

**'REVIEW OF POLICING DOMESTIC ABUSE DURING THE PANDEMIC - 2021' PUBLISHED BY
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AVON & SOMERSET PCC REPOSE DATED 18TH AUGUST 2021**

Domestic abuse is where a person is abusive towards another, they are personally connected and are 16 years of age or older. This is defined by the newly enacted Domestic Abuse Act 2021. Abusive means physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour; economic abuse; psychological, emotional or other abuse. Personally connected is where people are or have been in an intimate personal relationship or are relatives.

There have been about 22,000 domestic abuse recorded crimes in Avon and Somerset each year (over the last two years): this equates to 17% of all recorded crime. However this varies by offence type and over a third of all rape offences were domestic abuse related. It is also important to emphasise that this does not give a true scale of the harm caused by domestic abuse. Domestic abuse is a 'hidden crime' i.e. it is often not reported to the police. Estimates show only about one in five victims of domestic abuse report it to the police.

During the pandemic periods of national lockdown saw a reduction in crimes reported to the Constabulary. However this was different than other domestic abuse support services that saw an increase in demand. This highlights that the lockdowns exacerbated the hidden nature of this crime with fewer victims contacting the police.

The scale of the problem is vast and that is why domestic abuse will feature as part of the priorities in the Police and Crime Plan I am currently drafting. Given how infrequently victims do come forward it is even more important that when they do, they receive the best possible service from the police and receive appropriate support.

This report contains three recommendations for forces set out below.

Recommendation 1

- We recommend that if forces continue to adopt online contact methods in respect of victims of domestic abuse, they should immediately introduce an effective supervision and monitoring framework. The framework should assess the suitability of such contact methods, ensuring that victim needs are at the forefront of decisions around their use and appropriate onward action is taken in all cases.
- We recommend that forces immediately review their use of a telephone-based initial response to any domestic abuse incidents and crimes and ensure that it is in accordance with the strict parameters set out by the College of Policing.

Recommendation 2

We recommend that forces immediately review their capacity to provide ongoing support and safeguarding to victims of domestic abuse whose case is awaiting trial at court. This should:

- ensure there are sufficient resources available to maintain contact with victims to keep them up to date with the progress of their case; and
- enable the offer of access to specialist support services as well as opportunities to address concerns victims may have regarding continuing to support a prosecution through the delays

Recommendation 3

We recommend that all forces immediately review their use of outcome 15, outcome 16 and evidence-led prosecutions. This is to ensure that:

- domestic abuse investigations guarantee all attempts to engage victims are explored, and that all possible lines of evidence are considered so that in all cases the best possible outcomes for victims are achieved;
- there is regular and effective supervision of investigations that supports the above point to be achieved; and
- the use of outcomes 15 and 16 is appropriate, and the reasons for using them, including auditable evidence of victim engagement, are clearly recorded.

In response to these recommendations and areas for improvement, I can confirm the following.

Recommendation 1

The Constabulary has an established process for people to report crime through their website. This has been in place for a number of years and no additional online reporting channels were specifically introduced in response to the pandemic. The reporting link for domestic abuse explains what it is and clearly highlights that if there is immediate danger it should be reported on 999 instead. Local data shows that online reports of domestic abuse are equivalent to about 3% of all recorded domestic abuse crime.

These online reports are assessed by staff for their threat, harm and risk. In most cases domestic abuse reports are high priority and so a log is created. This log then feeds into the same process as if somebody had called to report it and is dealt with by the Communications team (Comms).

These logs are reviewed by Comms and if they decide it is low risk they will allocate it for a telephone response. Those marked for a telephone response are reviewed by Sergeants in the Incident Assessment Unit. This review acts as a double-checking process that the incident is suitable for a telephone response. If suitable the Sergeant will allocate to a Police Officer or Police Staff Investigator. At any time through the course of a telephone investigation if the risk escalates or is re-assessed it can be re-allocated for an officer to attend in person.

As part of ongoing assurance work related to domestic abuse the Constabulary will consider cases dealt with via the telephone.

Recommendation 2

The Constabulary's Lighthouse Safeguarding Unit (LSU) combines pre-charge and post-charge victim and witness care together with the safeguarding function. All victims of domestic abuse crime will attempt to be contacted by a Victim and Witness Care Officer (VWCO). The VWCO undertakes a Common Needs Assessment (CNA) with the victim to understand the current situation, what referrals to support agencies are required and what specific requirements the victim may have if the case progresses to court. The CNA means that the victim does not have to re-tell their story many times, and avoids re-traumatisation. Where a person is a victim more than once they are allocated the same VWCO, wherever possible. This consistency is to help build rapport and increases trust in the system.

Demand on the LSU has been growing consistently over the last couple of years and this increase has been exacerbated since COVID-19. The restrictions put in place caused significant disruption in the criminal justice service and there continues to be considerable backlogs of cases awaiting trials. This means VWCOs have considerably more people to support and in some cases, up to 40% more than previously. This additional demand clearly affects the quality of time able to be spent with each individual victim in order to support them through the court process. The Constabulary are considering alternative methods to keep people updated for example through an online platform. In the short-term the Constabulary has received a portion of national funding which has been used to retain some additional staff which are temporarily funded. It is worth noting that over the last three years the number of successful contacts with domestic abuse victims has continued to grow; this growth has continued during the pandemic.

However these solutions are short-term and the additional funding is not enough to make sustainable change. Given that supporting victims is so important my office is now working with the Constabulary in reviewing the LSU to understand what longer term changes need to be made so that it continues to offer effective support.

The way victims are offered access to support services remains the same as it did before COVID-19 as do the services available for onward referral. These onward services are not the responsibility of the Constabulary but are often commissioned by my office or through local authorities. Nationally and locally it has been recognised that the demand for these support services has increased throughout the pandemic. Whenever emergency funding has been made available from the Government my office have bid into these funds. My office has consistently secured additional emergency funding for domestic abuse services during the pandemic; most recently including an uplift for specialist Independent Domestic Violence Advisors.

VWCOs continue to work collaboratively with other criminal justice partners and support services, in order to provide the support a victim needs in order to continue with prosecutions. The Constabulary have very recently conducted an audit, with the Crown Prosecution Service, of cases where domestic abuse victims withdrew their support for a prosecution. The findings of this audit are currently being examined and, when complete, recommendations will be put forward as to how to improve.

Recommendation 3

This recommendation relates to Home Office outcomes which must be applied when a recorded crime is finalised.

- Outcome 14 – no suspect identified, victim declines to prosecute
- Outcome 15 – suspect identified, insufficient evidence
- Outcome 16 – suspect identified, victim declines to prosecute

During the time period cited in the report (year to March 2020) Avon and Somerset were just below the national average for use of outcome 16 (53% vs 54%). However they were slightly above the national average for use of outcome 15 (24% vs 23%). In the next year (to March 21) the outcome 15 rate dropped by about 1% point but the outcome 16 rate has increased by approximately 6% points. This demonstrates the importance of getting this right in Avon and Somerset as well as nationally.

The Constabulary have undertaken a review of outcomes 15 and 16 and, going beyond the recommendation, have included outcome 14. Findings are currently being collated and this will enable a more detailed response to this recommendation.

In terms of evidence-led prosecutions (where a victim does not support) the Constabulary have been developing this area since the inspection report last year *Evidence led domestic abuse prosecutions*. An online training package has been developed which will promote and encourage practices supporting evidence-led prosecutions. The package includes materials supplied by the Crown Prosecution Service and real-life case studies. It covers all types of crime and victimisation, and further guidance on possible types of evidence that can be collected, and effectively used to build a case. This training has just recently been made available to all the workforce and is mandatory for supervisors. The aim is to build this into the training for new officers as well.

The Constabulary have also changed their policy around discontinuing domestic abuse cases and they will now need an officer of at least Inspector rank to agree this decision. This will strengthen the supervisory oversight in line with this recommendation.

The Constabulary have also recently approved the commissioning of Domestic Abuse Matters training to front line officers and staff. This training has been developed by the College of Policing together with SafeLives (a specialist domestic abuse charity). The training puts victims at the heart of the response, and is designed to deliver long-term sustained (cultural) changes of attitudes and beliefs. This training has already been implemented by other forces across the country and that's why my office approved the use of a budget underspend to fund this important work.

A separate national police super-complaint is currently being investigated which challenges how police forces deal with domestic abuse. The Constabulary will be implementing a Domestic Abuse Pledge which is aimed at members of the workforce who are victims themselves. It will set out what support they can expect from the Constabulary as an employer. It is hoped that this recognition of domestic abuse as being something that happens in all parts of society and requiring support from people around victims will also help improve the internal culture and external service delivery for this type of abuse.

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