

## Overview

This standard is about your provision of support to individuals affected by domestic abuse or sexual violence through the court process. It includes ensuring that individuals understand the procedures and their role within these and that they understand the outcomes arising.

Reports of domestic abuse or sexual violence may relate to recent events or historic events.

## Performance criteria

### *You must be able to:*

1. obtain relevant information regarding individuals in line with organisational policies and procedures
2. confirm that individuals understand court processes and procedures relevant to their case, and their role within them
3. identify aspects of risk and vulnerability associated with individuals' participation in court proceedings in line with risk assessment processes
4. explore with individuals whether they require any support in line with your organisation's remit for services.
5. agree with individuals what support they require, and the relevant actions to be taken, in line with your organisation's policies and procedures
6. provide advice about safe access to and from the court, and within court buildings for individuals, where appropriate, in line with available guidance
7. advocate on behalf of individuals where relevant and in line with your responsibilities
  
8. share individuals' circumstances and associated risks with relevant others in line with organisational requirements
9. explore with individuals their understanding of the proceedings and the reasons for actions being undertaken in line with organisational requirements
10. explain to individuals the outcomes of the case in line with organisational requirements
11. explore with individuals their needs and risks arising from case outcomes in line with your organisation's processes
12. address individuals identified needs and risks in line with your organisation's procedures, including referral to other support services
13. use different styles and forms of communication and adapt them to meet the needs of the individual
14. explore concerns which individuals may have regarding the process of accessing legal protection in line with organisational practices and approaches
15. identify potential conflicts of interest when supporting individuals in line with your organisation's policies and procedures, including:
  - 15.1 inform others when conflicts of interest arise which are outside your role, responsibilities and professional abilities
16. maintain accurate and up to date records of your discussions and their outcomes in

line with your organisation's policies and procedure

17. maintain confidentiality in line with your organisation's policies and procedures

## Knowledge and understanding

### *You need to know and understand:*

1. legal, organisational and policy requirements relevant to your role , and the roles of others in your organisation
2. the limits of your authority, responsibility and professional competence
3. the role of your organisation and its services relating to tackling domestic abuse or sexual violence, including the provision of support to individuals
4. the stages of justice processes to allow individuals to make informed choices and manage their expectations and the importance of doing so
5. who to inform when you are unable to support individuals within your role and authority
6. who to seek advice from when you need support in your role
7. what constitutes domestic abuse and sexual violence, and its prevalence in the community
8. the importance of carrying out debriefs with others
9. how to be sensitive and flexible in your approach, using various techniques appropriate to the behaviour and attitude of individuals
10. the role and impact of intersectionality in relation to domestic abuse and sexual violence
11. different types of courts, and their respective processes and procedures, within your jurisdiction
12. pre-trial preparations and the role of individuals within these
13. roles and responsibilities of the court officials within your jurisdiction
14. the impact of progressing a court case for individuals, and how you can explain this to individuals
15. the action to take where you have concerns about the fitness of individuals to testify
16. how to maintain the security and welfare of individuals
17. the circumstances that require the arrangements of special measures, including their advantages and disadvantages
18. how to address individuals' reluctance or fear of testifying
19. the importance of partnership working with the range of agencies and services
20. the differences between supporting individuals to provide evidence for court and coaching, and the implications of this
21. the implications of active complicity, coaching, and inappropriate contact with and

between individuals during court proceedings, and how to recognise and avoid this

22. the impact of accusations of coaching and active complicity with individuals

23. the importance of keeping accurate records, in line with organisational policies and procedures

24. key implications to your role when working with individuals with a common perpetrator

25. the importance of, and methods for, building trust and empathy with individual

26. different styles and forms of communication and how to adapt them to meet the needs of the individual

27. how different cultures use and interpret body language

28. common barriers to communication and ways to overcome them

29. the impact your values and beliefs may have when working with individuals

30. how to challenge discriminatory or potentially damaging attitudes and behaviour and the importance of doing so

31. circumstances where it is necessary to go against individuals' expressed wishes

32. the importance of ensuring that individuals understand why their expressed wishes may not be met

## Glossary

### **Domestic Abuse**

A pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to, a combination of psychological, physical, sexual, financial and emotional abuse.

This definition also includes so-called 'honour' based violence, female genital mutilation (FGM) and forced marriage. Children also experience domestic abuse when witnessing domestic abuse.

### **Intersectionality**

The interconnected nature of social categorisations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage

### **Needs led approach**

A form of advocacy that places the survivor at the centre of interventions and support work. This means listening to their story, concerns and struggles and identifying strengths. It results in the collaborative production of support packages that are specific to survivors' individual needs. A needs-led approach is an empowering endeavour that pays attention to survivors' intersectional circumstances, avoiding the traps of institutional bias or ineffective responses

### **Strength based approach**

Recognising that individuals have strengths. These strengths are recognised and built on as part of aiding recovery.

### **People at risk**

An individual who is defined as in need of special care, support, or protection because of age, disability, risk of abuse or neglect

### **Sexual Violence (see also definitions below that may be used covering sexual abuse or sexual assault)**

Similar in nature to sexual abuse, but this term is more often used to describe brief or single incidences, such as if sexually assaulted by a stranger

### **Sexual Abuse**

Undesired sexual behaviour by one person to another. This is often carried out by force or by taking advantage of the other person. This term is generally used when the sexual behaviour is regular or over a prolonged period of time.

**Sexual Assault**

Any unwanted sexual behaviour that a person has not consented to. This can range from rape to voyeurism or exhibitionism, to unwanted touching above or under clothes.

**Trauma Informed Practice**

An approach to health and care interventions which is grounded in the understanding that trauma exposure can impact on a person. Practitioners will work in ways so as to not inadvertently retraumatise impacted people and with an emphasis on client safety, choice, collaboration and empowerment.

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