From detection to protection:
Preventative policing to close the domestic violence intervention gap
Labour’s Policy Review: From detection to protection: Preventative policing to close the domestic violence intervention gap

For too long, our criminal justice system was blind to domestic violence.

As an issue it was hidden away behind drawn curtains. Labour did much in government to change this culture and domestic violence is now properly considered to be a serious and potentially deadly crime. However, although our criminal justice system may no longer be blind to domestic abuse, too often it lets victims down because it lacks the impetus or power to intervene. We need a step change. Starting with pilots pursued by some of our Police and Crime Commissioners, Labour’s Policy Review will explore a new approach to protect survivors of domestic violence through preventative policing – aiming to intervene in cases of domestic abuse that have not yet been addressed by traditional criminal justice. We will encourage the development of the same approach for serial suspected perpetrators of sexual violence and stalking too.

From detection to protection

Domestic abuse is still a hidden crime. The scale of it cannot be tolerated. Two women every week are killed at the hands of their abuser in England and Wales. According to the British Crime Survey, in that same year, 5 million women reported experiencing domestic abuse by a partner or family member since they were 16. Due to progress over the last decade the levels of reported abuse have declined, but it remains an under-reported crime and its prevalence is disturbing and unacceptable. Statistics also reveal the limitations on the criminal justice system to successfully intervene and prevent domestic violence. The total number of domestic violence convictions between 2006/07 and 2010/11 was just 6.5 per cent of the total number of domestic violence incidents recorded by the police over that period - and this is just the tip of the iceberg when considering the number of incidents that go unreported. One in five of the tens of thousands of 999 calls received by one police force working with us were domestic violence related, yet across the whole country fewer than 60,000 people were successfully prosecuted in 2010/11.
This means a huge number of women are the targets of abuse in a violent relationship and come to the attention of the police - sometimes regularly - but the criminal justice system is offering limited help or recourse.

In government, Labour toughened the law to protect women and introduced the first ever Violence Against Women and Girls Strategy. We also introduced Specialist Domestic Violence Courts and specialist prosecutors, to increase convictions. We supported Independent Domestic Violence Advisors, who give survivors tailored advice on finding safe housing or on pursuing justice. We introduced new review processes to bring together police, local authorities, housing teams, social services, the third sector and others, to help the highest risk survivors and keep them safe. We introduced ‘Go’ orders to keep offenders away from the family home. But we know there are still many challenges ahead.

The Tory-led Government’s cuts to police force budgets which go too far, too fast, with a minimum of 15,000 officers to be cut by 2015, mean some police forces are losing both officers and capacity, and delivering specialist support to tackle domestic violence is going to be even more difficult in the future. And in instances where survivors do not want to press charges against a loved one, are too scared to give evidence, or hope their partner will change, the police often feel they have no further options, and the violence continues behind the curtain.

We cannot continue to miss opportunities to identify and convict serial perpetrators of domestic violence, who are frequently brought to the attention of the police, who pose a real danger to women, but whose cases are falling through this intervention gap.

Labour is keen to explore the extent to which more sophisticated, intelligence-led, proactive policing around domestic violence could go some way towards plugging this justice intervention gap, and will encourage the development of the same preventative policing approach for the serial suspected perpetrators of sexual violence too. The police want to protect victims and prevent violence and murder. They should be empowered to do just that.

“Labour’s Policy Review will explore a new approach to protect survivors of domestic violence through preventative policing.”
The Justice Intervention Gap

Many of the interventions that currently exist, such as multi-agency risk assessment conferences (MARACs), rightly focus on supporting survivors of violence. Multi-agency public protection arrangements (MAPPAs) also provide interventions for convicted serious violent offenders. Our concern is there is no corresponding framework to manage the behaviour of unconvicted, but known perpetrators of abuse, who may have already moved into a new relationship, on to another victim and may be destroying another life. Research by ACPO worryingly suggests there may be as many as 25,000 serial perpetrators of domestic violence in contact with the police at any one time. Despite this, there is currently no clear system to identify those cases where serial domestic abuse appears to be taking place, nor an obligation or incentive to intervene to stop violence and prevent crime, unless or until the case triggers a successful criminal or civil justice outcome. This is despite the risk that further incidents may escalate and result in serious harm.

Yet, statistics show that only around 6.5 per cent of those domestic violence incidents reported to the police end in a successful criminal justice prosecution and only three per cent of those who could potentially seek protection through the civil courts, choose to go down this route - and this situation is set to be worsened by cuts to legal aid. Perpetrators may be brought to the attention of the police on several occasions, but may not have been convicted of their crime because of a number of barriers.

For example, many of those experiencing domestic abuse are unwilling to prosecute perpetrators and either retract witness statements before giving evidence, or decline to provide statements in the first instance. When analysing 250 cases of domestic sexual violence, Laura Richards found that 64 per cent of the targets of that abuse did not want to pursue the allegation, for a variety of reasons, yet all wanted the incident properly recorded for future reference. Similarly 44 per cent of all survivors of serious domestic violence incidents analysed did not want to pursue the allegation, but all wanted the incident recorded 1.

This sad truth was exemplified by the murder of Casey Brittle, who was killed by her estranged partner at her home in Nottingham in 2010. Her killer had an extensive criminal record, had warnings on the Police National Computer for violent behaviour, had a history of abuse against Miss Brittle, recorded by Nottinghamshire police on 11 occasions. Yet, he did not have any previous convictions for domestic abuse-related offences. An IPPC investigation into the case stated that, because Miss Brittle was unwilling to proceed with criminal allegations, authorities appeared content to take no further action.
Tackling serial violent offending against women: West Yorkshire Serious Offender Review Team (SORT)

West Yorkshire Police has built on the Management of Police Information process, using this review procedure as an opportunity to identify people who may pose a potential risk of committing serious offences, including sexual and violent offences.

The identification process is via both a central interrogation of police systems and a referral process from front line staff. Each person is subject of a formal risk assessment based on the intelligence available. This process determines the level of intervention and management.

Each person is flagged on the force’s IT systems that allows for a dynamic and on-going risk assessment to be conducted.

Research by Laura Richards has shown that many victims of domestic murder have been in contact with key agencies for assistance prior to their death. It appears that opportunities to intervene at an earlier stage to change behaviour and to protect women from serial perpetrators of violence may be routinely being missed.

Even where evidence of repeated domestic violence incidents are recorded by the police and other authorities, the resources available for intervention are limited where either a formal criminal charge or civil justice route are not pursued. We recognise that in recent years, resources for intervention have been largely tied to probation services and MARAC processes, which themselves are strongly linked to criminal or civil justice outcomes. This concentration of intervention resources around probation and MARACs presents a significant barrier to pursuing early intervention for those cases where a criminal prosecution isn’t achieved or where a civil justice route isn’t pursued. Quite simply, too many cases are falling through this intervention gap and there are there are few requirements on the police or public bodies to pursue alternative interventions to protect families.
Tackling serial violent offending against women: Hampshire Constabulary Public Protection Department

Hampshire Police used the opportunity of the Review, Retention and Disposal of Police Information process to identify and assess the risk posed by those who have serially been implicated in domestic violence offending. Reviewing their records for the past five years, Hampshire Police discovered 26 individual perpetrators who met their ‘high-risk domestic violence perpetrator’ threshold of committing three or more offences, against three distinct partners. Although some of these were not previously monitored, these 26 perpetrators have now been flagged and will be subject to monitoring and preventative intervention.

Options for behaviour-changing interventions for the perpetrators, as well as support for their partners, are now also being considered. These include informing neighbourhood policing teams of the perpetrators’ history; flagging addresses, so that any calls to the police are prioritised and receive an emergency response; undertaking home visits; surveillance; and working in conjunction with partner agencies to address substance abuse problems.
Action

Rather than only recording and responding to incidents of domestic violence, Labour’s Policy Review will explore a new, preventative and proactive policing approach, which better analyses the information available about incidents of domestic violence to target persistent perpetrators with options for early intervention, and will signpost support for survivors, even where a criminal charge or civil justice process has not been pursued. We will also encourage the development of the same preventative policing approach for serial suspected perpetrators of sexual violence, as piloted by West Yorkshire police, and preventative approaches to serial stalking perpetrators.

The Management of Police Information (MoPI) guidance on the review, retention and disposal of information presents a unique opportunity for forces to put measures in place to properly analyse previously recorded incidents of domestic and sexual violence. Undertaking this new analysis allows the police to move on from viewing such cases of violence as individual, separate incidents, and towards identifying the serial, suspected perpetrators of domestic violence and developing a proper case history for each.

We know that some police forces are keen to develop better management processes and have already taken steps to improve their monitoring systems, as detailed in the case studies presented. However, support from the centre is needed if this is to become a successful, national model. Developing systems and processes for monitoring domestic violence incidents will allow police and other authorities to identify those serial perpetrators who are flagged time and time again, and to develop a preventative and targeted package of interventions to support survivors and help perpetrators address their offending behaviour, even where a criminal charge or civil justice process is not currently being pursued. This will require police force governance structures to work with local health providers, councils and the voluntary and third sector to provide the interventions required.
Tackling serial violent offending against women: Strathclyde Domestic Abuse Task Force (DATF)

Strathclyde was the first police force in the UK to implement a proactive, preventative approach to tackling the serial perpetration of domestic violence, through the establishment of its Domestic Abuse Taskforce (DATF).

In line with the policing National Intelligence Model in Scotland, the Domestic Abuse Task Force identifies previously unmanaged, high-risk perpetrators through the use of better analysis and intelligence systems. Once high risk perpetrators have been identified, the Taskforce uses surveillance operations and the proactive enforcement of warrants and/or bail conditions as the first steps towards intervention.

One model the DATF uses is to pro-actively target those perpetrators who have a history of violence around football matches, getting in contact with the perpetrator before, during or after Old Firm football games, including issuing perpetrator warning letters, making home visits, executing any outstanding warrants or packages for domestic abuse, and signposting to partner agencies such as ASSIST (an advocacy Group), who will engage victims to offer support and advice.
Developing the agenda

Working in conjunction with others, Labour’s Policy Review will:

- Explore processes which would enable the police and other bodies to become more proactive in preventing domestic violence and in supporting survivors.

- Explore the ways in which those perpetrators subject to repeat allegations of domestic violence can be better monitored via police intelligence systems.

- Explore the ways preventative interventions for perpetrators and early signposting to support for survivors of domestic violence can be offered by the police at point of crisis, rather than only once a successful criminal or civil justice outcome has been pursued.

- Explore how information about serial perpetrators of domestic violence can be shared between partner agencies, to enable early intervention and the better protection of families.

- Explore the development of early intervention packages to prevent violence by repeat perpetrators, starting with interventions for the highest risk serial perpetrators.

- Explore how to best expand the opportunities to place positive obligations on the perpetrators of repeat domestic violence, via either the criminal or civil courts, to help address their violent behaviour.

1 Richards, Laura (2004) Getting away with it - A Strategic Overview of Domestic Violence, Sexual Assault and ‘Serious’ Incident Analysis.