



CPS

**Violence against Women and Girls
Strategy 2008-2011:
An assessment of success**

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Foreword by the Attorney General

The ambition of this government is to end Violence against Women and Girls (VAWG). Since taking up office, it has been my intention to ensure that the Crown Prosecution Service contributes to this aim by reducing the risk to women and girls who are victims of these crimes and ensuring that offenders are brought to justice across the range of VAWG crimes.

Each year in the UK, over one million women suffer domestic abuse¹, over 300,000 women are sexually assaulted and 60,000 women are raped². This is utterly unacceptable. We are facing a challenge in raising confidence of victims to report these incidents in the first place – fewer than one in four people who suffer abuse at the hands of their partner³ and only around one in ten women who experience serious sexual assault report it to the police⁴, rates which are even lower when the victim is under the age of eighteen. A core part of the government's work and that of the CPS is therefore to challenge attitudes often influenced by myths and stereotypes about violence against women.

I asked the CPS to undertake an assessment of the CPS VAWG strategy so that I could provide an assurance that we are continuing to maintain momentum in this area. This report shows that the CPS has continued to increase the number of offenders brought to justice – from 51,974 in 2007-08 to 66,860 in 2011-12 while also improving the quality of prosecutions, from a successful outcome rate of 69% in 2007-08 to 73% in 2011-12, and in rape specifically from 58% in 2007-08 to 62.5% in 2011-12.⁵

None of this success would be possible without the hard work of the CPS prosecutors, who have worked in partnership with other criminal justice agencies, stakeholder groups and support services over the years.

Both the Solicitor General and I intend to ensure that the CPS maintains its priority focus on tackling VAWG, and will continue to work with other government departments towards our joint goal to end Violence against Women and Girls.

The Rt Hon Dominic Grieve QC MP
Attorney General

¹ Smith, K. et al. (2012) Homicides, Firearm Offences and Intimate Violence 2010/11. Home Office Statistical Bulletin 02/12. London: Home Office.

² *ibid* 1.

³ *ibid* 1.

⁴ Smith, K. et al. (2011) Homicides, Firearm Offences and Intimate Violence 2009/10. Home Office Statistical Bulletin 01/11. London: Home Office.

⁵ More detailed assessment of these figures will be available later in the year within our VAWG Crime Report.

Foreword by the Director of Public Prosecutions

The CPS was the first government department to develop a strategy for tackling Violence against Women and Girls. We built on our successes in the prosecution of domestic violence to improve performance across other types of VAWG in a staged approach. Since my appointment as Director of Public Prosecutions I have made it a personal priority to drive this agenda forward.

My commitment to this issue is shared by the Chief Executive and our Chief Crown Prosecutors. I have personally visited each of our CPS offices and talked to our frontline staff engaged in the prosecution of VAWG cases and have been impressed with the level of dedication and innovation, maintaining the priority focus of VAWG in this difficult financial time.

During the life of the strategy the CPS revised or published twelve different forms of legal guidance and/or policies for our prosecutors aimed at addressing emerging issues, changes in legislation and improving performance. All 3000 of our prosecutors were trained on DV, and over 800 prosecutors have been trained as rape specialists.

Engaging with communities and stakeholders is crucial to ensure transparency and accountability. We work with local partners and communities through the Local Scrutiny Involvement Panels, and nationally through the VAWG External Consultation Group.

The focus during the latter stages of this strategy has been on quality, allowing us to build on existing good practice and to tackle poor performance effectively. The way in which we've achieved this has been through the VAWG assurance process – every six months I receive a report on quality of VAWG prosecutions from senior managers. This process has been successful in ensuring better implementation of policy from the point of pre-charge through to presenting the case at court. The most recent figures for 2011-12 indicate that there is a further improvement in our successful outcome rate to 73%.⁶

Whilst bringing offenders to justice is a key aim of the CPS, we also recognise the importance in improving the safety of the victim. Success in this is difficult to measure, although our recently commissioned report into the safety of victims going through the criminal justice system found that 72% of victims in cases where we've taken a decision to charge experience a cessation of abuse.

⁶ More detailed assessment of these figures will be available later in the year within our VAWG Crime Report.

The VAWG strategy has delivered a number of benefits to the service – more efficient prosecutions, improved implementation of policy, improved support for victims and more efficient and effective community engagement. These are explored in greater detail under the benefits section later in this report.

We will continue to work hard to improve our performance and deliver justice in these crimes.

Keir Starmer QC
Director of Public Prosecutions
July 2012

1 Introduction

This report provides an assessment of the effectiveness of the CPS Violence against Women and Girls strategy⁷ (VAWG) in achieving its original aims. The report highlights how the strategy was developed and implemented, what was achieved, the benefits of the strategy and next steps for the CPS in mainstreaming the ongoing work to tackle VAWG. The strategy, action plans and accompanying Equality Impact Assessment, published in April 2008 can be found on the CPS website: www.cps.gov.uk/publications/equality/vaw/index.html

This report gives an assurance to our partners, criminal justice service colleagues, employees and the public that the CPS VAWG strategy was effective in delivering its objectives, namely improving the quality of VAWG prosecutions, public confidence and the response to victims; but also recognises that there is still work to be done. The CPS continues to work with victim's services, criminal justice colleagues and other government departments to tackle VAWG and mainstream the benefits of this strategy.

The CPS was the first government department to develop a VAWG strategy. Since then we have seen the development of a cross government strategy for tackling Violence against Women and Girls, and accompanying Action Plans, to which the CPS contributes. The most up to date action plans can be found at www.homeoffice.gov.uk/crime/violence-against-women-girls/.

The primary focus of the CPS VAWG strategy started with domestic violence and rape, building on the good practice that had developed in the criminal justice response to these discrete strands of VAWG, such as Specialist Domestic Violence Courts. During the development of the strategy, work on other strands of VAWG were brought in and emerging issues addressed within a VAWG approach.

⁷ When the strategy was developed in 2007 it was named VAW strategy. During the life of the strategy the CPS added a clearer inclusion of 'Girls' and changed the name to VAWG to reflect our role in prosecuting child abuse and teenage relationship abuse, in line with the development of the cross-government strategy.

What does the VAWG strategy cover?

The CPS VAWG strategy adopted the UN definition of VAW, as outlined in Annex A. Specifically the strategy focussed on:

- Domestic violence, including harassment⁸
- Forced marriage
- So-called honour crimes
- Female genital mutilation
- Rape and sexual offences
- Human trafficking for sexual exploitation
- Prostitution, including child prostitution
- Crimes against the older person⁹
- Child abuse¹⁰
- Pornography – obscene publications
- Sexual harassment at work

For some of the crimes within VAWG, there are no specific offences to Prosecute under, but if an offence falls within a specific policy, within an agreed definition, then it will be prosecuted as such. For example, there is no specific offence of “domestic violence” (DV), so cases of DV, falling within the government-wide definition and the CPS DV Policy, are prosecuted under a range of other offences from common assault to murder.

In 2008/09 the role of the VAWG coordinator was developed further to bring together domestic violence and rape coordinators in one role and incorporate so-called honour based violence (HBV) and forced marriage (FM). A Champion CPP was also established to lead the work across Areas. Prosecutors were trained in HBV, FM, trafficking, pornography and obscenity. In 2009/10 the employee guidance on VAWG was published. In 2011/12 legal guidance on Female Genital Mutilation and Stalking and Harassment was published and we responded to emerging issues in prosecutions e.g. charging of perverting the course of justice in cases involving allegations of rape or domestic violence. A full list of milestones is available in Annex A.

This staged approach allowed us to develop a strong foundation of performance in VAWG on which to build when emerging issues arose. The development of the strategy year on year was driven at both a national level by the Director of Public Prosecutions and Chief Executive and at a local level by Chief Crown Prosecutors, the VAWG champion and VAWG coordinators¹¹.

⁸ Harassment was used in the CPS VAWG strategy instead of the term “stalking” used by End Violence Against Women, a national coalition of organisations and individual working to end violence against women.

⁹ During the course of the strategy it was recognised that Crimes against Older people were different from other VAWG crimes in that the prime factor within CAOP is age rather than gender, consequently CAOP was moved into the Hate Crime programme in 2008/09.

¹⁰ where it overlaps with violence against women, and girls.

¹¹ See governance in chapter three for details on these roles.

2 Why did we develop a VAWG strategy?

The purpose of drawing together these types of offences, directed disproportionately towards women and girls, was to ensure that expertise and experience acquired in respect of some strands was brought to bear on others of a similar nature. The gendered patterns and dynamics involved needed to be acknowledged and understood in order to provide an appropriate and effective prosecution response. In recognising these dynamics the CPS does not neglect abuse directed towards men or perpetrated by women. Male victims receive the same access to protection and legal redress and the gender of the perpetrator does not make a difference to the CPS approach to bringing offenders to justice. All of our existing policies are gender neutral, and are applied fairly and equitably to all victims of crime and all defendants are prosecuted in accordance with the *Code for Crown Prosecutors*.

The strategy was therefore not intended to produce a new policy on VAWG but instead to:

- Develop an overarching strategic framework for actions to tackle VAWG and guidance on the interrelationship of the various existing VAWG policies and guidance across the range of crimes.
- Develop supporting action plans to rationalize and integrate the existing work on VAWG crimes.
- Include work on issues in relation to perpetrators, victims, witnesses and CPS staff.

3 How did we implement the strategy?

In 2008 the project was set up with a clear mandate from the then Director of Public Prosecutions, Sir Ken Macdonald QC to ensure that the CPS offered the best possible service to victims of Violence against Women and Girls. A national consultation was undertaken and responses received from a range of agencies. The final strategy and accompanying action plans were published in April 2008: www.cps.gov.uk/publications/equality/vaw/index.html

Governance

A Senior Reporting Officer (SRO) for the project, the Director of the Equality and Diversity Unit, provided overall leadership and direction to ensure the delivery of the project benefits within agreed costs and timescales. The SRO was supported by a project board which included the Directors of both Strategy and Policy and Operations. A VAWG strategy manager took responsibility for programme management, overseeing the work of a national VAWG team, led by the Equality and Diversity Unit with staff involved from Strategy and Policy and Operations Directorates. A Project Assurance Group was convened to support implementation of the strategy; including key CPS staff from all levels of the organisation and the Attorney General's Office. Annual action plans were developed and reported on each year through the VAWG Crime Reports, available here: www.cps.gov.uk/publications/equality/vaw/index.html

Crucial to the success of the strategy was a VAWG External Consultation Group which included stakeholders from the voluntary sector across all the VAWG strands, a list of which is provided at Annex B. This group kept the work on course to deliver change that would have an impact on those women and children experiencing this type of violence.

Another integral role in the strategy was the role of the VAWG champion, a Chief Crown Prosecutor who was selected from the Areas to be a champion for the issues. The role of this champion was to encourage Areas to prioritise improving performance in this area whilst rationalising systems, address any barriers to implementing VAWG policies; and provide a link to the Areas by identifying good practice and disseminating across the service.

The VAWG champion was supported in the role by a network of VAWG coordinators, who were responsible for implementing policy in the Areas, providing strategic direction for community engagement and managing performance. Prior to the VAWG strategy there were separate domestic violence coordinators and rape coordinators in Areas. By 2011 all Areas had appointed a VAWG coordinator overseeing domestic violence, rape, so-called honour based violence, forced marriage and FGM.

Restructure

In order to respond to the budgetary cuts to the CPS imposed by the Government Spending Review in October 2010, the CPS sought to realise economies of scale and prepare the organisation to take full advantage of developments in technology by restructuring the CPS Area profile from 42 to 13 Areas.

Area performance is monitored against the CPS Core Quality Standards to ensure that the expected standards of performance are maintained within the new structure.

What are Core Quality Standards?

The Core Quality Standards were published in March 2010 and set out in plain language the key requirements for a successful prosecution. They inform members of the public of the level of service they can expect from those who prosecute on their behalf. Likewise, they inform CPS staff of what is expected of them and how they will be held to account for the quality of the service provided. Core Quality Standards allow us to build on existing good practice and to tackle poor performance effectively.

www.cps.gov.uk/publications/core_quality_standards/

The VAWG coordinator role during this time was also aggregated, from 42 to 13; these coordinators are now largely operating at a strategic level within the Area (Deputy Chief Crown Prosecutor or Senior District Crown Prosecutor) which has enabled greater sharing of good practice and oversight of local issues. This has enabled the service to continue to deliver the benefits of the VAWG strategy.

4 What did we want to achieve with this strategy and were we successful?

This next section outlines actions proposed under each of the VAWG strategy objectives and reports on outcomes. A full list of milestones is available in Annex A.

Improving effectiveness and efficiency of the CJS through bringing more offenders of VAWG to justice

Systems were set up for monitoring performance and improvements were addressed through guidance, training, sharing good practice, use of coordinators.

Monitoring performance

In 2008 we introduced a VAWG indicator, enabling quarterly performance management of domestic violence, rape and sexual offences. At this time the focus was on targets to reduce attrition, recognising the need to address issues for improvement. The CPS met these stretching targets set in the first two years of the strategy.

In 2010/11 the government moved away from target driven performance to more qualitative and trend based methods. The CPS reflected this move by introducing Core Quality Standards Monitoring (CQSM) that monitors Area trends in the quality of case handling against the national average. We also broadened our view to look not only at attrition in VAWG but also volume, what we were doing pre-charge and how we were using out of court disposals. We also began to monitor performance in human trafficking, so-called honour based violence and forced marriage during the latter stages of the strategy.

What is CQSM?

Following the launch of Core Quality Standards (CQS) in March 2010, a new performance monitoring regime was developed. As part of the new system, approximately 18,000 files are reviewed each year to assess compliance with the Core Quality Standards.

The file review process, known as Core Quality Standards Monitoring (CQSM), requires managers to assess at least six files per month against 34 commitments set out in the Core Quality Standards. These assessments are supplemented by a peer review process where another manager assesses at least 24 files over a two month period. This helps to ensure assessments are consistent and robust across the service. In the period from October 2010 to March 2011, over 10,000 files were assessed. Approximately 78% of the commitments in these files were fully met. Of the remainder, 11.5% were partially met and 10.5% not met.

CQSM results are further validated against a range of key performance measures drawn from our casework management system and other corporate databases. Other measures have also been selected to monitor performance by efficiency and productivity, violence against women and girls, hate crime and people issues.

At the end of the strategy in April 2011 the VAWG assurance process was launched. Each Area is now asked, on a six monthly basis, to analyse and report back to headquarters and specifically the Director of Public Prosecutions, on performance, highlighting issues and taking actions to address any risks. Within this assurance process, Areas assess approximately a quarter of their rape cases. The success that this system has achieved in terms of improved quality of prosecutions will be explored in the next section on benefits.

We publicise our achievements, and the areas for improvement annually in the VAWG Crime Report. These annual reports are available here:
www.cps.gov.uk/publications/equality/vaw/index.html

Building improvement

The various policies that exist on different types of VAWG are implemented on a case by case basis by our 3000 prosecutors.

Legal guidance and policies were developed during the life of the strategy, and in some cases revised to take account of emerging issues. A significant amount of work was undertaken by the Strategy and Policy Directorate to ensure prosecutors were supported in responding to the various types of VAWG, a list of all new and/or revised policies and legal guidance is provided here:

- revised DV policy;
- revised rape policy;

- legal and flagging guidance on forced marriage (FM) and honour based violence (HBV);
- legal guidance on Human trafficking, followed by public policy on human trafficking;
- VAWG guidance;
- legal guidance on obtaining restraining orders;
- legal guidance on prosecuting child abuse;
- revised policy on exploitation of prostitution;
- legal guidance on stalking and harassment;
- legal guidance on perverting the course of justice- charging in cases involving rape and/or DV; and
- legal guidance on FGM.

Training for prosecutors was a priority to ensure consistency and quality of implementation of these policies. National training was undertaken across three of the strands, with ad hoc training on specific issues as they arose:

- All of our prosecutors were trained in domestic violence, either through face to face training (2005-08) or via e-learning modules (2008-11) which have become mandatory for all prosecutors joining the Service.
- A three year programme of training for rape specialist prosecutors was undertaken in 2008-11, involving a two day face-to-face course based on real life case studies and including input from two external experts (including medics, Sexual Assault Referral Centre managers, Independent Sexual Violence Advisors and academics) on forensic medicine and the psychological effects of sexual abuse and myths and stereotypes. By the end of the strategy (May 2011) we employed 845 such trained specialists.
- In 2010 we arranged specialist training for selected Area specialist prosecutors in FM and HBV, involving implementation of the guidance with case studies and input from a number of the multi-agency partners who lead in this field – including the Forced Marriage Unit, Southall Black Sisters and Imkaan. These prosecutors (approximately ninety were trained) are used as a point of contact for prosecutions which include an element of HBV/FM.
- Ad hoc training included seminars on pornography and obscenity; training to prosecutors on trafficking; and locally run training for prosecutors on child abuse.

Director's visits

As part of sharing good practice and highlighting the priority status of VAWG, the Director of Public Prosecutions in 2010-11 visited all 42 districts in the CPS to discuss the delivery of improvement, the challenges in prosecuting cases and good practice.

Victim Support and local IDVA services were contacted prior to each visit to ask for feedback on the CPS performance in relation to supporting victims and witnesses. This feedback highlighted issues in the way we support victims, specifically in the application and communication of special measures. Since these issues were raised

we have undertaken research on our use of special measures which will be published in 2012.

We have been impressed by the very local focus of the current review of CPS performance and by the commitment shown by the DPP and CPS colleagues identifying the root causes of the issues we have highlighted.

Rachel Griffin, Victim Support

Improving public and stakeholder confidence

Effective engagement with the public and our partners is central to the success of our prosecutions in upholding public confidence and trust. Improving confidence through community engagement and consultation at a national and local level; working with local forums and specialist organisations; and developing methods to measure views of stakeholders were proposed and delivered actions.

National structures

The VAWG External Consultation Group (ECG) had a crucial role in supporting the CPS to implement the VAWG strategy; this group includes national organisations who have the following to say about the VAWG strategy:

The CPS are careful to consult with the voluntary and community sector to enhance their understanding and to keep abreast of an ever-changing world. As a result of their work more perpetrators, particularly those who use violence against their partners, are being prosecuted, victims are safer and the public are seeing a more responsive and relevant prosecution process. I believe a direct consequence of the work of the EDU is a safer and fairer world for victims of domestic violence and an increasing confidence in the intentions and activities of the CPS.

Anthony Wills Chief Executive, Standing Together Against Domestic Violence

We undertook a survey of stakeholders in 2009-10, which provided us with ways to improve VAWG community engagement, support for victims and effective implementation of VAWG policy. We implemented these findings in 2010-11.

In March 2011 we introduced a National Scrutiny Panel to provide a new national engagement mechanism to support the CPS in identifying key lessons learnt in high profile hate crime and VAWG cases. The outcomes will inform policy development where appropriate.

Local structures

During the life of the strategy we aimed to work in multi-agency partnerships and local forums to improve confidence. Chief Crown Prosecutors and/or designated senior managers provided reports on a six monthly basis confirming their involvement at a strategic level in multi agency forums on VAWG, specifically overseeing the handling of rape prosecutions, and regular liaison with their equivalent from the police.

We have gone further than this commitment, by setting up in each CPS Area a Local Scrutiny and Involvement Panel (LSIP). These panels built on the Hate Crime Scrutiny Panels and the Community Involvement Panels that were in place until March 2011, some of which already scrutinised VAWG cases.

Case Study – West Mercia, North Wales and Cumbria: Violence against Women Scrutiny Panels

The panels bring members of the Voluntary and Community Sector (VCS) into the CPS, together with CPS lawyers and independent legal advisors to jointly review and scrutinise a random selection of completed violence against women cases (including domestic violence, rape and sexual assault).

The purpose of these Panel meetings is to ask the voluntary and community sector what the CPS could be doing better to improve the handling and outcome of such cases. The Panels also raise awareness of the Criminal Justice System (CJS) and improve confidence in the decisions it makes thereby encouraging victims and witnesses to report incidents. Working closely with the voluntary and community sector in this scrutiny has assisted the CPS in working towards local priorities.

In a survey in 2009 98% of community members indicated that they felt the CPS listened to their views and 78% were confident that recommendations made by the Panel would be implemented by the CPS in the near future. The Panels also provide the CPS with a valuable insight into the issues faced by victims as they proceed through the criminal justice system. This has enabled prosecutors and witness care officers to be more sensitive to their needs and provide better support to enable them to give better quality evidence and enhance the prospects of bringing offenders to justice.

Improving victim and witness safety, support and satisfaction

Improving the safety, support and satisfaction of VAWG victims was a key objective of the CPS VAWG strategy. Proposed actions included, improving support systems available to victims and specifically the Witness Care Unit¹²; considering safety of

¹² The Witness Care Units manage the care of victims and witnesses from the charging of the defendant(s) through to the conclusion of a case. Witness care units are jointly staffed by the police and the Crown Prosecution Service

victims working in the CPS; and developing systems to measure victim safety, satisfaction and support.

The Specialist Domestic Violence Court system promotes the use of specialist support for victims of VAWG to improve the safety of victims. During the life of the strategy the number of SDVCs rose from 98 to 143. This also reflects an increase in the provision of Independent Domestic Violence Advisors, Independent Sexual Violence Advisors, Sexual Assault Referral Centres and Multi Agency Risk Assessment Conferences.

Improving the safety support and satisfaction of victims and witnesses of other VAWG strands, such as FGM, forced marriage, honour based violence and stalking was also a priority for the service. During the strategy we worked with other departments through working groups and the cross government delivery boards that have overseen the implementation of the government's various VAWG action plans to improve the safety of victims of these crimes.

Case Study – Getting it right for the victim

Following a recent prosecution for sexual violence, where numerous victims were targeted by a member of their own family, the mother of the one of the victims wrote to the CPS to praise the work of the prosecutors, the police officers and the ISVA involved in the case, for going 'above and beyond the call of duty in handling our case and the sensitivities of it'.

This was a case where the disclosures were handled sympathetically by the trained officers, enabling the victims to give their accounts as painlessly as possible in very difficult circumstances. This began a very positive relationship between the prosecution and the witnesses in this case and the police made a point of ensuring that the victims were made aware of the further charges that were to be put.

Counsel were involved early on so that meetings could be held with the victims. Certain evidence had been seized by the officers that could have been used as either bad character or rebuttal evidence as the defendant had said in interview that he had no interest in one of the victims in particular. Information was passed between CJS agencies in this case electronically, which allowed swift case handling.

For the most part contact with the victims was through the ISVA, including the communication of requirements for special measures. In terms of the trial itself the same case worker was available for the whole of the prosecution case again giving the victims continuity of staff. Victims were met by prosecution counsel in company of the case worker.

The defendant was found guilty of 22 counts of sexual abuse, and was sentenced to 18.5 years imprisonment. The sentence received was entirely appropriate given that the defendant had pursued a trial and clearly the victims were happy with both the sentence and the conduct of the prosecution team as a whole.

During the life of the strategy each Witness Care Unit was provided with copies of the Women's Aid Gold Book, which details refuges and specialist support provision for victims across England and Wales. Guidance for Witness Care Officers on how to support victims of VAWG was updated. In 2011 the CPS launched a review of our Victim and Witness commitments in order to develop the CPS's service to victims and witnesses in a way that makes clear to the public what they can expect from CPS; that helps CPS staff and partners understand their roles in delivery and that better targets the resources CPS has available to help those victims and witnesses in greatest need. As part of this review we will identify the most appropriate method of support and communication with VAWG victims.

We also addressed the safety of victims of VAWG working within the CPS by extending the Domestic Violence Employee Policy to cover all VAWG issues – which is available at: www.cps.gov.uk/publications/docs/VAW_employees_guide.pdf

Historically, monitoring success against this particular objective had been problematic because there are no national systems for collecting data on support, safety or satisfaction of victims¹³.

The CPS has attempted to find ways of assessing the impact we have on improving the safety of the victim, thereby reducing repeat victimisation. We commissioned focus groups through the Women's National Commission, undertook a stakeholder satisfaction survey and worked with the Home Office to add questions regarding satisfaction in the nature of domestic abuse module of the British Crime Survey, undertaken every other year. Initial findings are included in the benefits chapter.

In order to try and bridge the gap the CPS has commissioned reports for the CPS giving a profile of those victims who received support in relation to the criminal court process and whose case proceeded to court. Support services such as Independent Domestic Violence Advisers (IDVAs) have been shown to ensure further safety for victims and improve prosecutions. In 2010-11, research from Coordinated Action Against Domestic Abuse (CAADA) showed that 91 per cent of victims supported by IDVAs through the criminal justice process experienced physical abuse; in 67 per cent of cases this abuse was serious including strangling or choking. Half of the victims who went to court feared for their lives and a quarter that their children were going to be harmed.

In 2011, a further report from CAADA, focussing on the reduction or cessation of abuse for those victims going through the criminal justice system showed that the proportion of victims experiencing a cessation of abuse at the point of exit from the IDVA service increases at each stage of the criminal justice process, with the most significant increase for those victims where the CPS has taken a decision to charge the defendant following a report to the Police. This will be explored further under the benefits section.

¹³ The Witness and Victim Evaluation System (WAVES) coordinated through the Ministry of Justice did not cover views of victims of VAWG.

Improving our understanding of the equality and diversity issues within VAWG crimes and addressing any disproportionality

Our proposed actions to ensure greater proportionality were to identify issues faced by a range of communities; consult with support agencies working with victims of the VAWG and monitor VAWG strands by gender, ethnicity, disability, religion/belief, age and where possible sexuality.

Reporting on protected characteristics, i.e. ethnicity, gender, age did improve during the life of the strategy (see table below); we still have work to do on the recording of victim data. This work is being taken forward in 2012-13 by the CPS Equality and Diversity Unit, and the Diversity Champion, the Chief Executive.

Proportion of equality profiles of defendants and victims recorded by CPS:¹⁴

	2007/08	2008/09	2009/10	2010/11
Gender (def)	100%	100%	100%	100%
Ethnicity (def)	93%	93%	93%	94%
Age (def)	99%	99%	99%	99%
Gender (vic)	44%	64%	81%	87%
Ethnicity (vic)	27%	38%	47%	49%
Age (vic)	41%	62%	75%	76%

Following the initial VAWG Equality and Diversity Impact Assessment, work was undertaken to assess domestic violence (DV) prosecutions by ethnicity of the defendant. Differences in prosecution outcomes across Black, White and Asian ethnic groups were examined in a sample of DV cases. Possible reasons for these differences were explored indicating that multiple factors were at play and noting the importance of victim issues. There was no indication of any 'unjustified' disproportionality.

Following this work, in 2011, Areas were provided with guidance on engaging with DV and Black and Minority Ethnic (BME) agencies to improve DV awareness in BME communities and support for BME victims. This was undertaken through the work of VAWG Coordinators and Area Equality, Diversity and Community Engagement Managers (EDCEMs), via LSIPs, Witness Care Units and SDVCs. Working to improve the monitoring of ethnicity and local analysis of DV ethnicity data was included in the guidance.

¹⁴ Defendant profiles are recorded in the Case Management System (CMS) and victims in the Witness Management System (WMS).

The CPS work on violence against women and girls has been critical in raising issues concerning black and minority women experiencing gender based violence. In particular, its work on forced marriage and honour based violence has helped to highlight this much neglected area, and enables disadvantaged women from minority communities to gain access to justice and protection from violence and abuse.

Hannana Siddiqui, Southall Black Sisters

5 What were the benefits of this strategy?

More efficient service, through increased guilty pleas, fewer discontinued cases

Improving efficiency is a key objective of any government programme in the current fiscal environment. In domestic violence we historically had a high rate of discontinuances – where the case against a defendant is discontinued/withdrawn/offered no evidence by the CPS at post charge stage. Discontinuances incur a cost to the service, approximately 62% of the cost of a summary only trial. A snapshot in 2004/05 showed that 37% of all DV prosecutions were discontinued: by 2011-12 this rate had reduced to 21%.¹⁵

Another area for efficiency includes guilty pleas. During the life of the strategy the proportion of guilty pleas rose from 60% to 66%¹⁶ – constituting between 87% and 90% of all successful outcomes. What this means is that a greater proportion of victims are spared the, often distressing, experience of having to go to court and face their abuser. Guilty pleas are more cost effective to handle, we do not need the court time for the trial or the prosecutor's time in preparing or presenting the case at court. Each guilty plea achieved prior to the scheduled day of trial, when considered against comparable trial costs, can deliver between approximately £300 and £900 in notional efficiency gains depending on whether it is a prosecution within the magistrates' or Crown Court. Each guilty plea on the day of trial can deliver slightly less – approx £75 to £600.¹⁷ These increases in guilty pleas are notable when considering the nature of these offences and the increased likelihood of repeat victimisation and victim intimidation, resulting in a potential for retractions and non-attendance at court.

¹⁵ In this section figures for 2011-12 are provided, to include the year following the mainstreaming of the strategy, although we recognise that the majority of the year fell outside of the VAWG strategy.

¹⁶ Further data is available in the preceding VAWG Crime reports, an annual publication available on our website here <http://www.cps.gov.uk/publications/equality/vaw/index.html>

¹⁷ The costs these savings are based on are produced to inform the CPS annual resource distribution, and do not represent actual costs. Not all casework activities are included and therefore these costs will be somewhat understated.

Figure 1: VAWG discontinuance

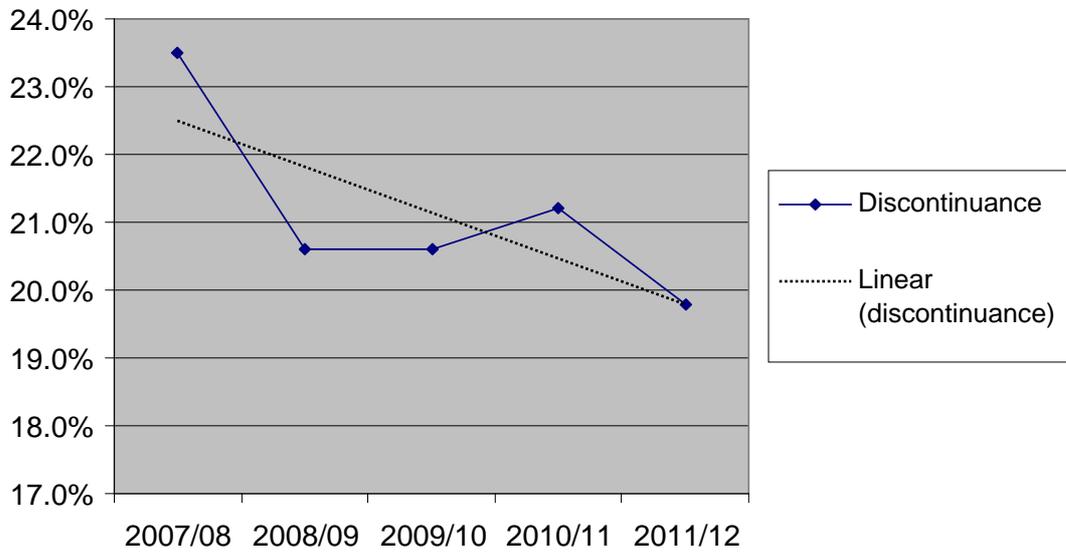
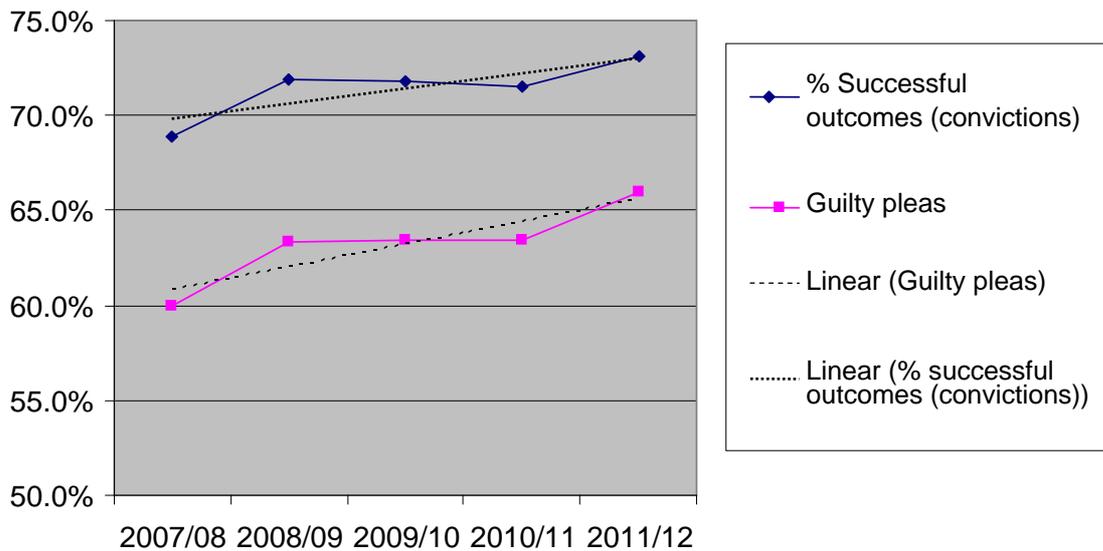


Figure 2: VAWG successful outcomes and guilty pleas

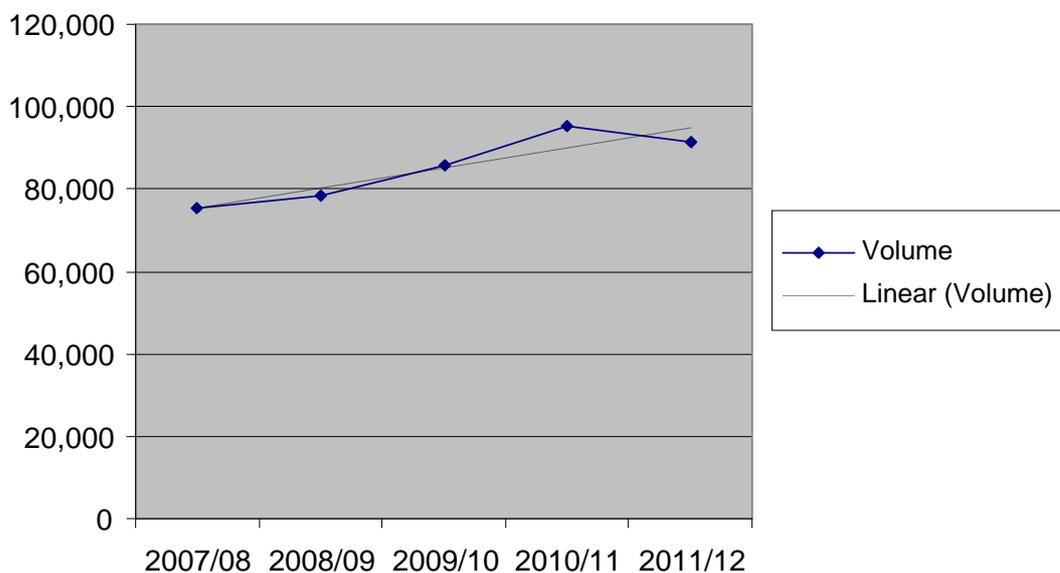


Specialist and/or dedicated prosecutors have played a significant role in improving the quality and efficiency of our prosecutions and the use of coordinators to share best practice between prosecutors has maximised the potential of these roles.

Integrated expertise on VAW and prosecutor awareness of the multi-faceted nature of these prosecutions and improved implementation of policy

The improved expertise of prosecutors and better implementation of policy has been shown through the improved attrition rate in these prosecutions and the improved quality of case handling, assessed through VAWG assurance.

Figure 3: VAWG volume



The above graphs show that since the introduction of the CPS VAWG strategy we have seen the volume of VAWG prosecutions rise year on year, from 75,452 in 2007-08 to 91,466 in 2011-12, a rise of 21%. Not only are we prosecuting more cases, but we are prosecuting those cases successfully – the volume of convictions rising by 29%, from 51,974 to 66,860.¹⁸ The proportion of charged defendants convicted has risen from 69% to 73% during that time.

In the year since the VAWG Assurance process was introduced April 2011, we have seen improvements in performance across England and Wales in all strands of VAWG. Figures have shown a 1.5% fall in attrition in DV and a 4% fall in attrition in rape; meaning that for the first time since reporting began the CPS has achieved 73% successful outcomes in DV and 62.5% in rape, this figure has been at 59% since 2009.¹⁹

¹⁸ In 2011-12 volume in VAWG prosecutions declined slightly, this reflects an overall reduction in the volume of CPS prosecutions. A snapshot of VAWG volumes in Q4 11-12 compared to Q4 10-11 show a 4% reduction in volume, this compares to an overall reduction in all CPS prosecutions in magistrates' courts of 6%.

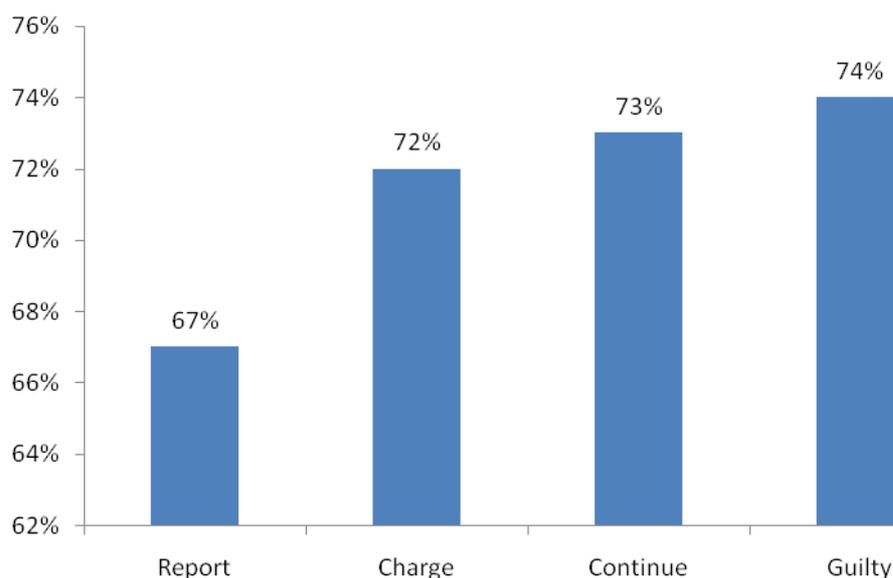
¹⁹ Full analysis of 2011-12 figures will be available in the VAWG crime report published later this year.

Whilst it is not possible to categorically say why Areas are performing better in VAWG, it is clear that the VAW performance systems and assurance reports are focussing attention on performance in the Areas.

Improved support for victims

Research undertaken by CAADA for the CPS In 2012, focussing on the reduction or cessation of abuse for those victims going through the criminal justice system, shows that the proportion of victims experiencing a cessation of abuse at the point of exit from the IDVA service increases at each stage of the criminal justice process. The most significant increase was for those victims where the CPS takes a decision to charge the defendant following a report to the Police (72% compared to 67%).

Figure 4: Cessation of abuse in victims supported through criminal justice system



[source: CAADA]

Whilst continuing to court did not have a further significant impact on cessation of abuse (73% compared to 72% for charge overall), larger proportions of victims perceived improvements in their safety, quality of life and confidence to access support following the continuation of a case to court. Larger proportions of IDVAs also perceived a reduction in risk to the victim once a guilty verdict has been passed. IDVA support is therefore crucial to victim safety. The CPS has recognised the value in this multi agency work and have been a driving force on Specialist Domestic Violence Courts, leading to tripartite overview and work across government to improve support for victims through IDVAs, ISVAs and SARCs. This is reflected in the decision in 2011 to make available £28m of stable Home Office funding for specialist services until 2015, including making available advice and funding to local areas to support independent domestic violence adviser (IDVA) posts, independent sexual violence adviser (ISVA) posts and the role of multi-agency risk assessment conference (MARAC) co-ordinators. There are currently over 250 MARACs in operation across England and Wales. In 2011/12, the Home Office contributed funding toward 87 ISVAs, 54 MARAC coordinator posts and 144 IDVA posts.

Women Specific Conditions (WSC) were introduced in 2009 to address the needs of offenders where there was a past history of abuse, or addictions closely interwoven, as well as the pressure of dependant children. These cautions require the women offender to attend a women's centre/project for a needs assessment exploring their personal circumstances, the factors that may have led them to offend and what support or training may help.

Women Specific Cautions (WSC)

In Merseyside, CPS has worked with Probation and the Primary Health Care Trust in two dedicated centres in Liverpool and Birkenhead that offer a wide range of services and support to women. During 2011/12, 81 women received a WSC with a success rate of over 80%.

As reported earlier in this report, the Home Office has recently included questions regarding satisfaction in the nature of domestic abuse module of the British Crime Survey, undertaken every other year.²⁰ Initial findings show that twenty-three per cent of partner abuse victims reported the abuse to the police. In those cases where the police had taken some action against the offender, the respondent reported that around a quarter (23%) of these cases made it to court. Victims who told the police about the partner abuse experienced were asked how satisfied they were with the outcome, whether they felt safer as a result of the outcome and how helpful they found the police and the CPS.

- Around three-quarters were either very satisfied (36%) or fairly satisfied (36%) with the outcome they got from going to the police.
- Around a half (55%) felt safer and 14 per cent felt less safe after the outcome.
- Around three-quarters found the police and CPS either very helpful (39%) or fairly helpful (37%). The other quarter said they were either not very helpful (16%) or not at all helpful (9%).

This data provides us with a good baseline to continue to monitor our performance in satisfaction with the outcome of prosecutions. It is however encouraging to note that over three-quarters reported feeling satisfied with the outcome.

More efficient and effective community engagement

By 2009-10 there were 26 (out of 42) Area panels scrutinising domestic violence cases, six covered all VAW strands and four covered rape. By 2010, 11 (out of 13) Areas developed Local Scrutiny Panels, by 2011 all Areas had Local Scrutiny Panels which include a remit to scrutinise VAWG cases.

²⁰ *Kevin Smith (Ed.), Sarah Osborne, Ivy Lau and Andrew Britton, (January 2012) Homicides, Firearm Offences and Intimate Violence 2010/11: Supplementary Volume 2 to Crime in England and Wales 2010/11 available at www.homeoffice.gov.uk/science-research/research-statistics/*

Some of the lessons learned from these panels include improvements in Direct Communication with Victim letters, consultation events with communities, addressing FM and HBV and a number of Areas have developed bulletins to share the casework handling lessons.

6 Looking ahead – how will the CPS continue to prioritise VAWG

Improving efficiency

Like all government departments the CPS has a role in improving efficiency and making significant savings in the handling of cases. In work to tackle VAWG we will contribute to this overall effort by:

- Continuing to reduce attrition rates and increase the rate of guilty pleas.
- Improve the electronic transfer of data from the police to the CPS, including evidence through the use of tools like the CPS ACPO DV charging checklist (to be published in the summer).
- Contribute to the CJS efficiency program, by encouraging early applications for special measures, bad character and hearsay where relevant and ensure prosecutors follow policy on applying for and issuing witness summons where relevant.
- Continue to apply for restraining orders in cases, including on acquittal to contribute to a reduction of repeat victimisation.

Improving quality

The cross government action plans for 2012-15 were published on 8 March 2012²¹ and provide strategic level actions for all departments. Through this plan we have committed to a number of actions to reduce the risk to women and girls who are victims of these crimes and ensure that perpetrators are brought to justice across all VAWG strands. We will be:

- Developing a better communications strategy.
- Continuing to train our prosecutors on VAWG strands, specifically emerging issues such as new legislation.
- Undertaking research and taking action to address findings, for example on the use of special measures, or improving quality of prosecutions involving victims of VAWG under the age of 18.
- Working with our partners to improve local responses to VAWG, for example with ACPO publish a charging checklist for use in DV, or revisiting the protocol on disclosure used by local authorities, and CJS to ensure appropriate sharing of information in child abuse, or working with the London Mayor's Office ahead of the Olympic games to reduce the incidence of prostitution.

²¹ These actions plans can be found here: www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/vawg-action-plan

- Considering new approaches to tackling violence, for example using SDVCs in youth courts or ways to improve the criminal justice response to the abuse of trust involved in cases of domestic violence.
- Developing local action plans building on the qualitative assessment of VAWG prosecutions.

Importantly, we will continue to be transparent on our progress against these actions through the annual publication of the VAWG Crime Report. The CPS will continue to prioritise tackling VAWG.

Glossary

Violence against Women and Girls

Domestic violence:	Any incident or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between those ²² who are or have been intimate partners or family members, regardless of gender or sexuality. Family members include mother, father, son, daughter, sister, and grandparents, whether directly related, in laws or step family.
Rape:	<p>Any defendant charged with one or more of the following offences:</p> <ul style="list-style-type: none">• S1 Sexual Offences Act 1956• S5 Sexual Offences Act 1956<ul style="list-style-type: none">○ An attempt to commit one of the above offences under the Criminal Attempts Act 1981• S1 Sexual Offences Act 2003• S5 Sexual Offences Act 2003• S30(3) Sexual Offences Act 2003<ul style="list-style-type: none">○ An attempt to commit one of the above offences under the Criminal Attempts Act 1981 <p>Incitement or conspiracy to commit any of the above offences.</p>
Sexual offences exc. rape:	Any defendant whose principal offence category, at finalisation, is a sexual offence excluding rapes.
Child abuse:	<p>Any criminal offence which falls within the criteria set out in Working Together to Safeguard Children and involves a victim under the age of 18.</p> <p>Child abuse includes physical, emotional and sexual criminal offences, as well as neglect, of a child. Such cases would normally include, for example:</p> <ul style="list-style-type: none">• parental assault where reasonable chastisement is not a defence;• sexual offences;• child homicides;• child cruelty, including neglect;• child prostitution;• harassment;• abandonment of a child;• forced marriage involving an under 18 year-old;• child pornography;

²² In CPS cases are monitored for both adults and Under 18s.

- trafficked children;
- familial abduction; and
- historical child abuse where victim is now an adult.

Cases that would not normally be expected to be flagged include:

- motoring offences where the child has been injured or killed;
- medical negligence; and
- property offences.

Human trafficking:

The flag for human trafficking is applied to:

- Offences flagged are Sexual Offences Act 2003 (Section 57, 58 and 59); and
- Asylum and Immigration [Treatment of Claimants] Act 2004 Section 4(1), (2) and (3).

The flag is applied from the onset of the case; this flag will remain in place even if those charges are subsequently amended or dropped. If a case commences under a different offence but is then changed to a trafficking charge, the case should be flagged at that stage.

Core Quality Standards:

The CQS cover every major aspect of our work in 12 key areas, from providing advice to police before a charge to sentencing and appeal processes. They ensure quality is at the heart of all we do as a service.

Equality and Diversity Unit:

The EDU is a strategic stand-alone Unit, reporting directly to the Chief Executive and the Director of Public Prosecutions (DPP), with responsibility for enabling and supporting the organisation to ensure that the CPS Equality Statement becomes a reality and that the CPS improves its performance on equality and diversity.

CPS Areas:

The CPS is divided into 13 geographical Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor (CCP) who is responsible for the provision of a high quality prosecution service in their Area. Each CCP is supported by an Area Business Manager (ABM), and their respective roles mirror, at a local level, the responsibilities of the DPP and Chief Executive. A 'virtual' 14th Area, CPS Direct, is also headed by a CCP and provides out-of-hours charging decisions to the police.

CSPD:

CPS Direct provides out-of-hours charging decisions to the police. CPS Direct is a telephone and IT-based service, police officers call a national number and receive charging decisions by phone

and email. CPSD operates from 5pm until 9am, Monday to Friday, and all day at weekends and public holidays. In a normal week it receives over 3000 calls from police officers across England and Wales.

LSIP: Areas engage through Local Scrutiny and Involvement Panels (LSIPs). These are made up of community representatives and staff. LSIPs scrutinise closed hate crime and Violence against Women cases in order to provide feedback to enable the CPS to improve prosecutions on these cases. They are also a forum for local consultation.

Monitoring flags: Sensitive case types are identified using a number of monitoring flags, applied to relevant cases at the pre-charge stage. The flags allow managers to monitor proceedings during the life of the prosecution, and enable reporting of outcomes following the conclusion of the case.

Case outcomes

Prosecutions: All defendants charged or summonsed whose case was completed in magistrates' or in the Crown Court during the period, including those proceeding to a trial or guilty plea, those discontinued and those which could not proceed.

Unsuccessful outcomes: All completed prosecutions where the defendant is not convicted, comprising the following:

Discontinued and withdrawn: Consideration of the evidence and of the public interest may lead the CPS to discontinue proceedings at any time before the start of the trial. Included here are cases formally discontinued in advance of the hearing, those in which no evidence was offered, and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.

Convictions: Cases where the defendant is convicted following a prosecution, comprising:

Guilty plea: Where the defendant pleads guilty.

Conviction after trial: Cases in which the defendant pleads not guilty, but is convicted after the evidence is heard.

Annex A: Key milestones in the life of the strategy

2007/08	2008/09	2009/10	2010/11
VAWG			
Develop and consult on VAWG strategy.	First government department to publish VAWG strategy.	Introduction of first cross government VAWG strategy.	Government's response to the Stern Review on rape published and VAWG strategic narrative.
External Consultation Group established.		Stakeholder satisfaction survey carried out.	
98 SDVCs accredited.	122 SDVCs accredited.	141 SDVCs accredited.	143 SDVCs accredited.
Newsletters on domestic violence and serious sexual offences.	Rationalisation of VAWG coordinators.	Seminar held for VAWG coordinators.	VAWG newsletter published quarterly
	VAWG indicator implemented.		Core Quality Standards (CQS) launched including a new VAWG validation measure and assessment of a sample of rape cases.
			VAWG assurance system introduced.
	HCSP scrutinise DV.		LSIPs cover VAWG.

2007/08	2008/09	2009/10	2010/11
Rape			
	Revised policy for prosecuting cases of rape.	<p>All CCPs attended a rape training programme.</p> <p>Joint ACPO/CPS guidance on investigating and prosecuting rape.</p>	<p>Published legal guidance on perverting the course of justice – charging in cases involving rape and/or domestic violence allegations.</p> <p>All rape specialists trained by March 2011.</p>
		<p>Joint visits by ACPO/CPS to 39 CPS Areas and police forces. Following the visits, CCPs and Chief Police Officers received written reports that identified and shared good practice and provided recommended actions for improvement.</p> <p>DPP wrote to all CCPs to address issues in rape prosecutions and launch specialist training for CCPs.</p> <p>CPS links to 29 SARCs.</p>	<p>An evaluation of three RASSO units, in West Yorkshire, Merseyside and Hampshire, was carried out with ACPO.</p> <p>The DPP announced a series of measures designed to strengthen rape prosecutions.</p>

2007/08	2008/09	2009/10	2010/11
DV			
	<p>3rd revision of DV policy and legal guidance.</p> <p>Breach of non-mol criminal offence.</p> <p>Completed training of 4500 staff in domestic violence DV.</p> <p>DV thematic review on victim and witness issues</p> <p>DV disability month of action.</p>	<p>DV e-learning launched for all new staff.</p> <p>Guidance on obtaining restraining orders for all offences.</p>	<p>Published legal guidance on stalking and harassment.</p>
		<p>VAWG guidance issued to all prosecutors.</p>	
Human Trafficking and Prostitution			
	<p>Legal guidance on human trafficking.</p> <p>Training to one experienced prosecutor per district and central casework units on</p>	<p>Published further guidance on the prosecution of suspects who might be trafficked victims themselves.</p>	<p>The CPS Public Policy Statement on human trafficking published.</p> <p>A stand-alone offence of holding another person in forced and compulsory labour or slavery and</p>

2007/08	2008/09	2009/10	2010/11
	trafficking.	<p>New provisions in the Policing and Crime Act 2009 came into force: brothel closure orders, changed licensing arrangements for lap dancing clubs.</p> <p>Revised policy and legal guidance on exploitation of prostitution was published</p> <p>A new criminal offence, to criminalise those who pay for the sexual services of a prostitute who has been subject to force or exploitative conduct was introduced.</p> <p>An Employee's Guide on Violence against Women published.</p>	<p>servitude came into force under section 4 Asylum and Immigration Act.</p> <p>New guidance on the exploitation of prostitution published.</p> <p>Involved in the development of a new ACPO Policing Prostitution and Sexual Exploitation Strategy to support the work of police forces in policing prostitution.</p>
HBV/FM/FGM			
Pilot of HBV and FM.	Report on HBV/FM pilot published.	HBV/FM Guidance and specialists selected.	Training for HBV/FM specialists.
			Legal guidance on Female Genital Mutilation published.

2007/08	2008/09	2009/10	2010/11
Child Abuse			
		<p>The CPS definition of “child abuse” agreed.</p> <p>Legal guidance on prosecuting child abuse published.</p>	<p>Domestic and international Child Rescue Alert protocol agreed with the National Policing Improvement Agency (NPIA).</p> <p>Revised guidance for prosecutors issued on the approach to be taken to ‘Non Accidental Head Injury Cases’ [NAHI] (formerly referred to as Shaken Baby Syndrome).</p>
Crimes against Older People			
	<p>Crimes against older people public policy statement and guidance launched.</p>		
Pornography			
	<p>Pornography and Obscenity seminar.</p>	<p>Pornography and Obscenity seminar.</p>	

Annex B: External Consultation Group organisations

Against Violence and Abuse (AVA)
Broken Rainbow
Coordinated Action Against Domestic Abuse (CAADA)
Cassandra Learning Centre
CIS'ters
Eaves Housing
Poppy Project
EMF Foundation
End Violence Against Women
Forward
HMCPSI
Imkaan
Internet Watch Foundation
Justice for Women
Nia
NPIA
NSPCC
Professor Alistair Gillespie
Professor Liz Kelly
Rape Crisis
Refuge
Respect
Rights of Women
Southall Black Sisters
Women's Aid
Welsh Women's Aid
Standing Together Against Domestic Violence
Survivors Trust
Suzy Lamplugh Trust
Victim Support
Voice UK

Equality and Diversity Unit

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July 2012