



Inspecting policing
in the public interest

Derbyshire Constabulary's approach to tackling domestic abuse

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ISBN: 978-1-78246-343-6

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Introduction

The extent and nature of domestic abuse remains shocking. A core part of the policing mission is to prevent crime and disorder. Domestic abuse causes both serious harm and constitutes a considerable proportion of overall crime. It costs society an estimated £15.7 billion a year.¹ 77 women were killed by their partners or ex-partners in 2012/13.² In the UK, one in four young people aged 10 to 24 reported that they experienced domestic violence and abuse during their childhood.³ Forces told us that crime relating to domestic abuse constitutes some 8 percent of all recorded crime in their area, and one third of their recorded assaults with injury. On average the police receive an emergency call relating to domestic abuse every 30 seconds.

People may experience domestic abuse regardless of their gender, ethnicity, religion, sexuality, class, age or disability. Domestic abuse may also occur in a range of different relationships including heterosexual, gay, lesbian, bi-sexual and transgender, as well as within families.

While both men and women can be victims of domestic abuse, women are much more likely to be victims than men.

The cross-government definition of domestic violence and abuse is:

“any incident or 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:⁴

- *psychological*
- *physical*
- *sexual*
- *financial*
- *emotional”.*

¹ Walby, S. (2009). *The cost of domestic violence*. Retrieved from: www.lancaster.ac.uk/fass/doc.../Cost_of_domestic_violence_update.doc

² Office for National Statistics (2013). *Focus on violent crime and sexual offences 2012/13 – Chapter 4: Intimate Personal Violence and Partner Abuse*. Retrieved from: http://www.ons.gov.uk/ons/dcp171776_352362.pdf

³ Radford L, Corral S, Bradley C et al (2011) *Child abuse and neglect in the UK today*. London: NSPCC.

⁴ All definitions are taken from www.gov.uk/domestic-violence-and-abuse

Controlling behaviour is defined as a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is defined as: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim. This definition includes so-called honour-based violence, female genital mutilation and forced marriage.

Tackling domestic abuse and keeping its victims safe is both vitally important, and incredibly complicated. The police service needs to have the right tools, resources, training and partnerships in place to help it identify victims and keep them safe. It also needs to investigate and bring to justice offenders, when no two domestic abuse environments are the same, and some victims have suffered in silence for years or even decades.

In September 2013, the Home Secretary commissioned HMIC to conduct an inspection.⁵ We were asked to consider:

- the effectiveness of the police approach to domestic violence and abuse, focusing on the outcomes for victims;
- whether risks to victims of domestic violence and abuse are adequately managed;
- identifying lessons learnt from how the police approach domestic violence and abuse; and
- making any necessary recommendations in relation to these findings when considered alongside current practice.

To answer these questions, HMIC collected data and reviewed files from the 43 Home Office funded forces. We spoke to 70 victims of domestic abuse in focus groups throughout England and Wales and surveyed over 100 victims online. We also surveyed 200 professionals working with victims of domestic abuse.

We inspected all police forces in England and Wales, interviewing senior and operational leads in forces, holding focus groups with frontline staff and partners, and carrying out visits to police stations (which were unannounced) to test the reality of each force's approach with frontline officers. Our inspection teams were supplemented by expert peers, which included public protection experts from over 15 forces and those working with victims of

⁵ www.gov.uk/government/news/major-review-of-police-response-to-domestic-violence

domestic abuse in voluntary and community sector organisations.

This report details what HMIC found in Derbyshire Constabulary and at the end of the report we set out some recommendations. These recommendations should be considered in conjunction with the recommendations for all forces made in the national report.⁶ A glossary of frequently used terms also appears at the end of the report.

⁶There is a requirement under section 55(5) and section 55(6) of the Police Act 1996 for the police and crime commissioner to publish a copy of their comments on this report, and the recommendations for all forces in the national report, and forward these to the Home Secretary.

Domestic abuse in Derbyshire⁷

Calls for assistance



In Derbyshire, domestic abuse accounts for 7% of calls to the police for assistance. Of these calls 17% were from repeat victims

Crime

10%

Domestic abuse accounts for 10% of all recorded crime.

Assault with intent

25%

Derbyshire recorded 227 assaults with intent to cause serious harm, of these 57 were domestic abuse related. This is 25% of all assaults with intent to cause serious harm recorded for the 12 months to end of August 2013.

Assault with injury

40%

The force also recorded 5,014 assaults with injury, of these 2,029 were domestic abuse related. This is 40% of all assaults with injury recorded for the 12 months to end of August 2013.

⁷ Data in this section is based upon forces' own definition of calls for assistance and domestic abuse, and forces' use of domestic abuse markers on IT systems.

Source: HMIC data collection. Crime figures are taken from police-recorded crime submitted to the Home Office

Harassment

70%

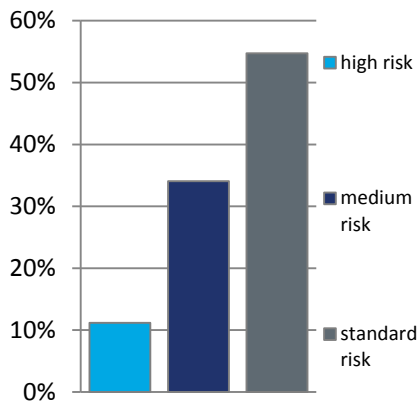
The force recorded 692 harassment offences, of these 481 were domestic abuse related. This is 70% of all harassment offences recorded for the 12 months to end of August 2013.

Sexual offences

12%

The force also recorded 870 sexual offences, of these 108 were domestic abuse related. This is 12% of all sexual offences recorded for the 12 months to end of August 2013.

Risk levels



On 31 August 2013 Derbyshire had 1,538 active domestic abuse cases, 11% were high risk, 34% were medium risk, and 55% were standard risk.

Arrests



Derbyshire were unable to provide the number of domestic abuse related arrests. For most forces the number is between 45 and 90 per 100 domestic abuse marked crimes for the 12 months to 31 August 2013.

Outcomes



Derbyshire recorded 5,054 domestic abuse related crimes for the 12 months to the end of August 2013. Of these crimes 31% resulted in a charge, 8% resulted in a caution and, 17% had an out of court disposal, for example, a fixed penalty notice for disorderly conduct.

Executive summary

There is some effective working by Derbyshire Constabulary to tackle domestic abuse but, there are areas that require further development.

Tackling domestic abuse is a priority for the police and crime commissioner (PCC) and the chief constable. Staff demonstrated that they are committed to supporting victims and making them safe. The force has invested in a dedicated domestic abuse team of experienced detectives to investigate these crimes.

However, there are some inconsistent practices across the constabulary and gaps in the service that the police provide to some victims. High risk victims (those at risk of serious harm or murder) do not always receive the multi-agency support that ought to be provided. Some of the force's internal processes limit police officers' ability to exercise their professional judgment in assessing risk to victims. There are also gaps in the levels of knowledge among staff and officers in relation to certain types of domestic abuse, such as coercive and controlling behaviours by perpetrators, which can be just as dangerous as physical abuse. The force's pilot perpetrator programme, although well intentioned, is of concern.

The constabulary has developed strong links with partner agencies in delivering a more co-ordinated response to domestic abuse.

This report outlines a number of areas where the force could further strengthen its response.

Identifying victims

Most victims of domestic abuse are identified by staff in the force control room. There are good systems and practices in place in the control room to identify victims of domestic abuse and ensure an appropriate police response. Call handlers are skilled and confident in dealing with callers; however, their knowledge of coercive and controlling behaviour is inconsistent, which means that victims may not be identified. The force does not use a prescribed set of questions, but relies on the call handler building rapport and gathering as much relevant information as possible to enable risk to be assessed.

There are dedicated staff within the control room, which includes the real time intelligence (RTI) team, who carry out checks on all police information systems during the time that the call is in progress and while the officer is being sent to the incident. This enables them to provide the officer attending with as much background information on the incident and those involved as possible, so that they can make an informed assessment of the level of risk when they arrive at the scene. However, their capacity is limited, and during busy periods they are

not always able to provide these checks. The call handlers cannot access all of the databases, so this means that when the RTI team are very busy, officers will sometimes arrive at incidents without having a proper picture of the history of the victim and the perpetrator.

Keeping victims safe

Domestic abuse is a priority for the PCC and the chief constable. Staff throughout the force understand the importance of dealing effectively with domestic abuse offenders and safeguarding victims on the basis of the threat, harm and risk associated with these crimes and incidents.

There are weaknesses and inconsistencies in the level of training provided to staff. Officers and staff have received domestic abuse risk assessment training and some staff have received training in coercive control, so-called honour-based violence and stalking and harassment. However the training is delivered on an ad hoc basis, and there isn't a co-ordinated training plan nor is there understanding of the training needs for the force.

The process through which the risk to a victim is assessed is graded automatically by a computer once the officer has input the details. This limits the opportunity for the officer to apply their professional judgement, and also means that an officer may be unaware of the true level of risk when leaving the incident.

Frontline staff are enthusiastic and committed when undertaking actions to improve the safety of the victim. Where risk is assessed as high, the case is passed to the dedicated domestic abuse unit for investigation. The force has put in place an accreditation scheme in order to improve the quality of investigations and has provided staff with investigation guidance.

The force has set up a scrutiny panel which assesses the quality of domestic abuse investigations, which will share good practice and any learning points across the force.

Management of risk

The force employs specialist domestic abuse officers, who review all risk assessments. However, there is a significant backlog of incidents awaiting review. Also, some standard risk cases which were not reviewed within the force's target of seven days were filed with no further action taken. This means that the risk to some victims isn't being properly assessed and delays in the process mean there is a risk that victims may not be getting the appropriate level of support in a timely manner to make them safe.

The force works in partnership with other agencies, the multi-agency risk assessment conferences (MARACs) work well. However, the force operates a higher threshold of risk than other partners before they refer an incident to the MARAC (and higher than the nationally accepted threshold). As a consequence, not all high risk victims who should be considered at a MARAC are referred by the police. This means that some victims may not be getting the support from all agencies in making them safe. Since the inspection the force and partners have made the decision to reduce the threshold of risk and this is now in line with the Coordinated Action Against Domestic Abuse (CAADA) recommendations.

Prior to inspection, the force had introduced The Domestic Abuse Perpetrator Scheme, a perpetrator programme, as a pilot programme in two divisions, which was linked to restorative justice. While the intention of the programme was to break the cycle of offending, its use did not reduce the risk to the victim, and the use of restorative justice as a sanction for domestic abuse offending could not be effectively managed. The scheme has now been withdrawn within Derbyshire. This is of considerable concern.

Organisational effectiveness for keeping people safe

The force has a formal process to ensure that any learning from domestic homicide reviews is acted upon and shared across the organisation. This includes a recently introduced bulletin from the public protection unit which is shared with all staff across the force.

There are processes for monitoring high-risk domestic abuse offenders when they are released from prison and reviewing the risk they pose to their victims. However, there are no such processes for medium and standard risk cases where an offender is released. Consequently, it is less likely that these victims will be updated, and their safety reviewed. In 2011 the force undertook analysis of domestic abuse incidents in order to understand how better to tackle offenders including those who commit offences against more than one victim. However, the force has not yet developed a programme to monitor and tackle serial offenders. The force acknowledges this and is currently working to deliver an appropriate programme to improve the way it deals with serial offenders.

While officers and staff have a good knowledge of offenders and victims in the locality of where they work, this knowledge is built up through dealing with incidents, tasking and attending meetings rather than a co-ordinated process.

Findings

How does the force identify victims of domestic abuse, and in particular repeat and vulnerable victims?

Most victims of domestic abuse are identified by staff in the force control room. There are good systems and practices in place in the control room to identify victims of domestic abuse and ensure an appropriate police response. Call handlers are skilled and confident in dealing with callers; however, their knowledge of coercive and controlling behaviour is inconsistent, which means that victims may not be identified. The force does not use a prescribed set of questions, but relies on the call handler building rapport and gathering as much relevant information as possible to enable risk to be assessed.

There are dedicated staff within the control room, which includes the real time intelligence (RTI) team, who carry out checks on all police information systems during the time that the call is in progress and while the officer is being sent to the incident. This enables them to provide the officer attending with as much background information on the incident and those involved as possible, so that they can make an informed assessment of the level of risk when they arrive at the scene. However, their capacity is limited, and during busy periods they are not always able to provide these checks. The call handlers cannot access all of the databases, so this means that when the RTI team are very busy, officers will sometimes arrive at incidents without having a proper picture of the history of the victim and the perpetrator.

Victims of domestic abuse are normally identified when they contact the force control room. A victim may also attend a police station or be referred through other agencies such as the health service, social care or a housing provider. Staff within the control room who deal with the calls have the responsibility to ask relevant questions of victims of domestic abuse when they contact the police. The call handler establishes as much about the incident as possible, in order that they can assess the level of risk to the victim. The force does not provide staff with a mandatory set of questions or guidance as prompts, the intention being that the call handler is trained to build up a rapport with the victim, and will encourage them to give as much relevant information as possible. Supervisors within the control room undertake audits of calls into the control room including domestic abuse. The supervisors listen to a sample of recorded calls for each call handler and evaluate how well the call was dealt with. The results are then discussed with the staff member in order to improve learning.

For callers whose first language is not English, and where there may be difficulties in communicating, the force uses 'Language Line' which provides the call handler with immediate access to an interpreter through a three-way conversation. However, this facility is not always used where it may be of value.

The force has set up a small intelligence team which is based in the force control room. The real time intelligence (RTI) team carries out checks of police information systems while the call is in progress and the officer is being sent to the incident. This enables them to supply the attending officer with as much information as possible about the incident, to help them make an accurate assessment of the risks when they arrive. The force intelligence systems hold information such as any previous calls to the address, whether any occupant has access to a firearm, and whether there is any information relating to children at the address. This means that officers have the most up-to-date information available when they attend an incident. However, during busy periods the RTI team were not always able to supply information, as they were dealing with other calls. When this happens, the force has no contingency plan, as the call handlers do not have access to the intelligence databases. This means at times of peak demand officers may attend an incident without having any information or history. This is a concern as it means their risk assessments will not be fully informed.

The force recognises that it is important to identify repeat victims of domestic abuse at the first point of contact as this will have an impact on the risk assessment. Where there is a continued risk to a victim or a likelihood of a repeat incident, a critical register marker will be placed on the force database attached to the victim's details. As soon as the call handler opens a new incident record and enters the victim's details, the critical register marker will automatically highlight to the call handler that there is previous history. This information will be used when assessing the level of risk and whether there is a need for immediate police attendance.

When a victim reports an incident of domestic abuse, the call handler will undertake an initial risk assessment to determine what police response is required. The majority of domestic abuse calls will be assessed as requiring an immediate response, (within twenty minutes), or a priority response, which requires the officer to attend as soon as possible. If the victim requests it, and there isn't an immediate threat of harm, then a scheduled appointment will be arranged. Any downgrading of the initial police response has to be approved by a supervisor in the control room.

Control room staff receive training as part of their initial induction programme when they join the force. This includes a specific element on understanding domestic abuse. All staff have undertaken a computer-based self-learning

package on stalking and harassment. The force does not have a strategic training program which means that there are some inconsistencies in the training that has been provided. Although control room staff have a good understanding of vulnerability, in contrast, their knowledge of coercive control and psychological abuse, as well as of the new national definition of domestic abuse, introduced in 2013⁸ is inconsistent. This is a concern as they may be unable to identify all types of domestic abuse. Continuous learning for control room staff of domestic abuse is reliant on email messages from the force and updates on the force intranet. HMIC is recommending that in the future domestic abuse training should be face-to-face rather than online.

There is an inconsistent understanding across the force as to what defines a repeat victim with different staff applying different parameters. Generally, control room staff consider the definition as any victim who had previously been subjected to an incident of domestic abuse. Control room staff also recognise that where a caller has previously been a victim, this would influence the risk assessment and the immediacy of attendance.

There is a good level of supervision of the initial response to domestic abuse incidents by the control room. Prior to closing an incident the attending officer must update the incident log with the actions they have taken. The attending officer's sergeant will assess the action taken to ensure the most appropriate response has been given. The force is due to introduce a checklist of questions which must be completed prior to closing an incident. This will ensure that there is a review of the action taken as well as consistency. A supervisor from the control room undertakes a further assessment before the incident can be closed. Where incidents remain open the response inspector undertakes a review of the risk and ensures all actions are undertaken until the matter is appropriately dealt with. Supervisors in the control room listen to their team's calls and dip sample them to ensure the call handler is providing the right response and that the level of risk is correctly recognised. This is good practice.

⁸ The nationally accepted Association of Chief Police Officers (ACPO) definition of domestic abuse was broadened in April 2013 to include coercive controlling behaviour as a form of abuse; the age range for victims was also extended to include anyone over 16 years of age.

How does the force respond to victims of domestic abuse? This includes initial action, including risk assessment.

Domestic abuse is a priority for the PCC and the chief constable. Staff throughout the force understand the importance of dealing effectively with domestic abuse offenders and safeguarding victims on the basis of the threat, harm and risk associated with these crimes and incidents.

There are weaknesses and inconsistencies in the level of training provided to staff. Officers and staff have received domestic abuse risk assessment training and some staff have received training in coercive control, so-called honour-based violence and stalking and harassment. However the training is delivered on an ad hoc basis, and there isn't a co-ordinated training plan nor is there understanding of the training needs for the force.

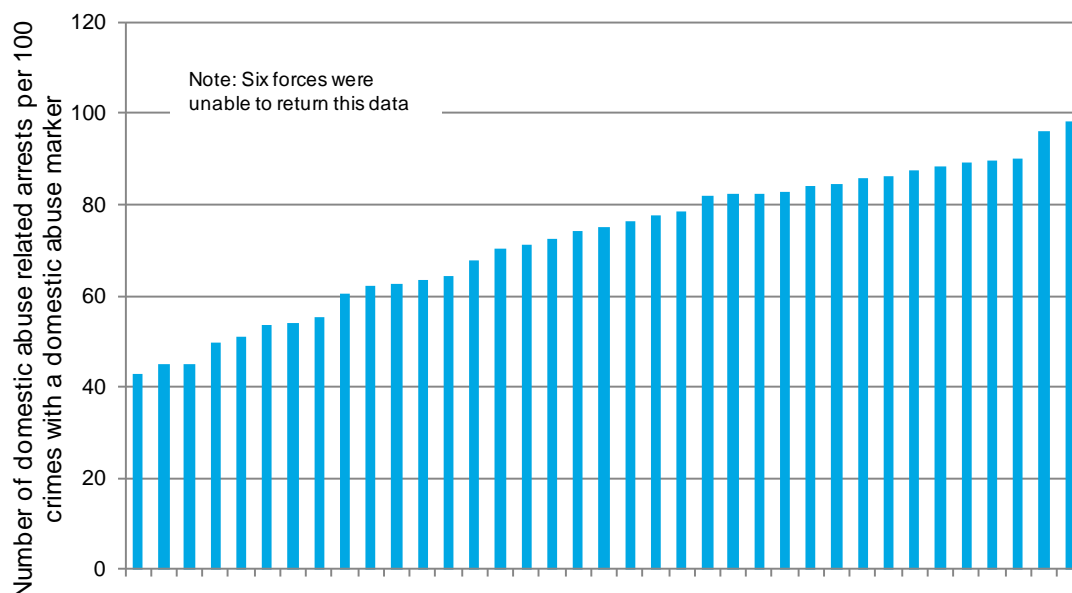
The process through which the risk to a victim is assessed is graded automatically by a computer once the officer has input the details. This limits the opportunity for the officer to apply their professional judgement, and also means that an officer may be unaware of the true level of risk when leaving the incident.

Frontline staff are enthusiastic and committed when undertaking actions to improve the safety of the victim. Where risk is assessed as high, the case is passed to the dedicated domestic abuse unit for investigation. The force has put in place an accreditation scheme in order to improve the quality of investigations and has provided staff with investigation guidance.

The force has set up a scrutiny panel which assesses the quality of domestic abuse investigations, which will share good practice and any learning points across the force.

Derbyshire was unable to provide the number of domestic abuse related arrests, and is therefore not included in the following chart.. For most forces the number is between 45 and 90 arrests per 100 domestic abuse marked crimes for the 12 months to 31 August 2013. Figure 1 shows the range of arrests per 100 crimes across England and Wales.

Figure 1: Number of domestic abuse related arrests per 100 crimes with a domestic abuse marker for the 12 months to 31 August 2013⁹



Source: HMIC data collection

Domestic abuse is a priority for the police and crime commissioner (PCC). It features in the police and crime plan in two of the nine pledges; *“Stand up for victims, vulnerable people, and take domestic abuse seriously - working with victims to improve the service provided in the future”*; and *“Ensure that robust procedures are in place to protect families and those suffering from incidents of Domestic Abuse and Hate Crime.”* This priority is reflected in the chief constable’s delivery plan, and the force recognises that more could be done to reinforce the message. Staff are very clear that they have an important role in ensuring that they properly assess the risk and make victims of domestic abuse safer.

⁹ Based on forces' own definition of domestic abuse and use of a domestic abuse marker on IT systems.

The force works with partner agencies such as health and social care services at both a strategic and operational level. The Domestic Violence and Serious Sexual Violence Board has representation from a wide variety of partners. The group has co-ordinated the introduction of a domestic abuse strategy which covers both city and county councils and means that all the partners are working towards the same objectives. This should ensure there is consistency and co-ordination in how partners respond to domestic abuse and will benefit victims.

Training for officers and staff in understanding domestic abuse and how to deal with victims has been limited. The force does not have a co-ordinated training and development plan and has not undertaken any assessment of the training needs of staff specifically in relation to domestic abuse. New officers joining the organisation receive guidance on domestic abuse as part of their initial training programme. There are some examples of training on a departmental basis, but they are limited. The only other force-wide training is delivered through computer-based self-learning packages which include stalking and harassment. There is guidance available to staff on the force intranet. There has been no training or guidance on identifying or dealing with coercive control and psychological abuse, which means staff may not recognise or understand these types of abuse, and may not deal appropriately with them or recognise the true level of risk.

Officers attending an incident of domestic abuse are required to undertake an assessment of the risks posed to the victim. The force uses the nationally recognised domestic abuse stalking and harassment (DASH) risk assessment tool to assist them in their professional judgement. Officers are routinely carrying out the risk assessment and understand the reasons why the questions they ask of the victim are important. The DASH risk assessment is submitted electronically into the force database once the officer has left the scene. This means that officers either complete the form from notes or memory. The force has adopted a process whereby the level of risk is only determined once the DASH risk assessment is put into the computer by the officer. This means that the grading of risk is confirmed only after the officer has left the scene, and although the officer has the opportunity to add comments, the ability to apply the appropriate level of professional judgement is reduced. Some risk assessments had been cut and pasted from previous DASH forms meaning that the risk of harm is not properly identified. This is unacceptable.

Where possible the control room will send two officers to a domestic abuse incident. This provides the opportunity for the officers to speak to the parties separately and gain a better understanding of what has taken place. Staff in Derbyshire were committed and sought to take positive action as required by force policy. However, positive action tends to focus on dealing with the

perpetrator, typically by arresting them if any offence has been committed. Where there are children at an incident, officers understand the need to take appropriate action to support their welfare and make a referral to children services for their consideration.

Derbyshire Constabulary has a process to ensure that all DASH risk assessments are reviewed by a supervisor. The response supervisor has initial ownership for reviewing the assessment. The force is due to introduce a question set for the supervisor to use, to ensure the level of risk is accurately recorded. The control room inspector monitors all domestic abuse incidents to ensure that there are resources available to attend, as well as making sure any actions are completed, which will reduce the level of risk. Where the level of risk is assessed as high, the incident will be immediately passed through to the central referral unit for them to take appropriate action.

The force has introduced a programme designed to support officers and staff to develop the standards of their investigations, known as 'Improving the Quality of Investigations'. The aim is to improve the quality of the evidence gathered and thereby improve the presentation of evidence at court and secure more successful prosecutions. The force has also introduced an accreditation scheme for supervisors, to improve the standard of investigation as well as the gathering of evidence for presentation at court. Supervisors undertake a review of the initial investigation. There is further scrutiny of domestic abuse incidents at the daily management meeting where there is a review of any incidents and prisoners for offences of domestic abuse. The force introduced a domestic violence scrutiny panel in December 2013. The panel will assess the quality of domestic abuse investigations as well as auditing files for court and the use of restorative justice for domestic abuse offenders.

When an incident of domestic abuse occurs and the offender has left the scene, then the police incident record will not be closed until the perpetrator has been arrested. The initial attending officer will create a handover package which will be recorded on the force database and passed from shift to shift and managed by the team sergeant. Attempts to make an arrest are made on a 24 hour basis with any actions reviewed in the local daily management meeting (DMM). This process will continue until the offender has been arrested.

How are victims of domestic abuse made safer as a result of the police response and subsequent action?

The force employs specialist domestic abuse officers, who review all risk assessments. However, there is a significant backlog of incidents awaiting review. Also, some standard risk cases which were not reviewed within the force's target of seven days were filed with no further action taken. This means that the risk to some victims isn't being properly assessed and delays in the process mean there is a risk that victims may not be getting the appropriate level of support in a timely manner to make them safe.

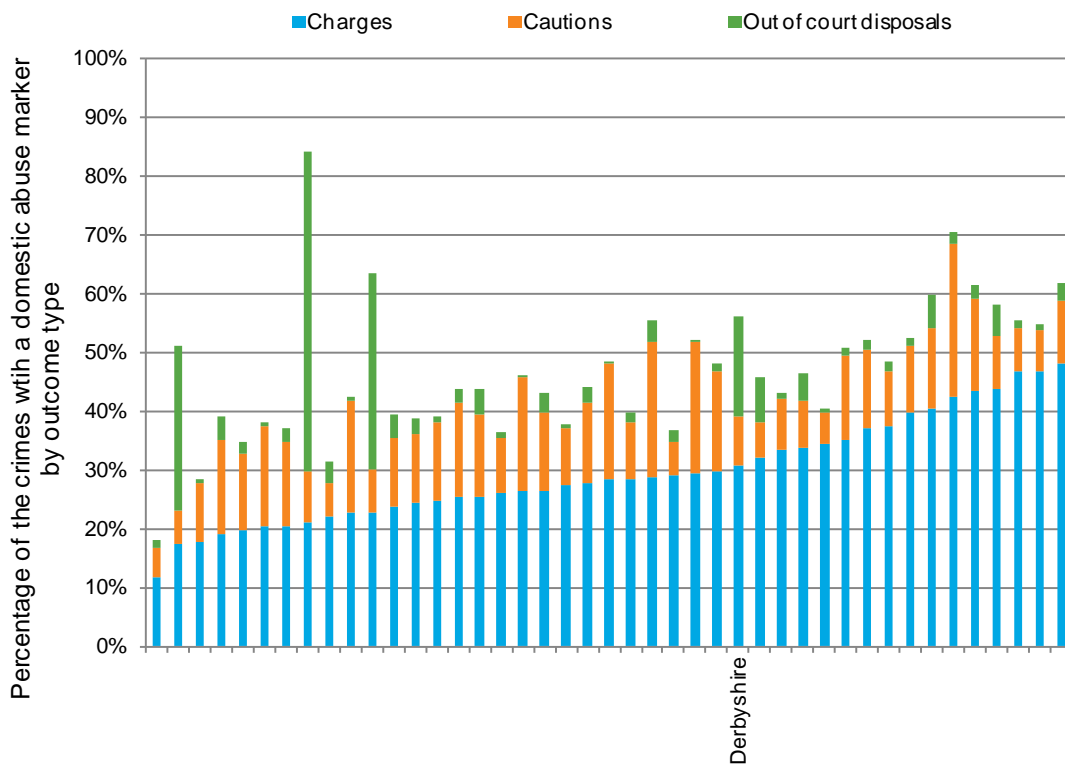
The force works in partnership with other agencies, the multi-agency risk assessment conferences (MARACs) work well. However, the force operates a higher threshold of risk than other partners before they refer an incident to the MARAC (and higher than the nationally accepted threshold). As a consequence, not all high risk victims who should be considered at a MARAC are referred by the police. This means that some victims may not be getting the support from all agencies in making them safe. Since the inspection the force and partners have made the decision to reduce the threshold of risk and this is now in line with the Coordinated Action Against Domestic Abuse (CAADA) recommendations.

Prior to inspection, the force had introduced The Domestic Abuse Perpetrator Scheme, a perpetrator programme, as a pilot programme in two divisions, which was linked to restorative justice. While the intention of the programme was to break the cycle of offending, its use did not reduce the risk to the victim, and the use of restorative justice as a sanction for domestic abuse offending could not be effectively managed. This was of considerable concern. The scheme has now been withdrawn within Derbyshire.

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¹⁰ Based on forces' own definition of domestic abuse and use of a domestic abuse marker on IT systems.

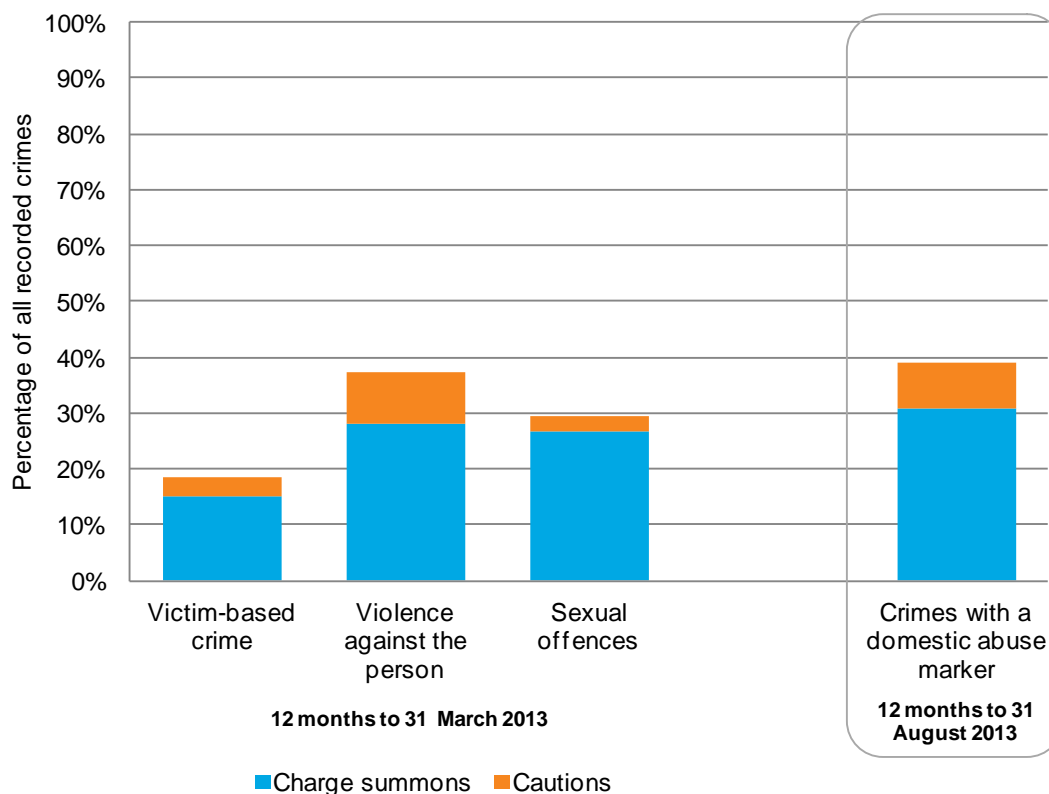
Figure 2: Percentage of different outcome types used for crimes with a domestic abuse marker for the 12 months to 31 August 2013¹¹



Source: HMIC data collection

Derbyshire Constabulary charge a higher proportion of crimes with a domestic abuse marker than recorded victim-based crime. This may indicate that the force has a different approach to domestic abuse outcomes than other crimes.

Figure 3: Percentage of charge summons and cautions used for victim-based crime, violence against the person, sexual offences and all crimes with a domestic abuse marker ¹¹



Source: Sources: HMIC data collection, Home Office Crimes detected in England and Wales, ONS Crime in England and Wales

In order to respond effectively to domestic abuse, Derbyshire Constabulary has set up dedicated units staffed by specialist officers. Every DASH risk assessment undertaken by attending officers, is submitted to the central referral unit, where specialist officers review the incident and reassess the risk. The review is supplemented with any available information held by partner agencies and helps to develop a more complete picture of the risk a victim of domestic abuse may be facing.

However, at the time of the inspection there was a backlog of some 300 DASH risk assessments awaiting this further review. This is a concern. In addition to this, some standard risk incidents which had not been reviewed within the recommended seven days were filed as completed. This is also a concern. The force recognises that this is unacceptable as it means that some victims may

¹¹ Based on forces' own definition of domestic abuse and use of a domestic abuse marker on IT systems.

not be getting the level of service they need to support them. It could also delay a referral to other agencies that can provide additional support and safeguarding at this critical time for victims.

When the central referral unit undertake their secondary assessment of the levels of risk to the victim they do not always contact the victim, partly due to the high number of referrals received each year. The current process is therefore reliant on the initial information provided by the attending officer. This means that the review may be undertaken without considering all the information available.

Derbyshire Constabulary classify any DASH risk assessment as high risk of serious harm only when a victim gives a positive response to more than 16 questions on the assessment. This is at variance with the nationally accepted classification which sets the threshold for high risk at 14 positive responses. Partner agencies in Derbyshire use the benchmark of 14. Victims assessed as high risk receive an enhanced level of service in that they are automatically referred for consideration at a multi-agency risk assessment conference (MARAC), where police and partner agencies meet together to share information, assess the risk to victims and their families and agree a co-ordinated and joined-up response to minimise the risk and keep victims safe.

Consequently, the police are referring significantly fewer cases to a MARAC than they otherwise would. At 552 cases per year, the number of referrals into the MARAC is significantly below the numbers expected by CAADA¹². Derbyshire also makes significantly lower numbers of referrals into MARACs when compared to other forces, regionally and nationally. By effectively screening out a large number of victims from the MARAC process, through applying this arbitrarily higher threshold of risk, the force is denying victims access to services which may better meet their needs and keep them safer. The force has undertaken a review of the threshold for referral and is committed to reducing it. However, it has not yet set a date for this to happen.

In Derbyshire there is a well-established structure for the MARAC process across the county, which involves local partners including councils, probation and health. There are currently five MARACs covering the force area, each of which is chaired by the detective inspector responsible for the police domestic abuse investigation teams. The MARAC process is supported by a partnership funded supervisor who has responsibility for co-ordinating the meetings as well as ensuring that any actions that arise are completed efficiently. During the

¹² CAADA is the organisation known as Co-ordinated Action Against Domestic Abuse. It is a national charity supporting a strong multi-agency response to domestic abuse.

inspection, staff from the force and partners raised concern about the level of resources that would be required for the MARAC process to continue to be effective. In particular, it was identified that if the police cease the current practice of screening out a significant number of cases, then the workload for the MARACs increases.

The central referral unit (CRU) acts as the focal point for the force to liaise with other partner agencies. There are currently some partner agencies, such as child and adult safeguarding services, who work within the CRU, but there are no plans to more closely align the staff and develop a multi-agency safeguarding hub in Derbyshire.

The domestic abuse units (DAUs) are responsible for dealing with all high risk incidents of domestic abuse; they take on the investigation and management of the offender as well as the care and safeguarding of the victim. The units are staffed by accredited detectives. There are two teams, one covering High Peak and Dales and Chesterfield and north east divisions; the other team covering Derby city. Each team is led by a detective inspector. Some staff in the DAU have had training on safeguarding and forced marriage, but most of their expertise has been developed through experience and working with partner agencies. The independent domestic violence advisors (IDVAs) are co-located with the DAU, which means there is better liaison and information sharing. IDVAs are specialists trained in dealing with domestic abuse, and although not employed by the police, work alongside them, providing additional safeguarding and support to high risk victims throughout the process, including at any court hearings.

The force has eight IDVAs, one of whom is based at the specialist domestic violence court at Chesterfield. The IDVAs in Derbyshire are seen as a real asset in supporting victims particularly the court IDVA, who provides support through the criminal justice process, which is a crucial time for victims. They are part funded by a government grant, however, this money is being withdrawn in 2015 and their future funding is uncertain.

The DAU has developed a framework for victim safety planning. This ensures the police consider all options to help safeguard the victim and record the action they take. This also helps the victim who will be clearly advised about what support they can expect.

However, this guidance is not being used for victims of medium or standard risk domestic abuse incidents. Safeguarding of victims of medium and standard risk victims is, initially, the responsibility of the attending officer and the safer neighbourhood team. The neighbourhood teams work well with local partners and some community safety partnerships have multi-agency teams who jointly

tackle domestic abuse. The CRU will task neighbourhood officers with actions to support victims. In some areas this works well with some pockets of good practice, where locally-owned processes are delivering a good service to victims. However, there is no co-ordinated force-wide policy or awareness of the role of the neighbourhood teams with regard to safeguarding victims. This means that delivery is inconsistent across the force and some victims will receive a better quality of service from their local neighbourhood team, depending on where they live.

The force has recently introduced a process where the investigating officer completes a victim contract for both domestic abuse crimes and incidents. The contract provides the victim with a point of contact. It also clarifies how the victim would like to be contacted, as well as acting as a reminder to the officer that they must make the victim aware of what action will be taken. A copy of the form is provided to the victim, and includes details of support agencies. This is positive.

Derbyshire operates two specialist domestic violence courts, one at Chesterfield, the other in Derby. The courts have magistrates and lawyers who have undertaken training in domestic abuse.

The force is also working together with organisations from the voluntary sector in order to secure funding for a 35-week perpetrator programme. It is proposed that the programme will be targeted at offenders who have yet to enter the criminal justice system.

Derbyshire Constabulary is one of a few forces that use restorative justice as a sanction for a perpetrator of domestic abuse. National guidance says this is not an appropriate sanction for offences which are related to domestic abuse that occurs within an intimate relationship. There are examples of this happening and in some instances there are no restorative elements to the agreed outcome, for example, where the offender agreed to buy the victim chocolate or flowers. In some circumstances the use of restorative justice in this way has potentially made the victim more vulnerable, particularly as there was no reassessment of the ongoing risk after the sanction was applied. This is of considerable concern.

Does the force have appropriate systems, processes and understanding to manage domestic abuse and risk to victims in the future?

The force has a formal process to ensure that any learning from domestic homicide reviews is acted upon and shared across the organisation. This includes a recently introduced bulletin from the public protection unit which is shared with all staff across the force.

There are processes for monitoring high-risk domestic abuse offenders when they are released from prison and reviewing the risk they pose to their victims. However, there are no such processes for medium and standard risk cases where an offender is released. Consequently, it is less likely that these victims will be updated, and their safety reviewed. In 2011 the force undertook analysis of domestic abuse incidents in order to understand how better to tackle offenders including those who commit offences against more than one victim. However, the force has not yet developed a programme to monitor and tackle serial offenders. The force acknowledges this and is currently working to deliver an appropriate programme to improve the way it deals with serial offenders.

While officers and staff have a good knowledge of offenders and victims in the locality of where they work, this knowledge is built up through dealing with incidents, tasking and attending meetings rather than a co-ordinated process.

Derbyshire Constabulary works closely with partner agencies in order to continually improve the service they give to victims of domestic abuse. There is now a single countywide domestic abuse and sexual violence strategy which has been developed by the governance board. This means that all partners are working towards the same objectives. There is a countywide meeting structure at both a strategic and operational level; meetings are well attended by partners including those from the voluntary sector. The partnership work has led to the publication of a comprehensive working guide on how to deal with domestic abuse and sexual violence. Derbyshire Constabulary has good liaison and partnerships with other agencies, but there is limited representation at executive level on strategic governance boards.

When an offender is released from prison, the force has a process for supporting the victim. If the offender's case was previously dealt with through the MARAC process, then together, with probation service, the matter will be referred back to MARAC in order that further safeguarding actions can be considered. For high-risk cases contact is maintained with the victim by the domestic abuse investigation officer together with the IDVA. The notification of prison releases for medium and standard risk is inconsistent, with no clear process in place to ensure that the victims are updated or their safety reviewed.

The monitoring of high-risk offenders is undertaken by the force intelligence unit and where necessary, fed into force tasking, for actions which could include reassurance visits by officers from the safer neighbourhood team. When a domestic abuse case is referred to the specialist domestic violence court, force policy is for a specialist domestic abuse officer to be in attendance. This means that proceedings can be monitored including any changes to bail which could affect the risk to the victim.

The force does not have a process to routinely follow up with victims who are no longer contacting the police. Where there have been no further calls from victims, who have historically been victims on a number of occasions or those who have been subject to repeat incidents, there is no mechanism to understand why they have stopped calling.

The identification and management of serial and serious perpetrators by the force is not a formalised process. A profile of offenders was produced in 2011, although this work did not lead to a programme to monitor serial offenders. There is some monitoring of repeat and serial offenders through the force tasking process. The force recognises this is an area of vulnerability and is currently looking at how best it can tackle serial offenders through a more systematic process.

Local officers have an awareness of families at greatest risk in their area. Safer neighbourhood teams are provided with details of any referrals made to a MARAC. However, the awareness of officers and staff is normally as a result of dealing with an incident or a briefing rather than a specific process or protocol or co-ordinated approach.

The force has in place a structure which ensures it learns from both serious case reviews and domestic homicide reviews. This is led by the assistant chief constable. The public protection unit has recently started producing a bulletin for all staff which highlights any learning points from the reviews. This is circulated to all staff.

The force produces a performance dashboard which includes information about performance in tackling domestic abuse, including numbers of recorded offences, as well as rates of detections and different outcomes. These are broken down to divisions and sub-divisions. However, the analysis of data is limited and there is no clear understanding of what good performance would look like, which means that the force does not know whether it is performing well. There is a wealth of data which, if assessed, could support the force in building on the positive action taken by frontline officers.

Recommendations

As a result of this inspection HMIC has developed recommendations which are designed to tackle any risks identified in the service to victims of domestic abuse. These force specific recommendations should be considered in conjunction with recommendations to all forces set out in the national report.

1. The force should consider the appropriateness of using restorative justice for offences in intimate relationships. Particularly with regard to how any action will prevent further offences of domestic abuse, or reduce the risk to the victim.
2. The force should review its use of its domestic abuse perpetrator scheme (DAPS) to assess whether there is evidence that it prevents re-offending, provides support to the victim and reduces risk or potentially increases the level of risk.
3. In line with CAADA guidance the threshold for referring a matter to the MARAC should be reduced. With only one in four high risk cases currently being referred to the MARAC, the opportunity for other agencies to collectively provide support could be lost. This would require an assessment of how the MARACs are run across the force.
4. The force should adopt an appropriate definition of a repeat victim and ensure there is an effective response to the risk. The force does not have a standard definition of repeat victim.
5. The force should review the process for completing the DASH risk assessment. This is to ensure:
 - a. the form is completed as thoroughly as possible by the attending officer, having regard to all the questions; and
 - b. the level of risk is assessed by officers and staff using their professional judgement rather than by computer.
6. The force should undertake analysis of the training requirements of officers and staff to ensure they fully understand domestic abuse, including coercive and psychological control. It should also include raising awareness of what options are available when undertaking safeguarding of the victim.
7. The force should urgently reassess how it undertakes reviews of the DASH risk assessments. The backlog of DASH risk assessments within the central referral unit (CRU) is a concern.

8. The force should urgently review the process, where standard risk assessments which have not been reviewed within the seven day guidelines, are closed without any further assessment of risk or review of what action is required, including support to the victim.
9. The force should review the meeting structure to evaluate whether the engagement at ACPO (Association of Chief Police Officers) level with key partners, especially the voluntary sector is appropriate.
10. The force should undertake a review to ensure there is clear oversight to so that the three basic command units deliver an efficient and consistent service to victims of domestic abuse and capture the good practice within the force.
11. The force should consider how best to analyse data, so that the force understands whether it is doing well, and how it can improve. There is a wealth of data which, if assessed, could support the force in building on the positive action taken by frontline officers.
12. The force should consider how best to identify and manage serial domestic abuse offenders. While some perpetrators may be managed through the MAPPA/MARAC process the force does not currently have a structured process to tackle those who commit offences of domestic abuse against more than one victim.

Glossary

Bail conditions

A court can remand a defendant in custody or grant bail, with or without conditions attached. Before the first court hearing, the police can also retain a defendant in custody or grant bail, with or without conditions attached, but their powers to do so are more limited than the court's. Conditions can only be imposed to ensure that the defendant attends the next court hearing, commits no new offences in the meantime, and does not interfere with any witnesses or obstruct the course of justice.

Body worn camera

A video camera, worn on the helmet or upper body of an officer, which records visual and audio footage of an incident.

CAADA (Co-ordinated Action Against Domestic Abuse)

CAADA is a national charity supporting a strong multi-agency response to domestic abuse. Its work focuses on saving lives and public money.

CAADA provides practical help to support professionals and organisations working with domestic abuse victims. The aim is to protect the highest risk victims and their children – those at risk of murder or serious harm.

CCTV

Evidence from Closed Circuit Television (CCTV) can be used to support police investigations. It is primarily used for corroborating what is already known in investigating incidents and to trigger further opportunities to carry out investigation, such as the identification of witnesses and suspects.

Clare's Law

Clare's Law – the Domestic Violence Disclosure Scheme – is designed to provide victims with information that may protect them from an abusive situation before it ends in tragedy. The scheme allows the police to disclose information about a partner's previous history of domestic violence or violent acts. The Domestic Violence Disclosure Scheme is named after Clare Wood who was

brutally murdered in 2009 by her former partner George Appleton, who had a record of violence against women.

Code of Practice for Victims of Crime

The Code of Practice for Victims of Crime (the Victims' Code) places a statutory obligation on criminal justice agencies to provide a standard of service to victims of crime or, where the victim died as a result of the criminal conduct, their relatives. The obligations the Victims' Code places on the agencies concerned include that:

- They provide victims, or their relatives, with information about the crime, including about arrests, prosecutions and court decisions;
- They provide information about eligibility for compensation under the Criminal Injuries Compensation Scheme;
- Victims be told about Victim Support and either be referred on to them or offered their service;
- Bereaved relatives be assigned a family liaison police officer; and
- Victims of an offender who receives a sentence of 12 months or more after being convicted of a sexual or violent offence have the opportunity to make representations about what licence conditions or supervision requirements the offender should be subject to on release from prison.

There are enhanced entitlements for victims of the most serious crime which includes domestic violence.

Coercive control

This is term and concept developed by Evan Stark which seeks to explain the range of tactics used by perpetrators and the impact of those on victims. It highlights the on-going nature of the behaviour and the extent to which the actions of the perpetrator control the victim through isolation, intimidation, degradation and micro-regulation of everyday life. Crucially it sets out such abuse can be psychological as well as physical. Coercive control is explicitly covered by the definition of domestic abuse.

Control room

A police control or communications room manages emergency (999) and non-emergency (101) calls, and sending police officers to these calls.

Counter-allegation

Where someone initially identified as the perpetrator makes an allegation against the victim. If counter-allegations are not identified and resolved agencies may be providing services to the perpetrator and inadvertently helping them isolate and control the victim. The victim may not get access to the services they need because they are labelled 'the perpetrator'.

Crime Scene Investigator

Police staff who work alongside uniformed and plain clothed police officers during the investigation of a crime to locate, record and recover evidence from crime scenes.

DASH – domestic abuse, stalking and harassment (DASH 2009)

DASH is a risk identification, assessment and management model adopted by UK police forces and partner agencies in 2009. The aim of the DASH assessment is to help front-line practitioners identify high risk cases of domestic abuse, stalking and so-called honour-based violence.

Domestic Homicide Review

Local areas are expected to undertake a multi-agency review following a domestic homicide. The process aims to assist all those involved, to identify the lessons that can be learned from homicides where a person is killed as a result of domestic violence, with a view to preventing future homicides and violence.

Domestic Violence Prevention Notices (DVPN)

A DVPN is the initial notice issued by the police to provide emergency protection to an individual believed to be the victim of domestic violence.

This notice, which must be authorised by a police superintendent, contains prohibitions that effectively bar the suspected perpetrator from returning to the victim's home or otherwise contacting the victim.

A DVPN may be issued to a person aged 18 years and over if the police superintendent has reasonable grounds for believing that:

- the individual has been violent towards, or
- has threatened violence towards an associated person, and
- the DVPN is necessary to protect that person from violence or a threat of violence by the intended recipient of the DVPN

Female Genital Mutilation (FGM)

Female genital mutilation (sometimes referred to as female circumcision) refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The practice is illegal in the UK.

Frontline

These are police officers or police staff who are in everyday contact with the public and who directly intervene to keep people safe and enforce the law. The HMIC publication, *Policing in Austerity: Rising to the Challenge* (2013) sets this out in more detail.

Golden hour

Commonly used to refer to the time after a crime has been committed during which there is maximum potential for recovery of forensic evidence

Harassment

The term harassment is used to cover the 'causing alarm or distress' offences under section 2 of the Protection from Harassment Act 1997 as amended (PHA), and 'putting people in fear of violence' offences under section 4 of the PHA.

House-to- house

House-to-house enquiries are likely to feature in many investigations to: identify suspects and canvas for witnesses in areas connected to an incident, establish who lives or works in a particular location, and obtain an account of their movements during relevant times.

High risk

Term used when, following a DASH risk assessment, there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious. Risk of serious harm (Home Office 2002 and OASys 2006): 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible'.

IDVA – independent domestic violence adviser

Independent domestic violence advisers or advocates (IDVAs) are trained specialists who provide a service to victims at high risk of harm from intimate partners, ex-partners or family members, with the aim of securing their safety and the safety of their children. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis, to assess the level of risk, discuss the range of suitable options and develop safety plans.

Incident

When a member of the public calls for police assistance, or a police officer observes or discovers a crime the police usually create an incident record. This is the first step, the police will then decide whether a crime has been committed and, if it is appropriate, create a crime record.

Intimate Partner Violence

This describes physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

MARAC (Multi-Agency Risk Assessment Conference)

MARACs are regular local meetings where information about high risk domestic abuse victims (those at risk of murder or serious harm) is shared between local agencies. By bringing all agencies together at a MARAC, and ensuring that whenever possible the voice of the victim is represented by the IDVA, a risk focused, co-ordinated safety plan can be drawn up to support the victim. There are currently over 270 MARACs operating across England, Wales, Scotland and Northern Ireland managing more than 64,000 cases a year.

MASH – Multi Agency Safeguarding Hub

A Multi Agency Safeguarding Hub (MASH) brings together staff from police and partner agencies who work from the same location, sharing information and ensuring a timely and joined-up response to protect children and vulnerable adults.

Medium risk

Term used when following a DASH risk assessment there are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.

National Domestic Abuse helpline

A Freephone 24 Hour National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf.

The Helpline can give support, help and information over the telephone, wherever the caller might be in the country. The Helpline is staffed 24 hours a day by fully trained female helpline support workers and volunteers. All calls are completely confidential. Translation facilities for callers whose first language is not English, and a service for callers who are deaf or hard of hearing are available.

Partnership

A term used where collaborative working is established between the police and other public, private or voluntary organisations.

Police and Criminal Evidence Act 1984 (PACE)

The Police and Criminal Evidence Act 1984 and the PACE codes of practice provide the core framework of police powers and safeguards around stop and search, arrest, detention, investigation, identification and interviewing detainees.

www.gov.uk/government/collections/police-and-criminal-evidence-act-1984-pace-current-versions

Positive action

The term refers to the steps and action taken at all stages of the police response to ensure effective protection of victims and children, while allowing the criminal justice system to hold the offender to account. It is often used in the context of arrest policy, police guidance states that “arrest will normally be ‘necessary’ under the terms of PACE to protect a child or vulnerable person, prevent the suspect causing injury and/or to allow for the prompt and effective investigation of the offence”.

Problem-solving

Problem-solving is a term used in policing where forces systematically identify and analyse crime and disorder problems, develop specific responses to individual problems and subsequently assess whether the response has been successful.

Refuge

A refuge is a safe house where women and children who are experiencing domestic violence can stay free from abuse. Refuge addresses (and sometimes telephone numbers) are confidential. According to Women’s Aid on a typical day, **over 7000 women and children** are resident in refuge accommodation in England

Risk assessment

A risk assessment is based on structured professional judgment. It provides structure and informs decisions that are already being made. It is only a guide/checklist and should not be seen as a scientific predictive solution. Its completion is intended to assist officers in the decision-making process on appropriate levels of intervention for victims of domestic violence.

Safeguarding

The term safeguarding is applied when protecting children and other vulnerable people. The UK Government has defined the term 'safeguarding children' as: *"The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully."*

Sexual Assault Referral Centre (SARC)

SARCs are specialist medical and forensic services for anyone who has been raped or sexually assaulted.

They aim to be a one-stop service, providing the following under one roof: medical care and forensic examination following assault/rape and, in some locations, sexual health services.

Standard Risk

Term used following a DASH risk assessment where current evidence does not indicate likelihood of causing serious harm.

Victim Personal Statement

The Victim Personal Statement (VPS) gives victims an opportunity to describe the wider effects of the crime upon them, express their concerns and indicate whether or not they require any support.

Provisions relating to the making of a VPS and its use in criminal proceedings are included in the Code of Practice for Victims of Crime (Victims' Code), which was published on 29 October 2013 and came into force on 10 December 2013.

Vulnerable

A term used to describe a person who is in need of special care, support, or protection because of age, disability, or risk of abuse or neglect.

What Works Centre for Crime Reduction

The What Works Centre for Crime Reduction is hosted by the College of Policing. The What Works Centre for Crime Reduction will: review research on practices and interventions to reduce crime, label the evidence base in terms of quality, cost and impact, and provide police and crime commissioners and other crime reduction partners with the knowledge, tools and guidance to help them target their resources more effectively.

It will be led by a core team from the College of Policing, and supported by a "commissioned partnership programme" which has been jointly funded by the College and the Economic and Social Research Council.