationship with them before they encounter their first domestic violence situation.

Durham is having success. One hundred more cases have been brought to court following the introduction of domestic violence courts, a 'good proportion' of those have resulted in guilty pleas, says Ms Green. "That's a success as it shows people have faith in the system," she adds.

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There is some way to go. Ms Green says it's important to ensure the cases go to the right court. She is also currently exploring the idea of an advocate, attached to the court, who guides the victim through the process. Refresher training for officers is another area she would like to expand.

Reducing ineffective domestic violence trials by just nine percent could produce estimated savings of approximately £2 million across the criminal justice system (CJS).

A reduction of only ten percent of repeat victimisations could save just under another £4 million across the criminal justice system. The savings in terms of emotional and physical and psychological damage are incalculable, but no less significant.

As Ms Green says: "At the end of the day, these women just want to be listened to and told they are not alone. They want to be believed and they want someone to ask them the right questions."

The annual CPS snapshot survey for December 2005 revealed:

- In December 2005, 59 percent of cases resulted in a conviction, compared to 53 percent in 2004 with a 68 percent conviction rate in the Crown Court where more serious offences are heard.
- In cases prosecuted in Specialist Domestic Violence Courts - now operating in 25 courts - 71 percent of defendants were convicted.
- 52 percent of defendants pleaded guilty, compared to 45 percent in the previous year.
- Recorded cases in December 2005 increased by 32 percent from the year before (3,045 compared to 2,229 in December 2004).
- More cases of common assault are being charged (74 percent of cases compared with 51 percent in 2004).