



Mapping and Scoping Domestic Abuse Court Advocacy in Scotland – Definitions and Evidence Report

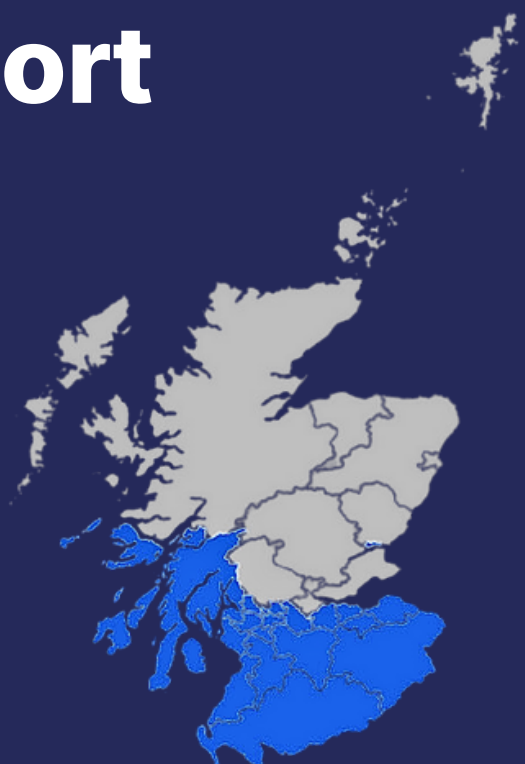


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SafeLives

SafeLives is the UK-wide charity dedicated to ending domestic abuse, for everyone, for good. SafeLives works with organisations across the UK to transform the response to domestic abuse. SafeLives adopts an approach that listens to survivors, putting their perspective at the centre of all work; uses robust evidence to make decisions; and learns from the expertise of people working frontline.

ASSIST: Advocacy Support Safety Information Services Together

ASSIST is a specialist independent domestic abuse court advocacy and support service, focussed on reducing risk and improving safety for those who experience domestic abuse. With services for adults, children and young people, ASSIST was set up as part of Glasgow's Domestic Abuse Court in 2004. Since then, ASSIST has continued to expand and now provides a service in 13 local authorities across the west of Scotland. ASSIST support people of all genders whose partner, or ex-partner, has a domestic abuse case going through the criminal court. It is a free, telephone based, independent service.

Domestic Abuse Court Advocacy Accreditation Project

The team comprised of:

- Kirsty Campbell and Gemma Gall, Programme Leads (SafeLives)
- Louise Docherty, Subject Matter Expert (ASSIST)
- Lan Pham, Research Analyst (SafeLives)
- Stephanie Lammers-Rice, Project Administrator (SafeLives)

We would like to thank the survivors who have shared with us their expertise and experiences, the practitioners, professionals and academics who have participated in the research. Without your insight, this report would not be possible.

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03.

1. About this report

Terminology

How people with lived experience refer to themselves is deeply personal. People with lived experience of domestic abuse and the criminal justice process have identified legal terminology and acronyms as a barrier to engagement. In the Scottish legal system the term 'complainer' is used to refer to "the alleged victim in the charge" (Scottish Sentencing Council, n.d). The use of the word 'alleged' signifies that the case has not at that stage been proven, yet many worry that it signifies that they are not believed. Within this report, we have used 'victims and survivors' or 'victim/survivors', but we acknowledge that individuals may not use either term to refer to themselves. We have attempted to avoid jargon and acronyms wherever possible.

1.1 The Domestic Abuse Court Advocacy (DACA) Accreditation project

Since 2022, **SafeLives** and **ASSIST** have been funded by the **Scottish Government's Victim-Centred Approach Fund** ⁽¹⁾ to undertake the DACA Accreditation Project.

The strategic aims of the DACA Accreditation Project are that:

- ➔ All individuals throughout Scotland have the opportunity to access accredited domestic abuse criminal court advocacy services when required;
- ➔ Clients feel safer, heard and more empowered in the criminal court process in Scotland;
- ➔ Professionals feel more confident in how to best support victims of domestic abuse to navigate a complex justice system;
- ➔ There is an increase in effectiveness, validity, visibility and consistency of the domestic abuse court advocacy role across Scotland.

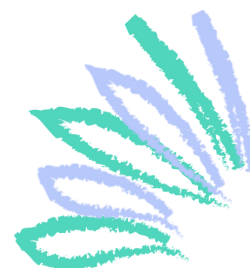
We are achieving these aims by:

- ➔ Creating a 'map' of current domestic abuse court advocacy provision in Scotland;
- ➔ Creating national standards for domestic abuse court advocacy in Scotland;⁽²⁾
- ➔ Creating an accreditation framework for domestic abuse court advocacy services;
- ➔ Creating and delivering an SQA-accredited training unit on specialist domestic abuse court advocacy;⁽³⁾
- ➔ Supporting new and emerging domestic abuse court advocacy services.

⁽¹⁾ More information on the Scottish Government's Victim Centred Approach fund is available at: www.gov.scot/news/victims-will-benefit-from-key-support/

⁽²⁾ The Domestic Abuse Court Advocacy Standards can be accessed from the DACA Accreditation website: www.dacascotland.org.uk

⁽³⁾ More information on the specialist domestic abuse court advocacy training is available from: www.dacascotland.org.uk



1.2 The mapping and scoping exercise

The mapping and scoping exercise is the culmination of the first stage of the DACA Accreditation Project.

The findings are presented in two reports. This report defines the domestic abuse court advocacy service and role, maps domestic abuse court advocacy provision in Scotland and presents the evidence that informs the project's outcomes to date.

The partner report, ***"It's like walking blindfolded through a minefield" – domestic abuse court advocacy provision in Scotland*** highlights opportunities for commissioners, funders and decision-makers to better meet the needs of victims and survivors of domestic abuse.⁽⁴⁾



1.3 Mapping and scoping – definitions and evidence report

This report:

- Presents the current provision of any form of court advocacy for victims and survivors of domestic abuse in Scotland by role, agency, tasks, and geography;
- Clarifies the definition of domestic abuse court advocacy;
- Identifies the core tasks of a domestic abuse court advocacy worker;
- Scopes the provision of domestic abuse court advocacy;
- Maps the provision of domestic abuse court advocacy in Scotland.

The report finds that:

- There is significant variance in the current provision of court advocacy to victims and survivors;
- Services are trying to fill gaps in formal provision, with professionals often working out with their role and without resource, leading to patchwork advocacy at different stages of the justice journey;
- Domestic abuse court advocacy services need to be available to victims and survivors throughout their justice journey;
- An agreed definition and shared understanding of domestic abuse court advocacy is key to consistency in service provision;
- Only specialist domestic abuse services and violence against women services are currently providing or capable of providing domestic abuse court advocacy throughout the criminal justice process;
- Mapping service provision finds geographical gaps. Domestic abuse court advocacy services operate in 19 out of 32 local authority areas, largely concentrated in the central belt and south of Scotland.

⁽⁴⁾ *"It's like walking blindfolded through a minefield" – domestic abuse court advocacy provision in Scotland* can be accessed from the DACA Accreditation website: www.dacascotland.org.uk

2. Report approach

This report draws on a range of knowledge sources in relation to both domestic abuse and criminal court advocacy including; academic literature, Authentic Voice⁽⁵⁾, reports and statistics from key stakeholders, conversations with professionals and organisations, and project team expertise.



2.1 Data collection tasks

The main data collection tasks used to inform this report were:

Lived Experience engagement

(October 2022 – June 2023)

Throughout the project, the team have been guided and informed by engagement with people with lived experience of domestic abuse. Engagements included individual interviews with victims and survivors and discussion sessions with lived experience groups.

Desk-based review

(January 2023)

Key statistics and literature were reviewed to identify what is currently known about domestic abuse court advocacy in Scotland.

Stakeholder interviews

(October 2022 – January 2023)

Semi-structured interviews were held with members of the DACA Accreditation Project Steering Group. The steering group includes representatives from criminal justice agencies, specialist domestic abuse agencies, and academia.

Professional workshops

(January 2023 – June 2023)

The project engaged with professionals across Scotland who were supporting individuals or families experiencing domestic abuse, criminal justice professionals, or professionals who have other relevant interests in this area. 650 professionals were invited to attend the workshops.

In total, around 245 professionals attended 20 workshops (**Figure 1**). Members of the SafeLives Authentic Voice Panel⁽⁶⁾ participated in 2 of the workshops.

Professionals' surveys

(January 2023 – June 2023)

At the end of each Professional Workshop, participants were asked to fill in a survey (**Appendix 1**). The survey asked respondents to self-identify if they were providing court advocacy to victims and survivors in terms of role, location and agency, and the court advocacy tasks undertaken. The survey was completed by 242 participants. The survey responses inform the main findings within the report.

⁽⁵⁾ Authentic Voice is the voice of a survivor of domestic abuse who has chosen to share what they have learned from their experience

⁽⁶⁾ The SafeLives Authentic Voice Panel, is a group of women with lived experience of domestic abuse, dedicated to ensuring that survivor voice is at the heart and start of services, policy, and strategy. More information is available from: www.authenticvoice.scot

Figure 1: Location and local authority area covered by professional workshops

Created using: Flourish using Office for National Statistics (Boundaries), Simple maps (Points)

Local authorities represented at face-to-face workshops

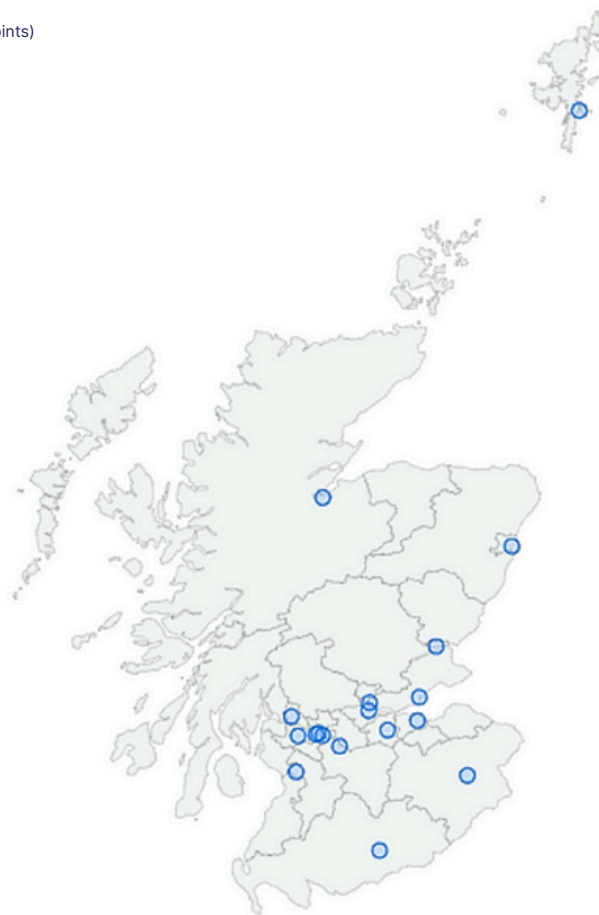
Shetland
Highland
Aberdeen City / Aberdeenshire / Moray
Angus / Dundee City
Fife
Clackmannanshire / Falkirk / Stirling
Argyll and Bute / West Dunbartonshire
East Lothian / Midlothian / Edinburgh City
West Lothian
Glasgow City / East Dunbartonshire / East Renfrewshire (two workshops)
Inverclyde / Renfrewshire
North Lanarkshire / South Lanarkshire
East Ayrshire / North Ayrshire / South Ayrshire
Scottish Borders

In person workshops – agency specific

Aditi at Sacro & Fearfree at Sacro
ASSIST

Local authority areas covered by online events

Online for Scottish Islands (Orkney and Na h-Eileanan Siar)
Online 'mop up' event – all local authority areas



2.2 Professional workshop reach & limitations

We took a collaborative approach in the workshops to explore the local understanding and provision of domestic abuse court advocacy. We sought to reflect in each workshop the local criminal justice process and the range of localised agencies that a victim or survivor of domestic abuse may engage with.

Representatives from the criminal justice agencies⁽⁷⁾ likely to engage with victims and survivors were invited to each workshop. Limited agency resourcing prevented representation from the full complement of criminal justice agencies at any single workshop. Each workshop tended to have either Procurator Fiscal representation or Victim Information and Advice (VIA) representation. Representatives from Justice Social Work attended every workshop and Police Scotland attended almost all workshops.

Support service representation fluctuated area to area. Domestic abuse court advocacy and/or court support services sent at least two workers each to a workshop. Rape Crisis Scotland were represented at every workshop.

⁽⁷⁾ We use the term criminal justice agency to refer to the agencies involved in the criminal justice process: Police Scotland, Crown Office and Procurator Fiscal Service (COPFS), Scottish Courts and Tribunal Service (SCTS), Justice Social Work and Scottish Prison Service (SPS)

3. Initial findings: scoping current provision of court advocacy for victims and survivors of domestic abuse

Key findings

- ➔ The provision of court advocacy to victims and survivors of domestic abuse lacks consistency;
- ➔ There are gaps in current service provision filled by professionals working outside of their defined roles;
- ➔ It is unclear what support is available, when it is available, or provided by whom;
- ➔ Domestic abuse court advocacy services need to be available to victims and survivors throughout their justice journey.

This chapter provides an overview of the current provision of court advocacy for victims and survivors of domestic abuse.

3.1 Court advocacy: a formal and informal role

The professionals' survey asked all participants, regardless of profession, if they provided any court advocacy to victims and survivors of domestic abuse. A definition of court advocacy was not provided in the survey as we were interested in professionals' own perception of their role and local variations.

We categorised survey responses into two types of court advocacy provision (**Table 1**):

- ➔ Formal court advocacy refers to any role in which court advocacy is a defined task: whether it is the main role, significant part of a role, or a defined remit of their role;
- ➔ Informal court advocacy refers to those undertaking court advocacy related tasks if needed, but not as a defined part of their role.

Table 1: Categories of court advocacy related roles (% of survey respondents)

Source: DACA professional workshop survey

Formal court advocacy	33.5%
Main role	13.5%
Significant defined part of role	9.5%
One of the defined tasks of my role	10.5%
Informal court advocacy	23.0%
Task done if needed but not specifically defined as part of role	23.0%
Involvement with court advocacy	33.5%
Court advocacy is a service engaged within role	13.5%
Court advocacy is a service referred onto	20.0%
Not answered	10.0%

08.

Almost a quarter (23.0%) of participants identified themselves as completing court advocacy tasks informally. During discussion in the workshops, we heard professionals describe informal court advocacy as 'scrambling around' on behalf of victims and survivors, trying to obtain court outcomes. For a victim and survivor of domestic abuse, any delay to obtaining and understanding court decisions can increase the risk of experiencing further abuse and reduce the effectiveness of their safety plan.

3.2 Court advocacy: a service provided by many agencies

Survey respondents were asked to identify which phrase best described the type of agency they worked for. The key agencies delivering formal and informal court advocacy are highlighted in **Table 2**.

Table 2: Type of agency most likely to provide court advocacy (% of all survey respondents)

Source: DACA Professional Workshop Survey

Formal Court Advocacy	Informal Court Advocacy
Frontline specialist domestic abuse services (51%)	Frontline specialist domestic abuse services (45%)
Frontline specialist sexual abuse services ⁽⁸⁾ (19%)	Justice social work and Caledonian programme workers ⁽⁹⁾ (21%)
Support and information for those affected by crime (11%)	Police Scotland (15%)

The findings suggest there are a broad range of agencies providing some degree of court advocacy. We know there are a range of specialist domestic abuse services across Scotland, some of which include court advocacy as a formal activity within their remit and others that do not. Significant levels of advocacy support appear to be provided informally by criminal justice agencies. Non-standardised provision may leave victims and survivors unaware that support is available or from whom.



⁽⁸⁾ Since 2016, Rape Crisis have provided a national advocacy service to support survivors of sexual abuse navigating the criminal justice system in Scotland. Local Rape Crisis advocacy workers can provide formal court advocacy support to victim/survivors of domestic abuse when the case progressing through criminal court involves sexual abuse charges

⁽⁹⁾ The Caledonian System is an integrated approach to address domestic abuse perpetrated by men towards a female partner or ex-partner. It works with men convicted of domestic abuse related offences to reduce their reoffending and improve the lives of women, children and the men through the provision of integrated service. More information can be accessed from: www.falkirk.gov.uk/services/crime-antisocial/criminal-justice/caledonian-system.aspx

"Communication is key"

Professional Workshop Participant, Survivor Voice

We concluded the main reason respondents were completing court advocacy tasks informally was in response to the unmet needs of victims and survivors within the criminal justice process. Professionals working outside their role, to meet unmet needs, may demonstrate strong relationships with clients, and a willingness to holistically respond to need. However, it can be problematic as informal practice can be hidden, inconsistent or unavailable to all that require the support. Work that is outside a professional's formal role is not well resourced, is built on the goodwill of the individual, and is potentially unsustainable and time consuming. It is unlikely that the professional can provide this additional support to all their clients. Survey respondents strongly emphasised that effective domestic abuse court advocacy is delivered through consistent support to victims and survivors of domestic abuse.

"Consistency is key. Providing a key worker to support an individual through what can be a lengthy and isolating process"

Survey Respondent, Frontline Specialist Sexual Abuse Service

Professionals and individuals with lived experience told us this involves the provision of a single point of contact. One worker, regularly in contact, throughout the criminal justice process.

"Sharing of information is key to the safety of women and children, and there needs to be formal processes established to ensure this happens"

Survey Respondent, Justice Social Work & Caledonian Programme

The Home Office (2023) review of domestic homicides outlined that safe practice is reliant on consistent communication between agencies. Informal court advocacy lacks formal processes to allow for the routine, timely, and safe sharing of information. Procedures for safely sharing information includes careful consideration of ways to avoid service generated risk. Informal practice is likely to omit this consideration.

"As we are a national service, the varying court advocacy processes make things complex"

Survey Respondent, Frontline Specialist Domestic Abuse Service

Local variations in processes impact on consistency of provision and create additional complications and uncertainties for both professionals and victims and survivors navigating the criminal justice process.

4. Desk-based review

Key findings

- Existing definitions of domestic abuse court advocacy lacked clarity;
- The lack of a shared national definition presents challenges to achieving consistency in service provision;
- Domestic abuse court advocacy services will, throughout the duration of the court process:
 - Provide specialist domestic abuse support;
 - Offer information about the criminal justice process;
 - Act as a conduit for victims' voices to be heard in the criminal justice process.

This chapter provides an overview of the main academic literature to outline what is currently known about domestic abuse court advocacy in Scotland.

4.1. The need for domestic abuse court advocacy

In Scotland, 30,139 charges⁽¹⁰⁾ were reported to COPFS with a domestic abuse identifier between 2022 and 2023 (COPFS, 2023). Involvement in the criminal justice process for victims and survivors of domestic abuse can be a disempowering experience which can hinder recovery (Forbes, 2022; Houghton et al., 2022; Lombard & Proctor, 2023). At points in the process, victims and survivors of domestic abuse may feel isolated, frightened or re-traumatised (Lombard & Proctor, 2023). They may feel left without support or information (Houghton et al., 2022).

Domestic abuse court advocacy
“was introduced to translate the opaque language of criminal justice organisations, explain the process, safely provide courts with the victim’s views, support court attendance, and minimise the impact of secondary victimisation”

(Forbes, 2022, pg. 81)

Where domestic abuse court advocacy is available, it has been found to be a valuable resource to victims and survivors; being *“the value of practical and informational support, and of these workers providing a conduit between the courts, COPFS and victims and witnesses”* (Houghton et al., 2022, pg.47).

⁽¹⁰⁾ Data from 2022-2023 is used throughout this report to correlate with the timings of the workshops, surveys and desk based research. COPFS figures for 2023-2024 can be accessed from: www.copfs.gov.uk/publications/domestic-abuse-and-stalking-charges-in-scotland-2023-2024/

4.2 The development of domestic abuse court advocacy in Scotland

The first domestic abuse court advocacy service in Scotland was created in Glasgow in 2004 to work alongside the country's first Domestic Abuse Court. The service was designed to provide advice, support, safety and information to victims and their children whilst there was an ongoing criminal court case proceeding through the Domestic Abuse Court (Robinson, 2006). It was created in recognition that best practice in responding to domestic abuse within the criminal justice context required a multi-agency response, which centred the safety and support needs of victims and children (Robinson, 2006).

Since 2004, domestic abuse court advocacy services have established across other parts of Scotland. The objective of each service remains to improve victims and survivors' experience of criminal justice proceedings, focussing on reducing risk and improving safety (Robinson, 2006, Dundee ASSIST 2022). Services have continued to do so by working alongside criminal justice agencies in a multi-agency context (Scottish Government, 2017).

4.3 Existing definitions of domestic abuse court advocacy

The term 'advocacy' has been used within the violence against women and girls' sector for the last 30 years to describe a range of different interventions (Scottish Government, 2017). There is no agreed singular definition of what 'advocacy' entails (Scottish Government, 2017; Forbes, 2022).

In 2017, **The National Scoping Exercise of Advocacy Services for Victims of Violence Against Women and Girls** created a definition for use within their research. They determined that there were two components to advocacy. The first component being intervention to increase safety through risk assessment and safety planning. The second component being support of a victim's journey through the criminal justice process, including elevating victim voice within the process (Scottish Government, 2017).

The 2017 scoping exercise found that services interpreted their project's definition differently, with some services completing one or other component, not always both. The report concluded that a lack of a shared national definition would '*present some challenge for setting standards for advocacy and achieving consistency of service across Scotland*' (Scottish Government, 2017, pg7).

Dr Emma Forbes (2022) identified the same main components to the role of 'victim advocate' in domestic abuse cases in criminal court. Dr Forbes added institutional advocacy^(//) to the list of key components and emphasised the need for domestic abuse advocacy services to be independent from the criminal justice agencies (Forbes, 2022).

The existing definitions and descriptions are similar yet lack specificity. Neither the National Scoping Exercise (2017) nor Dr Forbes (2022) use the term domestic abuse court advocacy. Both make reference to, but do not necessitate that; advocacy support should be available throughout a victim or survivor's criminal justice journey, and delivered by the same worker throughout.

Based upon the existing definitions, and our engagement with professionals and survivor voice, we can create a clearer, more specific definition:

Domestic abuse court advocacy services will, throughout the duration of the court process:

- ➔ **Provide specialist domestic abuse support**
- ➔ **Offer information about the criminal justice process**
- ➔ **Act as a conduit for victims' voices to be heard in the criminal justice process**

(//) Institutional advocacy is rooted in the Duluth Model of a coordinated community response. The model outlines that an effective multi-agency response to domestic abuse within the criminal justice system requires a culture in which agencies can pro-socially challenge one another and proactively look for solutions and systems change (Duluth, 2017). Institutional advocacy is the term used to described pro-social challenge between agencies. It is taught on the Idaa training course and a core concept in the Domestic Abuse Court Advocacy Standards

5. Core tasks

Key findings

- The core tasks provide clarity of the domestic abuse court advocacy role;
- To ensure consistency in service provision, a domestic abuse court advocacy service must be able to provide all the core tasks throughout the criminal justice process.

This chapter presents the core tasks specific to the domestic abuse court advocacy role.

5.1. Core tasks of domestic abuse court advocacy

To ensure that the definition of domestic abuse court advocacy was consistently interpreted, we created a list of core tasks. The **core tasks** were identified through a multi-stage process. We reviewed information from the stakeholder interviews, professional workshops and surveys, engagement with lived experience, and academic literature, to identify the critical components of domestic abuse court advocacy. Once an initial list of critical components had been created, it was further reviewed for inclusion in the SQA-accredited training.

The core tasks are regarded by the DACA Accreditation Project as essential elements to domestic abuse court advocacy. Each service must be able to offer all core tasks to all victims and survivors throughout the criminal justice process. This is to ensure consistency in service provision to victims and survivors, and to create a shared understanding of what domestic abuse court advocacy is. The finalised list of core tasks are as follows:

Providing information to the client should always include:

- Explaining the overall criminal justice system;
- Explaining the overall court process;
- Contacting clients before and after every court hearing, including providing court dates and outcome information.

Creating space for the client's voice to be heard in the criminal justice process by:

- Providing court reports to the procurator fiscal (PF);
- Liaising between the client and court regarding conditions of bail;
- Providing information regarding the client's views on non-harassment orders to the court.

Increasing the client's safety throughout the court process and beyond is achieved by:

- Dynamic risk assessment with the client;
- Safety planning, including regular reviews with the client;
- Contacting Victim Information and Advice (VIA) regarding arrangements/support for clients to attend court as witnesses;
- Undertaking an 'end of support' conversation.

DACA workers will offer a level of emotional support by:

- Being domestic abuse competent and trauma responsive throughout court proceedings.

The core tasks are considered as the minimum components to domestic abuse court advocacy. Workers and services will regularly deliver more. To further assist in the development of a shared understanding, a description of the role has been created to convey the main components of the domestic abuse court advocacy in a manner that can be readily understood whilst also providing enough information to support engagement (**Appendix 2**).

6. Scoping domestic abuse court advocacy provision



Key findings

- Domestic abuse court advocacy is not available to all victims and survivors throughout their criminal justice journey. Dependent on area, some may receive domestic abuse court advocacy at a specific point, others cannot access the support at all;
- Only specialist domestic abuse services and violence against women services are currently providing or capable of providing domestic abuse court advocacy throughout the criminal justice process.

This chapter presents the findings when we consider the core tasks and our definition of a domestic abuse court advocacy service alongside the survey responses.

6.1. Agencies undertaking the core tasks

We identified that one in six (16 %) survey respondents were undertaking all core tasks. These respondents come from 5 agencies (Table 3).

Table 3: Survey respondents undertaking domestic abuse court advocacy by agency (% of all survey respondents undertaking domestic abuse court advocacy core tasks)

Source: DACA professional workshop survey

Agency	Percentage
Frontline specialist domestic abuse service	71%
Justice Social Work & Caledonian*	18%
Police	5%
COPFS/VIA*	3%
Other specialist VAWG service	3%

Three of the agencies identified to be undertaking all the core tasks are statutory criminal justice agencies (denoted with* in Table 3).

6.2 Agencies available at specific points of the criminal justice process

As criminal justice agencies are part of the criminal justice process and have a specific remit within the process, they were found to be only available to support at specific points of a victim/survivor's justice journey.

"Often women whose partners are being assessed for the Caledonian have never been given any information from (Court or advocacy service) so we are starting from the beginning with them"

Survey Respondent, Justice Social Work and Caledonian Project

Police Scotland are more likely to be available to victims and survivors at the initial stages of a victim or survivor's criminal justice journey (COPFS, et al. 2019). Justice Social Work's role can begin at the point of conviction,⁽¹²⁾ which is often at the end of the victim or survivor's justice journey.

"Locally we try to engage with complainers ahead of court, but this is not always possible because of capacity and practical reasons"

Survey Respondent, Procurator Fiscal Office

COPFS and its Victim information and Advice service (VIA), while available throughout the justice journey, does not have a remit to provide specialist domestic abuse support. Nor is it sufficiently independent from the criminal justice process.



⁽¹²⁾ "CJSWS acts on behalf of the Scottish courts to: supervise offenders aged 16 and over who have been given a community based sentence; to provide background reports to the courts about offenders to assist the judge with deciding on a sentence; and to provide supervision for certain offenders released from prison" Scottish Sentencing Council. Jargon buster. Available at: <https://www.scottishsentencingcouncil.org.uk/education-resources/jargon-buster>

6.3 Agencies available throughout the criminal justice process

We found that specialist domestic abuse services and specialist violence against women services are best placed to provide domestic abuse court advocacy support. Survey respondents from these agencies were able to offer all core tasks throughout the criminal justice process. Almost all respondents stated they were undertaking court advocacy as part of their formal role.

Specialist domestic abuse and violence against women and girls' services may have the flexibility to provide support throughout the process, rather than at a defined point, as they work alongside the criminal justice process rather than as a statutory part of the system. Both Dr Emma Forbes (2022) and The National Scoping Exercise (2017) noted that independence from the system was a critical component of advocacy provision.

6.4 Duplication and gaps in domestic abuse court advocacy provision

"[The Court process] is not particularly safe"

Individual interview, Survivor Voice

We found that inconsistencies in domestic abuse court advocacy provision compromise the safety and support needs of victims and survivors.

No access to support or limited to specific points

The survey results suggest that not all victims and survivors have access to domestic abuse court advocacy support throughout their criminal justice journey. Some may only receive domestic abuse court advocacy support at a specific point, whilst others cannot access domestic abuse court advocacy support at all.

Both duplication and gaps

"As formal and support agencies focus support on the formal punctuation marks in the process, crucial opportunities are missed to dissipate anxieties"

Forbes, 2022, pg. 96

Some workshop attendees described a "feast or famine", in current provision. Five different agencies are identified as delivering the core tasks (**Table 3**).

If all five agencies complete the same core tasks, one individual victim/survivor could be contacted five times with the same information: creating a 'feast' in service provision. The period between court dates can be experienced as a 'famine' if no agency is in contact. This can lead to increased feelings of isolation and increased risk as opportunities to safety plan around personally significant dates, such as birthdays or anniversaries, are missed.

"(Take) the burden of speaking to many different roles (VIA, PF etc) away from client where appropriate"

Survey Respondent, Frontline Specialist Domestic Abuse Service

Domestic abuse court advocacy has the potential to reduce the number of agencies in contact with an individual victim and survivor. This creates a more trauma informed response.

"(advocacy) is your voice.

If you're my voice, I want to know you"

Professional Workshop Participant, Survivor voice

Domestic abuse court advocacy has the potential to increase the quality of the client-worker relationship, and the quality of individualised safety planning, as risk is understood in a more personal manner.

7. Mapping provision of domestic abuse court advocacy

Key findings

- ➔ At present, domestic abuse court advocacy as defined by this report, is only available in the 19 local authority areas where established domestic abuse court advocacy services operate;
- ➔ Respondents in the remaining 13 local authorities were completing some, but not all, of the core tasks;
- ➔ Domestic abuse court advocacy provision is largely concentrated in the south of Scotland and some of the central belt;
- ➔ The potential demand for domestic abuse court advocacy services outstrips current resources.

This chapter analyses the availability of domestic abuse court advocacy by local authority area.

7.1. Local authorities with domestic abuse court advocacy provision

We mapped the geographical location of the one in ten (11.5%) survey respondents who fully met the definition of a Domestic Abuse Court Advocacy as set out in this report (**Figure 2**).

Figure 2: Local authority areas with domestic abuse court advocacy provision

Source: DACA professional workshop survey
Created using: Flourish using Office for National Statistics (Boundaries), Simple maps (Points)



We found that domestic abuse court advocacy provision is currently available in 19 local authority areas, largely concentrated in the south of Scotland and some of the central belt. This correlates with the areas that the five established domestic abuse court advocacy services operate in (**Appendix 3**).⁽¹³⁾

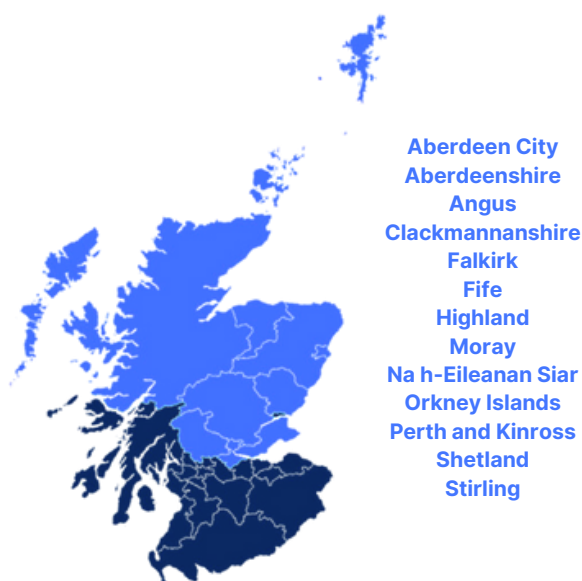
⁽¹³⁾ It was out with the scope of this report to consider if the established services are adequately resourced to meet the needs of all victims and survivors within these 19 local authority areas. Including, we have not been able consider if all genders have access to support within these 19 local authority areas, or if the level of small and specialist service provision is sufficient

7.2 Local authority areas without provision of all elements of domestic abuse court advocacy

In areas without an established domestic abuse court advocacy service, we mapped the location of survey respondents, offering some core tasks, available throughout the criminal justice process (**Figure 3**). We identified professionals in all remaining 13 local authorities completing some, but not all, of the core tasks.

Figure 3: Local authority areas without full provision

Source: DACA Professional Workshop Survey
Created using: Flourish using Office for National Statistics (Boundaries), Simple maps (Points)



This includes professionals from:

- Frontline specialist domestic abuse services
- Support & information for those affected by crime
- Other specialist VAWG service
- Non-frontline specialist domestic abuse service

Within this group of survey respondents, we identified several respondents working for national services. These national services provide specialist domestic abuse services to specific groups of victims and survivors across Scotland including:

- Victims and survivors of domestic abuse who identify as male
- Members of the LGBT+ community
- Muslim and Black, Asian and racially minoritised women, and
- Self-identifying women over 16 years of age

Existing specialist national services and existing localised specialist services could work in partnership to provide domestic abuse court advocacy support. Small and/or specialist services can bring diversity in knowledge and understanding and can more effectively respond to the additional barriers faced by victims and survivors from marginalised communities in the UK (*SafeLives, 2024*).

7.3 Scoping potential service development

Between 2022 and 2023, an estimated 8,977 of total incidents involving domestic abuse reported to the Procurators Fiscal: a little under a third (29.7%), were approximated to be in areas which do not have established domestic abuse court advocacy service (Table 4)

Individuals with lived experience' and survey respondents repeatedly told us that domestic abuse court advocacy services are required and have the potential to;

"(Be) the thread that ties the whole lot together"

Individual interview, Survivor Voice

Survey respondents told us that the service is required to bring cohesion, consistency and quick information to victims and survivors involved in the criminal justice process. With the potential benefit to;

"Empower and inform every step of the way."

Survey Respondent, Non-Frontline Specialist Domestic Abuse Service

We assessed the feasibility of upskilling the survey respondents completing some of the core tasks as a means to meet this demand for the service (Table 4).



20.

Table 4: Estimated demand and current resources for domestic abuse court advocacy provision in local authority areas without an established service

Source: COPFS Location of charges with a domestic abuse identifier 2022-23, DACA professional workshop survey, email correspondence

The National Scoping Exercise (Scottish Government, 2017) found that many court advocacy services consisted of one worker. This finding is supported by our analysis (**Table 4**) indicating that survey respondents, completing some of the core tasks, can be one worker covering an extensive area of Scotland. The current number of professionals, completing some of the tasks, cannot meet the potential demand for domestic abuse court advocacy. Other avenues for service development, based on how existing services were created, are explored in the partner report.



Local authority areas	PFs Office locations (No. of domestic abuse charges 2022/23) ⁽¹⁴⁾	Total No. Charges with a domestic abuse identifier 2022/23	Estimated number of workers currently delivering a level of court advocacy ⁽¹⁵⁾
Fife	Dunfermline (1,012) Kirkcaldy (1,318)	2,330	3
Forth Valley Clackmannanshire Falkirk Stirling	Falkirk (945) Stirling (386) Alloa (301)	1,632	5
Aberdeenshire, Moray, Perth and Kinross ⁽¹⁶⁾	Peterhead (358) Elgin (457) Banff (89) Perth (725)	1,629	2
Aberdeen City	Aberdeen (1,580)	1,580	7
Highland	Inverness (683) Tain (164) Wick (105) Fort William (61)	1,013	2
Angus	Forfar (523)	573	2
Na h-Eileanan Siar	Stornoway (77) Portree (35) Lochmaddy (0)	112	2
Orkney Islands	Kirkwall (67)	67	1
Shetland Islands	Lerwick (41)	41	3

Total 8,977



⁽¹⁴⁾ These figures are an estimate as the PF Office deciding how to proceed with the charge will not always correlate with the local authority area

⁽¹⁵⁾ The staffing estimate is derived from the survey and follow up email correspondence. The estimate includes workers with a range of geographical remits. Including workers with a remit of one local authority area, multiple local authority areas to one worker with a national remit. All local authority areas will have a minimum of one worker due to the worker with a national remit

⁽¹⁶⁾ We identified one survey respondent covering the area who also covers Aberdeen City and one survey respondent who covered the area as part of their national remit

6. Conclusions

The mapping and scoping exercise is the culmination of the first stage of the DACA Accreditation Project. We clarified the definition of domestic abuse court advocacy and identified the components of an effective service. We mapped current domestic abuse court advocacy provision in Scotland and identified geographical gaps in provision.

For victims and survivors, uncertainty exists as to what support is available when and provided by whom

We explored the current provision of criminal court advocacy, in any form, for victims and survivors of domestic abuse. We found a patchy landscape, characterised by a lack of clarity, with both duplication and gaps. Court advocacy can be hidden, inconsistent or unavailable to all that require the support. Multiple agencies may complete the same court advocacy tasks, the service may not be available in any form, or it may be provided informally on an ad hoc basis to only some victims.

Consistency is key to effective communication, building meaningful relationships, and increasing safety. Consistency in service provision can be fostered through the development of a shared understanding of domestic abuse court advocacy.

We refined existing definitions and clarified that;

Domestic abuse court advocacy services will, throughout the duration of the court process:

- Provide specialist domestic abuse support;
- Offer information about the criminal justice process;
- Act as a conduit for victims' voices to be heard in the criminal justice process.

A shared understanding of domestic abuse court advocacy is key to an effective service

To ensure that the definition of domestic abuse court advocacy is consistently interpreted by services, we utilised research activities to create a list of core tasks. The core tasks are regarded by the DACA Accreditation Project as essential elements to domestic abuse court advocacy. They cover all the essential components identified in academic literature, and must be provided throughout the criminal justice process.

The core tasks are included in the newly developed SQA IDAA training course to foster a shared understanding and increase the validity of domestic abuse court advocacy.

Specialist Domestic Abuse Agencies and Violence against Women and Girl's services are best positioned to deliver domestic abuse court advocacy

Statutory criminal justice agencies are only available at specific points of a victim/survivor's justice journey. Specialist domestic abuse agencies and violence against women and girls' services work alongside the criminal justice process rather than within the system. This allows for independence and flexibility to support victims and survivors throughout.

There are 19 local authority areas in Scotland with domestic abuse court advocacy provision. The remaining 13 local authority areas do not. Across Scotland, victims and survivors of domestic abuse do not have equal access to domestic abuse court advocacy.

Geographical gaps exist in domestic abuse court advocacy provision

A lack of resources to develop existing roles

Between 2022 and 2023, we estimate that a little under a third (29.7%) of charges with a domestic abuse identifier were reported to COPFS in areas without domestic abuse court advocacy provision. Survey respondents, completing some of the core tasks, can be one worker covering an extensive area of Scotland. We surmised that existing workers in these areas could not offer an extended service to meet this demand.

There are avenues for expanding domestic abuse court advocacy provision. Expansion is reliant on additional funding, accredited training and consistent support. This is discussed further in the partner report ***"It's like walking blindfolded through a minefield": domestic abuse court advocacy provision in Scotland.***

Opportunities to create new services exist

Appendix 1: Stakeholder survey

Which Local Authority area do you primarily work in?	
Date attended workshop?	

1. What type of service does your organisation provide? (Please tick the **ONE** that most fits)

Frontline specialist domestic abuse service	Local Authority Housing	
Non-frontline specialist domestic abuse service	Housing Association	
Frontline specialist sexual abuse service	Children & Families Social Work	
Other specialist VAWG service	Adult Support & Protection (Adult Social Work)	
Health	Local Authority (other)	
Mental health service	COPFS/VIA	
Criminal Justice Social Work & Caledonian	Police	
Other (please describe below)	Support & information for those affected by crime	

2. Who does your service provide support to?

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3. We are interested in understanding the provision of both *formal and informal* court advocacy support. Thinking about your role, which if any of the following, do you offer victims/survivors domestic abuse? (Please tick all that apply to you)

Explaining the overall criminal justice system	
Explaining the overall court process	
Risk assessment with the client	
Safety planning with the client	
Provision of court dates to client	
Provision of court outcome information to client for custody/ intermediate/ trial / sentencing	
Liaison between client and court regarding special conditions of bail	
Provision of a court report to the procurator fiscal	
Provision of information regarding views on Non-Harassment Orders to court	
Contact with VIA regarding arrangements/ support for clients to attend court as witnesses	
Presentation of a court report during court proceedings	
Emotional support for clients engaged in the court process	
Providing support at court in the witness room only	
Being a named supporter in court when client gives their evidence	
Meeting with client after court process	
Check-in with client sometime after the end of the court process	
Other (please describe below)	

3. Please select the phrase that most closely describes your role when working with victims/survivors | domestic abuse? (Please tick one)

Court advocacy is my main role	
Court advocacy is a significant defined part of my role	
Court advocacy is one of the defined tasks of my role	
Court advocacy is something I do if needed but not specifically defined as part of my role	
Court advocacy is a service I engage with in my role	
Court advocacy is a service I refer on to	

Stakeholder survey continued...

4. What court advocacy services do you signpost to? (Please tick all that apply to you)

A specialist frontline domestic abuse court advocacy service <small>(such as ASSIST in the West; EDDACS in Edinburgh; DAAS in the Scottish Borders; or a specialist local service)</small>	
A local frontline domestic abuse service	
A national domestic abuse service	
Victim Information and Advice (COPFS)	
Victim Support Scotland	
Refuge accommodation	
Children's workers	
Rape Crisis	
Not sure who to signpost to	
Signposting is something I do not need to do in my role	
Not applicable as court advocacy is a defined part of my role	
Other <i>(please describe below)</i>	

5. Are there other ways which court advocacy relates to your role?

6. What could a specialist court Idaa service do to help those experiencing domestic abuse feel more supported and informed throughout the court process?

7. Please share with us any good practice you have seen in specialist court Idaa services

8. Are there any other comments you would like to make?

9. How have you found the experience of being together today with other professionals?

Please tick that I am happy for SafeLives to use anonymous quotes from your comments in training, reports, academic publications and SafeLives website or social media in relation to this project

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Appendix 2: What is Domestic Abuse Court Advocacy?

The following description of the DACA Worker's role has been created in consultation with individuals with lived experience of domestic abuse, and in consultation with a wider participatory group facilitated by Dundee Amina. It is designed to convey the main aspects of the role in a manner that can be readily understood whilst also providing enough information to support engagement.

A Domestic Abuse Court Advocacy Worker

If an incident is reported to the police, and it is categorised as domestic abuse, the worker can be available to you throughout the court process to give you information about court, offer safety and risk advice and support, and to be your voice in the criminal justice process.

- The worker is trained in domestic abuse and responding to trauma;
- The worker can explain the criminal court process to you and keep you informed with the court case;
- They can pass information to and from criminal court agencies. The information is always about feelings of risk and safety and court measures like special conditions of bail;
- They can help you feel emotionally prepared for court and help voice your practical needs if you are going to court. They are not able to appear in court on your behalf.

The worker can offer space and time to talk about more than the reported incident.

They can talk with you about:

- Current risk of domestic abuse that you may be fearful of;
- Safety planning options like home security options or emotional support options;
- Your feelings and how the court case is impacting on you;
- They can talk to you about the safety needs of your child /children;
- Other local projects and supports that might be useful to you and your children;
- They will know how to connect you to other projects and supports;
- At times, if you need them to, they will be able to speak to other agencies, to help the other agency understand the situation you are experiencing.

Appendix 3: Established domestic abuse services

Service	Area(s) service operates in	Description
<p>ASSIST Advocacy Support Safety Information Services Together www.assistscotland.org.uk</p>	<p>Argyll and Bute East Ayrshire North Ayrshire South Ayrshire Dumfries & Galloway Glasgow East Dunbartonshire West Dunbartonshire Inverclyde North Lanarkshire South Lanarkshire Renfrewshire East Renfrewshire</p> <p>Also provides a service to male clients with cases calling at Edinburgh Sheriff Court</p>	<p>Established in 2004, ASSIST is a free, phone based, independent domestic abuse advocacy service</p> <p>ASSIST supports people of all genders whose partner, or ex-partner, has a domestic abuse case going through the criminal court</p> <p>ASSIST is co-located with Police Scotland, and part of Glasgow City Council</p>
<p>Domestic Abuse Advocacy Support (DAAS) www.scotborders.gov.uk/domesticabuse</p>	<p>Scottish Borders</p>	<p>Providing Court Advocacy Provision since 2014. DAAS provides support for any adult who has experienced or is experiencing domestic abuse living in the Scottish Borders</p> <p>Co-Located with Public Protection, Scottish Borders Council</p>
<p>Domestic and Sexual Assault Team (DASAT) www.westspace.org.uk/services/domestic-and-sexual-assault-team-dasat-west-lothian-council/</p>	<p>West Lothian</p>	<p>Available to both male and female victims of domestic abuse in West Lothian</p> <p>Co-located with justice services, West Lothian Council within the Civic Centre. The Sheriff Court is within the same building</p>
<p>Dundee ASSIST www.dundeewomensaid.co.uk/assist.php</p>	<p>Dundee</p>	<p>Launched in 2022. Specialist Domestic Abuse Advocacy and Support Service focused on reducing risk and improving the safety of victims of domestic abuse</p> <p>Partnership between Dundee Women's Aid and Barnardo's, co-located with Police Scotland</p>
<p>EDDACS Edinburgh Domestic Abuse Court Support www.edinwomensaid.co.uk/court-support/</p>	<p>EDDACS can support female victims where the case is being heard at Edinburgh Sheriff Court, independent of the local authority they live in (usually clients living in Edinburgh, East Lothian and Midlothian)</p>	<p>EDDACS is a support and advocacy service for female victims of domestic abuse crimes going through the court process</p> <p>Located within Edinburgh Women's Aid</p>

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