



Inspecting policing
in the public interest

Essex Police's approach to tackling domestic abuse

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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”.*

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.

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

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 domestic abuse in voluntary and community sector organisations.

This report details what HMIC found in Essex Police 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.

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

⁶ There 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 Essex⁷

Calls for assistance



In Essex, domestic abuse accounts for 7% of calls to the police for assistance. Of these calls, 48% were from repeat victims.

Crime

9%

Domestic abuse accounts for 9% of all recorded crime.

Assault with intent

17%

Essex recorded 546 assaults with intent to cause serious harm, of these 91 were domestic abuse related. This is 17% of all assaults with intent to cause serious harm recorded for the 12 months to end of August 2013.

Assault with injury

36%

The force also recorded 8,223 assaults with injury, of these 2,962 were domestic abuse related. This is 36% 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

59%

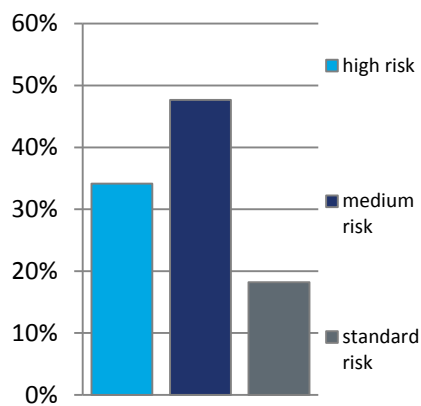
The force recorded 1,641 harassment offences, of these 971 were domestic abuse related. This is 59% of all harassment offences recorded for the 12 months to end of August 2013.

Sexual offences

15%

The force also recorded 1,594 sexual offences, of these 235 were domestic abuse related. This is 15% of all sexual offences recorded for the 12 months to end of August 2013.

Risk levels



On, 31 August 2013 Essex had 621 active domestic abuse cases; 34% were high risk, 48% were medium risk, and 18% were standard risk.

Arrests



For every 100 domestic abuse crimes recorded, there were 83 arrests in Essex. For most forces the number is between 45 and 90.

Outcomes



Essex recorded 8,862 domestic abuse related crimes for the 12 months to the end of August 2013. Of these crimes, 34% resulted in a charge, 9% resulted in a caution and, 1% had an out of court disposal, for example, a fixed penalty notice for disorderly conduct.

Executive summary

Domestic abuse is a priority for Essex Police which is recognised by staff across the force. There are risks that some victims of domestic abuse may not be getting the effective response or the quality of service they need from the police.

Essex Police now has a different approach to tackling domestic abuse than it did a year ago. Since HMIC's inspection in March 2013, the force has taken a number of positive steps to improve the service provided to victims of domestic abuse.

Rightly the force has prioritised improving the service it provides victims facing the highest risk of serious harm. It now needs to determine how victims assessed as medium and standard risk can be provided with an improved service.

The chief constable has demonstrated effective and visible leadership in taking personal oversight of the improvement activity, strongly supported by the police and crime commissioner. There has been significant improvement in the joint work with partners.

Some areas that have been identified as in need of improvement, are understandably work in progress. However, there are risks that some victims of domestic abuse may still not be getting the effective response or quality of service they need from the police.

A year after HMIC's original inspection some areas of concern identified then, remain now. The service provided to some victims remains fragmented and patchy. The force is committed to establishing a domestic abuse crime unit that will manage both investigations of domestic abuse related crimes, and provide support to victims. However this is taking some time to put in place.

Identifying victims

A recently introduced process within the force control room for checking whether incidents should be classified as domestic abuse excluded certain types of abuse. Guidance was issued about a month before the inspection but wasn't widely known. As a result, this is potentially excluding a number of victims.

Control room staff have received training in domestic abuse and victims of domestic abuse are identified when a member of the public calls the force, which is positive.

The force has good systems within its control room to identify repeat callers. A dedicated domestic abuse intelligence team carries out background checks on the victim and suspect. This helps officers attending the incident to have an appreciation of the likely threat of harm to a victim. However, the initial risk rating provided by this team uses the same terminology as that used by officers making a formal risk assessment when they attend the scene. This is creating confusion and some responding officers are reluctant to make a lower assessment of risk than that initially made by the intelligence team.

Supervision of domestic abuse incidents in the force control room is good, and is supplemented by a quality assurance processes.

Keeping victims safe

HMIC is concerned about the lack of understanding and awareness of the complexities of domestic abuse demonstrated by many staff and officers. There is a negative attitude displayed by some frontline staff in relation to the subject. This is something that the force needs to address; but it is aware and working to improve this. Despite this, staff understand their responsibilities to reduce the risk to victims and are aware of the specific risks where children are present.

Standards of initial investigation are inconsistent and supervision of investigations needs to be improved. Domestic abuse is a high priority for Essex Police and it recognises improvements are needed.

The chief constable is personally overseeing the development work and a commitment has been made to establish a domestic abuse crime unit that will deal with both investigations and supporting victims.

Management of risk

The force has addressed some issues that were raised by HMIC previously. However, there are areas of concern which, almost a year later, have still not changed. All cases assessed as high or medium risk of serious harm being caused to a victim, are reviewed by staff in the central referral unit. Standard risk cases are input onto the force's computer system by administrators who have received domestic abuse training. Vacancies that existed previously in specialist domestic abuse officer roles have now been filled. However, their working arrangements and the new commitments they are undertaking, mean that staff are still, at times, stretched. High risk cases are investigated by trained detectives, although some have not received any specific training in domestic abuse.

The force has made good progress towards developing a joined-up approach with partners at a strategic level. While the partnership arrangements in Essex are still less advanced than in many other areas, they provide an important building block in developing arrangements that can significantly improve the service provided to victims in the future. Information is shared effectively between the police and partners in high risk cases through the multi-agency risk assessment conference (MARAC) process, although there is a significant backlog in cases being dealt with in this way. In medium and standard risk cases, the sharing of information is less effective and partners are not always clear who they should contact about these cases.

The force is working with the Crown Prosecution Service and there is now a greater willingness to consider prosecutions in cases where the victim does not feel able to support proceedings. However, contact with victims remains fragmented, with staff being unclear about whose responsibility it is to update victims at different stages in the criminal justice process.

Organisational effectiveness for keeping people safe

More work is needed to improve Essex Police's organisational effectiveness in keeping victims of domestic abuse safe. Where a suspect is kept in custody following charge and an application is made for a remand in custody, the victim is not always made aware if the suspect is then released on bail by the court. This means that their level of risk is not understood or managed. This is a concern. However, victims of domestic abuse are informed of court results in a timely way, which is positive.

The force has recently introduced an initiative to target the most prolific perpetrators of domestic abuse. So far, the emphasis of this initiative has been on enforcement – the force could further develop this by considering referral to domestic abuse perpetrator programmes in suitable cases.

The force is undertaking a series of measures to seek the views of victims and intends using feedback to further develop its approach. This is positive. The use of performance information in relation to domestic abuse is currently focused on measuring processes, for example the number of arrests rather than the quality of the service that victims receive.

Work is ongoing to develop a comprehensive profile of the scale and nature of domestic abuse in Essex. This will use data from the police force and a range of partners, and will be valuable in helping shape the force's response, as well as in commissioning services for victims.

Findings

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

A recently introduced process within the force control room for checking whether incidents should be classified as domestic abuse excluded certain types of abuse. Guidance was issued about a month before the inspection but wasn't widely known. As a result, this is potentially excluding a number of victims.

Control room staff have received training in domestic abuse and victims of domestic abuse are identified when a member of the public calls the force, which is positive.

The force has good systems within its control room to identify repeat callers. A dedicated domestic abuse intelligence team carries out background checks on the victim and suspect. This helps officers attending the incident to have an appreciation of the likely threat of harm to a victim. However, the initial risk rating provided by this team uses the same terminology as that used by officers making a formal risk assessment when they attend the scene. This is creating confusion and some responding officers are reluctant to make a lower assessment of risk than that initially made by the intelligence team.

Supervision of domestic abuse incidents in the force control room is good, and is supplemented by a quality assurance processes.

Call handlers in the force control room have received training in domestic abuse, which enables them to make an initial assessment of each incident reported to the force by telephone. We listened to a number of calls from members of the public who had reported incidents of domestic abuse to the force. We found that call handlers had a good understanding of their immediate responsibilities to keep victims safe. Where incidents are reported directly at a police station, front counter staff create an incident log, which is then sent to the force control room for action.

The force has recently introduced a process where the domestic abuse intelligence team (DAIT) reviews every incident initially identified as domestic abuse, to confirm that they fall within the national definition of domestic abuse⁸. The rationale for this check is to ensure that the force's response to domestic abuse is appropriate to the level of risk. We found that the definition of domestic abuse being used by the force was not consistent with the nationally agreed one. This means many types of incident which ought to have been dealt with as domestic abuse were being excluded.

⁸ The nationally accepted definition of Domestic Abuse is provided by the Association of Chief Police Officers (ACPO), it 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.

The force had circulated guidance to staff a month earlier, setting out examples of incidents that it considered were, or were not, domestic abuse in accordance with the national definition. The majority of the examples used in the guidance, to illustrate cases that should not be considered domestic abuse incidents, should have been classified as such within the definition. For example, abuse suffered during a 'one night stand' was not considered to be domestic abuse on the basis that it was not a 'partner-type' relationship. This is clearly an intimate relationship in line with the definition.

Another example used was a "*one-off meeting between ex-partners at an event, e.g. a divorced couple meeting at their daughter's wedding and having a row*". The force guidance note suggested that this was not a domestic abuse incident because it was a relationship that ceased several years ago, with little contact between the parties since and no history of domestic abuse. The national definition is clear and includes "*any incident ... between those ... who are or have been intimate partners or family members ...*" The situation outlined in the force guidance clearly fits this definition and should be classified as a domestic abuse incident. There are numerous other examples. This matter has been raised with the force and the guidance has subsequently been withdrawn.

However, the result of this approach is that both victims and perpetrators may not have been dealt with appropriately by the police, because domestic abuse incidents were not being identified and recorded as such. As a result, a risk assessment was not being completed and future patterns of repeat offending or escalating risk may not have been identified. Clearly the force is seeking to remove some of the bureaucracy from lower risk cases. However, this could be achieved by reviewing and streamlining its own process for some lower risk cases.

The force has a good process for identifying repeat victims of domestic abuse when they contact the force again. Call handlers are also aware of factors that might indicate that the caller is vulnerable. Further background intelligence checks are then carried out by the DAIT. This information is used to help inform the grading of the police response in terms of how quickly an officer will be expected to respond. Relevant information is passed, where practicable, to attending officers. Where the victim or perpetrator is identified as holding a firearms licence or shotgun certificate, this information is passed to a supervisor within the force control room, and officers attending would be warned and equipped to deal with any potential weapons at the incident. The force formally reviews the suitability of perpetrators of domestic abuse to hold, or continue to hold, either a firearms licence or shotgun certificate. A number of weapons have been removed as a result. Work is underway to look back at all historic high risk perpetrators of domestic abuse and review their current suitability to hold firearms or shotguns.

Domestic abuse calls are attended in line with the force's procedure on 'responding to incidents' which determines the speed of response based on risk. Additional specific guidance is contained within the procedure on 'domestic abuse initial grading and attendance'. This procedure states that domestic abuse incidents should normally be graded as either an 'emergency' (where there is an immediate risk to life or property) or a 'priority' response. Supervisors can authorise a slower response in cases where the victim of the

domestic abuse is not immediately available to meet with police or has requested to meet with police later. This must be supported either by information provided by the caller or victim, or intelligence or information received that suggests there is no current threat to the victim.

Separately from the response grading, the DAIT make an initial assessment of risk based on the initial background checks that they undertake. Force control room (FCR) supervisors are notified of any high risk cases, which should also be drawn to the attention of the local response and patrol inspector. Although the initial risk assessment undertaken by the DAIT is only intended to better inform the initial response to the incident, the same terms are used to describe the risk – high, medium and standard – as are used in the domestic abuse, stalking and harassment (DASH) risk assessment carried out by attending officers. Many of the staff we spoke to are confused by this, and do not understand the purpose of the risk assessment carried out by the DAIT. This lack of understanding means that response officers are reluctant to make a DASH risk assessment that is a different grading from that initially made by the DAIT, despite the fact that the DAIT officer has not been to the scene nor spoken face-to-face with the victim.

Within the force control room, we found good supervision of domestic abuse incidents. In many cases this involved live monitoring of incidents and in the sample of incidents we reviewed, we found evidence of active supervision, where supervisors identified actions that needed to be taken and endorsed the incident log accordingly. Any domestic abuse incidents that have not been allocated to an officer to attend are reviewed regularly to ensure that any delay in attendance is justified in the circumstances and is appropriate to the level of risk. In addition, quality assurance processes are in place where 30 domestic abuse incidents are reviewed each week to monitor the quality of response.

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

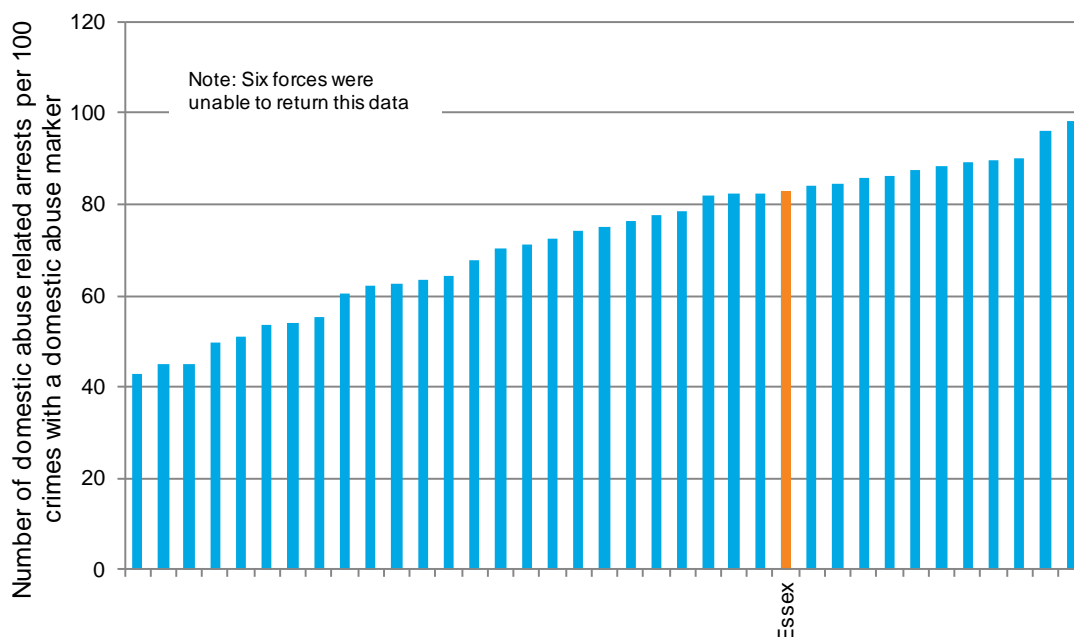
HMIC is concerned about the lack of understanding and awareness of the complexities of domestic abuse demonstrated by many staff and officers. There is a negative attitude displayed by some frontline staff in relation to the subject. This is something that the force needs to address but it is aware and working to improve this. Despite this, staff understand their responsibilities to reduce the risk to victims and are aware of the specific risks where children are present.

Standards of initial investigation are inconsistent and supervision of investigations needs to be improved. Domestic abuse is a high priority for Essex Police and it recognises improvements are needed.

The Chief constable is personally overseeing the development work and a commitment has been made to establish a domestic abuse crime unit that will deal with both investigations and supporting victims.

For every 100 domestic abuse crimes recorded there were 83 arrests in Essex for the 12 months to the end of August 2013. For most forces the number is between 45 and 90⁹.

Figure 1: Number of domestic abuse related arrests per 100 crimes with a domestic abuse marker for the 12 months to 31 August 2013¹⁰



Source: HMIC data collection

Domestic abuse is a priority for the force. It is a key area of focus within the police and crime plan – the only specific category of crime to be identified as such. In addition, the chief constable has taken personal responsibility for overseeing the development work being undertaken by the force in relation to domestic abuse, and chairs the monthly domestic abuse strategic oversight meeting (DASOM).

The force acknowledges the delay in setting up the domestic abuse crime unit (DACU) to deal with both investigation and victim support. In order to establish a model that could be sustained against a backdrop of having to find significant savings, it was felt necessary to adopt a considered approach to ensure the DACU will be effective and give greater protection to victims across the county in the future. There is a great deal of development activity being undertaken in

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

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

relation to domestic abuse, co-ordinated through the DASOM. Work is grouped into a number of workstreams: partnerships; investigation; victims; risk assessment; intelligence; and training/technology. Each workstream has an identified lead, specific strategic aims, terms of reference and membership that includes partner organisations where appropriate.

Generally there is a positive, forward-looking attitude among managers which is a sound foundation for improving the attitudes of those more junior staff who are negative about domestic abuse. However, the number of separate and concurrent strands of work has led some to feel that they are not being kept adequately informed of developments. An example is related to an initiative from Austria, which had been identified by the force and pursued with interest. In fact, the domestic abuse protection notices scheme recently piloted by a number of forces, and evaluated by the Home Office, is based on this Austrian initiative. Speaking with domestic abuse specialists at an early stage would have identified this quickly.

A number of the operational staff described themselves as being 'desensitised' to domestic abuse. This was also the case when we carried out our inspection in March 2013. Staff feel unnecessarily burdened by the process they are required to follow, and still feel that everything in relation to domestic abuse is treated as a priority by the force. The result of this is a negative sense of 'mission fatigue'. A number of frontline staff describe dealing with some domestic abuse incidents as an inconvenience. They expressed frustration at having to attend things that were not 'real domestics'. There is no consistent understanding among operational officers of issues such as stalking, harassment and coercive control. HMIC's concerns about the attitudes of some operational officers are shared by representatives from a number of partner organisations.

In 2010, the force began a programme of delivering face-to-face training for operational staff in domestic abuse and this training is still delivered to recruits joining the force. This has been supplemented by mandatory computer-based training, which has covered issues such as recent changes to the definition of domestic abuse, as well as new legislation relating to stalking. Most staff did not feel that the computer-based training had been effective and feel they would benefit from more regular classroom-based training. Given the inconsistent level of understanding of issues such as stalking, harassment and coercive control, the force should consider a new programme of face-to-face training for operational staff. HMIC is recommending that in the future, domestic abuse training should be face-to-face, rather than online.

Despite the variable levels of understanding about domestic abuse, officers who attend incidents of this nature demonstrate a good appreciation of their immediate responsibilities to protect the victim. It was clear that attending officers take appropriate action and give victims suitable advice in order to reduce the level of risk. This includes arresting the suspect, taking the victim to a safe location, providing an alarm or letting the victim know about appropriate support services. Operational staff are also aware of their responsibilities in relation to children who are present in a domestic abuse situation. The force has good processes in place for notification and referral of children to social services.

Risk assessments undertaken by attending officers are reviewed by supervisors who have been trained in the DASH risk assessment process. This involves active and meaningful supervision. It was not just a 'tick-box' exercise, and if supervisors change the initial risk grading made by the attending officer, they document their rationale for doing so.

Standards of initial investigation and evidence collection are variable. In some cases we reviewed we found there had not been an effective initial investigation. Actions such as taking photographs of both the scene and any injuries; reviewing the 999 call; and conducting house-to-house enquiries were not always carried out. This means that it may be more difficult for the Crown Prosecution Service (CPS) to secure a conviction and seek justice for the victim. There is a wider recognition within the force that more needs to be done to improve the investigative skills of attending officers and their supervisors. The force has already taken some steps to address this issue. An internal review has been carried out of domestic abuse investigation within the North local policing area. This has identified a number of areas for improvement. A scrutiny panel has also recently been established to review a small sample of domestic abuse cases which have failed to result in a prosecution. There are plans for the CPS to be represented on this panel.

One way in which the initial gathering of evidence can be improved is through the use of body-worn video cameras by the attending officers. At the time of our inspection, the force was about to commence a pilot study where body-worn video is being issued to a nominated group of officers with a view to assessing if this approach significantly improves both the quality of evidence captured, and the subsequent criminal justice outcomes for victims.

Effective supervision of incidents is important in ensuring both the investigation and safeguarding the victim are appropriate. Where there is an outstanding suspect who has not yet been arrested, supervisors monitor the progress of the investigation to ensure that an arrest is made as soon as possible. However, supervision of the overall quality of the investigation, and of victim contact, is less consistent.

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

The force has addressed some issues that were raised by HMIC previously. However, there are areas of concern which, almost a year later, have still not changed. All cases assessed as high or medium risk of serious harm being caused to a victim, are reviewed by staff in the central referral unit. Standard risk cases are input onto the force's computer system by administrators who have received domestic abuse training. Vacancies that existed previously in specialist domestic abuse officer roles have now been filled. However, their working arrangements and the new commitments they are undertaking, mean that staff are still, at times, stretched. High risk cases are investigated by trained detectives, although some have not received any specific training in domestic abuse.

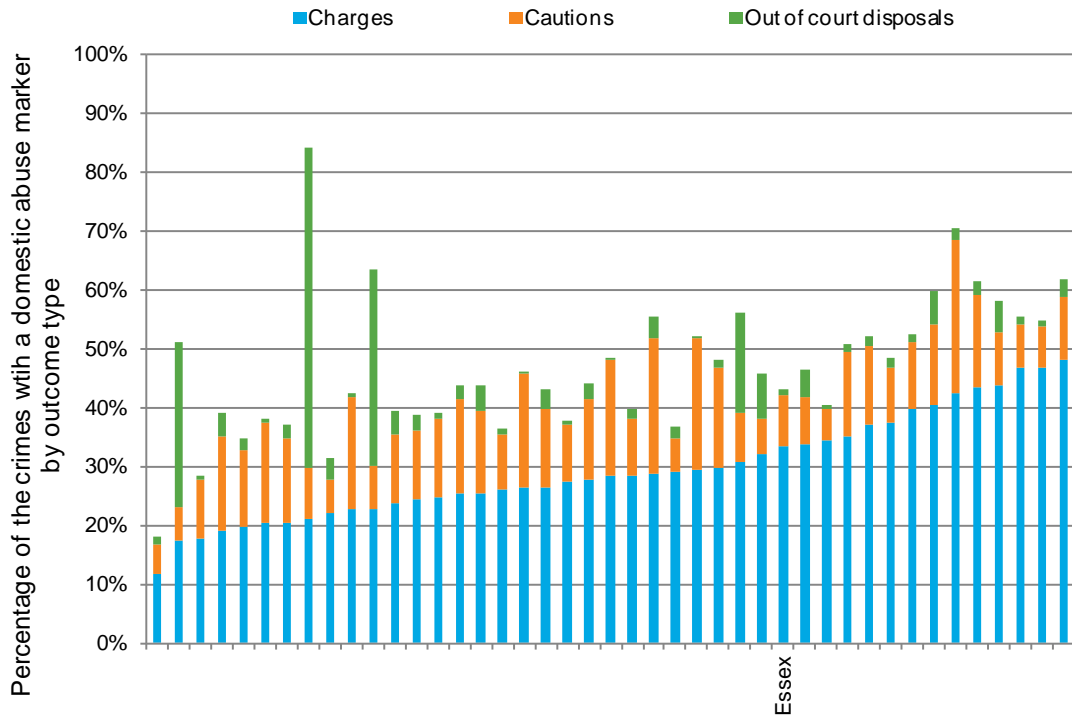
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The force is working with the Crown Prosecution Service and there is now a greater willingness to consider prosecutions in cases where the victim does not feel able to support proceedings. However, contact with victims remains fragmented, with staff being unclear about whose responsibility it is to update victims at different stages in the criminal justice process.

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¹¹ 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 August¹²

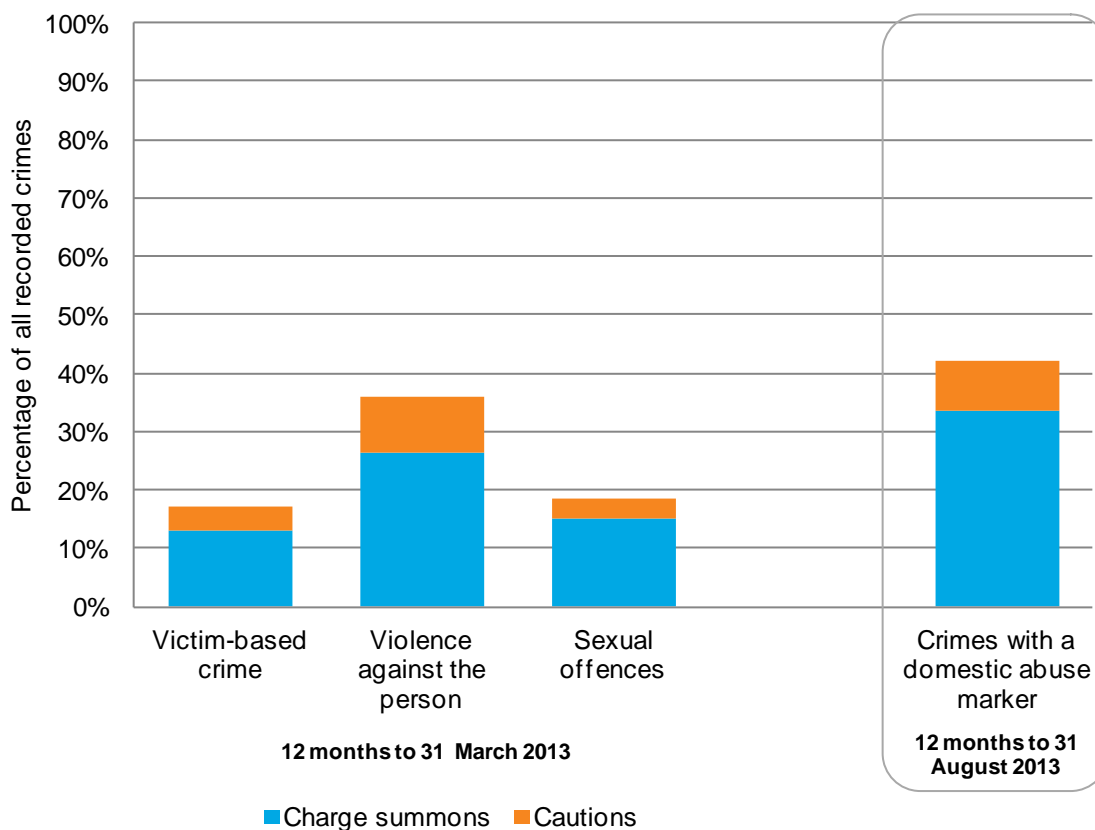


Source: HMIC data collection

Essex Police charges 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.

¹² Based on forces' own definition of domestic abuse and use of a domestic abuse marker on IT systems.

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 marker¹³



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

Supervisors and trained domestic abuse specialists in the force’s central referral unit (CRU) review all high and medium risk assessments and identify appropriate safety measures to reduce the risk to the victim. Standard risk cases are entered into the force’s computer system by administrators who have been trained in the DASH risk assessment process. Where they identify concerns about the appropriateness of the initial risk assessment, these are drawn to the attention of supervisors.

Since HMIC’s inspection in March 2013¹⁴, the force has filled the vacancies for domestic abuse specialist officers (DASOs) that existed at that time. These staff have also benefited from a programme of training and mentoring. As a result, the expertise and resilience of the specialist team has improved. However, the working hours of the teams and the locations at which they are based, mean

¹³ Based on forces' own definition of domestic abuse and use of a domestic abuse marker on IT systems.

¹⁴ *Essex Police’s Approach to Managing Cases of Domestic Abuse*, HMIC, June 2013, www.hmic.gov.uk/media/essex-polices-approach-to-managing-cases-of-domestic-abuse.pdf

that staff are often required to cover cases across the entire force area, and then later hand them over to locally-based colleagues. DASOs have also assumed additional responsibilities to work in the joint triage teams which are described later in this report. The effect of this is that, while improvements have been made, staff numbers are still at times stretched, and victims may be dealt with by a number of different people.

Officers from the criminal investigation department (CID) investigate all high risk domestic abuse cases. They are either accredited detectives, or are working towards this level of qualification. However, they have not received any specific training in domestic abuse.

The force has made good progress in developing a joined-up approach with partners at a strategic level. This has led to the development of the joint domestic abuse triage team (JDATT) in the Essex County Council area, involving the police and children's social care. Similar arrangements are in place in Thurrock and Southend. These teams are still in their early days. Information sharing takes place, but the arrangements in Essex are still significantly behind those that are well established in some other police force areas. However, at the time of the inspection, the number of partner organisations involved was being expanded, to include health and probation. This is a positive step and some limited benefits are already being delivered, for example, providing real-time intelligence from partner agencies to officers attending reports of domestic abuse. More importantly, there is now a critical building block in place for the expansion of this approach to one that has the potential to make a significant difference to the service provided to victims in the future.

Representatives from a range of partner organisations, including local authorities, voluntary and community organisations that provide support to victims of domestic abuse describe a well developed process to share information in high risk cases through multi-agency risk assessment conferences (MARACs). However, in medium and standard risk cases, partners feel that information sharing with the police could be improved and in particular who they should contact when they are dealing with these cases. Information about support services for victims is included in the force's domestic abuse form as a tear-out sheet that is handed to victims. However, this information only includes national services. As a result, information about local support services for victims of domestic abuse is not routinely included in the advice given to victims.

In HMIC's previous inspection report, we found a lack of a consistent approach being taken towards pursuing prosecutions in cases where the victim does not feel able to support proceedings. Since that time, the force has worked with the CPS and there is now a clear willingness among staff to pursue prosecutions in such cases. The force has recently started to capture information on the number of evidence-led prosecutions undertaken without the support of the victim and the number of successful convictions as a result.

Earlier in this report, the commitment by the force to establishing a domestic abuse crime unit that will deal with both investigations and victim support was highlighted. The force has determined that it should consider any such

developments in the context of a wider organisational change programme. In recognising this future commitment, the fact remains that, almost a year on from our initial inspection; the issues highlighted then in relation to the working arrangements of the DASOs, the fragmented services provided to victims and the responsibilities for investigation remain largely as they were. Although there is a commitment in principle to establishing a dedicated unit, there is as yet no clarity as to what this team will look like, what their remit will be, how many staff will be involved, or when it will be in place. Until this happens, the service provided to victims is likely to remain fragmented. This is a concern.

Relationships between partners involved in the MARAC process are good and information on high risk victims is shared outside the meeting to progress the most pressing cases. However, there is a significant backlog of cases going to MARACs and lack of capacity is a serious weakness. An independent review of MARACs in Essex is due to be undertaken during 2014. This should help the force to highlight areas for improvement.

Neighbourhood teams across the force area play a part in helping to make victims safe. This involves undertaking checks on high risk perpetrators, or specific tasks in relation to supporting high risk or repeat victims (such as carrying out high visibility patrols or welfare visits).

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

More work is needed to improve Essex Police's organisational effectiveness in keeping victims of domestic abuse safe. Where a suspect is kept in custody following charge and an application is made for a remand in custody, the victim is not always made aware if the suspect is then released on bail by the court. This means that their level of risk is not understood or managed. This is a concern. However, victims of domestic abuse are informed of court results in a timely way, which is positive.

The force has recently introduced an initiative to target the most prolific perpetrators of domestic abuse. So far, the emphasis of this initiative has been on enforcement – the force could further develop this by considering referral to domestic abuse perpetrator programmes in suitable cases.

The force is undertaking a series of measures to seek the views of victims and intends using feedback to further develop its approach. This is positive. The use of performance information in relation to domestic abuse is currently focused on measuring processes, for example the number of arrests rather than the quality of the service that victims receive.

Work is ongoing to develop a comprehensive profile of the scale and nature of domestic abuse in Essex. This will use data from the police force and a range of partners, and will be valuable in helping shape the force's response, as well as in commissioning services for victims.

There is a good process for ensuring the victim is notified of court results through the witness care team and victim support. However, in cases where the

suspect is kept in police custody overnight, and taken to court the following day for an application to remand in custody, it is less certain that the victim would be kept updated. It is important to a victim's safety that they are kept informed and the risk to them reassessed. An example found, was where an officer had not been available to attend court, the suspect was released on bail and the victim only found out when the suspect turned up at her address.

The force has recently implemented an operation to target the most prolific perpetrators of domestic abuse. In the first instance, those targeted were identified purely through an assessment of the frequency of their offending. This was done on the basis of five incidents in a three-month period. Following a review, the next planned phase of the operation will use a broader set of criteria, based on an approach developed in Strathclyde, and using a combination of frequency, recency and gravity.

Neighbourhood officers are being used to undertake specific tasks in relation to this operation. However in its current format, the operation is very much focused on enforcement action against perpetrators. The Essex Change programme for perpetrators of domestic abuse reported that they had not – in five years – had a single referral from the police, despite the fact that 80 percent of their referrals in the previous 12 months had police involvement. There is an opportunity for the force to expand this initiative further to include referral to domestic abuse perpetrator programmes in appropriate cases.

The force does not currently review the situation in relation to repeat victims if a period of time elapses with no further calls.

Where issues are identified from domestic homicide reviews or serious case reviews, these are entered onto a tracking document alongside recommendations from other internal and external reviews. These actions are reviewed at the monthly public protection programme board, chaired by the assistant chief constable and managed on a day-to-day basis by the head of public protection.

The force is taking steps to seek the views of victims and then use this information to help develop and improve the service it provides. A victim process map has already been developed and a number of victim workshops have been held. A partner event was planned for January 2014, following which the results of all three strands of activity will be evaluated and a plan developed. This is positive.

The force collects a wealth of performance data in relation to domestic abuse which is used to identify potential issues of concern. These include early identification of any backlogs in inputting domestic abuse forms onto the force's computer system, monitoring action to arrest outstanding suspects and identifying differences in local detection rates. These measures are of police inputs to their process and to an extent enable remedial action to be taken to improve processes. Beyond this, however, the force does not as yet have the type of information that would provide an in-depth understanding of the scale and nature of domestic abuse across the force area as a whole or the outcomes of services for victims. Work to address this is underway and the force is involved in developing a domestic abuse problem profile using data from both

the police and a range of other agencies. This will enable the force to have a better understanding of the domestic abuse risks across the force area and shape its response accordingly. It will also be useful in helping to inform, for example, the future commissioning of services for victims.

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 HMIC's national report on domestic abuse.

1. The force should review urgently the role played by the domestic abuse intelligence team (DAIT) in assessing whether an incident should be classified as domestic abuse. If the force determines that the DAIT should continue to perform this function, it should ensure that the guidelines used to make these decisions are fully consistent with the ACPO definition of domestic abuse.
2. The force should review the process used by the DAIT to undertake the initial risk assessment of reported domestic abuse incidents. It should be made clear to all staff that this is a completely different process from the DASH risk assessment, which should be made independently.
3. The force should consider the role of internal communications within the overall domestic abuse programme to ensure that staff across the organisation are aware of the overall aims of the programme and that key individuals are aware of relevant initiatives as they are progressed.
4. The force should consider scheduling a new programme of face-to-face training for operational staff on domestic abuse, with a specific focus on recent changes to the definition and relevant legislation. This training should also address the attitudes of staff towards domestic abuse through developing a greater awareness of how domestic abuse can manifest itself and the impact it can have on victims.
5. The force should assess the outcomes of the recent peer review and the ongoing scrutiny panel, and develop a clear action plan to improve the overall standard of initial investigation in domestic abuse cases.
6. The force should take steps to improve standards of supervision of domestic abuse investigations.
7. The force should take steps to ensure that partner organisations have a clear point of contact in relation to medium and standard risk domestic abuse cases.
8. The force should review the written information provided to victims of domestic abuse to include information about locally-based support services.
9. The force should review its procedures for monitoring the results of overnight remand hearings to ensure that, should the suspect be released on bail, the victim is notified and the safety plan reviewed.

10. The force should seek to further develop its programme to tackle serial perpetrators of domestic abuse to include consideration of referral to domestic abuse perpetrator programmes in appropriate cases.

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.