Contents

	Table of Cases Table of Statutes	vii ix
1	Domestic violence: what has the law got to do with it?	1
	Defining domestic violence 1	
	Extent and nature of the problem 4	
	The role of law 6	
2	The civil law: social change and legal change	11
	The civil remedies in the 1970s and 1980s 11	
	The Family Law Act 1996 14	
	Child contact proceedings under the Children Act 1989 29	
	Conclusion 32	
3	The civil justice response: protection in practice?	33
	The implementation of remedies before the Family Law Act 1996 33	
	Relationship with solicitor 33	
	The court process 35	
	Implementing the Family Law Act 1996 36	
	Child contact 42	
	Conclusion 45	
4	Improving the civil justice response	47
	Obtaining an order—time for third party applications? 47	
	Enforcing orders—criminalisation of breach 52	
	Civil protective orders in criminal proceedings 56	
	Conclusion 57	

	~
V1	Contents
V.A	Contients

	5	The criminal law: slow or no recognition	59
		Non-fatal offences against the person 60 Sentencing domestic violence 63	
		Is a special offence of domestic violence needed? 66	
		Rape 68	
		Homicide 74	
		The provocation defence 75	
		Sentencing domestic homicide 85	
		Conclusion 86	
	6	The criminal justice system: justice for victims?	89
12		Police response 89	
		Early failings: policing domestic violence in the 1970s and 1980s 89	
		Policy changes: policing domestic violence in the 1990s 91	
		Policing domestic violence in the twenty-first century 94	
		Crown prosecution service 97	
		Prosecution of domestic violence in context 97	
		Prosecution policy 98	
		CPS practice 99	
		Criminal courts 104	
		The criminal justice response to rape 107	
		Conclusion 108	
	7	Improving the criminal justice response	109
		Background to domestic violence court specialisation 109	
		Domestic violence courts in England and Wales 112	
		Do specialist courts benefit victims? 117	
		Conclusion 122	
	8	Are legal interventions effective?	123
		Victims' perspectives 123	
		Victims' perspectives on the criminal justice system 124	
		Victims' perspectives on the civil justice response 128	
		Are legal interventions changing violent men? 130	
		Conclusion 132	
		Bibliography	135
		Index	149