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Analytical Services Group

RESEARCH INTO THE EXPERIENCES OF VICTIMS OF DOMESTIC VIOLENCE: SUMMARY OF KEY FINDINGS

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1. Qualitative research into the criminal justice experiences of victims of domestic violence was undertaken by the Department of Justice for Northern Ireland (DOJ) in partnership with the Police Service for Northern Ireland (PSNI) during the spring and summer of 2015.
2. There were 2 aspects to the research:-
 - Semi-structured interviews with 16 female¹ victims of domestic violence, and
 - Two workshops with representatives from Women's Aid.

(i) INTERVIEWS

3. Semi-structured interviews were undertaken with 16 female victims of domestic violence. The interview questions covered the victim journey through the criminal justice system from the initial reporting of the crime to the police right through to the point of sentencing and beyond. Participants were essentially asked to reflect on their most recent case which had been concluded through the courts. In relation to this, they were then asked what had worked well, what hadn't worked so well and what improvements, if any, could be made in respect of their experiences of the various criminal justice and partnership bodies that they had come into contact with.
4. It should be noted that nearly all of the cases covered by the research predated the province wide roll out of the Victim and Witness Care Unit (VWCU). As a consequence, it is possible that some of the issues raised by participants, particularly those in relation to information services may now have started to be addressed through the VWCU service.

EXPERIENCE OF THE POLICE

5. A range of views (positive and negative) were expressed by participants about their experience of dealing with the police in relation to their domestic violence incident. Participants were generally positive about the speed with which the police arrived at the scene. In addition, there was broad consensus among participants that the police had indeed signposted them to the appropriate support organisations (e.g. Women's Aid and Victim Support Northern Ireland (VSNI)).

¹ While it had been the intention for the research to cover the experiences of both male and female victims of domestic violence, the lack of success in encouraging male participation has meant that the research had to be restricted to female victims. Further efforts will be made at some future point to seek feedback on the male victim experience.

6. Mixed views were, however, expressed with regard to the attitude of the police. While some participants reported that the police had been supportive and sympathetic, there were others who took issue with the attitude of the police. The types of issue that were raised included police making light of the situation, police not believing victims' accounts of the domestic violence incidents, their lack of sensitivity to the mental state of victims and perceptions among victims of police taking the side of the perpetrator etc.

MAKING A STATEMENT

7. A number of issues surfaced during the course of the research with regard to making the statement of evidence. Many participants, for example, referred to the difficulty of making the statement so soon after the domestic violence incident had been reported, a time when they were still very traumatised, frightened and not in a position to focus clearly or to accurately recall the sequence of events.
8. A number of participants expressed concern about the consequences of making the statement. Their concerns related to such things as their own personal safety, the potential involvement of Social Services where children were involved or simply the embarrassment of others finding out. Some participants emphasised how they hadn't realised how important the statement is and how they would have included more detail in it at the time had they realised this.

SUPPORT SERVICES

9. The majority of participants reported having availed of the support services of both Women's Aid and VSNI.

Women's Aid

10. Participants were especially positive and appreciative of the support provided by Women's Aid. Women's Aid was perceived as providing a valuable service to victims on a number of fronts. One participant reported that, had it not been for the service provided by Women's Aid, she would not have had the strength to go through with their cases.
11. Participants were especially appreciative of the emotional support provided by Women's Aid at such a traumatic time in their lives. They were also complementary regarding a number of other aspects of the service provided by Women's Aid e.g. the flexibility of the service on offer (e.g. service is available 24/7), the sound advice provided, the role undertaken by the support workers to get updates on their respective cases and also the courses which they run for both the victims and their families.

Victim Support Northern Ireland (VSNI)

12. The assistance provided by VSNI to participants largely related to attendance at court. A number of participants spoke positively of their experience of pre-

court familiarisation visits. In terms of experiences of the Witness Service at court, however, views were rather more mixed. While some participants had positive experiences of this service, others were less impressed. In one case the participant reported that the VSNI support worker hadn't turned up at court; in another case, the victim remarked on the VSNI representative being 'very quiet' and somewhat lacking in terms of interaction and support.

13. In terms of the other services provided by VSNI, a couple of participants reported positive experiences of having received assistance to make a personal statement and to complete an application for compensation.

EXPERIENCE OF THE PUBLIC PROSECUTION SERVICE

14. Participant views regarding the level and nature of contact with the Public Prosecution Service (PPS) were mixed. While, on the one hand, some participants spoke positively about the pre-court contact they had with PPS, others appeared to have had expectations that there would have been a greater level of contact and they were accordingly disappointed.
15. Feedback regarding engagement with PPS legal representation was mixed. On a positive note, some participants reported how their legal team had gone through everything with them (statement, evidence, procedures etc.) in great or at least adequate detail. On a less positive note, there were others who expressed disappointment with the brevity of the meetings with their legal team, the lack of opportunity to build rapport with them before going into court and the lack of information provided on how things would be taken forward and what would happen in court etc.
16. One participant whose case involved sexual violence reported having had extensive engagement with the PPS legal team in advance of the court date. While she remarked that the PPS officials had been 'very nice', she reported that she had found a meeting with them quite challenging as she had been asked a lot of 'difficult' questions. She suggested that victims ought to be forewarned to expect such an intense form of interrogation. This same victim also made reference to how difficult she found it being the sole female in a meeting with PPS legal representatives discussing intimate details with middle aged men (i.e. the barristers and the police officer).
17. Other participants also alluded to difficulties they had experienced in communicating with the barristers. There were references made to barristers coming across as standoffish, cold and clinical.
18. Some participants were critical of the lack of updates from PPS on the progress of their respective cases. In one example, the victim was dissatisfied that she had read about several adjournments to her case in the newspaper before being formally notified of these by the PPS.

EXPERIENCE AT COURT

19. About half of all participants reported having attended court on at least one occasion. A number of these referred to the fears and concerns they had at the very prospect of having to attend court. The factors identified as having contributed to these concerns were fear of meeting the offender, having to go into the 'box' to give evidence, not being able to recall events etc. Others remarked that they had concerns about arriving at court as they didn't know where to go.
20. A number of participants had availed of the opportunity to visit the court in advance of their court case commencing (this was often just on the morning of the court) and most were positive about this experience, particularly as it had helped to allay their fears and concerns about attending court. It meant they felt less intimidated and they knew what to expect on the day.
21. The waiting room at court was highlighted as a positive experience by a number of the participants. The perceived advantages of having access to this room were the degree of privacy provided, the reduced risk of victims bumping into the perpetrator and the additional company present which was a welcomed distraction from the actual court case.
22. Most participants reported that they had been made aware of the possibility of using special measures at court and a number of them reported that they had been shown in advance how these would work.
23. In many cases participants reported that they had chosen not to apply for special measures. There were a range of reasons for their decision on this (e.g. happy enough to proceed without the measures, perceptions that the measures wouldn't actually assist them and wanting to face up to the defendant).
24. Only two victims ended up availing of special measures in court. In both cases the victims used video-link. Both were somewhat critical of the video-link process in that they felt isolated from what was going on in the court room (e.g. not being able to hear what was being said and not getting to see the jury).

VICTIM PERSONAL STATEMENT

25. There was low awareness among participants of what a Victim Personal Statement (VPS) was.
26. Most of those who had made a VPS (i.e. 5 out of the 6) reported that they had found the process to be helpful from their own personal perspective. Aside from helping themselves, however, many reported that they didn't know what use it had been put to.

SENTENCING

27. Participant views on the appropriateness of the sentences imposed varied depending on their circumstances of the individual cases. Some participants reported being dissatisfied that short custodial sentences had been imposed in their cases.
28. One individual perceived that the longer term suspended sentence imposed in her case was preferable to a shorter term custodial sentence as it afforded longer term protection for women.
29. There were a couple of instances where participants expressed dissatisfaction that probation or suspended custodial sentences had been imposed as the perpetrators in their cases had mental health problems. The preferred outcome in these cases would have been for some kind of help or assistance to have been provided for the offender.
30. Mixed views pertained in cases where the sentencing outcome was a probation order. One participant felt that a probation order was preferable to a custodial sentence as it provided protection for a longer duration; another was disappointed that a custodial sentence hadn't been imposed.
31. Participants involved in cases where other types of sentence had been imposed (e.g. injunction order, restraining order, fine combined with bound over order) reported being broadly content with the sentencing outcomes.
32. In the one case where a 'not guilty' verdict resulted, the participant reported being devastated at the outcome, an outcome she attributed to the fact that a jury had been involved.
33. A couple of the participants were critical of the lack of follow-up with them following the sentencing. In one instance the victim was unhappy at not having received written notification of the sentence; in the other case, the victim hadn't understood the sentence and had to follow up with the authorities to get an explanation of what it entailed.

VICTIM INFORMATION SCHEMES

34. The Victim Information Schemes were only applicable in three cases. In one of these cases the participant thought she had registered with the scheme but reported not having had any subsequent contact with the scheme.
35. The other two participants who reported having had contact with the scheme were critical of the communications; in one instance this was due to the lack of acknowledgement following correspondence with the scheme; in the other case, the victim was critical of not having received advance notification of the specific day the perpetrator was to be released from prison. She described the panic and fear she experienced on hearing from the perpetrator's mother that he had been released.

DELAY AND ADJOURNMENT

36. A number of the participants reported that they would have liked their case to have been dealt with much more quickly; many reported that they had experienced one or more adjournments.
37. A couple of participants remarked on how difficult it is for victims when there are adjournments and particularly when they are not made aware of the reasons for the adjournments. There were suggestions that there should be a facility for victims to be able to get regular updates on the status of their respective cases.

MISCELLANEOUS ISSUES THAT SURFACED

38. There were a range of miscellaneous issues that surfaced during the interviews:-
 - Two participants mentioned how the perpetrators in their cases had mental health issues. Both voiced frustration at the lack of support and assistance available in the system to help these individuals deal with their problems and both expressed concern that the perpetrators' offending behaviour would not necessarily be curbed as a result of the sentences imposed.
 - Two participants reported being unimpressed at the inadequate police response to reports of domestic violence in the form of harassment. Views were expressed that police need to be more aware of harassment as a form of domestic violence/abuse and victims should also be made aware that harassment can constitute domestic violence.
 - The high cost to victims of getting a non-molestation order through their solicitors in advance of criminal proceedings was flagged by two of the participants.
 - Another victim remarked on the additional stress she had to endure as a consequence of the media coverage of the domestic violence incident.
 - One victim spoke of the fear and panic that she experienced after hearing at short notice that the perpetrator in her case had actually been released from prison.
 - Finally another participant with a young child remarked on the need for appropriate waiting facilities at police stations for children. Her child had become quite distressed when left in the waiting room at the police station while she was in another room making her statement.

(ii) WORKSHOPS

39. The victim interviews were complemented by two workshops with representatives from Women's Aid (both managers and support workers). The purpose of these workshops was to get the support workers' perspective of the victim experience. One workshop (13 attendees) was held in Women's Aid Belfast and Lisburn office and included representation from most of the regional offices (excluding Foyle and Omagh); the other workshop which was held at

Women's Aid Foyle had a much smaller attendance (2 managerial representatives and one criminal justice worker from the Foyle office). Findings from the workshops were very much in line with those emerging from the interviews with the victims themselves.

EXPERIENCE OF THE POLICE

40. Workshop attendees reported that domestic violence victims tend to report a positive experience of the police when they have a sympathetic and understanding responding officer; when they inform them about the support services that are available (e.g. through Women's Aid and VSNI) and when a single point of contact is available for updates and information.
41. Experience of the police can be less positive, however, when the responding officer is perceived as not sympathetic or appears to lack awareness/training in domestic violence issues; when there is a lack of information about progress of the case or where procedures around risk assessment and civil orders (Non-Molestation, for example) are inconsistent or unclear.

EXPERIENCE OF THE PUBLIC PROSECUTION SERVICE (PPS)

42. There was consensus among those in attendance that PPS staff at local offices were generally perceived by victims to be approachable and helpful.
43. There was a widely held view that it can be difficult for victims to access information from the PPS (e.g. about their case or about bail arrangements). It was reported that in many instances victims will receive this information via Women's Aid support workers rather than directly from the PPS.
44. Attendees emphasised that victims often struggle to understand the language used by PPS and as a result can find their interactions with the PPS stressful. There were concerns expressed about interactions with the PPS prosecutor often occurring '*in a rush*' on the day of court and about victims perhaps feeling pressured or panicked into agreeing to conditions which they don't really understand.

EXPERIENCE AT COURT

45. The support services provided at court by Victim Support Northern Ireland (VSNI) and Women's Aid were generally perceived to work well for victims. In addition, safety for victims at court was considered to be good and special measures, where available, were regarded to be very helpful.
46. Attendees did, however, raise concern on a number of issues related to attendance at court. There was recognition of how traumatic the experience can be for victims, particularly as many will fear seeing the perpetrator. It was noted how challenging it can be to find a room in court for privacy and there

were suggestions made that the facilities at some of the court buildings could be improved.

47. There was also recognition among those in attendance of how difficult lengthy delays and adjournments can make it for victims to plan their child care arrangements.

SUPPORT SERVICES AVAILABLE

48. Attendees acknowledged that there was a wide range of support services available to victims of domestic violence, provided mainly by VSNI, Women's Aid and the National Society for the Prevention of Cruelty to Children (NSPCC). The role of the Women's Aid criminal justice worker in supporting victims through the system was highlighted as a positive development.
49. Women's Aid representatives felt that victims could benefit from extra support to help them deal with the court environment and to assist them to access information throughout the process. There were also suggestions that greater efforts were required to deal with the specific needs of male victims and those from the lesbian and gay communities.