

## **RESPONSIVE SERVICES AND CUSTOMER CARE SCRUTINY PANEL**

**Notes of meeting held on:** 18 February 2013 5:30pm

**Present:** Cllrs Elizabeth Gibson, George Thompson, John Wiper, Barry Curran, David Tate,

Helen Lancaster (HL), Chris McCaul, Jeanette Smith (JS) (Senior Crown Prosecutor CPS), Michelle Meldrum (MM) (Gentoo) Steve Eagles (SE) (Impact Family Services) Fiona McHale (FM) and Laura Rutter (LR) (Victims Support) Kelly Henderson (KH) Principle Policy Officer for People & Neighbourhoods.

**Apologies:** Cllrs David Errington, Anne Lawson, Ian Kay, Robert Heron and John Scott

<b>1.</b>	<p><b>Welcome and Introductions</b></p> <p>In the absence of Cllr Errington Cllr Gibson took the Chair and welcomed every to the meeting and asked for introductions.</p>	
<b>2.</b>	<p><b>Declarations of interest</b></p> <p>Cllr Thompson declared he was in receipt of a police pension from the Police and Crime Commissioner and is a volunteer for Wearside Women in Need (WWIN)</p> <p>Cllr Wiper declared he was in receipt of a police pension from the Police and Crime Commissioner</p>	
<b>3.</b>	<p><b>Notes of the meeting held 14 January 2013</b></p> <p>Cllr Thompson noted a mistake in point 2. Declaration of interest, he is not a member of the management group of WWIN but a volunteer.</p>	
<b>4.</b>	<p><b>Policy Review 2012/13: Domestic Violence – Expert Witness Jeanette Smith – Crown Prosecution Service (CPS)</b></p> <p>JS introduced her presentation about Domestic Violence and the role of the CPS.</p> <p>The CPS is responsible for prosecuting perpetrators of domestic violence. It is their role to decide whether a suspect should be charged and if so what the charges should be.</p> <p>The CPS look at all the evidence and make a decision based on there being a realistic prospect of conviction beyond reasonable doubt.</p> <p>They consider all of the evidence available which can include:</p> <ul style="list-style-type: none"> <li>• The 999 call which is taped – this can have a major impact on magistrates when played in court</li> <li>• Any statements from neighbours and children involved</li> <li>• Any CCTV footage that might be available particularly if the incident happened in public</li> </ul>	

- Photographs taken at the scene which can include images of upturn furniture damage to doors etc
- Photographs of the injuries sustained by the victim
- Evidence from medical professionals who have treated the victim

Once all of the evidence has been gathered a decision is made as to whether or not it is the public interest to proceed to trial. If all the evidence supports the victims account then it is likely that the case will go to trial.

If the decision is made to charge the perpetrator then they will go before a Special Domestic Violence Court (SPDV). These are always held on Tuesday mornings and provide a specialised multi agency approach to domestic violence cases. All those involved from the police, prosecutor, magistrates, court staff, probation and witness support are specially trained to deal with domestic violence cases. An Independent Domestic Violence Advisor (IDVA) is appointed to support the victim.

Those cases deemed to be serious offences are dealt with by Crown Court.

Members of the SDVA hold bi-monthly multi-agency meetings which identify, track and risk assess domestic violence cases. JS noted that the DV Coordinator for the Council no longer attends these meetings, which in her view was a loss to the group.

These meetings are also a way of working with the IDVA to support the victim. The aim is to ensure that the victim remains engaged with the criminal justice system throughout the process. Any decision to prosecute has to be in the best interest of the victim.

This way of working also increases the likelihood of a conviction which will lead to the perpetrator receiving a sentence which will protect the victim and any children and reduce the likelihood of re-offending

JS noted the process when a case does go to court.

The victim has to attend court. This can be very intimidating so everything is done to help reduce the victim's ordeal. The IDVA will support the victim and can arrange a pre visit to the court. They can also arrange a meeting with the prosecutor for the case. The specifics of the case, such as the evidence cannot be discussed, but the process and what the victim can expect to happen is explained.

On the day of the trial the victim is given the option to use a separate entrance to the court and will be taken straight to the witness support room where they stay until they are called to give evidence. This reduces the likelihood of witness intimidation by the perpetrator or their friends and family.

It is also possible for the witness to give evidence behind a screen or via video link, creating an environment that makes the victim confident enough to give

	<p>evidence.</p> <p>In conclusion JS summed up the advantages of the Specialist Domestic Violence Courts:</p> <ul style="list-style-type: none"> <li>• Multi agency approach ensures the correct decisions are made at every stage.</li> <li>• Enhanced support services are offered to victims and witnesses through the IDVA service</li> <li>• It results in informed and consistent judicial decision making</li> <li>• It offers an improved service with better protection for victims and their children</li> <li>• It results in increased confidence in the criminal justice system</li> </ul> <p>Cllr Gibson thanked JS for a very informative presentation and asked for questions from Panel members.</p> <p>Cllr Curran asked whether there was any statistical evidence on how successful the SDVC model had been. JS replied that there had been an increase in community sentences but didn't have exact data to hand. She added that it is extremely difficult to keep victims engaged, even with the level of support given. The reasons for this have been looked at, as has the possibility of anything else that can be improved upon but quite often the victims are too frightened to proceed or will forgive the perpetrator and return to the abusive relationship.</p> <p>Cllr Wiper asked what the drop out rate was. JS replied that at present it is around 25-30%</p> <p>KH offered to provide the panel with data as well as regional comparisons.</p> <p>Cllr Tate asked about the protection offered to victims and detailed the case of one of the women they had met earlier in the day at the Refuge who had all the details of her case printed in the Echo, as well as querying who protects the victim when the perpetrator is given bail?</p> <p>JS answered that unfortunately only youth courts are held in private and there would need to be a change in legislation whereby the CPS could keep adult names confidential.</p> <p>In terms of remand, if there is deemed to be a substantial risk the perpetrator can be remanded in custody but this does not happen very often. The most usual outcome is a restraining order, if the perpetrator then attempts to contact the victim this can be seen as a breach of bail conditions and they can then be remanded in custody.</p> <p>Cllr Thompson asked whether the change in definitions will have any implications for the work of the CPS. JS replied that the reduction in the age to include teenagers means that young people under 17 can now come within the DV remit. She did not expect that they would set up a youth SDVC and that</p>	<p><b>KH</b></p>
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	<p>these cases would still be dealt with by the youth courts.</p> <p>Cllr Thompson asked whether there are any specialist domestic violence barristers employed by the CPS at Crown Court. JS stated that all barristers working on domestic violence cases would have had some training but Crown couldn't provide the same level of specialism as the SDVC. In response to a further query from Cllr Thompson, JS replied that the CPS has a grading system for barristers and rely on the clerk of courts feedback. If it was felt that a particular barrister did not display the right levels of empathy with the victim they would not be used again.</p> <p>Cllr Thompson asked what sort of sentences are given. JS replied that if the perpetrator is given a custodial sentence it can mean that they spend as little as three months in custody. As they are also not eligible for domestic violence accredited training a non custodial sentence is often a much better option. In this instance, if a perpetrator is given a two year suspended sentence it means they are obliged to undertake the training which is a big commitment as it can mean 18 months of intensive group work on a weekly basis.</p> <p>Cllr Thompson then suggested the Panel discuss further, the Council's approach to DV and the resource this is afforded.</p> <p>Cllr Wiper asked about the number of cases that go before the SDVA on a weekly basis. JS answered that on average they have six new cases before them and approximately four for pre sentence reporting.</p> <p>Cllr Gibson once again thanked JS for her attendance at the meeting.</p>	
5.	<p><b>Policy Review 2012/13: Domestic Violence – Roundtable Discussion with Service Providers</b></p> <p>HL introduced this item explaining that there were representatives from three service providers in attendance to give evidence on the work they did.</p> <p>Earlier in the day some members of the Panel had visited a refuge where they had been given the opportunity to meet and question victims of domestic abuse and talk to the main domestic violence service provider, Wearside Women in Need.</p> <p>Cllr Tate and Cllr Gibson left the meeting at this point and the Chair was taken by Cllr Thompson</p> <p>MM from Gentoo, SE from Impact Family Services and FH and LR from Victim Support gave overviews of their services as detailed in the background reports submitted to Panel.</p> <p><b>Questions</b></p> <p>Cllr Wiper asked MM if Gentoo only worked with Gentoo tenants and what happens if police ask for Gentoo to provide accommodation to victims it has identified. MM replied that yes they only work with Gentoo customers and that they don't provide safe houses as such but would do all they could to ensure a</p>	

	<p>suitable property was found if specially requested.</p> <p>Cllr Curran asked about the number of cases they work with each year. MM Replied they get an average of 100 new cases each year and hope to close 100. Cllr Curran felt this was a lot for three workers to deal with and that capacity to deal with such volumes must be an issue.</p> <p>Cllr Thompson asked a general question to all service providers about their views on information sharing.</p> <p>LR from Victim Support stated that their service is a confidential service and meaning they do not share information about specific clients unless they judge there is a threat of immediate danger.</p> <p>Gentoo felt that on the whole there was good partnership working and sharing of information but did feel that health services were the exception and could cause barriers.</p> <p>KH informed the Panel that she would meeting with staff from City Hospitals on 21 March to discuss the need for better information sharing for domestic violence cases. Cllr Thompson commented on a programme he had seen recently which looked at this very subject. It revealed that guidance had been issued to health authorities about two years ago on their duty to share information in such cases but it seems some are not following this. KH to report back to the Panel on the outcomes of the meeting</p> <p>MM commented that a universal IT system that recorded details on cases would help the information sharing process. Contact Point had promised this but was scrapped by the new government back in 2010 just before it was due to go live.</p> <p>Councillor Thompson thanked everyone for their contribution and felt it had been a very enlightening discussion.</p> <p>HL then went through the next steps for the Policy Review. Final report would be completed by the end of March ready for the June Cabinet where the recommendations would be tabled. It would be presented to the SSP and all those who had contributed would get a copy.</p>	KH
6.	<p><b>New Issues from the Scrutiny Committee</b></p> <p>HL informed the Panel that there were two places available to Panel members on the Parliamentary Seminar that will be taking place in the Council Chambers on 1 March. HL to liaise with Cllr Errington.</p>	
7.	<p><b>Issues to feedback to next Scrutiny Committee</b></p> <p>Cllr Thompson felt that considering 1-4 women and 1-6 men in Sunderland suffer some form of domestic violence it was important to look further at the resource given by the Council to domestic violence.</p>	
8.	<p><b>AOB/Member items</b></p>	

9.	<p><b>Date of future meetings</b></p> <p>HL asked if the Panel wanted another meeting arranged so that they could invite a representative from Health along.</p> <p>Consensus was that the report from the meeting that KH was having in March would be sufficient.</p> <p>Next meeting 19 March 5:30 CR1 – meeting with Vera Baird. The Scrutiny is to be Committee to be invited to attend given the high profile of the speaker.</p>	
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