

# Context and dynamics of domestic abuse

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## Domestic abuse definitions

The [Domestic Abuse Act 2021](#) sets out a statutory definition of domestic abuse.

The abuse can encompass:

- physical or sexual
- violent or threatening
- economic
- psychological, emotional, or other

Detailed guidance relating specifically to female genital mutilation (FGM) is set out in [authorised professional practice \(APP\) on FGM](#).

Detailed guidance relating specifically to forced marriage (FM) and honour based abuse (HBA) is set out in [APP on forced marriage and honour based abuse](#).

If domestic abuse is believed to be linked to FGM, HBA and/or FM, officers must consider the risk posed to potential victims by family and community members in any risk assessment.

Domestic abuse can give rise to a wide range of separate criminal offences, including the specific offence of controlling or coercive behaviour in an intimate or family relationship. Officers are required to take preventive and protective measures even where no criminal offence is apparent, particularly where there are signs of controlling or coercive behaviour.

Seemingly low-level or minor events which may in fact amount to a pattern of behaviour or a course of conduct indicative of stalking or harassment may be misinterpreted as non-crime incidents but to do so has potentially serious consequences. If an incident fits the definition of domestic abuse, it

must be recorded as a domestic abuse incident.

As with all reports to the police, officers and staff must deal with every incident of domestic abuse, including controlling or coercive behaviour, in a professional way. The police duty is to take reasonable steps to make the victim safer, regardless of how many times they have been called and regardless of how many times a victim may have not supported police actions. All incidents must be investigated fully and recorded properly. This ensures that any follow-up and future actions are based on the best available information and intelligence.

For further information see [Domestic Abuse Statutory Guidance 2022](#).

## Domestic Homicide Report

The [third annual report from the national Domestic Homicide Project](#), which works across England and Wales, was published in March 2024. The report examines all deaths identified by police as domestic abuse-related to improve understanding of risk indicators, victim, and perpetrator demographics. The unique dataset collects detailed information on these deaths, not available from any other source. This helps police and partners improve their response to domestic abuse, domestic homicide and victim suicide following domestic abuse.

An [animation](#) has been released alongside the report to effectively convey important messages and vital data to the appropriate audiences in a simplified and easily understandable format. The animation is designed to prompt essential questions tailored to various policing roles, including front-line officers, investigators, and senior investigating officers (SIOs).

## Controlling or coercive behaviour

Officers must be able to recognise controlling or coercive behaviour as it can be a warning sign of a risk of future violence towards the victim. Although the conduct may appear low-level, any behaviour or pattern suggestive of controlling or coercive behaviour must be treated seriously and investigated to determine if an offence has been committed under the [Serious Crime Act 2015 \(SCA\) section 76](#). Controlling or coercive behaviour towards another can also include or be committed in conjunction with a range of other offences.

When attending an unexpected death, including when suicide is suspected, officers should consider the wider influence of potential domestic abuse, including controlling or coercive behaviour. Further

investigation should be made with family and friends to explore evidence of this.

## **Description of controlling or coercive behaviour**

A description of controlling or coercive behaviour is included in the [Domestic Abuse Statutory Guidance \(Home Office 2022\)](#).

## **Further explanation of controlling or coercive behaviour**

Controlling or coercive behaviour can take a range of forms but often involves micro-managing the victim's daily life in an identifiable pattern. In many relationships, there are occasions when one person makes a decision on behalf of another, or when one partner takes control of a situation and the other party has to compromise. The difference in an abusive relationship is that decisions by a dominant partner can become rules that, when broken, lead to consequences for the victim. Abusers can be imaginative in the ways in which they control their partners and also in the consequences that result from disobeying. Officers and staff dealing with domestic abuse incidents should be alert to patterns of behaviour that could be controlling or coercive.

The behaviour is usually personalised, in that it means something to the victim even when the meaning is not apparent to anyone else. Individual characteristics such as a disability, membership of a closed or marginalised community, or being a non-English speaker can increase the risk of isolation for a victim and make it easier for a perpetrator to establish controlling or coercive behaviour.

The principal characteristic of such behaviour is that it involves a pattern of continuing and repeated abuse. This abuse often appears routine and so-called low-level but, taken as a whole over time, it can cause the build-up of constant anxiety and fear. It can also create an environment in which increasingly harmful conduct is accepted as normal by the victim. It is sometimes compared to grooming a child. If the level of control is sufficiently high, the victim may actually believe that allegations made against the perpetrator are false.

One way of viewing controlling or coercive behaviour is to see it as a form of bullying in the relationship, with the victim experiencing a generalised sense of fear. As highlighted in the examples below, many individual acts of this type will not constitute an offence in isolation but can do so when taken together. Officers must be able to recognise if there is a pattern, as it is often when the victim challenges their abuser and the pattern of control is threatened that the situation can escalate into physical and sexual violence.

See also [Checklist: Conducting the victim interview – controlling or coercive behaviour](#) and [Suspect interview, spotlight on controlling or coercive behaviour](#).

## Examples of controlling or coercive behaviour

These may include:

- constant criticism
- humiliation
- jealous or possessive behaviour, for example, frequent phone calls to check where the victim is and what they are doing, or checking activity on the victim's phone or social networking accounts
- controlling family finances and withholding money from the victim
- isolating the victim by not allowing them to visit friends and family
- restricting a victim's movements, for example, confining them to a room
- dictating what a victim wears or how they do their hair
- dictating a victim's routine or schedule, for example, timing school runs or shopping trips
- preventing the victim from working outside the home or monitoring them at work
- restricting access to communications, for example, phone or computer
- manipulating the police, for example, scene-setting or getting into character before they arrive, reinforcing the victim's fear that they will not be believed

Further examples on relevant behaviours can be found in [Home Office \(2022\) Controlling or Coercive Behaviour Statutory Guidance Framework](#) and [Crown Prosecution Service \(2023\) Controlling or Coercive Behaviour in an Intimate or Family Relationship](#).

Controlling or coercive behaviour can be very subtle and police officers need practical training to identify it.

## The offence of controlling or coercive behaviour in an intimate or family relationship

[Section 76 of the SCA](#) created a new offence of controlling or coercive behaviour in an intimate or family relationship. The provision came into force on 29 December 2015 and applies to behaviour which occurs after that date (although prior behaviour may be admissible as [bad character evidence](#)). It closed a gap in the law around patterns of controlling or coercive behaviour in an ongoing relationship between intimate partners or family members. The offence carries a maximum sentence of 5 years' imprisonment, a fine or both

The offence is committed where all of the following elements are present:

1. The perpetrator repeatedly or continuously engages in behaviour towards the victim that is controlling or coercive.
2. At the time of the behaviour, the perpetrator and victim are personally connected.
3. The behaviour has a serious effect on the victim.
4. The perpetrator knows or ought to know that the behaviour will have a serious effect on the victim.

See Home Office (2022) [Controlling or Coercive Behaviour Statutory Guidance Framework](#) and Crown Prosecution Service (2023) [Controlling or Coercive Behaviour in an Intimate or Family Relationship](#).

#### **Repeatedly or continuously**

Each case must be considered on its individual facts, as the law does not specify a set number of incidents or a timeframe between incidents. The behaviour must, however, be repeated or occurring on a continuous (ongoing) basis.

This means that:

- behaviour displayed on only one occasion would not amount to repeated or continuous behaviour
- one or two isolated incidents are unlikely to establish a pattern
- occurrences do not necessarily have to take place in immediate succession, but two incidents which take place years apart are unlikely to be considered to be occurring 'repeatedly or continuously'

As much evidence as possible must be gathered to show that the behaviour is of a repetitive or continuous nature and courts may look for evidence of a pattern of behaviour established over a period of time. There is no requirement that the activity be of the same nature but it should all contribute to showing an intent to control or coerce someone.

It is not necessary for the police to have been called on each or every occasion for the offence to be established.

#### **Personally connected when the behaviour took place**

This means that, at the time the behaviour occurred, the two persons must have been personally connected, as defined by the Domestic Abuse Act 2021:

- they are, or have been, married to each other
- they are, or have been, civil partner of each other
- they have agreed to marry one another (whether or not the agreement has been terminated)
- they have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- they are, or have been, in an intimate personal relationship with each other
- they each have, or there has been a time when they each have had, a parental relationship in relation to the same child, or
- they are relatives

The Domestic Abuse Act 2021 removed the previous requirement for the people concerned to be living together at the time of the offence. It also extended the definition to allow for the offence to occur between relatives as defined by the [Family Law Act 1996 Section 63](#).

The relevant time for assessing personal connection is when the behaviour occurred, not when the behaviour was reported, so the two persons do not have to still be in an intimate personal relationship or living together at the time the report is made.

The offence applies where the behaviour is perpetrated against or seen or heard by a child under 16, by someone aged 16 or over who has parental responsibility for that child or is their relative. Criminal law covers other behaviours, for example, offences of child cruelty and neglect. For more information, see the [investigating child abuse and safeguarding children APP](#).

### **Serious effect**

The perpetrator's behaviour has a serious effect where:

- it causes the victim to fear, on at least two occasions, that violence will be used against them (section 76(4)(a))
- it causes the victim serious alarm or distress which has a substantial adverse effect on their day-to-day activities (section 76(4)(b))

A substantial adverse effect on usual day-to-day activities may include, but is not limited to:

- stopping or changing the way someone socialises
- physical or mental health deterioration
- a change in routine at home including those associated with mealtimes or household chores
- attendance record at school
- putting in place measures at home to safeguard themselves or their children
- changes to work patterns, employment status or routes to work

#### **Knows or ought to know**

Under section 76 (5), 'ought to know' applies where a reasonable person in possession of the same information would know.

## **Victims and perpetrators of domestic abuse**

Anyone can be a victim or perpetrator of domestic abuse regardless of:

- sex or gender identity
- cultural heritage or ethnicity
- sexual orientation
- religion or belief
- age
- disability
- social status or wealth
- occupation (including police officers and staff)

When attending an incident, officers should not make assumptions about the alleged offender or victim based solely on the above factors but instead judge every case on its own merits and particular facts.

National statistics show that although women and men can be both victims and perpetrators of domestic abuse, women experience on average twice as much abuse and are far more likely than men to experience the most serious forms of abuse.

## **What statistics tells us**

- When considering any act of domestic abuse (non-physical abuse, threats, force, sexual assault or stalking), women experience abuse from intimate partners at approximately twice the rate as do men. The Crime Survey for England and Wales (CSEW) estimated 7.7% of women and 4.4% of men experienced one or more acts of abuse from an intimate partner in the year 2015/16. For abuse experienced since age 16, the figures were 26% and 14%. ([Office for National Statistics, 2016, Crime Statistics, Focus on Violent Crime and Sexual Offences](#)).
- According to the CSEW, women are much more likely than men to experience abuse from an intimate partner that involves a course of conduct of frightening threats and repeated belittling (Myhill, Measuring Coercive Control: What Can We Learn From National Population Surveys? Violence Against Women 2015, Vol. 21(3) 355–375)
- Women represent the vast majority (89%) of 'heavily abused' victims (Walby and Allen, Domestic violence, sexual assault and stalking: Findings from the British Crime Survey, Home Office Research, Development and Statistics Directorate, March 2004).

Both the victim and perpetrator have to be at least 16 years old for domestic abuse to be flagged as such under the definition. If the victim is under 16, the matter is treated as child abuse. Sixteen- and seventeen-year-olds may also experience particular issues which are addressed separately.

In all cases, whether child abuse, domestic abuse or both, police officers should be victim-focused, identify the best outcome, and apply safeguarding principles. The [Crown Prosecution Service \(CPS\) Domestic Abuse Guidelines for Prosecutors](#) states that, as set out in the Domestic Abuse Act s 3, a child (under 18 years old) who sees, hears or experiences the effects of DA and is related to the victim or the suspect is also to be regarded as a victim of DA. Where an offender is under the age of 18, the CPS (2023) guidance on [Children as suspects and defendants](#) applies.

The definition of domestic abuse includes a wide range of relationships within the family context. Collectively, these relationships can be categorised as either intimate or non-intimate (familial) relationships.

Intimate relationships can be between heterosexual and same-sex partners, as well as those involving a transgender partner or partners. Former partners are also included in the definition.

With regards to non-intimate or familial abuse, in line with the Family Law Act 1996, the term family member includes:

- mother
- father
- daughter
- son
- brother
- sister
- grandparents
- in-laws
- step family
- uncle
- aunt
- niece
- nephew

For the full definition of a 'relative' please see [Family Law Act 1996 s 63](#).

Officers and staff are required to interpret this definition. Family members do not necessarily have to be related by blood. Officers should consider the way they live as a family unit. It would, for example, include common law in-laws to ensure protection is afforded to victims of domestic abuse regardless of marital status. Likewise, although foster parents or family are not explicitly referenced in the definition, similar dynamics and considerations apply, particularly in long-term foster placements, and victims should be offered the same protection as any other domestic abuse victim.

Examples of domestic abuse in non-intimate relationships include:

- abuse between siblings aged over 16
- young people over 16 who abuse their parents
- children and people over 16 who abuse elderly parents or grandparents

## Victim and perpetrator definitions

A working group was set up to look at developing certain victim and perpetrator definitions following the publication of [HMIC \(2014\) Everyone's business: Improving the police response to domestic abuse](#). The working group proposed a number of definitions for national adoption which were included in the APP consultation document.

As a result of the feedback received, the College has decided not to include all of these definitions in the final APP. The overwhelming response was that it would be unhelpful to have fixed definitions of repeat victim or repeat perpetrator for the following reasons.

- Application of a definition based on the number of times a report has been made to the police is inherently unreliable due to the way in which domestic abuse is reported/not reported. Most victims and perpetrators have experienced or engaged in domestic abuse multiple times before a first report is made so they are, in reality, already repeat cases.
- The definitions are likely to be used to make resourcing decisions in the individual allocation of victim services and it would be unsafe to base such decisions on inherently unreliable information. They should be made in response to a proper risk assessment and professional judgment in the individual case.

Despite the reliability concerns set out above, the definition of serial perpetrator has been adopted because it can be used as a tool to support better perpetrator management both within an individual force and between forces. Additionally, it can:

- be used for monitoring and recording purposes
- inform force strategic assessments and individual risk assessments
- support the domestic violence disclosure scheme.

## Serial perpetrator

A serial perpetrator is someone who has been reported to the police as having committed or threatened domestic abuse against two or more victims. This includes current or former intimate partners and family members.

There is currently no evidence base to support the use of a set time-period, for example, a rolling three-year period, over which to measure serial offending. Monitoring serial perpetrators can help to identify the known highest-risk offenders and to make decisions locally, but the overriding consideration must always be public safety. The focus in individual cases should be on up-to-date risk assessment, based on any relevant history. Relevant incidents should not be limited to those that have occurred with a set time period. There are many reasons why a perpetrator may not offend in a given period, including being in prison for a significant period of time. Forces are responsible for keeping track of offenders in their area, including by being aware of those with a known history of domestic abuse offending, whether involving a current or previous partner or

family member.

When determining if someone falls within the definition of serial perpetrator, information disclosed by foreign national checks (or checks on UK persons abroad) should be taken into account. Not all offences disclosed by foreign national checks can be recorded on PNC and there are restrictions on the use of disclosed information beyond the case for which the request was submitted. This limits the use of foreign national information for solely monitoring purposes. If there are grounds to believe that foreign national information may exist which is not on PNC but is relevant to determining the serial status of an offender for risk assessment purposes in an individual case, a foreign national check should always be requested.

See also [CPS Domestic Abuse guidelines for prosecutors](#), previous domestic abuse incidents and serial offenders.

## Collection of data

It is essential that accurate information about previous abuse, whether in current or other relationships, be available to officers and staff dealing with an incident of domestic abuse. This is also central to the effectiveness of the [domestic violence disclosure scheme](#). Accurate force data recording of domestic incidents must be a force priority, as must accurate flagging on the PNC. This should include consistent recording of the equality profile of both perpetrators and victims. Accurate information about, for example, the gender, ethnicity and any disability of both victim and perpetrator is key to providing them with the most appropriate support and also to understanding patterns of abuse.

Forces should ensure that information on domestic incidents is kept up to date on the PNC and PND as well as on local force systems so that data can:

- be searched meaningfully across forces
- inform force strategic assessments and drive police resource and deployment decisions
- be used to analyse statistics from the domestic violence disclosure scheme

## Offences associated with domestic abuse

See CPS Domestic Abuse Guidelines for Prosecutors, [impact and dynamics of domestic abuse](#).

Domestic abuse can give rise to a wide range of offences. The table below highlights some of the most relevant offences and legislation. The list is not exhaustive.

Examples of behaviour	Possible offences
A pattern of behaviour intended to control or coerce someone.	Controlling or coercive behaviour in an intimate or family relationship, see the <a href="#"><u>Serious Crime Act 2015 section 76</u></a> .
Physical violence including spitting, punching, slapping, pushing, kicking, head-butting, hair pulling, choking, strangling or suffocating.	Battery, see the <a href="#"><u>Criminal Justice Act 1988 section 39</u></a> . Assault occasioning actual bodily harm, see the <a href="#"><u>Offences Against the Person Act 1861 section 47</u></a> . Strangulation and suffocation, including non-fatal strangulation, see the <a href="#"><u>Serious Crime Act 2015 s 75A</u></a> and <a href="#"><u>s 75B</u></a> .
This includes assault with a weapon.	Wounding or inflicting grievous bodily harm, see the <a href="#"><u>Offences Against the Person Act 1861 section 20</u></a> . Wounding or causing grievous bodily harm with intent, see the <a href="#"><u>Offences Against the Person Act 1861 section 18</u></a> . Attempted murder, see the <a href="#"><u>Criminal Attempts Act 1981 section 1</u></a> .
Violence resulting in death.	Murder or manslaughter, see <a href="#"><u>CPS Guidance Homicide: Murder and Manslaughter</u></a> .
Violence resulting in miscarriage.	Child destruction, see the <a href="#"><u>Infant Life (Preservation) Act 1929 section 1</u></a> .

Examples of behaviour	Possible offences
<p>Threatening with a weapon or article used as a weapon, eg, knife, tool, telephone, chair.</p>	<p>Threats to kill, see the <a href="#">Offences Against the Person Act 1861 section 16</a>.</p> <p>Common assault, see the <a href="#">Criminal Justice Act 1988 section 39</a>.</p> <p>Affray, see the <a href="#">Public Order Act 1986 section 3</a> – this can take place inside a dwelling.</p> <p>Specific bladed article or weapon charges can be considered if in a public place or on school premises:</p> <p>Having an offensive weapon in a public place, see the <a href="#">Prevention of Crime Act 1953 section 1</a>.</p> <p>Having an article with a blade or point in a public place, see the <a href="#">Criminal Justice Act 1988 section 139</a>.</p> <p>Having an article with a blade or point (or an offensive weapon) on school premises, see the Criminal Justice Act 1988 <a href="#">section 139A</a>.</p> <p>Threatening a person with an offensive weapon in a public place, where there is immediate risk of serious physical harm to that person, see the Prevention of Crime Act 1953* section 1A.</p> <p>Threatening a person with an article with a blade or point in a public place, where there is immediate risk of serious physical harm to that person, see the Criminal Justice Act 1988* <a href="#">section 139AA</a>.</p> <p>Threatening a person with an article with a</p>

Examples of behaviour	Possible offences
Threatening, abusing or insulting a person with intent to cause fear or provoke violence (where at least one party is outside a dwelling).	Fear or provocation of violence, see the <a href="#">Public Order Act 1986 section 4</a> .
Intentionally causing harassment, alarm or distress to a person.	Intentional harassment, alarm or distress (where at least one party is outside a dwelling), see the <a href="#">Public Order Act 1986 section 4A</a> . Stalking, including where it puts a person in fear of violence, see the <a href="#">Protection from Harassment Act 1997 section 2A and 4A</a> .
Throwing articles, eg, crockery, even if they miss their target.	Common assault or battery, see the <a href="#">Criminal Justice Act 1988 section 39</a> . Affray, see the <a href="#">Public Order Act 1986 section 3</a> – this can take place inside a dwelling.
Damaging or destroying property, or threatening to do so, including by fire.	Criminal damage or arson, see the <a href="#">Criminal Damage Act 1971 section 1</a> . Threats to cause criminal damage, see the <a href="#">Criminal Damage Act 1971 section 2</a> .
Forcing entry into a house.	Using violence to secure entry, see the <a href="#">Criminal Law Act 1977 section 6</a> .
Tying someone up or otherwise preventing them from leaving a room/house.	Battery, see the <a href="#">Criminal Justice Act 1988 section 39</a> . False imprisonment, a common law offence, see <a href="#">CPS Offences Against the Person</a> .

Examples of behaviour	Possible offences
Preventing someone from seeking aid, eg, medical help.	False imprisonment, a common law offence, see <a href="#">CPS Offences Against the Person</a> . Assault occasioning actual bodily harm, see the <a href="#">Offences Against the Person Act 1861 section 47</a> .
Forced sexual activity, including forced sexual activity by a partner as part of a gang initiation.	Rape, see the <a href="#">Sexual Offences Act 2003 section 1</a> . Assault by penetration, see the <a href="#">Sexual Offences Act 2003 section 2</a> . Sexual assault, see the <a href="#">Sexual Offences Act 2003 section 3</a> .
Persistent verbal abuse.	Stalking, including where it puts a person in fear of violence, see the Protection from Harassment Act 1997 section 2A and 4A. Harassment, see the Protection from Harassment Act 1997 <a href="#">section 1</a> and <a href="#">section 2</a> . Putting a person in fear of violence, see the <a href="#">Protection from Harassment Act 1997 section 4</a> . Stalking, including where it puts a person in fear of violence, see the <a href="#">Protection from Harassment Act 1997 section 2A and 4A</a> . If psychological harm is caused, assault occasioning actual bodily harm could be considered, see the <a href="#">Offences Against the Person Act 1861 section 47</a> .

Examples of behaviour	Possible offences
<p>Offensive, obscene or menacing telephone calls, messages, letters or social network communications.</p>	<p>Improper use of public communications network, see the Communications Act 2003 <a href="#">section 127</a>.</p> <p>Malicious communications, see the Malicious Communications Act 1988 <a href="#">section 1(1)</a>.</p> <p>Stalking, including where it puts a person in fear of violence see the Protection from Harassment Act 1997 section 2A and 4A.</p> <p>Harassment, see the Protection from Harassment Act 1997 <a href="#">section 1</a> and <a href="#">section 2</a>.</p> <p>Putting a person in fear of violence, see the Protection from Harassment Act 1997 <a href="#">section 4</a>.</p> <p>See also <a href="#">CPS Guidelines on Prosecuting Cases involving communications sent by social media</a>.</p>
<p>Threats to send or sending intimate images or videos.</p>	<p>Disclosing private sexual photographs and films with intent to cause distress, see the Criminal Justice and Courts Act 2015 <a href="#">section 33</a> and <a href="#">Sexual Offences Act 2003 s 66A-D</a>.</p> <p>See also <a href="#">CPS guidelines on Communications Offences</a>. College of Policing guidance on Threats to send or sending intimate images or videos. <a href="#">College of Policing (2024) guidance on Sharing photographs of film of people in an intimate state</a></p>

Examples of behaviour	Possible offences
Excessive unwanted contact.	<p>Stalking, including where it puts a person in fear of violence, see the <a href="#">Protection from Harassment Act 1997 section 2A and 4A</a>.</p> <p>Harassment, see the Protection from Harassment Act 1997 <a href="#">section 1</a> and <a href="#">section 2</a>.</p> <p>Putting a person in fear of violence, see the <a href="#">Protection from Harassment Act 1997 section 4</a>.</p>
Secret or forced administration of drugs.	<p>Battery, see the <a href="#">Criminal Justice Act 1988 section 39</a>.</p> <p>Assault occasioning actual bodily harm, see the <a href="#">Offences Against the Person Act 1861 section 47</a>.</p> <p>Wounding or inflicting grievous bodily harm, see the <a href="#">Offences Against the Person Act 1861 section 20</a>.</p> <p>Wounding or causing grievous bodily harm with intent, see the <a href="#">Offences Against the Person Act 1861 section 18</a>.</p> <p>Attempted murder, see the <a href="#">Criminal Attempts Act 1981 section 1</a>.</p> <p>Poisoning, see the <a href="#">Offences Against the Person Act 1861 sections 23 and 24</a>.</p>

Examples of behaviour	Possible offences
Breach of a court order limiting or preventing contact.	<p>Breach of restraining order, see the <a href="#">Protection from Harassment Act 1997 section 5</a>. This also applies to restraining orders made on acquittal under the Protection from Harassment Act 1997 section 5A, which was inserted by the <a href="#">Domestic Violence, Crime and Victims Act 2004 section 12</a>.</p> <p>Breach of non-molestation order, see the <a href="#">Domestic Violence, Crime and Victims Act 2004 section 1</a>.</p>
Pressuring a victim/witness to 'drop the case' or to not give evidence, including during the investigation stage, that is, where a person has not been charged.	<p>Witness intimidation in connection with criminal investigations or proceedings, see the <a href="#">Criminal Justice and Public Order Act 1994 section 51</a>. Section 51(1) covers intimidation during investigation or proceedings. Section 51(2) covers harm or threat of harm after the conclusion of investigation or proceedings.</p> <p>Witness intimidation in connection with civil proceedings, see the <a href="#">Criminal Justice and Police Act 2001 section 39</a> for intimidation during proceedings and the <a href="#">Criminal Justice and Police Act 2001 section 40</a> for harming during or within one year of the conclusion of proceedings.</p> <p>Perverting the course of justice, see <a href="#">CPS Guidance on Public Justice Offences</a>.</p>

Some of the above offences can also be racially aggravated. See [CPS legal guidance on racist and religious crime, Annex A](#) for the full list.

## Barriers to reporting abuse to the police

There may be significant barriers to reporting abuse to the police or maintaining support during criminal proceedings. Among the most prominent are the fear of losing custody of children if social services become involved and the fear that the abuse will escalate if the victim takes action.

The victim may have complex survival strategies in place to minimise risk and keep the peace with the perpetrator. The victim may fear that police involvement will destabilise this peace and increase the risk of further abuse.

Victims may mistrust the police. They may have had previous negative experiences where officers were unsupportive or the criminal justice system did not resolve the issue positively for them. They may have suffered increased abuse following a previous unsuccessful engagement with the police. They may simply fear that the police will not believe them.

The perpetrator may have threatened the victim with a range of consequences if they report the abuse, for example, further/more severe abuse or death, loss of their children, loss of their home, 'outing' of those in non-heterosexual relationships, arrest or sectioning, community embarrassment or exclusion.

Victims may fear being unable to cope if the perpetrator is arrested, bailed away from home or sent to prison. Their concerns can include no longer having help with children and other day-to-day arrangements, the financial impact of the perpetrator's loss of employment, and implications for being able to pay the rent or mortgage. They may feel that they should continue for the sake of the children, that they need to be with the other parent and that leaving would be selfish. The victim may be concerned for their own physical and mental health if the perpetrator is also their carer.

Victims who are migrants may fear police involvement because of their immigration status or because of how the police treat victims in their country of origin, concerns which the perpetrator may deliberately exploit.

Victims may simply still care for the perpetrator in spite of the abuse. They may believe that their relationship can still work, if only the abuse would stop, the perpetrator would stop drinking or drug taking, or get a job. Perpetrators often express remorse, promise to change and make emotional appeals which are difficult to refuse, especially for someone who has been worn down over a period of time. Such a situation may lead a victim to refuse help when offered, not because they do

not wish to engage with the police but because they believe the perpetrator's promises.

All of the above concerns may be reinforced by the perpetrator repeatedly telling the victim that they will not be believed, that they are worthless and cannot cope without the perpetrator. If a victim has been living with controlling or coercive behaviour that has undermined their self-esteem and removed their freedom to make choices, they may be unable to prioritise their safety or that of their children.

## **Strategies to overcome barriers to reporting**

How forces engage with, and respond to, victims is fundamental to addressing their experiences of harm. It is crucial in ensuring that victims are confident they are being listened to and that their experiences are taken seriously. Failure to answer or support victims effectively can result in victims and the wider public losing confidence in the police. It can also mean that investigative and safeguarding opportunities are missed, with a higher risk of further harm occurring.

## **Behavioural conditions that may affect a victim's response to the police**

Domestic abuse can result in both physical and psychological harm to the person experiencing it and can have long-term impact on a victim's ability and confidence to report incidents.

Psychological harm may include behavioural disorders or conditions, for example, post-traumatic stress disorder (PTSD) or obsessive-compulsive disorder, whether the abuse is experienced as a single traumatic event or over a long period of time.

Such conditions may cause victims to:

- distrust and disengage with people, including professionals, who are offering support
- not return calls and appear uncooperative
- appear numb to the traumatic events they have experienced
- unnecessarily blame themselves for things that have happened in the past
- experience intense feelings of fear, hyper-vigilance, anger and anxiety
- develop amnesia with regards to aspects of the traumatic event
- be unable to accurately assess risk, for example, sufferers may return to violent relationships or start new relationships with abusive partners

Feelings of shame, mistrust and avoidance combine to make it more difficult for victims to seek help. The victim may also experience misplaced feelings of loyalty to the perpetrator as part of their response.

For more information on PTSD, see [NHS Choices, Post-Traumatic Stress Disorder](#).

## Reasons why a victim may continue an abusive relationship

It is common for victims to remain with or return to their abuser. This can be difficult for outsiders to understand. An outsider may easily reach the conclusion that an abusive relationship should end. For a victim, however, reaching a decision is a much more complex process and may be hard or impossible for that person, especially where children are involved.

There are many circumstances that may trap a victim in an abusive relationship. Examples include:

- controlling or coercive behaviour by the perpetrator
- fear of the abuser and of consequences for the victim, children or victim's family and friends if the victim leaves
- fear that they will not be believed
- fear that their mental health will be called into question
- previous negative experience of the police
- financial dependence on the abuser and fear of being able to support self and children
- language barrier
- isolation from friends, family and support
- not knowing where to go
- fear of the unknown
- shame and embarrassment
- psychological distress
- fear of involving social services and losing children
- unwillingness to disrupt family life, for example, by moving children to new schools
- not realising that the relationship is abusive
- culture, for example, in some communities married couples may be expected to stay together regardless of the dynamics of the relationship
- worry about what will happen to pets

The common feature behind all of these reasons is fear, a fact the perpetrator often plays on and encourages. Seeking to understand the reasons behind the behaviour is not about judging a victim's actions, but about being able to tailor the police response to that individual. Understanding their actions is key to understanding what will make them safer.

Officers should think about the reasons why a victim may stay or withdraw support. They should be aware that, no matter how many times a victim may initiate and withdraw, the person may eventually choose to end the relationship if provided with the right support. It is crucial, therefore, to approach each incident without making assumptions and to apply the same level of effort to risk assessment, safety planning and investigation on each occasion. A police officer's primary duty to ensure public safety applies particularly to vulnerable persons, which includes domestic abuse victims. A victim who refuses to engage with the police may be prepared to work with other domestic abuse services – officers should always consider referring a victim to specialist domestic abuse services, even if they are not engaging with the police.

It is not the responsibility of the victim to leave, but of the perpetrator to stop abusing. Domestic abuse perpetrators should be challenged about their behaviour. Perpetrators are able to carry on abusing because they are not robustly challenged. Some are able to recognise the behaviour, challenge themselves, seek help and willingly engage in support activity where available. Many others cannot or do not want to.

## Tags

Domestic abuse