



Policing Domestic Abuse



Domestic abuse refers to a range of behaviours – psychological, physical, sexual, financial and emotional¹ – that are directed towards partners, ex-partners or family members. This POSTnote examines the prevalence and nature of domestic abuse and the policing response in England and Wales. It examines how the response could be informed by research and possible benefits for victims, their families and offenders.

Background

The Government defines domestic abuse (DA) as “controlling, coercive or 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.” This includes “honour”-based violence, forced marriage and female genital mutilation (FGM).¹ Most research is on intimate partner violence and those offences are the focus of this note. Historically, DA itself has not been a criminal offence, so single incidents have been prosecuted under a range of offences, such as common assault or rape.⁴ The Serious Crime Act (2015) introduced the criminal DA offence of coercive control, which entails repeated controlling or coercive behaviour between two ‘personally connected’ individuals. Individuals will be prosecuted for multiple abusive behaviours that as single instances may appear minor. It includes family members, and present or past intimate partners (heterosexual or same sex).⁵

Characterising Abuse and Estimating Prevalence

The cross-governmental definition has been criticised by some academics for being too broad, encompassing a wide range of offences and inter-personal dynamics, from one-off sibling physical fights to continued coercive control of one partner by another, which are likely to have different causes

Overview

- The prevalence of domestic abuse is difficult to measure, but English, Welsh and Northern Irish police receive calls about DA-related incidents every 30 seconds.²
- In 2014, a report by Her Majesty’s Inspectorate of Constabulary deemed police responses to domestic abuse “not good enough”, and found that responses across forces were inconsistent.²
- A re-inspection in December 2015 found positive changes, but concluded that there is still room for improvement.³
- Being the victim of, or witnessing domestic abuse, can have serious long- and short-term physical, psychological and social effects.
- There are numerous police interventions that are victim-focused or perpetrator-focused currently in use or being trialled.

and respond to different interventions (Box 1).^{6,7} The exclusion of under 16s has also been criticised, since they also experience abuse in intimate partner relationships.⁸ Statistics come from Police Recorded Crime (PRC) data and responses to a survey of victimisation: the Crime Survey of England and Wales (CSEW). While neither reflects total crime, the self-completed part of the CSEW offers the best estimate for the scale and nature of victimisation and PRC data reflects police involvement.

- In the 2013/14 CSEW, 8.5% of women and 4.5% of men reported experiencing DA in the previous year (approximately 1.4m female and 0.7m male victims).⁹ Levels of victimisation have remained relatively stable since 2008/09.⁹
- Analysis of the face-to-face interviews from the 2011/12 CSEW found 71% of severe physical DA incidents were perpetrated against women, many of whom reported repeat victimisation.¹⁰
- In 2013/14, the police recorded 887,253 DA incidents,⁹ with 103,569 cases referred to the Crown Prosecution Service (CPS). Of these, 70% were charged.¹¹ The conviction rate for prosecuted DA cases since 2008/09 has ranged from 72% to 75%.¹²
- According to PRC data, DA accounted for 11% of all reported crimes in England and Wales between April and

Box 1. Types of Intimate Partner Abuse

The majority of DA is partner abuse,⁹ which can take these forms:

- **Continued Coercive and Controlling Behaviour** may involve serious physical abuse, but can comprise continuous low-level legal and illegal actions that isolate, degrade, exploit and control.¹³
- **Situational Couple Violence** is perpetrated by both men and women. Abuse is a one off event or repeated, by either or both partners, and can end in serious injury.¹³ However, it does not involve continuous control over a partner.

June 2015.¹⁴ The number of police-recorded DA incidents increased by 31% since 2013, but calls for assistance to the police fell by 10% in the 12 months to March 2015. It is suggested that this reflects increased reporting by victims as well as improved police recording of DA.³

- In 2013/14, 46% of female and 7% of male homicide victims were killed by their partner, ex-partner, or their partner's partner or ex-partner.^{15,16} Two forces noted that the majority of their domestic homicides occurred within relationships that had no prior interaction with the police, or had not been categorised as high-risk.^{17,18}

It is widely thought that DA is under-estimated; charities and academics are concerned that the statistics do not accurately represent the gendered nature of severe DA.^{10,19,20} Despite the CSEW including a self-completed section to encourage full disclosure, some victims may not do so. PRC data also depends on whether a crime is reported, which is often hampered by DA taking place in the home where there are either no witnesses or where witnesses are unable or find it difficult to report the abuse (such as children or vulnerable adults). Abuse is also not reported because of victims' fears about retaliation, effects on their children, embarrassment and lack of trust in police.² It is also challenging to ascertain the direct costs of DA (such as police services) and its indirect costs (such as lost productivity resulting from work absence).

Consequences of Abuse for Victims and Families

DA can have long- and short-term emotional and behavioural effects on victims, and direct and indirect consequences for their physical, sexual, reproductive, mental and behavioural health.²¹ This includes injuries, or long-term conditions caused by prolonged stress, which may persist after the abuse ends.²¹ Female DA victims are over-represented in the prison population: in 2006, 46% of women in prison had experienced domestic violence (a subset of DA) at least once since the age of 16,²² compared with 33% of the female general population having experienced any form of DA.²³

The Impact of Domestic Abuse on Children

While exact figures are not known, from a survey of children and their parents, the NSPCC estimates that approximately 1.75 million children in the UK have been exposed to parental partner violence or threatening behaviour during their childhood.²⁴ Most research on the impact of DA has focused on witnessing physical or sexual abuse. Exposure can involve attempts to intervene.²⁵ Children might also be victims of child abuse (physical child abuse is estimated to occur in 45% to 70% of DA cases including children²⁶).

Witnessing DA can be as damaging as experiencing direct abuse.²⁷ Children exposed to DA can experience emotional, cognitive, behavioural and social problems²⁶ such as depression and anxiety, trauma symptoms (including flashbacks) and heightened aggression.²⁸ The impact of DA on parents can affect children directly; moving homes can disrupt school attendance and lower educational achievement,²⁶ or indirectly through decreased capacity for parenting. This can lead to attachment problems, which if they last into adulthood may result in involvement in abusive relationships.²⁶ Negative outcomes may be reduced by support systems, such as a strong relationship between a child and his or her non-abusive parent,²⁶ or programmes that address the impact of the abuse.²⁹

Current Police Practices

In 2014, Her Majesty's Inspectorate of Constabulary's (HMIC) review made eleven recommendations to improve police responses to DA.² They included updating authorised professional practice (written by the College of Policing), improving training, and assessing the effectiveness of both risk assessments and interventions. A National Oversight Group monitors progress on these recommendations,³⁰ and a recent re-inspection has acknowledged improvements.³

Approaches to Assessing Risk in DA Incidents

Because of the nature of DA, the risk of re-victimisation is considered for all victims. Therefore, most forces use the risk assessment tool Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH) Risk Identification and Assessment and Management Model to identify any current risk factors linked with re-victimisation (Box 2).³¹ Responding officers ask the victim questions from DASH, or an alternative tool. The questions are based on a review of a wide variety of DA cases, police and victim input, and research findings,³² but its predictive power has not been tested. Officers categorise risk (standard, medium or high) using the victim's answers alongside professional judgement.³¹ The amount and type of resources allocated to a case are determined by their risk level.³² The DASH is the most frequently used tool.³² It has been in use since 2009 but has never been evaluated.³³ The College of Policing is reviewing how it is used, since HMIC was concerned about variations in police training and use of DASH, including whether it is mandatory for all cases, reliance on the form and the timing of the risk assessment.³

After the Risk Assessment

Police interventions for each risk level vary by force. The first step is to make a proactive plan for all victims, referring them to relevant support services, and taking positive actions if justified, such as arrest. Victims of any risk level or police officers can apply for court orders (including Domestic Violence Protection Orders (DVPOs) and Non-Molestation Orders).⁴ These restrict a suspected offender's movements or activities. Depending on the order breaches are a criminal or civil matter with sanctions varying from fines to imprisonment.⁴ DVPOs are associated with reduced re-victimisation, particularly for chronic offenders.³⁴

Box 2. Risk Factors

Several theories have been proposed to explain why someone might be more likely to perpetrate abuse in an intimate relationship. These include amongst others social theories that maintain DA occurs when perpetrators learn that it leads to desired outcomes, and feminist theories that men perpetrate DA to maintain power and control.³⁵ Risk factors that are predictive of physical DA involvement are family-related (such as experiencing or witnessing abuse during childhood or having difficult relationships with parents) and lifestyle-related (such as alcohol or drug use and having violent or few friendships in adolescence).³⁶ Other factors are linked with male DA perpetration or female victimisation, but do not necessarily predict it, such as male attitudes condoning violence and traditional sex roles.³³

High and Medium Risk Victims

How a case is dealt with depends on the constabulary. For example, in some forces, only 'high-risk' cases are referred to specialist police DA teams.⁴ However, most forces involve external agencies in their responses to high (and sometimes medium) risk incidents via:

- **Multi-Agency Risk Assessment Conferences** are safeguarding meetings involving services including police, health services, and child protection.⁴ They are meant to share knowledge about the victim (and children) and create a risk management plan.⁴
- **Independent Domestic Violence Advisers** are non-police advisers who work with other agencies and organisations on risk assessments and safety plans.^{32,37,38} Victims have reported feeling safer.³⁸
- **Direct referral to a refuge.**

Arrest and Prosecution

No UK studies on the effects of arrest on DA have been conducted, but US studies report mixed effects.³⁹ A systematic review including details of these studies is due to be published by the College of Policing.⁴⁰ After arrest, suspected offenders may not be charged and released with no further police action taken, or they may be charged and prosecuted. An evaluation of specialist domestic violence courts (magistrates' courts that use specially trained staff) found that fines were the most common sentence.⁴¹

Domestic Violence Disclosure Scheme

This scheme ('Clare's Law') allows people to request information from the police about a partner's history of violent offences (Right to Ask) or for the police to make a proactive decision to disclose information to those at risk (Right to Know).⁴ The information shared includes unspent convictions, out-of-court disposals and other police information that reasonably leads them to believe there is a risk of DA.⁴ A DA perpetrator register (analogous to that for sex offenders) has been proposed by Paladin, a national stalking advocacy service.⁴²

Experimenting with Alternative Approaches

Police seek to improve their services to the public by developing innovative and cost-effective interventions.

Box 3. Research in an Operational Police Environment

Researching within this environment constrains the design of experiments. Some of the challenges are:

- **Suitability of randomised controlled trials:** These involve assigning cases randomly to one or more interventions and a 'control' group. Random assignment is challenging when participants do not comply with their groups' condition. Most perpetrator involvement is voluntary and so whether interventions would work for less co-operative perpetrators is questionable. Ethical concerns refer to the suitability of denying victims an intervention that could reduce the risk of further abuse, or imposing one that could increase the risk.⁴³ However, this is weighed against not knowing what works for policing DA.
- **Risk averse culture:** Pilot studies for which there is a possibility of increased risk of abuse may be avoided. This includes most perpetrator-focused interventions as there is a concern that perpetrators may respond with retaliation against the victim.⁴⁴
- **Resources:** Some trials are expensive, particularly those that involve investment in new practices or measure re-offending.
- **Risk identification:** Many pilots are appropriate only for perpetrators of specific risk levels, which are difficult to identify.⁴⁵
- **Determining success:** There are many measures of success in a DA pilot, including official and victim reports of offending, victim satisfaction and attitude change.⁴⁶ Some forms of success may be unmeasurable, such as intelligence gained from interventions leading to prevented homicide attempts. Additionally, victims' views of success may not map onto criminal justice ones.⁴⁶

However, it is difficult to assess the effectiveness of DA interventions and consequently also difficult to determine cost-effectiveness (Box 3). The College of Policing What Works Centre and the National Police Chiefs' Council evaluate some interventions and issue guidance on good practice.^{47,48} Several forces are examining alternative approaches, often in collaboration with academics. Technological approaches are detailed in Box 4.

Victim-Focused Approaches*Second Responder Programmes*

Victims are thought to be most likely to take protective steps shortly after an incident.⁴⁹ Second responders make contact to give information about DA services, help with creating an escape plan and referrals to refuges and other services.⁵⁰ US studies suggest this approach increases the reporting of abuse, but does not reduce re-offending.⁴⁹ However, one US intervention was associated with increased repeat victimisation.⁵¹ Leicestershire Police's Project 360 second responder pilot involves police-supported engagement workers targeting repeat victims of medium and standard risk. After one month, victims in the treatment group reported increased stress, but improved family life and quality of life, and increased satisfaction with the police response and willingness to report future abuse.⁵² Victims were also more likely to report taking action to change their situation (including ceasing contact with the perpetrator). Further analysis will examine delayed victim perceptions, outcomes for children (educational and behavioural) and re-offending, and will include a cost-benefit analysis.⁵²

Box 4. Technological Solutions

- **Body Worn Video Cameras** record officers' interactions with the public during incidents.⁵³ Thought to improve transparency and accountability, they are also seen as helpful for evidence-led prosecutions,⁵⁴ which rely on evidence other than victim testimony. In 2014/15, 27% of DA prosecutions failed because of victim retractions.¹² Essex Police found that DA suspects arrested by police wearing cameras were more likely to be charged.⁵³ The effects on prosecution, re-offending and victims' perceptions have not been determined.
- **TecSOS Phones** allow the victim to make a high priority 999 call easily.⁵⁵ Calls are recorded and the phone's location is transmitted to the police. TecSOS phones have been trialled by Thames Valley Police and used in 17 force areas by victims who are usually not still living with their partner or ex-partner but are at the highest risk of serious injury or death.⁵⁶ Victims' perceptions of TecSOS phones were positive, reducing fears of being victimised outside their homes.⁵⁷ Additionally, response times to TecSOS calls are generally shorter than other DA or any other calls.⁵⁷ The cost for 100 handsets and police training time is approximately £20,000.⁵⁷
- **GPS Tagging** involves perpetrators voluntarily wearing an ankle tag and is being trialled by Northumbria Police. Victims have a GPS handset and warnings are sent to both the victim and perpetrator if they come into close proximity.⁵⁸ Fixed exclusion zones are also put in place for the perpetrator (such as around the victim's home). If the perpetrator enters an exclusion zone, the police are alerted. This has been found to be effective at reducing breaches of 'no contact' court orders in the US,⁵⁹ but the take up in Northumbria has so far been too low to allow evaluation.⁵⁸

Offender-Focused Approaches

Conditional Cautions

Hampshire Police's project CARA (Conditional Cautioning and Relationship Abuse) is a randomised controlled trial comparing two conditional cautions that impose requirements which offenders must abide by to avoid prosecution.⁶⁰ Both cautions require no re-offending for four months, but one also requires attendance at a Domestic Abuse Awareness Raising Course. Participants are non-high risk adult male offenders with minimal police-recorded criminal histories, who have admitted the DA offence against their spouse, or against whom the CPS believes the evidence is overwhelming.⁶⁰ CPS approval and victim agreement is needed for a perpetrator's inclusion in the pilot. The course, delivered by the Hampton Trust, encourages perpetrators to understand their actions and their consequences and to make DA-behaviour goals.⁶⁰ The project is ongoing, but preliminary results suggest a conditional caution specifying course completion may reduce re-offending. Further work will examine if the effect is significant with larger sample sizes.⁶⁰ The intervention is being rolled out in December 2015 across Hampshire.⁶¹ Other forces are seeking Home Office approval to implement conditional cautioning for DA.⁶¹ Women's Aid argues against conditional cautions as too inconsequential a response to what is rarely a 'low-level' offence.⁶²

Offender-Focused Domestic Violence Initiatives

These initiatives involve introducing standardised police responses to DA that vary depending on perpetrators' criminal histories and re-offending risk. The most resource-intensive interventions are focused on high-risk

Box 5. Perpetrator Programmes

Perpetrator Programmes are one-to-one or group sessions for offenders, which take various forms according to their theoretical basis (Box 2)⁷, run by Probation Services or other organisations. Perpetrators can be mandated by court to attend, self-refer, or are referred from other routes, such as via children's services.⁶³ UK research has found these to reduce levels of DA.^{63,64} Programmes involving motivational interviewing are more successful at reducing re-offending for less motivated perpetrators.⁶⁵ While victims seek violence cessation from these programmes, they also want an improved relationship with the perpetrator.⁴⁶ Some NGO programmes achieve this,⁶³ but it is unknown if Probation Service programmes do.

perpetrators.⁶⁶ Merseyside Police's Operation Highpoint is based on a US scheme which reduced re-offending.^{67,68}

There are three options for high-risk, serial offenders: formal notifications of police monitoring and outcomes of continued offending; participation in perpetrator programmes (Box 5); or multi-agency offender management.⁶⁸ Targeted interventions are used if an individual refuses to comply at any stage. Its effects on re-offending and victims' perceptions of their own safety will be evaluated.

Restorative Justice (RJ)

Both HMIC and the College of Policing discourage RJ for DA cases as it is thought to increase the victim's risk and an offender may manipulate the victim into agreeing to a RJ intervention,^{2,4} but nonetheless some officers use this approach.² In specific circumstances, there is some support from police, academics, and some victims, for considering the use of RJ.^{69,70,71} For non-DA offences, RJ usually involves a meeting between an offender, victim(s) and a facilitator to discuss the impact of the offender's actions and agree on an atonement plan.⁷² The formality and inclusion of other organisations and people, such as families and friends in this meeting varies according to the seriousness of the crime.⁷³ It should be used alongside criminal justice sanctions, but only when perpetrators admit to their crime. Victims and perpetrators of a range of non-DA offences report positive experiences of RJ.⁷⁴ It is not yet clear if RJ approaches for DA are effective and if so, for whom.

Updated DA Training for Police

To address one HMIC recommendation directly, the College of Policing, working with DA charities, has created new training.⁷⁵ One new training package involves a variety of face-to-face interactive lessons based on real cases. It addresses the negative attitudes that may be found in police forces (such as not taking DA seriously) and teaches officers about responses to trauma, perpetrator behaviour and the new coercive control offence. Further training is also available to coaches and supervisors, and all forces undergo a 'health check' which ensures the force can support the change in DA policing. 1,200 police staff in Hertfordshire were trained by police officers and DA voluntary sector experts.⁷⁵ The pilot is being evaluated.⁷⁶ The second training package focuses on the new coercive control offence due to come into force on 29 December 2015. The training addresses the legislation and effective policing responses.⁷⁷

Endnotes

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