## Domestic Abuse Investigation Policy and Procedure

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### Linked documents

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3
1. Policy Section

1.1 Statement of Intent – Aim and Rationale

The authorised professional practice (APP) on domestic abuse has been developed by consolidating and updating ACPO (now NPCC) (2008) Guidance on Investigating Domestic Abuse. It responds to a number of developments in the field of domestic abuse, in particular a new Home Office definition of domestic violence and abuse. The definition recognises the significance of controlling or coercive behaviour in better understanding domestic abuse. During the development of this APP, Her Majesty’s Inspectorate of Constabulary (HMIC) also released its findings from a major inspection of how all police forces in England and Wales handle allegations of domestic abuse. These findings have been taken into account when developing the new APP and this policy.

http://www.app.college.police.uk/domestic-abuse-index/

The overriding priorities in dealing with all incidents of domestic abuse are:

- To protect the lives of adults and children who are at risk of domestic abuse;
- The first priority of the police in responding to a domestic abuse incident is to protect the victims and any other persons at risk, including children, vulnerable adults, police officers/staff and partner agency staff;
- The immediate response to a report of a domestic abuse incident is key to protecting victims, children and police officers;
- To investigate all incidents of domestic abuse;
- To facilitate effective action against offenders so they can be held accountable through the criminal justice system;
- To adopt a proactive multi agency approach in preventing and reducing domestic abuse.

The APP and this policy set out the minimum standards for responding to all reports, recording and investigation of all domestic abuse incidents.

Dorset Police is committed to protecting the lives of both adult and child victims of domestic abuse, to investigate all reports effectively, to bring offenders to justice and hold them accountable for their actions and to adopt a proactive multi-agency approach in order to prevent and reduce domestic abuse.

The Force area is made up of diverse communities and it is recognised and acknowledge that domestic Abuse is a crime that happens in all communities. Dorset Police is committed to developing responses that keep people safe and hold perpetrators to account without stereotyping, stigmatising or making assumptions about any given individual or community and will demonstrate that protecting victims is central to core business of tackling domestic abuse.

The purpose of this policy is to ensure that by dealing with victims of domestic abuse effectively and by conducting thorough risk assessment processes with victims that we endeavour to reduce the likelihood of future harm, including homicide, serious injury and acts of abuse by providing guidance to all officers and police staff in the identification of cases and the level of risk they present.
1.2 Police Mission

Our Mission for policing is:
To make communities safer by upholding the law fairly and firmly; preventing crime and antisocial behaviour; keeping the peace; protecting and reassuring communities; investigating crime and bringing offenders to justice. This mission is set nationally and adopted locally by Dorset Police.

Code of Ethics
The Code of Ethics underpins every day policy, procedures, decisions and actions in policing today. The Code of Ethics is an everyday business consideration. This document has been developed with the Code of Ethics at the heart ensuring consideration of the nine Policing Principles and the ten Standards of Professional Behaviour. Monitoring is carried out through the Equality Impact Assessment process which has been designed to specifically include the Code of Ethics.

National Decision Model
The National Decision Model (NDM) is the primary decision-making model used in Dorset Police. The NDM is inherently flexible and is applied to the development and review of all policy, procedure, strategy, project, plan or guidance. Understanding, using and measuring the NDM ensures that we are able to make ethical (see Code of Ethics), proportionate and defensible decisions in relation to policy, procedure, strategy, project, plan or guidance.

1.3 People, Confidence and Equality

Throughout history policing has been most effective when the community and the police work together, helping each other to reduce crime and fear of crime. Our priorities have been based on today’s risks and from what our communities have told us are areas of concern.

This document seeks to achieve the priority of increasing the public satisfaction in the delivery of policing in Dorset.

This document also recognises that some people will be part of many communities defined by different characteristics. It is probable that all people share common needs and expectations whilst at the same time everyone is different.

Consultation and engagement has identified a common need and expectation for communities in Dorset to be:

- Listened to
- Have their needs understood
- Have their expectations met where possible
- Be kept informed

1.4 GDPR Compliance Statement

Dorset Police is committed to ensuring the security and protection of the personal information that we process, and to provide a compliant and consistent approach to data protection. Our policies and procedures have been developed taking into account the principles of the General Data Protection Regulations (GDPR).
2. Standards

2.1 Legal Basis

Whilst Domestic Abuse is not a specific criminal offence; the term is used to describe a range of incidents occurring in particular circumstances, the most serious resulting in death. The requirement in Domestic Abuse cases incurs obligations at every stage of the police response.

- Articles 1, 3 and 8 of the European Convention of Human Rights (ECHR 1998) findings in the case of Osman v UK 1988 and the Crime and Disorder Act 1998 places a positive duty of care on police to protect adult and child victims of domestic abuse.
- PACE (Police and Criminal Evidence Act) 1984
- Data Protection Act 1984 & 1998
- Criminal Procedure & Investigations Act 1996
- Section 115 Crime and Disorder Act 1998
- The Protection From Harassment Act 1997
- Domestic Violence, Crime and Victims Act 2004
- Crime and Security Act 2010 Sections 24-33
- Serious Crime Act 2015 Sec 76

Domestic Abuse Legislation Coercive or Controlling Behaviour

The domestic abuse offence of coercive or controlling behaviour came into force on Tuesday 29 December 2015. This new legislation is not retrospective. The new offence comes under the Serious Crime Act 2015 Sec 76 and is defined as ‘engaging in controlling/coercive behaviour in an intimate family relationship.

Human Rights Considerations/Articles Engaged

Human Rights Considerations includes the following:

- The application of this policy has the potential to engage the following articles under the Human Rights Act 1998:
  - Article 2- The right to life
  - Article 6- The right to a fair trial
  - Article 8 -The right to privacy, family life, home etc
  - This Policy has been drafted in accordance with the principles of human rights legislation. Consideration has been given to the compatibility of this policy & related procedures with The Human Rights Act 1998.

2.2 Equality Impact Assessment

During the creation of this document, this business area is subject to an Equality Impact Assessment (EIA). Its aim is to establish the impact of the business area on all people and to also ensure that it complies with the requirements imposed by a range of legislation.

2.3 Consultation
Full consultation is undertaken for new policy, full version changes and the equality impact assessment screening deems necessary.

Consultees are identified as those business areas that are affected by, subject to or have a vested interest in the policy.

Full details of consultation including feedback and changes made as a result are recorded on a separate document, the Consultation Template and retained for audit purposes.

2.4 Monitoring / Feedback

The Force monitors performance and development in this area by collecting/analysing data from PPN.

http://hq-iis-01/dormisi/

The data is used when engaging in the following quality assurance processes:

- Local audits and reviews.
- Multi-agency safeguarding boards.
- Organisation learning / peer review.
- Multi-agency working.
- Local Safeguarding Children’s Boards.
- Local Safeguarding Adult’s Boards.
- Professional Standards Department.

This policy will be reviewed annually using the results from the above reviews to ensure compliance and necessitate policy change where required.

Detective Superintendent Public Protection will oversee this process.

Feedback relating to this policy can be made in writing or by e-mail to:

DI 2276 House
Bournemouth Police Station
Madeira Road
Bournemouth
Gavin.house@dorset.pnn.police.uk
3. Procedure Section

3.1 Definitions

3.1.1 Domestic Abuse

Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive or 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. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, and 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.

'Coercive behaviour' is defined as: an act or 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 abuse (HBA), female genital mutilation (FGM) and forced marriage (FM) and is clear that victims are not confined to one gender or ethnic group. (Cross Government definition March 2013)

Abuse can be reflected in a range of behaviours including physical and sexual assaults, emotional abuse, the destruction of a spouse’s or partner’s property, their isolation from friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and phones and may also include harassment and stalking.

It can also include abuse perpetrated by a son, daughter or other family member; abuse inflicted on, or witnessed by children. The wide adverse effects of living with domestic abuse for children must be recognised as a child protection issue.

The Force recognises that any person can be a victim of domestic abuse. Women and men can be victims of domestic abuse in heterosexual relationships; domestic abuse can also take place in lesbian, gay, bisexual and transgender relationships. People with disabilities can be particularly vulnerable. The inclusion of the definition of abuse between family members ensures that issues such as so called ‘honour’ based crimes are properly identified. It also acknowledges that children/young people who experience or witness domestic abuse may also be victims.

3.1.2 Intimate Partners

Includes those who are or have been in a relationship with each other, with some degree of continuity and stability. The relationship must also have, or have had, or be reasonably supposed to have had, a sexual aspect, such as in the relationship between a husband and wife or between others generally recognised as a couple, including same sex couples. They need not be living together on a full time continuing basis and need not ever to have done so. The incident need not take place in the home of one or both of the partners. It could take place, for example, in a public house or the street.
3.1.3 Family

With regards to non-intimate or familial abuse, the term family member includes: Mother, father, daughter, son, brother, sister, grandparents, in-laws and step family. Family do not necessarily have to be related by blood. Officers should consider the way they live as a family unit. Common law in-laws or uncles for example, who are involved closely with the family would be committing offences of domestic abuse.

3.1.4 Types of Domestic Abuse

Domestic abuse takes many different forms, which you must always consider when dealing with a victim of domestic abuse. Domestic abuse can manifest in any one of or all of the ways listed below:

- **Physical Abuse**: Any offence of violence or offer of violence, including common assault, battery, grievous bodily harm or actual bodily harm.
- **Sexual abuse**: Rape, sexual assault and other sexual offences.
- **Emotional or psychological abuse**: Any harm deliberately or recklessly inflicted on another person's well being. This may amount to an offence under the Offences Against the Person Act 1861 and could, for example also, fall under the Protection from Harassment Act 1997.
- **Financial abuse**: The abuse of power in a relationship where one partner maintains control over the other's money or financial circumstances. Again, this may amount to an offence under the Protection from Harassment Act 1997.
- **Controlling Behaviour**: Coercive behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- **Coercive behaviour**: is 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. Such behaviours might include: isolating a person from their friends and family; depriving them of their basic needs; monitoring their time; monitoring a person via online communication tools or using spyware; taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep; depriving them of access to support services, such as specialist support or medical services; repeatedly putting them down such as telling them they are worthless; enforcing rules and activity which humiliate, degrade or dehumanise the victim; forcing the victim to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities; financial abuse including control of finances, such as only allowing a person a punitive allowance; threats to hurt or kill; threats to a child; threats to reveal or publish private information (e.g. threatening to ‘out’ someone); assault; criminal damage (such as destruction of household goods); rape; preventing a person from having access to transport or from working.

3.1.5 Domestic Abuse Legislation Coercive or Controlling behaviour

The domestic abuse offence of coercive or controlling behaviour came into force on Tuesday 29 December 2015. This legislation is not retrospective. The new offence comes under the Serious Crime Act 2015 Sec 76 and is defined as 'engaging in controlling/coercive behaviour in an intimate family relationship. This has been assigned the code 8/67 and sits in 105A assault without injury category. This new offence will protect victims or coercive or controlling behaviour
who would otherwise be subjected to sustained patterns of abuse that can lead to total control of their lives by the perpetrator.

Examples of suicide investigations have revealed evidence of controlling or coercive behavior or other forms of domestic abuse as background to the suicide. Landmark cases at Court have led to convictions for manslaughter and other offences for perpetrators of DA that led to the suicide. There is little written about the link at present.

Where this is suspected, officers should consider whether there are ongoing risks to anyone in the remaining household, in particular children and vulnerable adults, and take appropriate steps to make those people safe. CID Supervision must be informed immediately. (College of Policing APP will have the up to date guidance.) For further information please consult the Dorset Police Sudden Death Policy.

3.1.6 Repeat Victim

A common feature in most domestic abuse cases is repeat victimisation. This is where a victim has been involved in more than one incident that has been reported to the police in a given period of a rolling 12 months (e.g. June-June, April-April)

3.1.7 Serial Perpetrator

These are perpetrators that are alleged to have used or threatened violence against two or more victims who are unconnected to each other and who are or were intimate partners of the perpetrator. (Important to notice the distinction between Repeat Victim)

3.1.8 Honour Based Abuse (HBA)

Honour based abuse is defined as 'an incident or crime involving violence, threats of violence, intimidation coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/ or community for alleged or perceived breaches of the family and/or community’s code of behaviour’.

For more information click here for College of Policing APP

Officers must ensure that a thorough risk assessment is carried out with victims of honour based abuse. There are a number of officers in the Force who have been trained to advise on HBA and Forced Marriage. They can be found under specialist skills SPR 15/ Code 2. There is a Force policy of honour based violence which can be found on Share point policy site.


3.1.9 Significant Harm to a Child

The guidance on significant harm within section 31 of the Children Act 1989 was amended in 2005 to include ‘impairment suffered from seeing or hearing the ill treatment of another’. Exposure to violence or trauma, and the resultant persisting fear with which the young child lives is emotional abuse, the effects of which directly impair the natural development of that child. Children will sometimes attempt to intervene during violent incidents, putting themselves at greater risk of physical abuse
3.1.10 Adult at Risk

An adult at risk (AAR) of abuse is; someone who has needs for care and support (including healthcare), is experiencing, or is at risk of abuse or neglect, and is unable to protect themselves against the abuse or neglect, or the risk of it. Local authorities have a duty to consider the needs of an adult at risk, under section 42 of the Care Act 2014.

When dealing with an AAR, the subject must be asked wherever possible if their details may be forwarded on to partner agencies, such as Social Services, Health or Probation Service. If after the discussion with the AAR adult who has mental capacity (See College of Policing APP), they decline any intervention, their wishes will be respected unless: there is a public interest, for example, not acting will put others or children at risk. There is a duty of care to intervene when, for example, a crime has been or may be committed. If the AAR does not have mental capacity then information may be shared on the principle of best interests.

It is important to note the difference between an Adult at Risk, as described above and the definition of vulnerability. They are different. A vulnerable person is described ‘A person is vulnerable if as a result of their situation or circumstances, they are unable to take care or protect themselves, or others, from harm or exploitation.’

Officers dealing with a vulnerable adult or adult at risk must consider whether any advice or guidance provided to an individual is understood. Some victims and offenders may not have the capacity to understand safeguarding advice or instructions. If you have any concerns, seek support from an appropriate professional, for example a specialist social worker or mental health worker. Learning from a recent DHR found that advice provided to a victim of domestic abuse was not fully understood and therefore ignored, which placed the victim at further risk of harm.

For further details about AAR please click here for the Intranet site.

3.1.11 Female Perpetrators

Domestic abuse can affect men as well as women. Female perpetrators offend against a male or female victim for the same reasons as male perpetrators.

3.1.12 Cultural and Diversity Awareness

There is a need for cultural and diversity awareness and sensitivity when dealing with victims. The victims’ needs and support options may differ for various reasons, including religion, language, culture, an insecure immigration status or service access issues. For example, not all refuges cater for all victims of domestic abuse regardless of their religion or culture and there are particular financial barriers to some people with insecure immigration status from escaping violent partners.

Sometimes victims from minority communities and victims who reside in isolated areas will face similar difficulties in terms of being socially isolated. Dorset Police recognises that in some communities there may be additional barriers to victims seeking support and breaking the silence around domestic abuse e.g. experience of and fear of racism, disability, homophobia or other discrimination.

Creating a safe and accessible environment where victims feel they can do this and using gender neutral terms such as (ex) ‘partner’ is essential. A Lesbian, Gay, Bisexual or Transgender (LGBT)
person accessing services will have to disclose both domestic abuse and their sexual orientation or gender identity.

A victim may be particularly isolated, either due to the physical location of the home or because they have become isolated from the support of friends, family and the wider community. This isolation may increase the risk of escalation of abuse or of murder.

Similarly, a victim or family member of a victim irrespective of their being adult may be vulnerable by virtue of physical or mental health disability.

For this reason, any victim who reports to the police in these circumstances could be considered ‘high risk’.

Moreover, where particular vulnerability (children/AAR) is present as regards a family member, who, while not the direct victim, is subjected to an environment where domestic abuse is occurring this will be made subject of specific reference in the completion of the DV1-DASH form.

Victims escaping forced marriage, female genital mutilation or honour-based abuse should be considered particularly at risk and immediate intervention should be considered to protect them from any consequences of reporting the abuse.

3.1.13 Duty of positive action to protect victims

The Human Rights Act 1998 places positive obligations on Police officers to take reasonable action, which is within their powers, to safeguard the rights of victims and children. The DASH form must be completed for each incident to ensure the level of risk is properly assessed and graded by the attending officer.

The attending officer should take positive action when dealing with domestic abuse incidents. This means making an arrest, provided it is necessary and proportionate and the grounds exist to do so. If an arrest is not possible then positive action is still required to protect and safeguard the victim and others that may be at risk. It is not appropriate to do nothing.

For full guidance on Positive Action see APP on Arrest and other positive approaches.

3.1.14 PPN Submissions

PPN stands for Public Protection Notices. These are forms that are available through Niche. The forms have two main purposes. One is for officers to make referrals to partner agencies when they have concerns about vulnerable people. The PPN is also used as a risk assessment tool for victims of Domestic Abuse and Stalking & Harassment (DASH). The PPN needs to be completed to a high standard and the niche record appropriately ‘linked’ to ensure that vital information can be shared with partner agencies, when it is necessary and lawful to do so.

A DASH risk assessment should be completed for every Domestic Abuse and Stalking & Harassment incident.

Information on DASH can be found at:

http://www.safelives.org.uk/sites/default/files/resources/Dash%20for%20IDVAs%20FINAL_0.pdf
Information about PPN can be found:


3.1.15 MAPLE project

High risk victims of Domestic Abuse are offered a specialist Domestic Abuse Advisor. These are members of Police Staff that work to ensure that women, men and children whose lives are affected by domestic abuse will receive a high level of support and protection and perpetrators are held accountable for their actions and behaviour.

For more information about the Maple Project click here.
3.2 Command and Control

3.2.1 Force Control Centre (FCC)

To ensure the safety of those reporting domestic abuse call handlers should adhere to the guidance in the College of Policing APP, which can be found [here](#).

Call handlers must follow the Contact Management Policy. For domestic abuse incidents call handlers must make appropriate intelligence checks for any previous reported domestic abuse history and other relevant information including:

- previous domestic abuse incidents/flags on Niche.
- any Niche record of current or previous MARAC involvement with the victim/suspect,
- PNC checks for both the suspect and the victim (paying particular attention to any markers or alerts),
- bail conditions
- civil injunctions
- court orders relating to child contact
- the PND (where proportionate to do so).
- child protection flags
- ViSOR (where appropriate).

3.2.2 Counter Service Staff

Counter Service Officers (CSO) at any police station may be the first person a victim of domestic abuse discloses to.

The CSO should remove the victim to a safe and confidential area where the victim can talk privately and staff should contact Control Room via creating an incident log or by telephone to deploy an officer to speak with the victim.

For further information click [here](#) for the College of Policing APP.

3.3 Attending the Scene

3.3.1 Initial Officer Attending Responsibilities

First response officers have a dual role to play when attending domestic call-outs. They should:

- recognise signs of abuse and the need for safety planning to protect victims (or potential victims) and prevent offences from occurring in the longer-term
- identify criminal offences so that offenders can be brought to justice and dealt with robustly within the judicial system.

Click [here](#) to see the College of Policing APP guidance for ‘first response’ for Domestic Abuse.

Attending officers and investigating officers should ensure they comply with the Code of Practice
Handling Instructions: Suitable for Public Publication

for Victim’s of Crime, which can be found here. Procedures should be clearly explained, the views of the victim taken into account and they should be updated as to the progress of the investigation. The identification of any vulnerabilities should be identified and reasonable adjustments made to enable an effective investigation with suitable safeguarding.

3.3.2 Vulnerable Persons Present (children and adults at risk)

Officers must check on the welfare of any child and AAR present at a domestic abuse incident whether or not they have witnessed the incident. If able, they should be asked what they witnessed on this occasion and previous occasions (first account) and what they would like to happen. Officers must inform the parent/carer of any child or AAR in the household that information may be shared with relevant agencies. Officers should consider using police protection powers where necessary.

Where a child/AAR has been injured or involved in the incident (e.g. being held by mother as she is being assaulted by partner) this is child abuse as well as domestic abuse. Where offences are apparent in relation to the child, the offender should also be dealt with robustly in relation to these offences. Officers should contact the SRU (Safeguarding Referral Unit), within the MASH (Multiagency Safeguarding Hub) during office hours or the on-call CAIT DS out of hours if urgent advice is needed.

Details of all children and AAR resident or visiting the premises must be recorded on the PPN. Forms should also be selected regarding other vulnerable people present, these forms will populate and all will automatically go to the SRU for dissemination.

Officers must not leave the address until they are satisfied that all children/AAR are safe.

A suicidal suspect with a history of perpetrating domestic abuse or child abuse should also be considered as potentially homicidal and a risk to their former or current partner and children/AAR.

Where officers are made aware of a threat/attempted suicide or self harm of a parent/carer, officers should directly question them about their feelings and suicide intentions, as this may help inform the risk assessment in relation to the child/vulnerable adult.

The below link gives details of a serious case review conducted here in Dorset in relation to a six year old boy killed by his father in 2010. The child (known as Child G) died as a result of an overdose of injected drugs, his father was found dead on the same day.

Link: Serious Case Review Executive Summary – Child G

See the Child Protection and Abuse Investigation Policy


3.3.3 Injuries/damage

As domestic abuse occurs largely in a private dwelling the securing of any scene may become vital to preserve evidence. Any injuries suffered by the victim must be recorded and captured by photographic evidence either at the scene or by a Crime Scene Investigator (CSI) at a police station. Officers should also take note of any damage and ensure this evidence is captured using photographic methods; officers should use body worn video in line with BWV policy for domestic abuse incidents which states:
‘Alliance expectation is that users will activate Body Worn Video to record events in the following specific circumstances, unless there are legal or operational reasons not to do so. If BWV is not used in these circumstances the user must record why in their statement/pocket notebook (PNB) or other record of the incident e.g. via Mobile data terminal (MDT)

- When attending Domestic Abuse or suspected Domestic Abuse incidents’

Officers should use this additional evidence to help them decide the risk category as part of the DASH Risk Identification and Assessment.

### 3.3.4 Non-English speaking persons

Officers should be cautious over the use of interpreters at the scene of a domestic abuse incident. Officers should never use family members to interpret unless this is to secure the immediate safety of all parties. Officers should use a telephone interpreting service such as Language Line to establish key facts. This measure should only be used in the short term and alternative interpreting services should be sought as soon as possible (i.e. accredited interpreter present with the officer and victim). The interpreter should be from the National Register of Interpreters: [http://www.nrpsi.co.uk/](http://www.nrpsi.co.uk/). Officers should refer to the regional interpreters policy and procedure found on the sharepoint policy site.


The same guidance above applies for people that use sign language to communicate.

### 3.3.5 Third Party Information

Where the informant is not one of the parties involved, it is essential that this person is spoken to as they may have witnessed the incident or be able to provide evidence or information of history to assist with Risk Assessment

### 3.4 Risk Assessment

Any children in the address who are related to the family in dispute or simply visiting should have all their details added to the PPN. Attention should be drawn on the PPN to these visiting children if it is considered that they are at risk due to their association, a child risk assessment should be completed on that occurrence and then the workflow will send it for following up to the SRU. Officers are able to create on PPN involving linking all persons and may “tick” the checkbox for each area of concern.

When assessing risk officers should consult the ACPO risk Principles, which can be found [here](http://dpintranet/Force%20Document%20Library/Pages/Default.aspx), and the National Decision Model College of Policing APP, which can be found [here](http://dpintranet/Force%20Document%20Library/Pages/Default.aspx).

#### 3.4.1 Victim -DASH completion

The completion of the DASH risk assessment is crucial to the dissemination of information within police and multi-agency partnership networks, and to trigger support from the MAPLE project.

Officers should always speak to the victim alone and in a safe environment where the victim cannot be overheard by the alleged perpetrator. The officer must ask the DASH Risk identification and assessment checklist when the victim is not with the alleged perpetrator. Officers should ask these questions when the victim is alone unless the victim specifically
requests that a family member/friend is present (see Checklist – Obtaining a First Account from a Victim or Witness in the APP for further information).

**It is very important to ask ALL the questions on the list at EVERY incident.** Some questions may appear to overlap but it is important to encourage maximum opportunity for disclosure from victims. Please note that the ‘don’t know’ option is NOT included. If the answer is not known, please write that on the checklist.

All the questions need to be completed and, where an answer is ‘yes’, an assessment has to be made in accordance with the guidance on the form and brief details of the reason for the response provided. Whether the answer then gives significant cause for concern is a judgement based on the response of the victim and any other person to the facts outlined. Clearly, it is hard to be prescriptive here and the ticking of this box comes down to the judgement of the individual completing the form.

The DASH risk assessment checklist is on the PPN. Officers should ensure that:

- All questions are asked and for those that are ticked ‘YES’, a brief explanation is written on the form.
- All Niche prompts are completed.
- An initial risk classification must be made: standard, medium, high and the workflow is completed to submit the form to the appropriate team.
- NB – If the victim alleges a serious sexual offence that requires a forensic medical, there will be a need to take them to The Shores (Dorsets Sexual Assault Referral Centre) situated adjacent to Bournemouth Police Station. For further information: see the Rape and Serious Sexual Offence Policy on the Force Policy Portal on SharePoint.

A new Occurrence, PPN and DASH Risk assessment must also be completed for breach of preventative orders: non-molestation orders, DVPO, restraining orders or breach of bail conditions issued for a domestic abuse offence.

### 3.4.2 Reluctant victim

A victim may deny officer’s entry to the property on arrival, either where the victim has called 999 or where the call has come from a member of the public. This may be because the perpetrator is inside prompting or threatening the victim to send the Police away. The victim may tell officers that the perpetrator has left when this isn’t the case. Officers should use judgment to assess why the victim is refusing or reluctant to engage with them.

Officers should consider using their powers of entry if access is denied and they should accurately record both the power of entry invoked and the reasons why it is believed to apply. Concern for welfare alone has been held to be insufficient to justify entry under section 17(e) of PACE; however when officers fear for persons inside for the purpose of saving life and limb or to prevent serious damage to property this power should be considered. The purpose for saving life and limb in such circumstances has been held as ‘a fear that something has happened or may happen which would involve serious injury to a person (Syed v DPP (2010) EWHC 81 (Admin).

Dealing with a reluctant victim may mean attending officers have great difficulty in completing the -DASH. On such occasions, as much information as possible should be collected and added to the DASH, which should then be submitted: submission of the form is more important than the full completion of it, as it is the submission of the form that alerts police and multi-agency partnership networks to the incident.
3.4.3 Identifying Levels of Risk

Risk identification and assessment is not a predictive process and there is no existing accurate procedure to calculate or foresee which cases will result in homicide or further assault and harm. It should be clear from the outset that there is not an expectation that those completing the Initial Risk Indicators contained within the Domestic Abuse report form DASH will have high levels of knowledge about domestic abuse and its assessment. Research shows an acceptance that risk assessment is not an exact business.

The DASH (domestic abuse, stalking, harassment and honour-based abuse) checklist is only a guide and does not provide an absolute or relative measure of risk. It structures and informs decisions.

Assessment of risk is complex and not related to the number of risks appearing alone. Rather, the imminent risk posed to the victim or others in a particular situation will be dependent upon what they are and how they apply in that context.

The risk process must remain dynamic. Events and circumstances may undergo rapid and frequent change. Where this is the case, the assessment must be kept under review. This process is particularly important when risks are likely to spike - Examples include further incidents, arrest / interview/ bail of the suspect and victim ending the relationship.

Those conducting the risk assessment will need to consider:

- WHO is at risk;
- The CONTEXT of the BEHAVIOUR;
- HOW the risk factors interact with each other;
- The victim’s perception of risk.

Officers must in every case ensure that risk assessments are supported with an assessment of the full intelligence picture including:

- previous domestic abuse incidents/ flags on Niche.
- any Niche record of current or previous MARAC involvement with the victim/ suspect,
- PNC checks for both the suspect and the victim (paying particular attention to any markers or alerts)
- bail conditions
- civil injunctions
- court orders relating to child contact
- the PND (where proportionate to do so).
- child protection flags
- ViSOR (where appropriate).

3.4.3.1 Evaluation of Initial Risk Indicator Form

<table>
<thead>
<tr>
<th>STANDARD</th>
<th>Current evidence does not indicate likelihood of causing serious harm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEDIUM</td>
<td>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, e.g. Failure to take medication, loss of accommodation, relationship breakdown</td>
</tr>
</tbody>
</table>
The following should be considered key indicators of high harm/risk:

- Strangulation (choking/suffocation/drowning)
- Credible threats to kill
- Use of weapons
- Controlling and/or Excessive Jealous Behaviour
- Child Abuse
- Animal/Pets Abuse
- Alcohol/Drugs/Mental Health
- Threats to commit suicide
- Stalking – DA stalking is considered Very High Risk

The officer completing the PPN - DASH must assess the level of risk identified and provide a rationale to support their decision-making. Risk indicators identified at the time of completion remain the responsibility of the attending officer - these could apply for any of the 3 risk assessment levels.

Immediate concerns for the safety of the victim, children or other vulnerable people must be addressed. Sergeants have a clear role to play in managing risk and it is unacceptable to submit a PPN to the SRU and not take any action to mitigate identified risk when there is clearly activity that cannot wait. Details of the safety measures taken and required must be entered into the PPN. Consideration must be given to instigation police powers of protection where there are reasonable grounds to believe that child would otherwise suffer significant harm, including physical, sexual or neglect- including emotional or physical. See Child Protection and Abuse Investigation Policy and Procedure.


It is important to maintain an audit trail of activity surrounding the response to incidents of domestic abuse. High-risk cases must be referred to the officer’s supervisor as soon as practicable.

### 3.4.3.2 Risk management

Risk management should be conducted using the Risk Management Model and the NDM process.

| Remove the Risk | By taking positive action by arresting the offender and considering a remand in custody / bail or RUI as appropriate. Officers may consider other methods of positive action to remove the risk from the incident and must record their rationale using the NDM. |
| Avoid the       | By re-housing significant victims/witnesses or placement in refuge/shelter in location |
The PPN DASH Risk Identification and Assessment checklist is a dynamic process and can be used at any time to help any officer or police staff employee determine the risk to a victim of domestic abuse, stalking, harassment and honour based violence.

### 3.4.4 Repeat Victims

Repeat victims of domestic abuse may be considered vulnerable and investigating officers should ensure they are fully aware of all previous crime allegations, incidents or intelligence details which are available on their Niche record. This research will be taken into consideration by officers and how it affects the current investigation. Officers should always check the history of the people involved so that incidents are not dealt with only in isolation.

This means the risk will be assessed according to all known facts, taking account of all previous police and other agency interaction.

All DA incidents and crims should be ‘flagged’ as Domestic Abuse.

### 3.4.5 What is professional judgement?

Officers or members of staff may have serious concerns about a victim’s situation even if they are not ‘visibly high risk’. Where the particular context of a case gives rise to serious concerns, even if the victim has been unable to disclose the information that might highlight their risk more clearly, the officer may still categorise the case as ‘high risk’. These cases require a multi-agency response and the Domestic Abuse Detective Sergeant / SRU will automatically refer a case to the Maple project and a later Multi-Agency Risk Assessment Conference (MARAC).

Such situations may occur when:

- There are extreme levels of fear;
- There are cultural barriers to disclosure, such as in cases of honour-based abuse;
- There are extreme levels of control or isolation;
- There is obsessive stalking behaviour;
- The perpetrator is abusing more than one partner;
- The officer or member of staff feels, using the sum of your experience, instinct and professional judgement, that something is very wrong and the risk is high.

### 3.4.6 Counter allegations

Officers attending scenes of domestic abuse incidents may face contrasting accounts from victim and alleged perpetrator. Counter allegation may be made by both parties present. Officers should examine whether the victim may have used justifiable force against the suspect in self
defence (officers are reminded that they should only gather evidence to assist the CPS and not attempt to predict any charging decision).

Officers should conduct further investigations at the scene of the domestic abuse incident (or as soon as is practicable) to attempt to establish the primary aggressor. Officers should note that the main aggressor is not necessarily the first party who was first to use force or threatening behaviour.

When investigating counter allegations officers should note and record:

- Comparative severity of any injuries suffered by the parties;
- Whether either party has made threats to another party, child or another family member;
- Whether either party has a prior history of abuse or violence;
- Whether either party has made previous counter allegations;
- Whether either party acted defensively to protect him or herself or a third party from injury.

Officers should make every effort to avoid making dual arrests; however, if it is not possible at the scene to ascertain the primary aggressor and the offending behaviour is taking place in a public place and both are refusing to engage with officers, officers should exercise their power to arrest both parties to give the opportunity to establish the primary aggressor through further investigation.

Officers should ask both parties the DASH Risk Identification and Assessment checklist to assist in establishing who is the primary aggressor and the risk that the victim faces. Where counter allegations have been made or a dual arrest has occurred, this should be recorded and the information included in the prosecution file because of the likely impact on the prospect of conviction.

3.4.7 Arrest

Where an offence has been committed in a domestic abuse case, arrest may well be necessary within the terms of PACE to protect a child or vulnerable person, prevent the suspect causing injury or criminal damage and/or allow for the prompt and effective investigation of the offence. Proactive and timely investigation is always required in cases of DA as the victims, children and other witnesses may be reluctant for officers to interfere with what they perceive as personal matters. They may also fear threats, emotional pressure and violent reprisals.

Code G of PACE states that, among other grounds, an officer may carry out an arrest to allow prompt and effective investigation of the offence OR the persons conduct where there are grounds to believe that a person may intimidate, threaten or make contact with witnesses or destroy evidence. Failure to take positive action may leave a victim at further risk and the Police Force and Officer vulnerable to legal challenge under both the Human Rights Act 1998 and the law relating to negligence.

As detailed above officers should make a record of their reasons for making / not making an arrest using the NDM when a power to do so exists. This decision lays with the Officer NOT the victim, officers should focus their efforts on gathering evidence in order to charge and build an evidence-led prosecution case that does not rely entirely on the statement / evidence of the victim.

When an arrest is made, the victim should be asked for contact details so that they can be notified if and when the suspect is being released from police custody or court. Victims should also be asked for any information that might help to inform appropriate bail conditions / RUI
the police station or latterly at court, eg, details of their workplace or the children’s school.
Officers should seek guidance relating to bail / RUI in line with the new provisions of the bail act.

3.4.8 Alternative Forms of Positive Action

In cases where there is no injury or threat and where verbal disagreements are the central cause of the disturbance, making an arrest is not always appropriate or proportionate. However, for every decision not to arrest, the obligation for positive action toward the offender still remains in order to continue to deal with the offender and attempt to alleviate the risk to the victim.

Positive action towards the offender may take on the following forms:

1. DVPN
2. Non-custodial interview at scene or at a police station
3. Section 35 Dispersal Notice
4. Using breach of the peace powers
5. Proceeding by summons/issuing a warning under the Protection from Harassment Act 1997
6. Referral to a support agency.
7. Removal from scene

It is the decision of the CPS to prosecute. Initial police action should not pre-judge those decisions. If a power of arrest exists, but the officer believes that arrest is not necessary to ensure an effective investigation and/or to ensure that further offences will not be committed, the officer should seek agreement from their line manager and take the following action:

- Record the full rationale and reasoning of why an arrest has not been made on the occurrence report using the NDM;
- Explain the reason why an arrest has not been made to the victim, where appropriate;
- Reassure the victim that every step will be taken to:
  - Record details of the incident on police IT systems;
  - Offer help and protection to the victim and children, including a potential referral to the Maple project where the risk is high;
  - Gather evidence to support future criminal prosecutions, which could also be used in civil proceedings, e.g., those relating to child contact;
  - Refer the victim or children to relevant agencies for support and assistance (e.g. refuge or other specialist support services, Victim Support, housing services, solicitor or Citizens Advice Bureau).

The requirement for positive action means that, in all domestic abuse cases, officers should consider the incident as a whole together with historic information relative to the conflict between parties involved, not just the oral or written evidence of the victim. Officers should focus efforts, from the outset, on gathering alternative evidence in order to charge and build a prosecution case that does not rely entirely on the victim’s statement. This is particularly important where at any stage the victim appears not to support a prosecution. Officers should always consider the potential for a victimless prosecution.

3.4.9 Offender who has left scene

There must be a reasonable and concerted effort by attending officers to take some form of positive action and the absence of the offender from the scene does not discharge attending officer’s duties in this regard. For example, where police attend a domestic abuse incident and
no assault has occurred, just a verbal disagreement, and the offender is no longer at scene, attempts to locate and speak to the offender (in person or by telephone) in order to give the appropriate words of advice is an essential part of reducing the rates of repeat behaviour and managing the risks toward the victim.

Where offences have been committed efforts must be made to deal positively with the offender (as previously documented) to allow the investigation to be completed in a timely fashion, to prevent further offences and vitally to safeguard the victim or other vulnerable people.

3.4.10 Removal of property/belongings from a residence

Officers will not routinely assist in the exchange of property or removal of property from a residence. However, there may be circumstances where a victim has to retrieve certain items for herself/himself and children. Assistance should be provided to facilitate this to prevent a further breach of the peace and/or a breach of bail conditions. The items should only be those required for short term usage and both parties should be advised to seek legal advice in relation to the recovery of any items required long term.

3.4.11 Wanted Marker - PNC

In cases where identified offenders are yet to be arrested, every effort must be made by the investigating officer to pursue them in order to bring them to justice. Investigators must use the Force Tasking system and the DTM (Daily Tasking Meeting) to manage the threat risk and harm caused by the the offender remaining 'outstanding'.

Officers should seek case direction from a supervisor and consider circulating the suspect as wanted. Evidence supports a better positive outcome rate for investigations concluded within 72 hours (One Team review). The decision to therefore circulate an outstanding offender as wanted should be proportionate (using the NDM) and be made in a timely manner.

For further information about the NDM (National Decision Model) click here.

3.5 Investigating Domestic Abuse Incidents

When investigating incidents of domestic abuse, officers should not only be searching for evidence to support a criminal prosecution but also looking for signs that abuse may be occurring, even where the conduct may not amount to a crime. The incident being investigated may be the latest in a series and indicate an increase in frequency or seriousness that should be considered as part of any risk assessment. Detecting the abuse early means safety measures can be put in place to prevent escalation.

The College of Policing provides APP guidance regarding the investigation of Domestic Abuse, which can be found here.

3.5.1 Response Sergeants

Response sergeants have the following main primary responsibilities in the management of domestic abuse incidents:

- To attend serious or potentially serious incidents where practicable.
- Identify where it is necessary to have a discussion with the Safeguarding Referral Unit, a DA specialist or Social Services regarding concerns about a child or adult at risk.
example a DA incident involving a child on a protection plan. For more information click here for a copy of Working Together to Safeguard Children.

- Be aware of all reports of domestic abuse occurring during their tour of duty and ensure that appropriate action has been taken.
- Familiarise themselves with high risk victims in their area.
- Satisfy themselves that the guidelines within this policy for initial attendance have been complied with at every incident.
- Where the victim is classified as high risk they must ensure all relevant safety planning has been conducted in consultation with the Critical Incident Inspector, if necessary.
- Response sergeants must check, read and review all PPN’s completed by their officers on submission and ensure that where an offence has been committed, the details are fully recording on the occurrence report including details of all children within the family whether present during the incident or not. All risk factors should also be considered to ensure any safeguarding considered necessary is in place.

The Force accepts that it is best practice for the response sergeant to review and sign off DA PPNs before they are sent to the SRU and this should be the process followed. However the overriding priority is for the DA PPN to be received by the SRU to ensure victim support services are provided in accordance with the risk assessment. When the response sergeant is unable to review and sign off DA PPNs on the day of completion the OIC should send the DA PPN direct to the SRU.

3.5.2 Domestic Abuse Detective Sergeants

Dorset Police has Domestic Abuse Detective Sergeants, full details of their role can be found here, on the intranet site.

- To provide case direction for high risk domestic abuse in custody cases when on duty
- To provide advice for DVPN applications, breaches and presentations at court
- To complete Claire’s Law disclosures
- To supervise officers completing MARAC preparation, presentation and actions
- To manage all police led MARMs arising out of MARAC
- To supervise the review of stalking investigations and manage the stalking clinic

3.5.3 Custody Sergeants

Detention of suspects arrested for domestic abuse related offences requires some specific considerations as part of a custody plan. General custody issues are covered in full in the APP for dentention and custody.

The APP refers to a comprehensive custody plan and custody sergeants should familiarise themselves with this document.

All persons charged with Domestic Abuse related offences should be bailed to a Specialist Domestic Violence Court (SDVC).

3.5.4 Suspect Disposal/Pre-release Considerations

Before a suspect is released from a police station the investigating officer should inform the victim of the suspect’s impending release and record this notification, regardless of whether the suspect has been bailed or not. The officer should further consider safety planning for the victim/family.
There is specific learning from DHR5 (Domestic Homicide Review) regarding this subject. It is essential to communicate changes in circumstances, such as bail or bail conditions to the victim. Individuals involved in any decision that affects the status of the investigation should conduct a further risk assessment around the risks posed by this action to both the victim and the suspect. Decision making should be recorded in line with the ACPO risk principles, which can be found here.

Further Domestic Homicide Review and Serious Case Review findings can be found here.

3.5.5 No Further Action (NFA) decisions for all DA crimes.

There is an element of risk involved when NFA decisions are made regarding domestic abuse related offences. Therefore in order to best manage risk, the following personnel only will be responsible for making all such domestic abuse related NFA decisions:

- DA Detective Sergeant / VCT Detective Sergeant
- Duty Detective Inspector / Inspector
- ERO trained Sergeant
- CPS (where threshold has been reached)

3.5.6 Domestic Violence Protection Notices and Orders (DVPN & DVPO)

The Crime and Security Act 2010 provides for the police to issue Domestic Violence Protection Notices (DVPN) and apply for Domestic Violence Protection Orders (DVPO).

A DVPN provides emergency protection for victims of domestic abuse and enforces non-molestation and exclusion conditions on the respondent, who must be 18 years of age or over. It is necessary that there will have been use or a threat of violence towards an Associated Person and that the DVPN is considered necessary to protect that person. It does not require the victim's consent. The terms of the DVPN remain in place until the application for a DVPO has been determined by the court. The DVPN requires authorisation from a Superintendent.

A DVPO is the follow up process after a DVPN has been authorised and served and must be applied for within 48 hours of the DVPN being issued. Granted by a local Magistrates Court the DVPO can either enforce the same non-molestation and exclusion terms as the DVPN or make an amendment to these conditions. The DVPO will then be enforced upon the respondent for a period of 14 – 28 days starting with the date of issue by the Magistrates Court.

A DVPN/DVPO is likely to be used where there is no likelihood of a criminal sanction or where the perpetrator is likely to be bailed without conditions or where no further action is taken. A DVPN is served by the investigating officer to the perpetrator, who is over 18, and who has used or threatened violence and that is why they were in custody. It prohibits the perpetrator from molesting the victim and may also exclude them from the home. DVPNs and DVPOs provide immediate protection for the victim providing them time to consider what to do next.

A superintendent has to authorise a DVPN and a constable serves it on the perpetrator along with notice of the court hearing. Police apply to the court for a DVPO within 48 hours of issuing the DVPN. Upon application, Magistrates may issue the DVPO with conditions as above or varied as required for between 14 and 28 days even if the victim doesn’t agree to it.

There are a number of trained officers within the DA teams and CID that are experienced in the issue of DVPNs and that will complete all the paperwork and attend the following court to give the
Breaching a DVPO or DVPN is a civil offence with a statutory power of arrest. A new occurrence PPN and DASH risk assessment must be completed.

### 3.5.7 Making Bail Decisions

When granting conditional bail for referral to the CPS (section 37(7) (a) PACE) or to appear at court after charge, every effort should be made to consult victims prior to making the bail / RUI decision. Custody officers should be aware of the content of any victim statements, PPN risk assessments, interview records and victim personal statements (where available) before making decisions relating to conditional bail. The OIC, supervisors and custody officers should consider the new bail act legislation and guidance on bail / RUI and ensure that bail conditions help to protect victims, children and witnesses from intimidation and abuse and do not conflict with existing court orders. Conditions should be justifiable and capable of being policed for compliance; all decisions should be justified and recorded.

To afford the maximum protection to victims, children and other witnesses, the following police bail conditions should be considered when granting bail for CPS referral or after charge:

- Not contacting the victim either directly or indirectly;
- Not going within a specified distance of the victim’s home or work place;
- Not going within a specified distance of schools or other places the victim or victim’s children attend, such as shopping areas, leisure or social facilities, childminders, family, friends;
- To live at a specified address, not that of the victim;
- To report to a named police station on specific days of the week at specified times;
- To obey curfews as applied.

At the point of any bail decision the decision maker must conduct a further risk assessment on the victim, offender and witnesses in line with the learning from DHR 5, as detailed above (and [here](#)).

### 3.5.8 Threshold Test

The Threshold Test may only be applied where the suspect presents a substantial bail risk and not all the evidence is available at the time when he or she must be released from custody unless charged.

Full details can be found [here](#), on the CPS website.

### 3.5.9 Retraction Statements

Retraction statements should be forwarded to the CPS and accompanied by a background report from the officer taking the statement. A retraction statement should contain the following information:

- Confirmation of whether the original statement given to the police was true. Where the account given in the original statement is amended, an explanation should be included;
Handling Instructions: Suitable for Public Publication

- Whether the victim has been put under pressure to withdraw;
- Nature of the original allegation where it is not fully explained within the previous statement;
- Victim’s reasons for withdrawing the allegation;
- With whom they have discussed the case – particularly anyone who has advised them e.g. a solicitor;
- Whether any civil proceedings have been or are likely to be instigated;
- Impact on the victim’s life and that of any children if the case is continued.

The background report should provide details of the officer’s views on the case, including any suspicions of witness intimidation or pressure, paying particular attention to:

- Any identified risks to the safety of the victim or other persons;
- Support available to the victim;
- How the victim might respond to being compelled to attend court;
- The likely impact on the victim or family of not proceeding with the case.

Any withdrawal of support for a prosecution should prompt a revised risk assessment process and safety planning and the SRU or Maple Project should be informed.

3.5.10 MARAC – Multi Agency Risk Assessment Conference

Multi-Agency Risk Assessment Conferences (MARACs) are 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, a risk focused, coordinated safety plan can be drawn up to support the victim and ensure that a coordinated multi-agency response takes place in relation to safeguarding children/vulnerable adults/adults at risk also considered at risk from the perpetrator. Further information on MARAC can be found here, at the Dorset For You Website.

The current MARAC Threshold within Dorset Police is a score of 14 on the DASH risk assessment, although this does not preclude other cases from being referred as deemed necessary, based on professional judgement; any case can be high risk and officers should highlight these risks to their supervisors. In addition should a victim be the subject of 3 MARACs within 12 months then they are automatically referred for a MARM (multi agency risk management meeting) to allow a lead agency to be appointed to gather professionals and the person at risk to reduce the risks to them from DA.

Further guidance on MARMM can be found on the Dorset, Bournemouth and Poole Adult Safeguarding Board.

3.5.11 DA Outreach Services

Victims who want assistance and haven’t been involved or referred for help via the Police can contact their local Outreach Services.

- Bournemouth 24 hour helpline: 01202 547755
- Poole Outreach Service and 24 hour helpline: 01202 748488
- You First (Dorset County Outreach): 0800 0325204

They will give the same support as DAA’s and are generally for those victims who haven’t been classed as high risk.

GSC - Official
3.5.12 Specialist Domestic Violence Courts (SDVCs)

Specialist domestic violence courts (SDVCs) operate in a number of magistrate’s courts in England and Wales and specialise in dealing with domestic abuse cases. Dorset Police use specially trained officers to attend the SDVC and the courts provide DAAs for victims along with dedicated prosecutors, as well as magistrates and legal advisers. The SDVCs ensure that domestic abuse cases are fast-tracked and clustered together so that the courts run more effectively.

Some courts also have separate entrances and waiting areas so that victims do not encounter defendants outside the courtroom, others might have arrangements for childcare. The SDVCs programme aims to increase the number of domestic abuse incidents reported to police that result in a trial, reduce the number of cases dropped before a case comes to court, and increase the number of convictions. It also focuses agencies to improve the gathering of evidence, so that prosecutions can still be pursued even if the victim opts to withdraw from a case.

Link to: Participating SDVCs

3.5.13 MAPPA – Multi Agency Public Protection Arrangements

MAPPA are the statutory arrangements for managing sexual and violent offenders. MAPPA is not a statutory body in itself but is a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner. Agencies at all times retain their full statutory responsibilities and obligations.

Further details about MAPPA can be found here, on the intranet site.

3.5.14 Domestic Homicides

Domestic homicide reviews (DHRs) were introduced by section 9 of the Domestic Violence, Crime and Victims Act 2004 and came into force in April 2011. A DHR is a locally conducted multi-agency review of the death of a person aged 16 or over where it appears the death resulted from violence, abuse or neglect by:

- a person who was related to the victim, or who was or had been in an intimate personal relationship with them
- a member of the same household as the victim.

Learning from Dorset and other local DHR can be found here.

Key learning from recent DHR for Dorset.

- A victim should not be left without a mobile phone if theirs is seized by police. Dorset Police has a stock of pay as you go phones that can be issued to victims. For details see intranet site, here.
- Officers should conduct a broader assessment of the Domestic Abuse incident they have been called to attend. PNC checks and local intelligence checks should be completed on relevant persons (Victim and suspect) to ascertain the risk of harm. (On a previous DHR the fact the offender had a previous restraining order was unknown as no check had been conducted)
3.5.15 Safeguarding

Above all else, the safety of domestic abuse victims depends on:

- clarity as to who is responsible for risk assessment and safety planning at all times
- accurate and dynamic risk assessment which is reviewed at each trigger point
- appropriate safety planning which is tailored to meet the needs of the victim and reviewed at each trigger point.
- clear communication – there must above all else be clarity as to who is responsible for keeping the victim informed, from the point of initial handover by the first responder and throughout the life of the case.

Full details regarding victim safety and support can be found on the College of Policing APP for Domestic Abuse. Please click here.

Bespoke local information for Dorset can be found on the intranet site by clicking here.

3.6 Preventative Orders/Bail Conditions

A number of preventative orders are available that will provide additional measures to assist with restricting contact between parties and provide extra strands to safety plans. These measures also include protection of victims from serving prisoners. Consideration must be given to applying for such orders in appropriate cases.

A PPN including the DASH risk assessment must be submitted for any breach of such orders.

3.6.1 Restraining Orders

A Criminal Court may make a restraining order on conviction or acquittal for any offence. The order is available to protect specific individuals from harassment or fear of violence, not just those subject to domestic abuse. The test to be applied by the court when making a restraining order is that it is necessary to protect the persons named in it, from harassment or conduct that will put them in fear of violence.

If breached a PPN must be submitted.

3.6.2 Non Molestation Orders

A non-molestation order issued under Part IV of the Family Law Act 1996 can be applied for in the Magistrates Family Proceedings Court (FPC), County Court or High Court for family members experiencing domestic abuse. The order is used to restrain someone from causing or threatening violence to the victim or to any children, or from molesting them. The Act does not define molestation, but it can include intimidation, pestering, threats and harassment.
Once issued by the Court, a copy of the non-molestation order must be served on the perpetrator and a copy lodged at the police station local to the victim’s address. It is the responsibility of the officer or staff member within Dorset Police who takes receipt of a non-molestation order to SCAN and EMAIL it immediately to the PNC Bureau so that details of the order can be placed directly onto PNC. The email .Pnc Input is to be used internally or PNC-input@dorset.pnn.police.uk externally. This will minimise the length of time it takes between the serving of a Non-Molestation Order and it showing as live on our systems.

The previous practice of faxing the Orders can still be used but emailing is preferable and more secure.

www.assist.uk.net is an online database provided by the National Centre for Domestic Violence NCDV, providing secure access to all UK police forces for all non-molestation, prohibitive steps and occupation orders and DVPO’s. This service is updated continuously and is accessible for all relevant police staff 24 hours per day who require sight of court papers and proof of service, which will be emailed to them at the time of requesting, allowing arrests to be made and positive action to be taken at the time of the offence.

Section 1 of the Domestic Violence, Crime and Victims Act 2004 makes breach of a non-molestation order a criminal offence, punishable with a maximum of five years imprisonment. It is therefore crucial that the existence of a non-molestation order is available to operational officers in order that they can take positive action and protect vulnerable victims. A person can only be found guilty of an offence of breach of a civil non-molestation order provided they are aware of the existence of the order.

If breached a PPN and DASH must be submitted.

3.6.3 National Centre for Domestic Violence (NCDV)

The National Centre for Domestic Violence (NCDV) specialises in providing free, fast, legal support to survivors of domestic abuse, usually resulting in an emergency injunction being obtained from the local county court within 24 hours of first contact. This free service can be provided to everybody, irrespective of financial circumstances and can be found at: www.ncdv.org.uk. NCDV has also created www.assist.uk.net an online database, providing secure access to all UK police forces for all non-molestation, prohibitive steps and occupation orders. This service is updated continuously throughout the day and is accessible for all relevant police staff that may require sight of court papers and proof of service of the injunction at any time.

3.6.4 Bail Conditions Compliance

Bail checks relating to high risk perpetrators of domestic abuse should be undertaken on a regular basis to ensure that the perpetrator is not breaching them by associating with the victim or being at the victim’s house (if subject to a bail condition) even when the victim is allowing or is acquiescing to this breach/behaviour. Any breach of bail should be recorded on an occurrence and have a new risk assessment form completed.

This process should be managed through Force Tasking when it is appropriate to do so.

3.6.5 Harassment & Court Orders – Prisons

Officers should be aware that perpetrators remanded in custody for, or convicted of, current harassment offences or breach of court orders (such as non molestation orders) routinely have
their communications monitored by prison staff under The Harassment Procedures. The OIC must ensure that the Prison is notified of the existence of such orders or details of the victim in cases of harassment. This request must be recorded on Form MG6. Form MG7 must also be completed where a remand in custody is sought and there is a risk that the defendant may try to intimidate witnesses in the case. Perpetrators are aware of this procedure and are informed that they should not attempt to contact the victim or breach any orders. These regulations are in place primarily to identify and prevent victim’s being further harassed by the perpetrator whilst they are in prison and to uphold any civil orders. Victims do continue to visit perpetrators whilst they are in prison, either through their own choice or in response to intimidation or fear from the perpetrator. This can cause concern for authorities, who may be unwittingly facilitating a breach of court instructions. These visits cannot be sanctioned by the prison unless the victim or prisoner, who is seeking communication, obtains a variation to a court order through their legal representative.

3.7 Domestic Violence Disclosure

3.7.1 Common Law Disclosure

In order to prevent further offences disclosure can already be made within existing legal powers under Common Law, but new guidance developed for the Clare’s Law will help ensure that recognised and consistent processes are in place.

3.7.2 Domestic Violence Disclosure Scheme – Clare’s Law

Under the scheme, launched in Dorset in March 2014, professionals and members of the public will have the right to ask the police whether a new or existing partner has a violent past. If police checks show that a person may be at risk of domestic abuse from their partner, the police will consider disclosing the information.

Members of the public - partners, family or any person with concern for another, may make a request for disclosure through any of our officers, so all staff must be aware of the scheme and be prepared to record the correct details and pass them onwards. This is defined as a ‘Right to ask’. We can also receive disclosure requests from our Partners, this is defined as a ‘Right to know’.

Further information can be found here, on the DA intranet page.
4. Authorisation

4.1 Authorisation of this version

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<td>Teri Roberts</td>
<td>T. Roberts - 7403</td>
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5. Version Control

5.1 Review

Date of next scheduled review | 11.07.2020

5.2 Version History

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<td>1.0</td>
<td>2.11.2000</td>
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<td>23.5.06</td>
<td>Reformattting</td>
<td>Ms S Pemberton</td>
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<td>3.0</td>
<td>14.9.12</td>
<td>Updates to link to NPIA Dom Abuse Guidance and to define new definitions, Safeguarding Referral Unit process and DASH risk assessment tool.</td>
<td>DI 160 Derbyshire</td>
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<td>4.0</td>
<td>14.9.13</td>
<td>Amendments made in light of change of definition and new DV1 DASH recording process.</td>
<td>DCI 2363 Grant</td>
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<td>4.1</td>
<td>23/4/14</td>
<td>Changed the word ‘Violence’ to ‘Abuse’ where appropriate in the document.</td>
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<td>4.2</td>
<td>03/03/15</td>
<td>Fit for purpose review. Sections added include Clare’s Law, DA Outreach Services, DVPN and DVPO.</td>
<td>DS 0073 K Lill</td>
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<td>5.0</td>
<td>11/03/15</td>
<td>Changes have been made to the Policy to reflect migration from FWS to NICHE RMS in consultation with the Smarter Systems Programme Team. Wider consultation not required as this is a full version change based on procedural requirements only.</td>
<td>Policy Co-ordinator (6362)</td>
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<td>6.0</td>
<td>15/1/16</td>
<td>Additions at 2.1 and 3.1.5 to reflect new domestic</td>
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<td>6.1</td>
<td>18/05/2016</td>
<td>Change Vulnerable Victim and adult to adult at risk, update IDVA information to reflect the Maple project, check and update links, update process.</td>
<td>DI 2478 Gaffney</td>
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<td>21/11/2017</td>
<td>Changes relating to procedure, policy and legislation included.</td>
<td>T/DI 2276 House</td>
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<td>8.0</td>
<td>09/05/2018</td>
<td>Hyperlinks added to College of Policing APP for Domestic Abuse Investigations and force intranet site to ensure document remains current with latest changes. Also included DHR learning. Links to victim code and reasonable adjustments, including the use of sign language.</td>
<td>DCI Gavin Dudfield</td>
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<td>07.02.19</td>
<td>S2.4 updated link to monthly performance reports.</td>
<td>Teri Roberts / Gavin Dudfield</td>
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<td></td>
<td>S3.1.10 inclusion of new 4th paragraph.</td>
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| 8.2     | 11.07.2019 | Inclusion of the following information added at 3.3.3 to reflect BWV policy: Alliance expectation is that users will activate Body Worn Video to record events in the following specific circumstances, unless there are legal or operational reasons not to do so. If BWV is not used in these circumstances the user must record why in their statement/pocket notebook (PNB) or other record of the incident e.g. via Mobile data terminal (MDT)
- When attending Domestic Abuse or suspected Domestic Abuse incidents

Also added the below to section 3.5.1:

The Force accepts that it is best practice for the response sergeant to review and sign off DA PPNs before they are sent to the SRU and this should be the process followed. However the overriding priority is for the DA PPN to be received by the SRU to ensure victim support services are provided in accordance with the risk assessment. When the response sergeant is unable to review and sign off DA PPNs on the day of completion the OIC should send the DA PPN direct to the SRU. | Kaz Duke-Glover |
### Handling Instructions:

**Version** | **Date** | **Reason for Change** | **Created / Amended by** |
--- | --- | --- | --- |
8.3 | 11.07.2019 | Further change requested in relation to coercive and controlling behaviour to reflect the Sudden Death Policy and Procedure | TDCI N Phillips |
8.4 | 26.09.2019 | Changes made at 3.2.1 and 3.4.3 at the request of 1987 Wright. Replacement of links identified as not working. | 6539 K Duke-Glover |
8.5 | 29.01.2020 | Changes made at request of Supt Gemma Morris. Changes made to 3.4.3 – addition of ‘bail’. Changes made to 3.4.3.1 – addition of list of key indicators of high risk. No change to review date. | 6539 K Duke-Glover |

### Related Forms

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**Details only required for version 1.0 and any major amendment ie 2.0 or 3.0:**

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<td>10th June 2013 and 9th October 2013</td>
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(Template version 28 Dec 2018)