

**RESPONSE TO ‘EVIDENCE LED DOMESTIC ABUSE PROSECUTIONS’ PUBLISHED ON 23RD JANUARY 2020**

This report looks at the very important issue of domestic abuse which is one of the most harmful and highest volume types of crime. Domestic Abuse (DA) is one of the top priorities, for myself as Commissioner, and for Avon and Somerset Constabulary to tackle in order to protect vulnerable people.

This report specifically focuses on the issue of ‘evidence led’ prosecutions i.e. those where the victim does not support the investigation/prosecution of an offence. Due to the nature of the victim-offender relationship and dynamic in domestic abuse cases it is understandably common that victims do not support the case.

However, recognising the vulnerability of those involved, it is imperative that where possible the police act to protect that victim, and future victims, from this type of harm. This is why ‘evidence led’ prosecutions are a critical tool in tackling domestic abuse.

Given the importance of this issue I welcome this multi-agency inspection, and the recommendations that follow, as it is clear there is room for improvement nationally.

The recommendations applicable for all Chief Constables are noted as:

- Police supervisors and Crown Prosecution Service (CPS) legal managers should maximise opportunities to share examples of good work and successful outcomes with their teams.
- The police should review training plans in order to ensure that all appropriate staff, both frontline officers and investigators, are trained how to handle domestic abuse cases.
- Police forces with domestic abuse champions should raise awareness of the role and seek to utilise them to maximum effect.
- Police forces should ensure that training, messaging and guidance is clear that evidence led cases should benefit from the same quality of investigation, early gathering of evidence and supervisory oversight as other domestic abuse cases, particularly in cases where the victim does not support police action. Domestic abuse champions should reinforce this message.
- Police should ensure that investigations and decisions to take no further action in domestic abuse cases receive the same robustness of supervisory oversight as other domestic abuse cases.

In response to these recommendations, I can confirm the following.

Within the Constabulary current systems make it difficult to identify potential evidence led prosecutions so the focus is to ensure that officers understand fully how to recognise and maximise opportunities to progress domestic abuse prosecutions in these circumstances. Working jointly with the CPS lead via a regular meeting, and liaison, opportunities are being explored to find ways in which partnership data might be used as an alternative to identify evidence led prosecutions.

This meeting has now been formalised as a regular quarterly meeting within which good practice and learning can be shared – and joint improvement activities agreed and progressed. In addition there is a wider partnership strategic domestic abuse meeting which covers all aspects of domestic abuse, including evidence led prosecutions.

As part of a wider programme the Criminal Justice Task Force is jointly working, with other Criminal Justice agencies, to improve investigative standards and Criminal Justice outcomes. Many of the activities required to improve evidence led prosecutions can also be applied to wider investigative approaches and improved standards so will be pursued through this multi-agency working.

It has been recognised that additional work is required to ensure that all front line police officers have received a minimum level of training input with regards to domestic abuse. The domestic abuse lead will work with Learning Department to continuously review the material, from the new Police Constable Degree Apprenticeship, to ensure all new officers understand the importance of evidence led prosecutions and how to successfully use this approach when investigating domestic abuse.

In addition to this the domestic abuse lead is going to produce tailored guidance to all staff using CPS learning as a foundation. The Learning Department is also reviewing the possible introduction of the Safelives Domestic Abuse Matters training package which has been implemented by a number of other police forces nationally.

The force recognises that one of the most powerful, practical, tools to enable evidence led prosecutions is the use of Body Worn Video. This is so critical because it can capture the immediate aftermath of an incident and also is critical to establish the victim's fear of supporting a prosecution. With this in mind it is also recognised that there is some inconsistency across the force with how well used BWV is and this has already been identified as an area for improvement within the force. A pilot is being planned with the Detainee Investigation Team, to focus on the essentials for an evidence led prosecution; and the use of body worn video in supporting these. Learning and good practice from this pilot will then inform future training and improvement activity. This will start in full after COVID-19 lockdown restrictions are released.

The Constabulary's domestic abuse lead conducts regular assurance activity in this area to check and test the force response to domestic abuse. A key theme of this assurance will be the supervisory reviews and oversight and this is planned to take place in summer 2020. This again feeds into the outcomes planned via the CJ Task Force described above.

The force has a network of DA Influencers that was established approximately two years ago. The initial intention was for this group to be involved in regular assurance activity however this approach proved difficult to coordinate and maintain consistency. A DA Influencers awareness day is planned for the end of April. The objectives for this session is to reinvigorate the network, and to have an opportunity to refresh the role and reiterate what the Influencers are expected to do. Initial ideas are for the network to be a point of domestic abuse expertise in the force, of people who are passionate about domestic abuse, and making tangible improvements for victims and offenders.

The Influencers will also be expected to challenge peers if processes are not being followed; and improve perception and understanding of how to respond and investigate domestic abuse including highlighting opportunities for evidence led prosecutions. The network will act as a conduit for identifying areas for improvement and learning as well as disseminating learning and new processes or procedures into the organisation.

In terms of the final recommendation, the Constabulary already had processes in place so that decisions to take no further action in all domestic abuse cases actually requires a higher level of supervisory oversight that most other cases.

I recognise that there are some improvements the Constabulary needs to make but am also pleased that it had made some progress in this area prior to receiving these recommendations. I will of course continue to prioritise domestic abuse and help oversee and ensure that evidence led prosecutions are used effectively as part of the toolkit in dealing with this.

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