

Family Court Domestic Abuse Service Evaluation



May 2020

Background & Introduction

Citizens Advice Witness Service were asked by the Ministry of Justice (MoJ) to pilot a service to support victims of domestic abuse (DA) in 12 Family Courts which were co-located with our existing Witness Service.

The Family Court Domestic Abuse Service (FCDAS) is free, independent, confidential and impartial. **Our trained volunteers offer practical information about the court process and emotional support to help victims feel more confident about attending hearings.**

We can help any applicant or respondent attending a family court who identifies as a victim of domestic abuse. We can:

- **Explain what will happen at the hearing**
- **Address any questions or concerns**
- **Arrange a visit to the court before the hearing**
- **Provide information about special measures that might be available**
- **Meet the victim on the day of the hearing and provide a safe space in our waiting room**

Where we identify a further need for support, such as legal advice, we'll signpost or refer victims to other organisations, including specialists in the Citizens Advice network.

Pilot sites

The FCDAS pilot currently operates in the following courts:

- Teesside Combined Court
- Wolverhampton Combined Court
- Wolverhampton Magistrates Court
- Leicester County, Crown and Family Court Hearing Centre
- Worcester Combined Court
- Worcester Magistrates Court
- Derby Combined Court
- Derby Magistrates Court
- Truro Combined Court
- Swindon Combined Court
- Norwich Combined Court
- Kingston-upon-Hull Combined Court

Collecting feedback

The feedback used in this review includes:



Service-user feedback, from the 'Family Court Outcomes Survey' (220 responses)



Staff feedback, from court-based staff and Witness Service Referral Hub staff



Stakeholder feedback, from a range of organisations including: HMCTS, legal firms, MoJ, support agencies, and a court security provider (40 responses)



Service-user feedback

98% were very satisfied or satisfied with our service

99.5% felt welcomed and supported

99.5% said they were treated fairly and respectfully

99.1% said our support made them feel safer in court

98.2% said our support made them feel more confident about attending court

99.1% said our support made them feel more informed about the court process



I was very well looked after. All of my questions were answered in a very empathic and caring way. The thoughtfulness of the staff exceeded my expectations. This service is excellent for any witness attending court for the first time. The staff made me feel at ease which has made my experience in court less frightening.



Took time to explain everything and answer questions - could not have done it without her.



[Volunteer] was amazing in every sense - professional, polite and informative.



I came to court alone - [volunteer] supported and reassured me - just someone to talk to. It made the process more bearable.



It was an extremely busy day and the lady was very attentive and supportive.



Just fantastically welcoming and a lovely environment



Volunteer and staff were very welcoming, friendly and efficient.



Stakeholder feedback

93% felt that the service had a positive impact on the experience of victims

Volunteers are always professional, friendly, polite and approachable. They are excellent communicators ... Family Court needs the Witness Service as they provide an excellent service. **(Court Usher)**

We experience a high volume of [litigants] who are scared at the prospect of attending court with their ex-partners often due to [domestic violence]. Customers have been grateful to have the support and someone to 'hold their hand' through a very stressful time. **(HMCTS staff)**

Improving safety and support in court

FCDAS staff and stakeholders reported that the service:

- provided a **valuable safe space for victims**; and
- **contributed positively to other agencies' activities** to provide a supportive environment for victims.



The waiting area is very small and tensions are often high. It has been extremely valuable to be able to offer victims of domestic abuse a separate waiting area and facilities away from their abuser and family members. **(Legal Adviser)**



This has been invaluable for me as there have been many occasions I have been declined to enter the courtroom with my clients which causes them much distress. The Witness Service has allowed me to remove that fear from my clients by confidently being able to reassure them someone will be with them at all times. **(Support agency)**

Accessing special measures - Stakeholder comments

83% of stakeholders felt the service had helped victims to be aware of special measures and how to access them.



Customers are often not aware of special measures that can be put in place and court staff have directed customers to Witness Service who have assisted with this. **(HMCTS staff)**



Many of my clients were unaware of special measures before being introduced to the Witness Service. **(Domestic Abuse support agency)**



The uptake in special measures applications have increased undoubtedly over the last 12 months. **(Court Usher)**



Many times Witness Service volunteers have informed me that victims would like screens in court. **(Court Usher)**

Accessing special measures - FCDAS staff examples



The family court HMCTS team rang us as a victim of DA was in distress and needed our help applying for an emergency non-molestation. We met with the victim, assessed her needs and signposted them to [support agencies]. She then self-referred to Witness Service and on the day of the hearing requested a PTV, screens and side door access which [the court usher] arranged with the Judge after I had informed her of these requests. The victim had also requested hearing support ... In the hearing she achieved the outcome she wanted and said we had given her the confidence to negotiate the length of time the undertaking was valid.

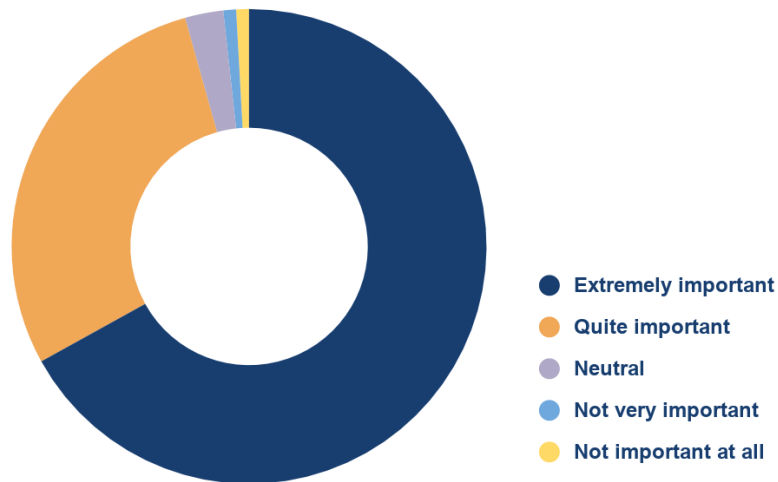


The feedback we receive for the service is excellent. One example is that an applicant did not mention wanting to use screens in the hearing until she arrived at the court building. We liaised with the Ushers and the Family office to ensure that the relevant people were aware and the Judge be told as quickly as possible as screens were not available in the room the hearing was listed in. This enabled the Judge to make a decision and the hearing was moved to a room suitable for the use of screens ensuring that the applicant was comfortable during the hearing.

Improving attendance at court

96% of service-users felt that the support of the Witness Service was important for their attendance.

How important was the support of Citizens Advice to you attending court today?



Stakeholders also reported that they thought that with the support of the FCDAS, **victims were more likely to attend hearings.**



Immense impact - to be able to offer this service takes a lot of pressure off the staff here knowing CAWS can provide this service - otherwise a lot of victims would be afraid to attend court which could delay the proceedings. **(HMCTS staff)**

Also, they reported that **court proceedings went ahead more smoothly.**



Definitely made it less stressful and relieved my role slightly, as it can be hard to assist people who are distressed whilst ushering as well. It also helps the actual courtroom, as it is easier for us to assist witnesses when they are not distressed and have been calmed by Witness Service. **(Court Usher)**

Victims were **less distressed** and the service made the court process somewhat **less stressful for court staff.**



Clients and litigants in person feel better able to cope with the proceedings which makes them easier and swifter to resolve. **(Solicitor)**

Supporting stakeholders

Staff and stakeholders have reported that they have been able to **effectively work together in Family Court.**

The FCDAS has also been able to **fill gaps in the service offered to victims**, or support victims in areas where court staff have not had the capacity.



It has been very beneficial working directly with Witness Service. They have really helped me and my colleagues to provide support for vulnerable parties who make requests directly to us for special measures to be put in place when they attend court. **(Moj staff)**



They have been able to assist with parties who need more support than I have time to deal with. It has also been helpful having an impartial person who can support any vulnerable people. **(Court Usher)**



The role of the legal adviser is quite onerous, particularly with so many litigants in person. The support from the volunteers has been invaluable. **(Legal Adviser)**

Challenges

Despite the positive outcomes of the Domestic Abuse Service pilot so far, staff and volunteers have faced challenges in service implementation.

- **Raising awareness**

In some courts, staff reported challenges in making sure everyone was aware of the role of the service. It was reported that on occasion this **lack of clarity around roles and processes had led to problems for victims.**

However, some staff did indicate that understanding of the FCDAS had improved over time.

- **Communication in court**

Staff and stakeholders in some courts reported that communication between agencies on the day of hearings could be improved.

FCDAS staff and volunteers must **make sure that other stakeholders are aware of their work with victims.** Similarly, it is important that **FCDAS is made aware of victims attending court** so they can be properly prepared to offer support.

- **Referrals & service take-up**

More work is needed to ensure victims who need the service are referred in advance.

Advanced referral ensures victims have opportunities for pre-hearing support, so they come to the hearing feeling informed and prepared with access to the special measures where needed.

Where advanced referrals were received during the pilot, there was often not sufficient time to provide pre-hearing court visits. However, some victims often only required 'on the day of hearing' support, sometimes because this was not the first time they had been to court.

- **Moving hearings**

Another challenge during the pilot has been the **moving of hearings between courts, often to others where the FCDAS has not been operating.** This has led to FCDAS beginning support with a victim and then finding that their case is moved to a location that is not offering the service.

- **Suitable pilot sites**

Staff and stakeholders have also raised concerns about **the pilot not operating in some Magistrates Courts where most Family Court hearings take place.** This may have led to lower demand so far.

Continuation of the FCDAS

We have received many positive comments from stakeholders who feel the service should continue or be expanded.



Please continue! It makes a huge difference. **(District Judge)**



PLEASE, PLEASE, PLEASE Keep this project going. It's making a vast difference. **(Family Law support agency)**



I think the pilot has been a very real and positive success. It has certainly given support and reassurance to vulnerable victims when attending court. It has also been a great help to court staff in providing special measures to parties at court. **(Moj Staff)**



Just thank you for the service provided to date and I hope the pilot continues and expands to other areas. **(Legal Adviser)**

Victims can be referred to the service

Visit: www.citizensadvice.org.uk/familycourt

Partner number: 0300 330 1161

Applicant / respondent number: 0300 332 1000

