

## **PRESS RELEASE**

**(EMBARGOED UNTIL 00.01hrs 19 FEBRUARY 2004)**

16 February 2004

Thematic report 01/04

### **A JOINT INSPECTION OF THE INVESTIGATION AND PROSECUTION OF CASES INVOLVING DOMESTIC VIOLENCE IN ENGLAND AND WALES**

A joint report published today by Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) and Her Majesty's Inspectorate of Constabulary (HMIC) finds high standards of professionalism and commitment on the part of many individuals in police forces and the Crown Prosecution Service (CPS) in relation to domestic violence. Additionally, there is a significantly higher degree of engagement with support agencies and interest groups at both national and local level, which is having a significant impact in securing a more holistic approach to the subject.

Tremendous efforts have been made within the police service to overturn stereo-typical culture about violence in the home, in order to ensure that domestic violence is treated as a serious incident, requiring a high standard of professional investigation. The CPS too has raised the profile of domestic violence, issuing revised policy and guidance and setting up a network of area domestic violence co-ordinators.

Inspectors, nevertheless, found that too often policies were not matched on the ground by effective responses and solid investigative practice. In some areas the inspection itself had had a beneficial effect in giving a renewed impetus to domestic violence issues. Overall, inspectors found that the priority given to domestic violence locally was variable, and depended heavily upon local initiatives and commitments.

Inspectors found significant variations in the arrest rate at or near the incident, as well as in the proportion of incidents recorded as crimes and in the proportion of charges arising there from. A lack of consistency in the application of CPS policy by prosecutors in the handling of cases in which victims withdrew their support for prosecutions, was noted. These issues contribute to the high rate of attrition so that only a small proportion of incidents result in offenders being brought to justice through conviction at court.

Attrition in relation to domestic offences within the judicial process was higher than for offences generally, but the changing approach by police and prosecutors should improve the position. Inspectors found:

- \* better quality investigation and provision of information by police;
- \* higher standards of review by CPS specialists and more robust application of the revised policy;
- \* good liaison work by police domestic violence officers and CPS's domestic violence co-ordinators; and
- \* in some areas the development of domestic violence cluster courts.

Together these are having a positive impact on the delivery of successful outcomes in bringing offenders to justice, and at the same time providing a better standard of service to victims.

On publishing the report, Stephen Wooler, HM Chief Inspector of the Crown Prosecution Service and Sir Keith Povey QPM, HM Chief Inspector of Constabulary said:

“The more robust and positive approach by the police and the CPS was evidenced by considerable amounts of good work found in some of the places we visited. But the picture is not universal. Consistently high standards of investigation, really effective support for victims and robust but fair prosecution are needed to ensure sustained improvement.

Police officers and prosecutors nationally should all strive to achieve the same high standards”.

Other findings by the inspectors included:

- \* Domestic violence police officers and CPS domestic violence coordinators were working well together and trying to develop a holistic/joined-up response to domestic violence issues.
- \* Frontline staff (police staff taking first calls and police officers attending incidents, and CPS lawyers undertaking initial review and caseworkers managing cases) were generally committed and sought to learn from experience. However, there was a need for domestic violence training, as well as systems to monitor the non-exercise of powers of arrest which existed, and to inform police officers of existing court orders, injunctions or risk assessments that had been made.
- \* Effective investigation and evidence gathering is critical – the use of photographs taken at the scene, the gathering of medical evidence immediately through a forensic physician, and an interview of the defendant under caution, could all provide valuable evidence which may enable a prosecution to proceed even where the victim subsequently wishes to withdraw.
- \* A new charging initiative under which prosecutors are present in police stations to provide on-the-spot advice and guidance to police officers, and to decide upon charges should raise the proportion of cases ready to proceed and likely to succeed.
- \* In 44% of the cases received by the CPS, the victim sought to withdraw. The application of existing policy in relation to decision-making and case handling, together with the effective sharing of information with support groups and agencies, can help to maintain the support the victims or to enable cases to proceed without them.
- \* The development of domestic violence cluster courts is a positive move, and one that helps to ensure cases are handled more professionally and with an appropriate degree of seriousness. Evaluation is being undertaken to identify best practice.

- \* Police and CPS have made considerable strides in providing support and information to victims. The routine provision of case-specific information about significant developments in the case, and information sharing to ensure the safety of victims, needs to be both swifter and more uniform in application and there is a need for protocols and regular review of implementation.
- \* Harm is caused to children by the presence of domestic violence in their home and both police officers and prosecutors need to give high consideration to the safeguarding of those children.
- \* Local crime and disorder reduction strategies can have an impact, and Local Criminal Justice Boards need to place domestic violence within their scale of priorities and put in place performance management measures that will deliver better standards of investigation, prosecution and court process.

A copy of the executive summary of the report is attached to this press release.

### **Notes to Editors**

1. The Government has introduced the Domestic Violence, Crime and Victims Bill which takes forward a number of the issues flowing from the consultation over the White Paper “Safety and Justice: The Government’s Proposals for Domestic Violence” and the Green Paper “Every Child Matters”. This joint inspection report should serve to inform the debate.
2. The joint inspection took place between February and July 2003. The joint inspection team examined the effectiveness of police and CPS practices from the beginning to the end of the process, looking in particular at:
  - \* current police policy and practice and investigative quality;
  - \* working relationships between the police and CPS, and liaison with local domestic violence organisations, focusing especially on measures that could increase the number of offenders brought to justice for domestic violence;
  - \* the care and treatment of victims and witnesses;
  - \* the extent and causes of attrition; and

- \* the application of the revised CPS Policy and accompanying Guidance, the Code for Crown Prosecutors and any relevant charging standards.
3. The review involved the examination of case files from six coterminous police forces and CPS Areas – Derbyshire, Hampshire, London (Hackney - Metropolitan Police), Northumbria, South Wales and West Yorkshire.
  4. Inspectors used the following approach:
    - \* examination of 480 incidents involving domestic violence;
    - \* examination of 418 files in which cases were sent to the CPS for prosecution or to have the defendant bound-over to keep the peace and be of good behaviour;
    - \* structured interviews with key police and CPS staff and local representatives of criminal justice agencies;
    - \* interviews with special interest groups and key professionals who deal with domestic violence issues;
    - \* survey of police forces and analysis of position statements from the 42 CPS areas;
    - \* observation of cases at court;
    - \* a workshop with professionals and representatives from local and national organisations who deal with domestic violence issues; and,
    - \* the commissioning of a review of research and literature relating to domestic violence by Centrex, which was used to inform the inspection.
  5. HM Crown Prosecution Service Inspectorate is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000 which came into force on 1 October 2000. The Chief Inspector is appointed by and reports to the Attorney General.
  6. HM Inspectorate of Constabulary is an independent statutory body currently working under Police Act 1996 but has been in existence since 1856. The Chief Inspector advises the Home Secretary.

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