

Evidence-led prosecution checklist for domestic abuse cases

Using a checklist to support officers on approaching the Crown Prosecution Service (CPS) for an evidence-led prosecution (ELP).

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Key details

Stage of practice	Untested
Purpose	Reoffending
Topic	Violence against women and girls Domestic abuse Criminal justice
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Region	North West
Partners	Police
Stage of implementation	The practice is implemented.
Scale of initiative	Local

Key details

Target group	Adults Offenders
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Aim

The aim of the evidence-led prosecution (ELP) checklist is to:

- provide the best chance of an ELP for domestic abuse (DA) cases
- support officers by providing a time-saving and directional checklist
- support the force with efficiency
- improve trust and confidence in policing through increasing ELPs

Intended outcome

The intended outcomes of the evidence-led prosecution checklist were:

- increased number of ELPs for DA cases
- improved trust and confidence in policing by increasing ELPs
- enhancing officer understanding around triaging DA cases for an ELP

Description

Officers were missing clear, direct guidance around how to effectively triage DA cases and consider whether they were suitable for ELPs. ELPs are prosecutions that enable the prosecution team to deliver justice without requiring the support of the victim. Suitability for an ELP has to be made on a case-by-case basis.

The impact of a lack of direct guidance is clear when using a domestic violence protection notice (DVPN) approach (for example a civil order). This approach enables police to put protective measures in place immediately after a domestic violence incident even where there is insufficient evidence to charge a perpetrator.

Checklist

Consultation took place with officers and supervisors to understand what was being missed, particularly when it came to cases that had been signed up for DVPNs without proper evidential assessment.

Based on this feedback, an ELP checklist was introduced. The checklist gave guidance to officers around how to effectively triage domestic abuse (DA) cases and to consider whether to approach the CPS.

The [checklist](#) was created based on CPS published analysis of [evidence-led prosecutions](#) and is hosted and promoted on our force intranet. Both the creation and use of the checklist cost nothing to the force.

The checklist operates by cutting to the key parts of the case with the best chance of allowing the CPS to consider an evidence-led prosecution. Officers select a series of yes and no options on the ELP checklist. The more times officers identify yes on the checklist, the stronger the indication of a successful ELP. The checklist helps officers make better decisions around whether the case they are dealing with has the evidence to proceed with an 'evidence-led' prosecution or not.

The checklist provides the following questions:

- Are there 999 calls that offer evidence for the offence in question?
- Are there any photographs of injuries/damage?
- Can the attending officer provide comprehensive statements outlining the demeanour of all parties?
- Does CCTV/ house to house provide any additional evidence?
- Is there any third party information/material that supports prosecution?

Each question is accompanied by comments to help guide officers through their answers.

Overall impact

Anecdotal evidence from Greater Manchester Police (GMP) suggests that the ELP checklist has been effectively used to determine whether to take individual cases to the CPS for charging decisions.

Several forces including British Transport Police and West Midlands Police have reached out to implement the checklist.

Learning

- This intervention has been rolled out in GMP, however more could be done in the future to evaluate the impact beyond individual case examples. This could include assessing whether the ELP checklist has improved officers' overall understanding of case thresholds.
- The force found initial challenges around the sharing of and scaling up the use of the ELP checklist. However, the force has encouraged use of the checklist by promoting it both on the intranet and elsewhere across the force.
- Forces looking to implement ELP checklists may wish to consider audit checking whether ELPs are being routinely used. This can help understand the impact of the checklists.

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Tags

Domestic abuse Violence against women and girls