

The *DACA* Accreditation Project Year 1 Report

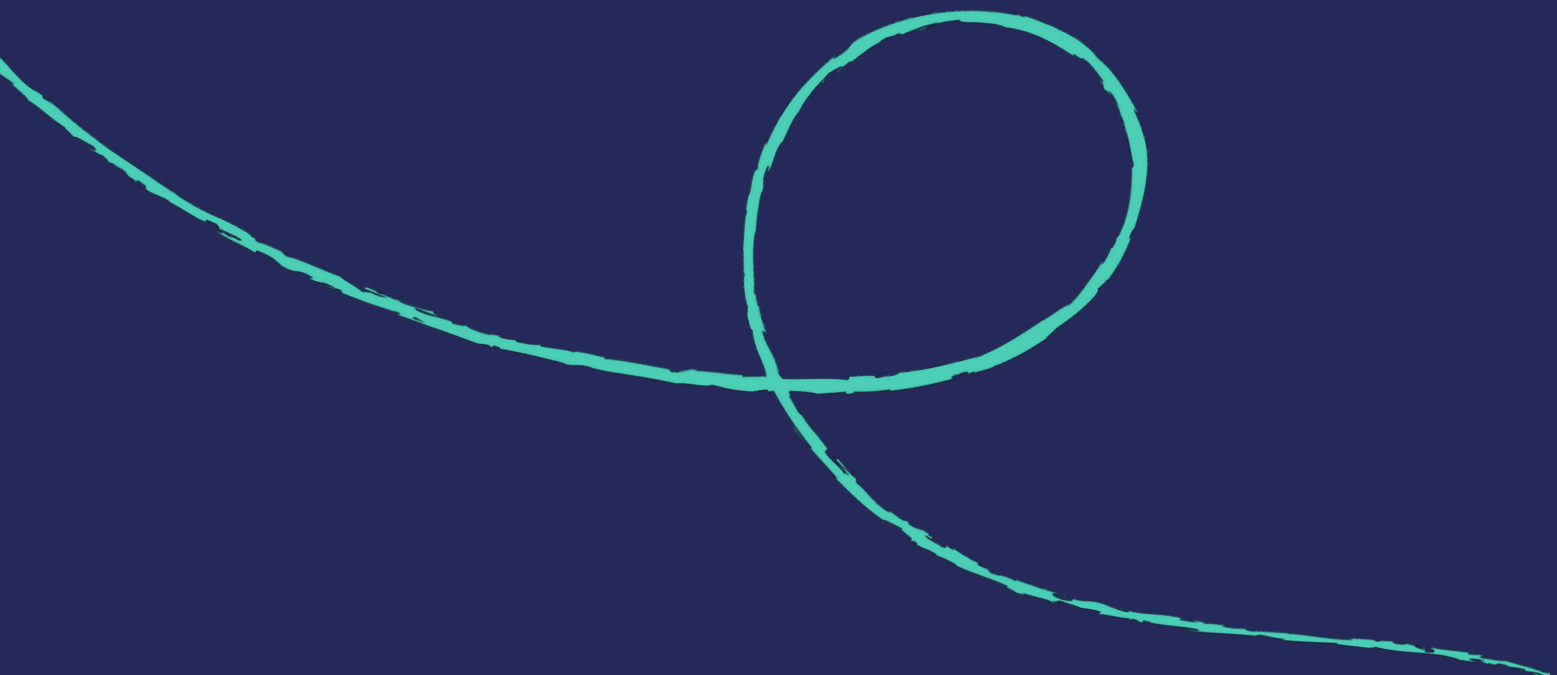


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01. Introduction

The *DACA* Accreditation Project

In 2022, **SafeLives** and **ASSIST** were funded by **the Scottish Government's Victim-Centred Approach Fund** to undertake the **Domestic Abuse Court Advocacy (DACA) Accreditation Project**.

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 is a specialist independent domestic abuse court advocacy and support service with a focus on reducing risk and improving safety. 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 domestic abuse court advocacy in 13 local authority areas across the west and south of Scotland.

SafeLives partnered with ASSIST for this project due to their expert knowledge and frontline expertise and understanding of the role of a specialist court advocacy provider.

The project team is comprised of:

- ➔ Kirsty Campbell, Programme Lead for year 1 (SafeLives)
- ➔ Gemma Gall, Programme Lead (SafeLives)
- ➔ Louise Docherty, Subject Matter Expert (ASSIST)
- ➔ Lan Pham, Research Analyst (SafeLives)
- ➔ Stephanie Lammers-Rice, Project Administrator (SafeLives)

Research was also supported by Dr Clare McKeown, Stirling University and SafeLives' Authentic Voice Panel members. ⁽¹⁾

(1) SafeLives' Authentic Voice Panel is made up of 10 women from all over Scotland who are survivors of domestic abuse. The panel consult on multiple areas of SafeLives' work and co-create resources.

03.

Project Aims and Activities

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 and survivors of domestic abuse to navigate a complex justice system;
- ➔ The effectiveness, validity, visibility and consistency of the domestic abuse court advocacy role is increased across Scotland.

To work towards meeting these strategic aims, over the course of the funding period the **DACA Accreditation Project** will:

- ➔ Create a 'map' of current domestic abuse court advocacy provision in Scotland;
- ➔ Create national standards for domestic abuse court advocacy in Scotland;
- ➔ Create an accreditation framework for domestic abuse court advocacy services;
- ➔ Create and deliver an SQA-accredited training unit on specialist domestic abuse court advocacy; and
- ➔ Mentor new and emerging domestic abuse court advocacy services.

Terminology

Clients, complainers, victims and survivors of domestic abuse

How people with lived experience of domestic abuse refer to themselves is deeply personal. In the Scottish legal system, the term 'complainer' is used to refer to "the alleged victim in the charge".⁽²⁾ The use of the word alleged does not signify that the victim/survivor is not believed, but that the case has not at that stage been proven. We recognise that use of legal terminology has been identified as a barrier to engagement by people with lived experience of domestic abuse and these criminal justice processes. We have chosen the term 'client' to create space for people accessing domestic abuse court advocacy services who may not at this stage refer to themselves as victims or survivors of domestic abuse.

Parameters

Early in the project, a number of people with lived experience of domestic abuse and professional stakeholders highlighted the interconnection between domestic abuse, criminal court and civil/family court proceedings. The impact of domestic abuse on children and the lack of specialist court support were also regularly raised. Similarly, the intersection of sexual abuse as a tactic of coercive control was identified as a prevalent factor in specialist court advocacy.

Due to the tight timeline, resourcing and the need to maintain a focus on domestic abuse court advocacy standards for criminal proceedings, the decision was made to set parameters for this work, limiting the focus to domestic abuse and criminal court considerations only, with a primary focus on adult clients – with the possibility of building on this work to incorporate interconnected factors in the future. Rape Crisis Scotland's court advocacy service is well established and it was agreed referrals where the primary charge libelled was sexual in nature, Rape Crisis would – generally – be the most appropriate court advocacy provider.

(2) <https://www.scottishsentencingcouncil.org.uk/about-sentencing/jargon-buster?c=C>

02. Evidence Sources: Year One

Year One (2022/23) of the project was committed to establishing a broad and robust evidence base for domestic abuse court advocacy standards and mapping the current provision of court advocacy in Scotland. The evidence base for the standards and current DACA provision was drawn from five sources:



The expertise of the project team, including experience of domestic abuse court advocacy delivery, training, policing, social work and research.



Consultation with 52 people who have lived experience of domestic abuse and/or the criminal justice process. Consultation was conducted via individual interviews and focus groups.



A focus group with people from the Black, Asian and Minority Ethnic Communities was co-facilitated with **Amina Muslim Women's Resource Centre**.



Engagement with 318 practitioners working in criminal justice and/or domestic abuse. Engagement was conducted across 20 in person workshops, 2 online workshops, and 15 individual interviews with relevant professionals; and a survey, completed by 242 professionals who attended the workshops.



A review of existing academic and grey evidence. The primary review was conducted by Dr Clare McKeown, commissioned for the purposes of the DACA project, to examine the existence of DACA standards in international jurisdictions. Existing academic research about the criminal justice experience for victims of Gender Based Abuse in the UK was also reviewed and considered throughout the project.

This report collates the findings from year 1 of this project, summarising the court advocacy standards as they emerged, highlighting headline findings from the research, and outlining the current provision of domestic abuse court advocacy across Scotland.

Due to initial delays in staffing, some of the activities that would have occurred in Year 1, including some stakeholder workshops, were delayed and our final workshop was not until summer 2023. To understand the evidence base in its totality, we have included the analysis of all workshop activities in this report.



03. Scoping and Mapping domestic abuse court advocacy in Scotland

Scoping the domestic abuse court advocacy role

At the outset of the project, there was not a singular definition of domestic abuse court advocacy. Through research activities, the team adopted the following 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.

To develop a standardised understanding of the role in practice, the project team focused on the core tasks as identified by key stakeholders, evidence from academic research and service evaluations, and the project team's knowledge of tasks routinely delivered by existing services.

The result was a list of tasks, which the DACA Accreditation project considers the core tasks of a domestic abuse court advocacy service. These tasks should be carried out throughout the court process for each client.

Core tasks of a domestic abuse court advocacy worker

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 and ensuring this is actioned through:

- ➔ 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 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.

Mapping of domestic abuse court advocacy

The project team have created 2 mapping and scoping reports: ***Mapping and scoping domestic abuse court advocacy in Scotland: definitions and evidence*** and ***'It's like walking blindfolded through a minefield': domestic abuse provision in Scotland*** which outline the findings and recommendations of our research activities.

This found that 19 local authorities, largely concentrated in the central belt and south of Scotland, were served by domestic abuse court advocacy services⁽³⁾ which meet the definition and are completing all core tasks. This leaves a third⁽⁴⁾ (33.6%) of Scotland's population unable to access specialist domestic abuse court advocacy. The map below shows those local authorities with established DACA services, available to all clients going through the criminal court process, in navy; areas where some level of court advocacy provision is available to some clients are shown in royal blue.

For victims and survivors in local authorities shown in royal blue, we found provision of domestic abuse court advocacy to be piecemeal. Victims/survivors may be able to access some provision if they are working with an agency, or at certain points in the process, but this was not available to all victims and survivors throughout their justice journey.

⁽³⁾ The five services identified from the mapping and scoping exercise were: ASSIST, ASSIST Dundee, DAAS, DASAT, and EDDACS.

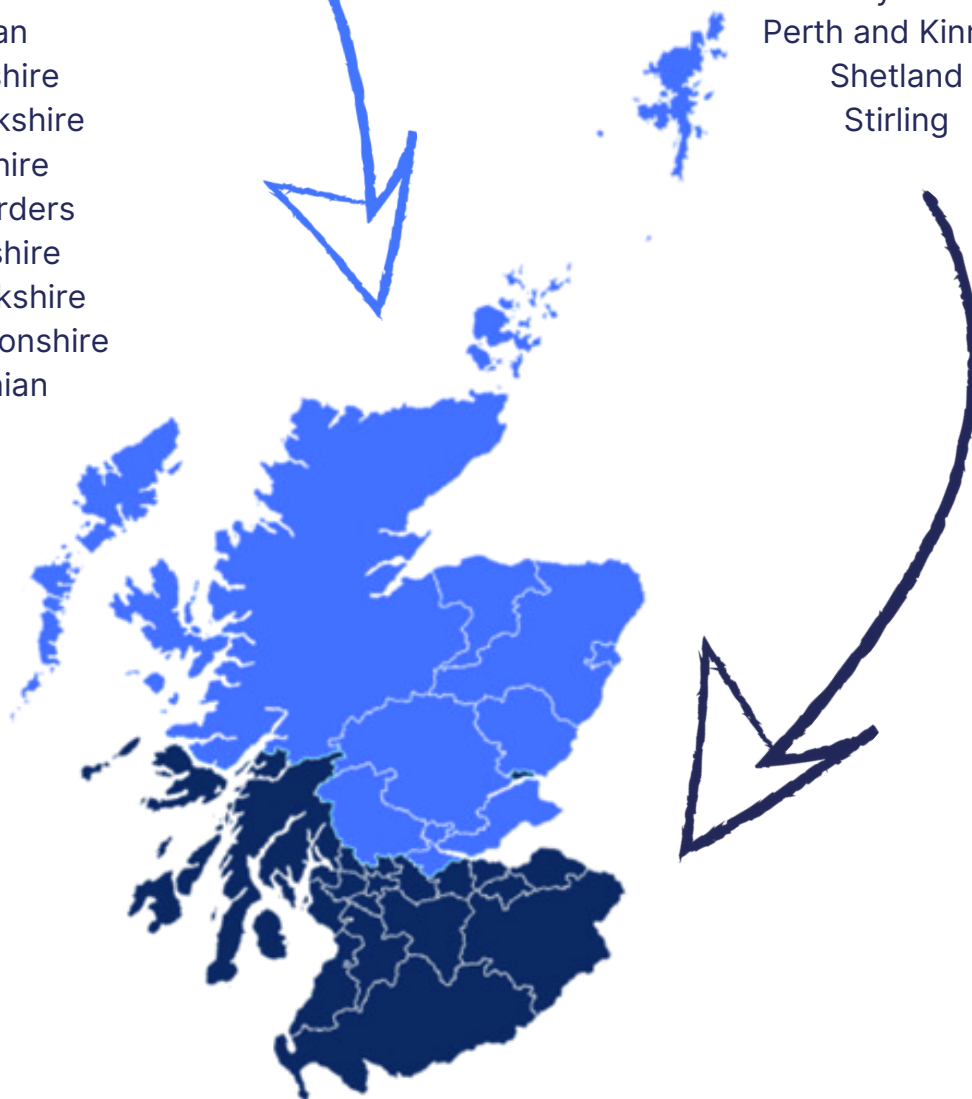
⁽⁴⁾ Drawn from Scotland's 2022 Census.

Local authorities with established DACA services

Argyll and Bute
City of Edinburgh
Dumfries and Galloway
Dundee City
East Ayrshire
East Dunbartonshire
East Lothian
East Renfrewshire
Glasgow City
Inverclyde
Midlothian
North Ayrshire
North Lanarkshire
Renfrewshire
Scottish Borders
South Ayrshire
South Lanarkshire
West Dunbartonshire
West Lothian

Local authority areas with a level of court advocacy provision

Aberdeen City
Aberdeenshire
Angus
Clackmannanshire
Falkirk
Fife
Highland
Moray
Na h-Eileanan Siar
Orkney Islands
Perth and Kinross
Shetland
Stirling



Mapping of domestic abuse court advocacy continued...

There is evidence that some agencies and professionals may be trying to respond to the unmet needs of victims and survivors within the criminal justice process by working outside of their role. Survey responses indicate that nearly a quarter (23%) of respondents provide court advocacy when needed, despite this not being a part of their role. Working outside professional roles to provide court advocacy may demonstrate strong relationships with clients, and a willingness to holistically respond to the needs of a victim/survivor.

However, it can be problematic as informal practice can be hidden, inconsistent or unavailable to all that would meet the criteria for support. Informal advocacy further has resource implications as professionals undertaking this are unlikely to have established ways of working with the key agencies and therefore accessing or providing information may take longer and therefore impact on workers' ability to perform their own roles.

Throughout Scotland, survey respondents were overwhelmingly in favour of the establishment of more domestic abuse court advocacy services in order to bring cohesion, consistency and timely information to victims and survivors involved in the criminal justice process. Domestic abuse court advocacy services have the potential to:

*"ensur(e) a consistent, credible service that gives the client
a clear voice in court."*

Survey Respondent, Frontline Specialist Domestic Abuse Service

Within the report 'It's like walking blindfolded through a minefield': domestic abuse court advocacy provision in Scotland, the project team have outlined different options for meeting the needs of victims and survivors in these areas. This includes developing existing court support services to provide advocacy, upskilling advocacy services to provide a domestic abuse competent service and developing partnership work with justice social work services.

04. Standards

Methodology

The Domestic Abuse Court Advocacy Standards have been created by collating evidence gathered from people with lived experience of domestic abuse, engagement with professionals via workshops and individual interviews, and an academic literature review. Guidance and advice was also sought from accrediting bodies in the VAWG sector, including Respect UK, SafeLives and the Working with Perpetrator programme, as well as accrediting bodies outside the sector, such as Health and Social Care.

Purpose

The Standards have three primary purposes; they are:

- ➔ A way to explain domestic abuse court advocacy to the general public, including victims and survivors and professionals;
- ➔ A way for everyone to know what to expect, at a minimum, from domestic abuse court advocacy services;
- ➔ The basis for accrediting services.

Values

The team reviewed a number of value frameworks to assess the key values that underpin the standards, including:

- ➔ The Istanbul Convention ⁽⁵⁾
- ➔ Equally Safe ⁽⁶⁾
- ➔ IDAA best practice model ⁽⁷⁾
- ➔ Violence Against Women and Girls – Independent Strategic Review of Funding and Commissioning of Service ⁽⁸⁾
- ➔ The Duluth Model ⁽⁹⁾
- ➔ The Respect Standards ⁽¹⁰⁾

We will ensure the Standards reflect key values represented within each of these frameworks.



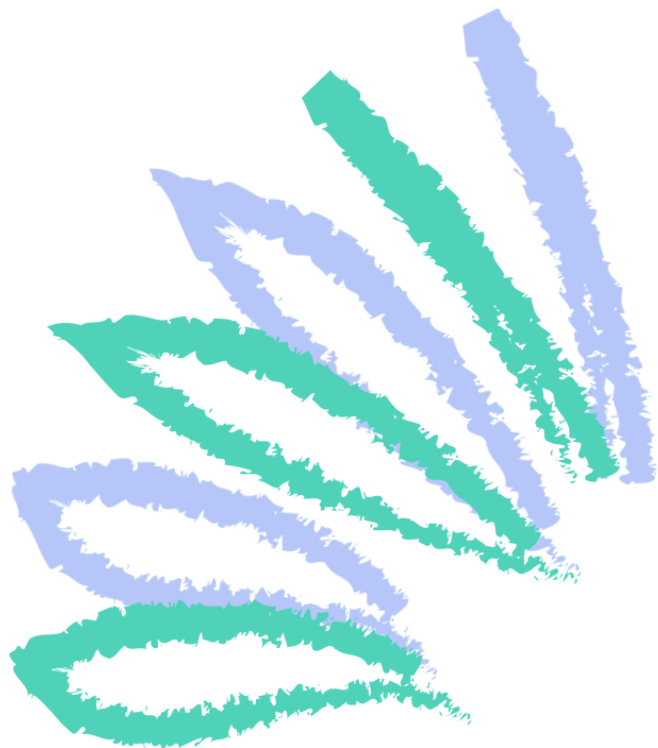
- (5) Council of Europe (2011) Text of the Convention - Istanbul Convention Action against violence against women and domestic violence (coe.int)
- (6) Scottish Government (2023) [Equally Safe 2023](#)
- (7) The Independent Domestic Abuse Advocacy (IDAA) training is delivered by Scottish Women's Aid, ASSIST and SafeLives in partnership. More information can be found here: [Domestic abuse advocacy \(Idaa\) training, Scotland / Safelives](#). The Idaa best practice model is outlined across a number of the Idaa training resources.
- (8) Scottish Government (2023) [Violence Against Women and Girls Independent Strategic Review of Funding and Commissioning of Services](#)
- (9) [Domestic Abuse Intervention Programmes: Duluth Model](#)
- (10) Respect (2022) [Respect Standard / Respect](#)

14.

Next Steps

The focus for the project team in Year 1 has been to develop robust foundations on which to build each of the outputs: standards, training and an accreditation framework. The project team has invested time to ensure that the standards are rooted in both lived and professional expertise. This is key, as the Standards document is intended for multiple audiences: DACA services, criminal justice partners, clients and future clients, to give a clear idea of what can be expected from DACA services. In drafting the standards, it has been necessary to balance rigorous quality assurance with accessibility. We will attempt as far as possible to avoid jargon and create standards that could be understood by any potential client accessing a DACA service.

In Year 2 we will share the drafts of the standards with key stakeholders, including the service managers of the five formal domestic abuse court advocacy services and the lived experience groups we have been working with.



05. Accreditation



Following the completion of the Standards, we will develop the Accreditation Framework. This will outline the evidence required from services to achieve accreditation. The Standards aim to be an accessible document, therefore the specific evidence points required to meet each Standard will be contained within the Accreditation Framework rather than in the Standards document.

06. Training

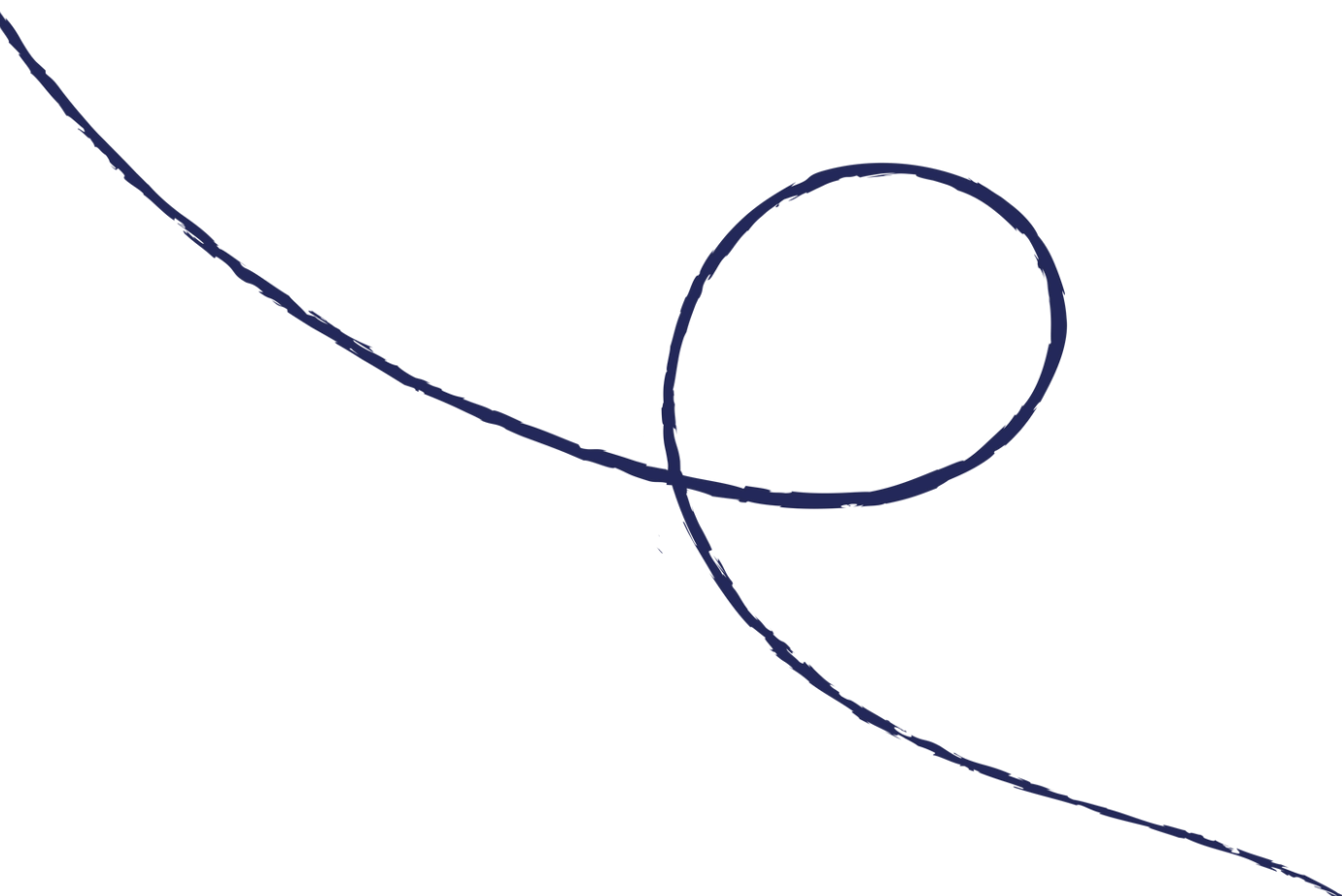


Since 2013, the Scottish Qualifications Authority (SQA) has accredited Independent Domestic Abuse Advocate (Idaa) training. This has been delivered by a partnership consisting of ASSIST, SafeLives and Scottish Women's Aid. IDAAs are specialist professionals who are involved in risk assessment, safety planning, signposting and referral, and provision of practical and emotional support.

In Year 2, the DACA project team will be developing an additional specialist module for domestic abuse court advocacy workers in collaboration with key agencies.

07. Evaluation

Following the stakeholder engagement, the DACA project team reflected and revisited the initial outcomes and outputs of the project to ensure these were still appropriate. This process will form the basis of developing a broader Evaluation Framework in Year 2.



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