



PRESS RELEASE

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Domestic Violence, Safety and Family Proceedings

Today sees the publication of the review undertaken by HM Inspectorate of Court Administration (HMICA) of how domestic violence issues are addressed by the Children and Family Court Advisory and Support Service (CAFCASS) and administered within the family courts in Her Majesty's Courts Service (HMCS).

Domestic violence blights the lives of countless numbers of adults, as well as having traumatic consequences for the wellbeing of children involved in family disputes where violent behaviour by a parent is a contributory factor. This review focuses on the experiences of adults and children going through family court proceedings – typically, applications for residence and contact between children and their separated parents – and how CAFCASS practitioners can better help these vulnerable people as they go through the process.

Survivors of domestic abuse can often be apprehensive about encountering their abusive former partner, fearful of their own safety and that of their children. In this review, survivors described to Inspectors situations from their own experience, such as having to sit near their ex partner while waiting to go into court, or talking to a CAFCASS practitioner – in the presence of their abusive partner – about their relationship. Inspectors observed such interviews at first hand. They also attended family court sessions, to see what arrangements HMCS makes to safeguard domestic violence survivors, to ensure they can participate fully in the proceedings, without feeling intimidated, and have proper access to justice.

The report describes some examples of good practice, where significant efforts have been made to respond sensitively to the particular needs of people who have suffered domestic abuse. However, too often these good examples have come from individual initiative on the part of court staff or CAFCASS practitioners, rather than from any central direction or strategy by HMCS or CAFCASS.

The report makes recommendations (five to CAFCASS and six to HMCS) aimed at improving service delivery to the public, with particular emphasis on:

- Putting in place national standards and competencies, providing training in risk assessment and improved safety planning (CAFCASS)
- Developing and implementing policies (including staff training) that safeguard vulnerable people, and making information about court facilities available to them before they attend court (HMCS).

The Chief Executive of HMCS, **Sir Ron de Witt**, welcomed the report. He said: *“Domestic violence is a feature of many family proceedings cases. Victims deserve to receive the best possible support from the family courts so they can take a full part in the legal process. I am pleased this report praises our work in the criminal courts and highlights examples of good practice at a local level in the family courts. However, we need to do better and have prepared an action plan in response to the recommendations. We will develop a national strategy for dealing with family cases where domestic violence is a factor, ensure we have systems in place to identify these cases and publicise the special facilities we can offer, such as video conferencing. These changes will help to ensure that family courts address the experiences and fears of victims of domestic violence.”*

Anthony Douglas, Chief Executive of CAFCASS, also responded positively: *“CAFCASS recognises the need to safeguard and support victims of domestic violence, including children, more rigorously. Our recently launched Domestic Violence Policy and Toolkit, which was commended in the report, is key to achieving consistent standards of practice in this work. The report highlights many areas of concern for us and an action plan has been prepared in response to the recommendations. The findings of this report will be built into our practice and into our quality assurance programmes, and the lessons for ourselves and our partner agencies will be taken on board and given the highest priority.”*

E N D S

Notes for Editors

1. **HMICA:** HMICA is an independent inspectorate, reporting direct to Ministers on the services provided for those who have to come to court. We praise good practice and, where necessary, make recommendations for improvement. We look at how well the Crown, county and magistrates' courts are managed. We do not inspect or comment on judicial decisions. **Media enquiries: contact Lori Buckley (as below)**
2. **HMCS:** The purpose of Her Majesty's Courts Service is to deliver justice efficiently and effectively. It administers the civil, family and criminal courts in England and Wales. This covers Crown, county and magistrates' courts. **Media enquiries: contact Lucy Milmo at the Department for Constitutional Affairs press office tel: 020 7210 8803. Website: www.hmcourts-service.gov.uk**
3. **CAFCASS:** The Children and Family Court Advisory and Support Service was set up in April 2001 to provide a unified support service to family proceedings across England and Wales. CAFCASS is a national body made up of ten English Regions and CAFCASS Cymru. **Media enquiries: Catherine Dow, CAFCASS Communications Department, tel: 020 7510 7036. Website: www.cafcass.gov.uk**
4. This inspection was carried out by HMICA, with the assistance of an Advisory Group comprising a range of people and organisations concerned with courts administration and the subject of domestic violence. They included representatives of the judiciary, social services, a domestic violence project, HMCS, the Justices' Clerks' Society, CAFCASS, the Magistrates' Association, HM Inspectorate of Constabulary and the Department for Education and Skills. The report also acknowledges a considerable body of academic research and legislation on the subject.
5. Inspection reports are public documents. Copies of HMICA's publications, including annual reports and thematic reviews, may be obtained from:

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