

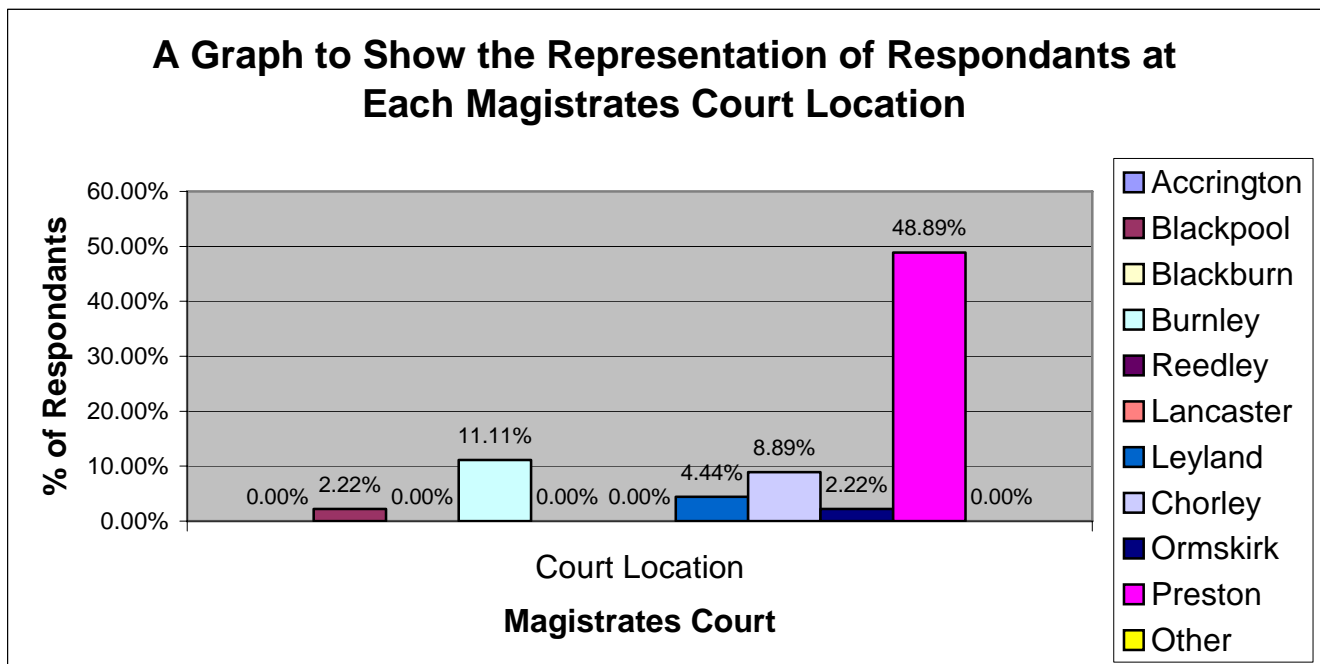
Domestic Violence in Lancashire Witness Comments and Questions Report 2007/2008

Methodology

A questionnaire was designed which incorporated both 'open' and 'closed' questions to try to ascertain the victims comments of the trial process and procedure in relation to Domestic Violence Offences.

The questionnaires were handed to the Witness Service Branch Managers at each Court within the Lancashire region. Approximately 100 questionnaires were distributed to victims and witnesses in court. Some witnesses completed the questionnaires on the day; others took the questionnaires home with a pre-paid envelope. The response rate was 35% with 35 questionnaires being completed between the periods 01 November 2007 to 28 February 2008.

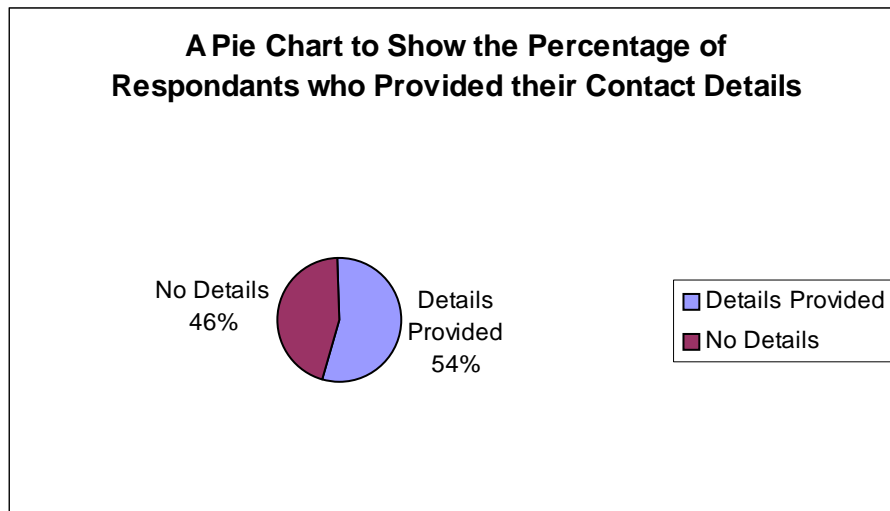
The breakdown of responses by court is as follows:



Feedback from the Witness Service Managers for reasons why the questionnaires were not completed includes the following:

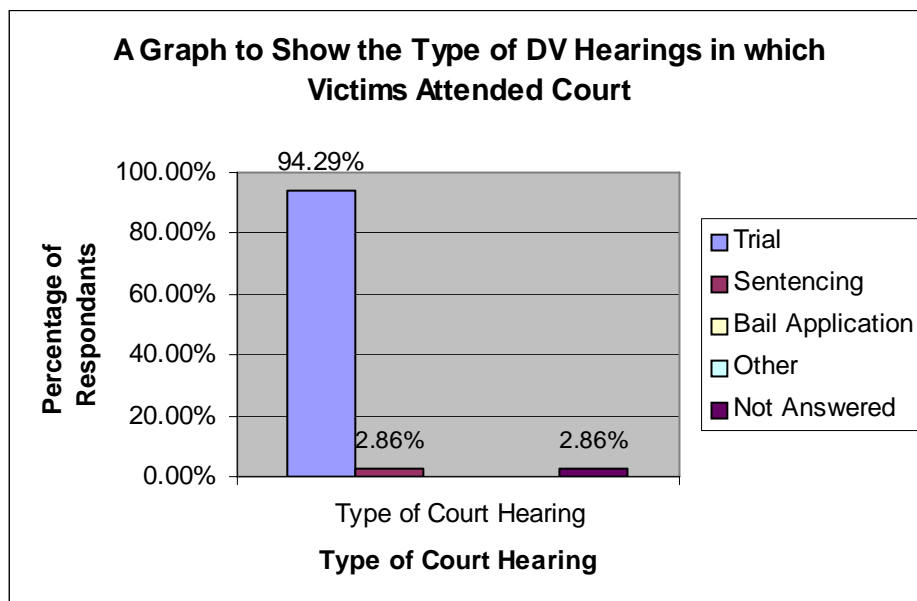
- People were too upset to complete the questionnaire at the time.
- Victims did not want to hang around after their court appearance
- Not all cases are clearly marked as Domestic Violence.
- Many victims did not want to be at court – did not want to provide evidence.

- There may be literacy issues whereby the victim did not feel able or want to ask for help in completing the questionnaire.
- Although an accompanying letter was sent with each of the questionnaires, the victims may have not fully understood the background to the study and feared confidentiality issues or repercussions. Although 19 respondents did agree to share their contact details.



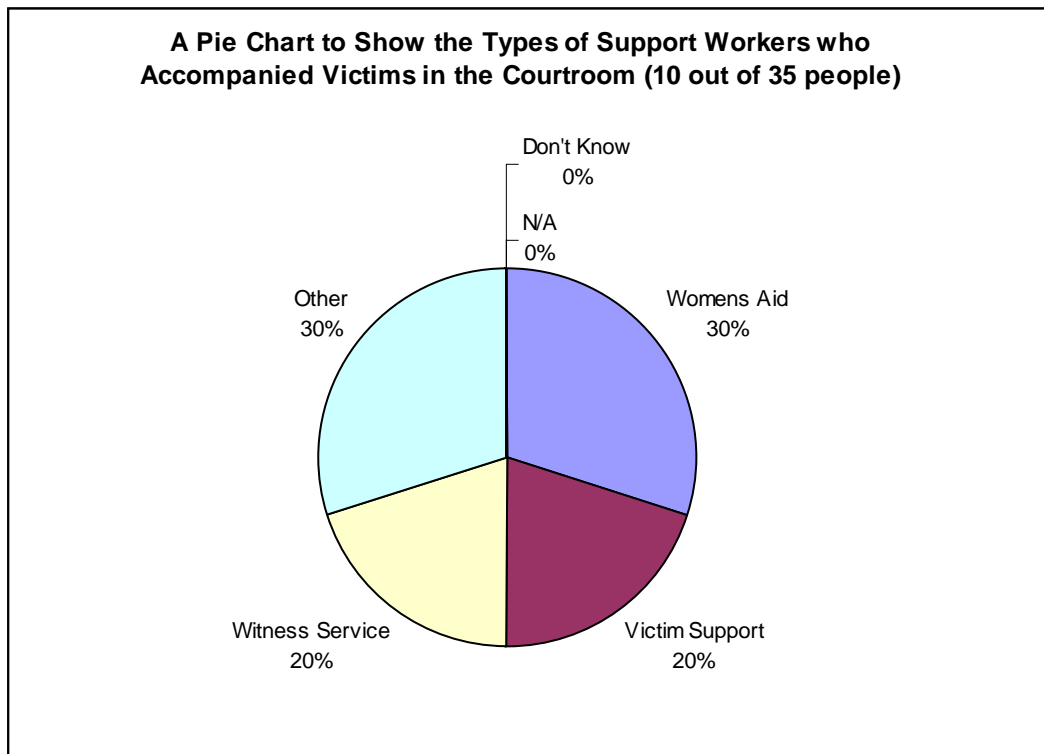
Findings:

The main circumstance for a victim to attend court was to provide evidence at court. There was one instance whereby the victim was required to attend for the sentencing. One person chose not to answer this question.



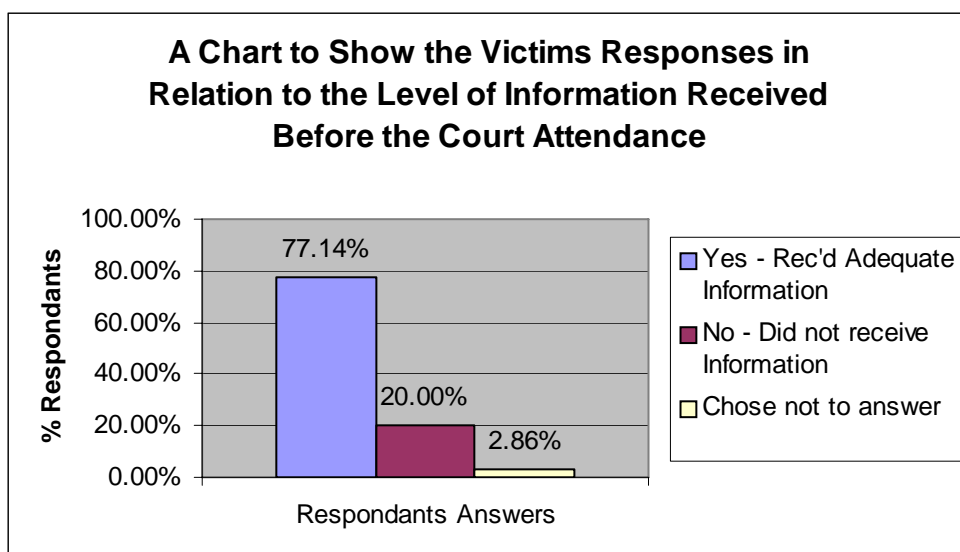
Of the ten people who advised that they did have a support worker accompany them into the courtroom, the results were fairly evenly split. The

'Other' category consisted of mainly Independent Domestic Violence Advisors (IDVAS).



It was not clear and was not established the reasons why some victims were not accompanied in the courtroom.

In relation to the level of information provided to Victims before the court appearance, 27 respondents confirmed that they did receive adequate information about what would happen at the court on the day.



Of these findings the various agencies who supplied this information were:

- CPS x 4 responses
- Police x 2 responses
- CPS and Witness Service x 1 response
- Victim Support x 1 response
- Witness Service x 8 responses
- Witness Protection x 2 responses
- Witness Care Unit x 4 responses
- No-one x 1 response
- A combination of services x 1
- Chose not to answer X 11

Only three respondents provided details of the information they would have liked to know prior to the court attendance:

“I am scared of him & wanted to know if I could give evidence behind screens”

“I brought my children - didn't know I couldn't have children in court room (2 week baby, 2 year old child)”

“I was not sure whether I would get to see my statement again?”

One of the questions related to whether the victim was shown around the courtroom prior to them giving evidence. Of the 35 respondents, 19 had a pre court familiarisation visit.

A Pie Chart to Show the % respondents who were shown around the courtroom prior to them giving evidence.



The reasoning behind why some victims did not have a pre court familiarisation visit was not established. It may have resulted from them not being offered a look around or them choosing not to have one. In cases whereby the witness/victim arrives at the courtroom later than required, there may be instances whereby the courtrooms are not free.

The feedback relating to the pre-trial familiarisations were as follows:

“Yes, gave me an idea of what to expect on the day of the trial”

“Yes, helpful, made me feel more relaxed”

“Yes, made it clear what would happen”

“Yes it was helpful”

“It was helpful to meet the Witness Service at the side entrance”

“No, not helpful at all”

“Very Helpful”

“Did not have a PTV because was using screens”

“I did not want to give evidence”

“It helped me to place where he would be and how I could get out quickly”

“I preferred not to enter the courtroom”

“I have already seen the court through my A Level course”

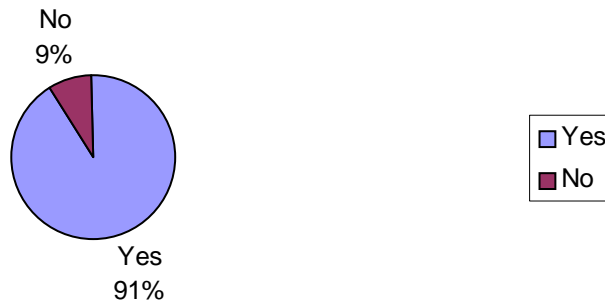
“They did offer but I’ve been before so I did not need to”

“This was very helpful”

Of the 35 respondents, 21 chose not to answer this question. On the whole, the respondents who did choose to answer found that viewing the courtroom was beneficial as only one suggested that it was not helpful and one person advised that they did not want to give evidence.

The next question examined whether the victims felt safe at court.

A Pie Chart to Show the Percentage of Respondents who Felt Safe at Court



A large proportion of respondents did in fact feel that they felt safe within the court environment. The feedback provided as to what the victims found helpful or unhelpful was as follows:

“Being met at the Ushers desk and directed to the Witness Room quickly”

“Lady from the Witness Service”

“Having the support from my family and Witness Support”

“Video-linked”

“ Being in a separate waiting area”

“Witness Service”

“Separate room to wait and Witness Service help”

“Taken care of by Witness Service but did not feel safe in the courtroom”

“I did not want to be there”

“Witness Support / Being in the Witness Room”

“He is a dangerous person and I was worried that he may be able to get at me or his partner”

“My friend was there and the Witness Service”

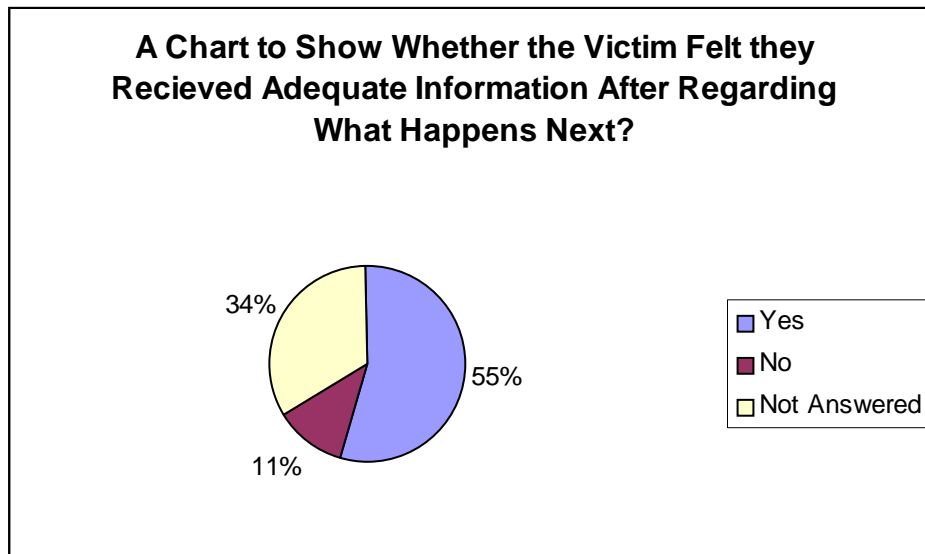
“Separate waiting area”

“Being round people and being in a separate room to everyone”

“We were allowed to enter through the back entrance and were kept in a separate waiting room from my ex partner”

“Everything that could have possibly been done at court to make me feel safe was done (i.e letting me have a screen up) but I did not feel safe when we broke for lunch because I saw him a couple of times”

The final section of the questionnaire examined whether the individuals felt that they received enough information about what happens next (for example, sentencing etc.)



Out of the 35 respondents only 19 answered the question as yes and 12 people did not answer. 4 People felt that they had not received any information.

When invited to comment only two respondents included further information which was not clear as to what they would have liked to know.

“Case adjourned as defendant not represented”

“Left after giving evidence”

The questionnaire concluded with an open section for general comments. Again, not everybody chose to answer but the responses provided are listed below.

“I would have felt better if it had been my choice as to whether to come to court or not, and not being forced to attend when I don't want to”

“Not to be forced into court”

“I felt safe with the support I had at court”

“Irrelevant questions should not be asked”

“Very pleased in the way the matter was dealt with, felt very pleased”

“Well looked after!”

“My court experience was handled very well and everyone explained everything to me very well – thank you”

“Felt everything was satisfactory.”

“Its been ok”

The responses were mixed but it is clear that some individuals felt that they were being forced to go to court. The reasons for this was not established as to whether they felt intimidated, feared reprisals, was still in contact with the perpetrator etc.

Conclusion

Unfortunately the sample size was limited to provide any conclusive findings from the survey. However this could partly be due to the fact that this issue is a very sensitive issue and at the time of court the victims are very distressed and do not want to answer a questionnaire regarding their feelings. The majority of domestic violence cases involve the victim retracting their statement or being summoned to court and therefore are reluctant to go through the process.

The general consensus of the pre trial familiarisation visits was positive and many individuals found it beneficial as the majority of victims only attended court for trial purposes. Therefore where possible the victims should be encouraged to come to the Witness Service prior to the trial date to discuss any concerns, issues and the process. Once people discovered that there were separate waiting areas and separate entrances the majority of respondents felt safe. These facilities need to be re-iterated to all agencies involved with DV clients.

Recommendations

Structure the questions to help find reasons as to why the respondents answered how they did e.g. provide reasoning as to why they did not view the courtroom.

Use closed questions more effectively. It was found that the majority of respondents chose not to answer questions whereby they were required to write a response rather than tick a box.

In relation to the ‘After Court’ questions it may have been more appropriate to offer a tick box selection of information available after the case and to establish which information the victim would have liked to receive and if they did receive it, where did they get the information?