

# Understanding risk and vulnerability in the context of domestic abuse

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## Risk identification and assessment

### Approaches to risk assessment

For general information on risk, see [APP on risk](#).

Risk assessment is the process of estimating and regularly reviewing the likelihood and nature of a risk posed by a perpetrator to a particular victim, children or others. Professionals working with domestic abuse victims, for example, [independent domestic violence advisors](#) (IDVAs), may also be at risk of attack from the perpetrator. While such professionals have their own risk management processes, police personnel should ensure that all those supporting a victim are made aware if the police risk assessment concludes they are at high risk of harm.

There are three recognised approaches to risk assessment.

#### Unstructured clinical judgement

Grading of risk is based solely on the assessor's opinion. This approach is flexible, but prone to the assessor's personal biases. It lacks accountability, and is recognised as the least accurate.

#### Actuarial

Grading of risk is based solely on mathematical modelling of risk factors. This approach is used to make one-time predictions of the likelihood of abuse recurring. It is recognised as more accurate than unstructured judgement, but is inflexible and blind to specific contexts.

#### Structured professional judgment

Responsibility for grading risk sits ultimately with the assessor, but their judgement may be guided by a structured tool that includes relevant risk factors. This approach combines a degree of accountability with the flexibility to consider the wider context of specific cases.

Structured professional judgement is the most commonly used approach in England and Wales. This is based around a standard risk assessment tool that involves a risk identification interview with the victim. The assessor uses the information from the risk identification interview to help them grade the level of risk as either standard, medium, or high. Structured professional judgement models are not designed to predict risk of victimisation using cut-off scores.

Forces should avoid grading the level of risk solely on the number of 'yes' responses.

Standard risk assessment tools have limitations. Points to consider include the following.

- There is limited evidence to support factors that predict future risk of domestic abuse. Where evidence does exist, it mostly identifies factors as being associated with domestic abuse rather than specifically predictive of abuse.
- The majority of research on risk factors relating to domestic abuse concerns male to female abuse in heterosexual relationships. These risk factors may not encompass the range of circumstances and relationships that come under the definition of domestic abuse.
- Known trigger points exist that are associated with heightened risk of domestic abuse. These include the rise in incidence of domestic abuse offences following sporting events such as football games. Preparation for such events by police should include consideration of increased risk to known repeat victims of domestic abuse and strategies should be put in place to mitigate this risk.
- The accuracy of risk assessment tools can depend on the information provided by the victim – a victim may either refuse to answer questions or answer only a few, but the professional may still conclude that they are at high risk of harm.

Recommendation 6 of [\*\*HMIC \(2014\) Everyone's business: Improving the police response to domestic abuse\*\*](#) required the College of Policing to consider the current approach to risk assessment and evaluate the effectiveness of existing risk assessment tools.

Following an initial assessment and consultation with representatives from across the police service and support sector, the College and the National Police Chiefs' Council (NPCC) lead jointly endorsed HMIC's position, which is that forces should, in the immediate term, continue to use their

current arrangements for risk assessment and management. Most forces use the Domestic Abuse, Stalking, Harassment and Honour Based Abuse risk identification, assessment and management model (DASH). DASH is also used by partner agencies, providing a consistent approach. Forces that do not operate the DASH model should, however, feel comfortable continuing with their current arrangements, as the College has found no research or evaluation to support the adoption of any one particular risk assessment tool over another.

Some practical tips on risk assessment, based on interim research findings, can be found in the [joint letter](#) issued to forces by the College of Policing and the National Policing Lead on domestic abuse. This can be accessed on College Learn by registered users.

Officers and/or staff using standard tools to carry out risk assessments that result in the grading of risk should be trained in their use. This includes first responders. Senior management is responsible for ensuring that appropriate training is provided to those carrying out risk assessments, and that the overall process is monitored by police domestic abuse supervisors. See [training provision](#). Training on using the force risk assessment tools should comply with national training programmes.

Since this recommendation, the College has worked to develop, pilot and test a new risk assessment tool for initial responders (not secondary risk assessors). Domestic Abuse Risk Assessment (DARA) was launched for national use in November 2022.

DARA learning materials are available on [College Learn](#) (registered users must sign in).

## Primary risk assessment

When investigating a domestic abuse incident, it is the responsibility of the attending officer or first responder to carry out a primary risk assessment at the first opportunity, usually at the scene. Officers and staff carrying out risk assessments should have a thorough knowledge of the possible [risk factors](#) for domestic abuse, including those in relation to [certain groups of victims](#), and be skilful in applying these factors to individual cases, using professional judgement. Officers should record the presence of risk factors according to local procedures, and reach a decision on the level of risk. Primary risk assessment should underpin immediate safety planning measures to protect the victim and any children. Officers should notify supervisory and/or domestic abuse officers and other relevant support services of the need for further action in cases with significant identified risk

factors.

In all cases officers must take the wider context of the relationship and any history of abuse into account, in addition to the nature of the specific incident. Officers should follow the initial risk identification and **safety planning** processes even where no criminal offence appears to have been committed. The incident may form part of a pattern of **controlling or coercive behaviour**. Risk identification and assessment should be integral to any police investigative response to domestic abuse.

Any **secondary risk assessment** will consider the grading given by the first responder. Some forces refer cases for secondary assessment or action by specialist officers only if they reach a certain level of risk. The first responder's assessment of risk is, therefore, key to protecting the victim and preventing future harm. It may be the only risk assessment carried out in the case. If medium or high-risk cases are graded incorrectly as standard risk, they may not receive the intervention they require, which further increases the risk.

Victims should not be asked to sign risk assessments. Responsibility for protecting the victim rests with the police and other agencies – any system suggesting victim accountability should not be used.

It is important for officers and staff to recognise patterns indicative of controlling or coercive behaviour. The police service is often geared towards dealing with single incidents – in domestic abuse, the incident to which officers and/or staff have been called could be the latest in a series and it is vital for the safety of the victim that it is recognised as such.

## Secondary risk assessment

Any risk assessment is a continuing and dynamic process and should be subject to frequent review to ensure it reflects any change in circumstances. Forces should be clear who is responsible at all times for the continuing assessment of risk. In principle, it should be the first responding officer, unless and until the case is handed over, whether to another officer in the case (OIC) or a specialist domestic abuse or public protection unit. Where responsibility for risk assessment is handed over to another officer or unit, the first responder is responsible for ensuring that the handover includes all relevant information that has been obtained regarding risk.

Secondary risk assessors should generate further risk assessments after locally agreed periods of time to ensure that risk factors are managed and are part of a **risk management** plan, where appropriate. Secondary risk assessment may be undertaken by trained police staff, specialist domestic abuse or public protection officers, or by IDVAs or trained voluntary sector staff. Secondary risk assessment in particular should consider all relevant information, including intelligence, the results of the initial investigation, and information from partner agencies.

## **Risk factors and vulnerabilities associated with domestic abuse**

The term 'violence' is deliberately used in the following paragraphs, as much of the existing evidence base relates to the prediction of violence, for which abuse short of violence is itself a risk factor.

There is limited evidence to support the identification of factors that successfully predict risk of domestic violence. The majority of the evidence identifies factors that are associated with domestic violence but there is very little information relating to their accuracy as predictors.

Existing evidence reviews which focus on understanding what works in risk assessment suggest that the following factors are most strongly associated with domestic violence (but not necessarily predictive of it):

- emotional and/or verbal abuse
- forced sex

Research also suggests that a victim's own assessment of their risk is as accurate as some predictive tools. Most risk assessment tools include a question asking victims if they are frightened and what they are afraid of. Officers should carefully consider the victim's own assessment of risk alongside all other relevant information, including previous history and their own observations and judgement.

In addition to the above factors, professional expertise suggests that the following factors relating to the suspect and/or victim may also be associated with risk of abuse.

## **Factors associated with the suspect**

- Previous physical assault by the suspect
- Escalation and severity of violence, including use of weapons and attempts at strangulation
- Child abuse by the suspect
- Animal abuse by the suspect
- Suspect's possessiveness, jealousy or stalking behaviour
- Threats or attempts at suicide by the suspect
- Threats or fantasies of committing homicide by the suspect
- Previous criminality or breach of civil or criminal court order or bail conditions by the suspect
- Substance abuse by the suspect
- Suspect's mental ill health

## Factors associated with the victim

- Isolation of the victim (from friends or family)
- Current or imminent separation from the suspect and child disputes
- Pregnancy of the victim
- Disability of the victim
- Mental or physical health of the victim
- Substance abuse

These factors are not exhaustive and each case will have its own set of considerations. Some of these may appear abstract or irrelevant if looked at individually but take on significance when the overall picture is examined.

Professional experience (including [domestic homicide review](#) findings) also suggests that an escalation in frequency of even minor incidents, or 'rapid repeats', may be indicative of an imminent escalation in the level of violence.

## Particular issues affecting certain groups of victims

Certain victims may have specific needs or issues relating to their age, sex, sexual orientation, disability, cultural background, immigration status, or profession. Useful advice and further information on the needs of these victims is signposted below.

## **Victims from different cultural backgrounds**

A person's cultural background or immigration status may make them more vulnerable to domestic abuse and create barriers to leaving an abusive partner. Possible issues a victim may face include the fact that:

- they may not speak much English or know where to turn to for help
- they may be reliant on their partner or partner's family for financial support and be isolated from people outside their immediate family or community
- they may have an insecure immigration status and fear contact with the authorities
- their right to remain may depend on their relationship with the abuser continuing
- they may have been forced into marriage or be subjected to honour based abuse (HBA)
- certain forms of domestic abuse, for example, between husband and wife or father/uncle and daughter/niece, may be accepted in some families or households and cultural background may be a factor – if it is considered normal by the victim, perpetrator and their community, the victim may not seek help or be aware of what help is available
- the police in the victim's country of origin may not enforce laws against domestic abuse effectively or at all, resulting in a lack of trust by victims
- the police may be mistrusted by the community as a whole due to involvement in persecution in the country of origin
- police attendance may be viewed as shameful, discouraging those involved as well as neighbours from calling the police

Honour based abuse is most often a form of domestic abuse, although it may be condoned or reinforced by the wider community. At its core is the notion of bringing shame on the family and it is usually practised by close family members. As a distinct manifestation of domestic abuse, it generates its own set of issues. In particular:

- officers should ensure that victims are offered sources of support from outside their family and community as these may pose a continued risk to the victim
- custody officers should closely monitor detainee contact with other family and community members if HBA is suspected
- suspected HBA must be central to any risk assessment and safety plan.

Officers should bear in mind that some distinct cultural groups originating wholly or partly in the UK can also adopt a particular way of life which may create additional barriers for victims of domestic abuse.

For example, women living in the Gypsy and Traveller community can face similar cultural issues to those listed above but may also face additional barriers to escaping an abusive partner due to the wider community's nomadic way of life.

Some of the reasons for this may be that:

- those who choose to live nomadically may find it difficult to access mainstream services
- inter-family feuds can mean that members of one family should not be housed where members of a feuding family are already living
- as the community is scattered, it may be difficult for victims who are rehoused to keep their emergency location secret from the rest of their family

Further advice and support can be found at [\*\*Friends, Family and Travellers\*\*](#).

For further information see:

- Protocol on the handling of [\*\*Honour Based Abuse and Forced Marriage Offences\*\*](#) (National Police Chiefs' Council and the CPS, 2016)
- [\*\*Multi-agency statutory guidance for dealing with forced marriage\*\*](#)
- [\*\*Forced marriage resource pack\*\*](#)

## **Victims with insecure or uncertain immigration status**

A person may have insecure or uncertain immigration status if they have entered the country on a spousal visa having married a British citizen or a person with unlimited leave to remain and there is a change to the relationship upon which their immigration status is dependent. They may also be insecure if they have entered the country on a work permit and the incident/crime they allege may result in them losing their job – this could particularly affect people in domestic servitude who allege abuse by their employer.

The consequences for victims of DA who decide to leave a relationship can be both severe and profound. Those with insecure or uncertain immigration status may additionally fear that contact with the authorities will result in them being returned to their country of origin, something which

could be harmful to their interests for many reasons. They may particularly fear the loss of their children.

Abusers may exploit these fears. Responders need to be aware that in some situations, abuse may be explained as if it is customary, common or acceptable in a specific cultural context. They need to be sensitive to a victim's potential fear of being criticised for not respecting the cultural norm of family privacy, or for bringing shame or unwanted attention to the relationship, family or wider community. Others may fear breaking up the family, or believe that seeking help represents failure. They may fear insensitive responses, being ostracised, or that their victimisation reflects badly on them.

Under immigration rules ([Immigration Rules, Part 8, paragraph 287](#)), if the victim came to the UK as the spouse or civil partner of someone who is already settled here, they cannot apply for indefinite leave to remain in the country in their own right (or consequently have access to benefits) until they have completed a two-year period as the spouse or civil partner of that person.

All of these concerns may keep a victim from reporting abuse to the police and may also be emphasised by the perpetrator as a way of maintaining control and further isolating the victim.

Immigration rules do, however, allow for a victim of domestic violence (the term used in the Rules) to apply independently of their spouse for indefinite leave to remain before the end of the minimum period if they can produce evidence that the relationship permanently broke down as a result of domestic violence. Police officers and staff should be mindful of this when arranging referrals and developing safety plans for victims with insecure or uncertain immigration status.

For further information see [Women's Aid, Immigration and asylum law information](#) (Information from the Rights of Women).

#### Information sharing with immigration enforcement

This guidance emphasises the position set out in the [NPCC guidance document](#).

All decisions on sharing information with Immigration Enforcement must be made with consideration of the human rights of all involved. Information sharing is legal, when undertaken in accordance with section 20 Immigration and Asylum Act 1999. There are also powers to share information with other organisations under common law. Any sharing of personal data must comply

with the Data Protection Act 2018.

The considerations below about when to share information help to address issues of necessity and proportionality. The requirement for recording supports accountability.

### **Immigration offences**

Information on victims of domestic abuse incidents and crimes should not be shared with Immigration Enforcement unless there is evidence that creates reasonable suspicion that an immigration offence is being or has been committed. Officers will not routinely search police databases for the purpose of establishing the immigration status of a victim/witness or routinely seek proof of their entitlement to reside in the UK.

It would also not be appropriate to question a victim or witness about their immigration status unless there is evidence or intelligence giving rise to suspicion that an offence has been or is being committed.

Information about a person who has insecure or uncertain immigration status should not be passed to Immigration Enforcement for investigation of immigration offences unless there is additional evidence giving rise to reasonable suspicion that an offence has been or is being committed.

### **Sharing information for safeguarding purposes**

When sharing information with Immigration Enforcement for safeguarding purposes, the referring officer must be clear in her/his mind how sharing the information will support safeguarding. If there is doubt, the referring officer should seek advice from a supervisor or subject matter expert.

### **Sharing information to assist in resolving immigration status**

There may be value in sharing information with UK Visas and Immigration to enable Immigration Enforcement to help to resolve a victim's immigration status, by pausing any enforcement activity. If this is considered, officers should seek consent of the person to do so. It may be preferable to refer the victim to a support charity so that she/he can receive the best independent informed advice.

### **Proportionality**

Decisions to share information must be proportionate. In the case of sharing for the purposes of investigating suspected immigration offences, policing will seek to take actions that are most effective at creating a safer society. In domestic abuse cases where there is evidence to justify reasonable suspicion that an immigration offence is being or has been committed, that will involve consideration of the potential for action to achieve improved safety – for example, could a decision to share information with Immigration Enforcement stymie an investigation into a domestic abuse incident or crime because the victim withdraws their support? If so, is it more desirable not to share information? Will more effective provisions for safety be achieved through investigation of the domestic abuse? Will safeguarding measures for the victim and/or taking action against the alleged perpetrator deliver greater protection for the victim and others, including future DA victims?

#### **Recording the sharing of information**

An officer who shares information about a DA victim with Immigration Enforcement should record:

- what information was shared
- when the information was shared
- with whom the information was shared
- why the information was shared

## **Male victims**

A man who is a victim of domestic abuse may be reluctant to approach the police for many reasons, some of which are the same as for women victims, for example, fear of not being believed, belief the police will assume he has done something to provoke the situation, fear of losing access to children. Some of these fears may be intensified because of gender stereotypes and societal assumptions, eg, shame at not being perceived as a 'real man', belief the police will automatically assume the woman is the victim.

The charity Respect has produced [\*\*a toolkit to aid professionals, including the police, working with male domestic abuse victims.\*\*](#)

Not all domestic abuse services work with men, and it can be difficult to find refuge accommodation. The [\*\*UK Gold Book\*\*](#), available through subscription, lists services for men as well as other groups. The [\*\*ManKind Initiative\*\*](#) also produces a directory of services for male victims of

domestic abuse, known as the [Oak Book](#). It is available by contacting the organisation.

For further information see:

- [Domestic Abuse Commissioner support for male victims](#)
- [Respect Men's Advice Line](#)

## **Victims from lesbian, gay, bisexual and transgender (LGBT) communities**

LGBT people may be abused by their partners in specific ways that are connected to their sexual orientation or gender identity.

Examples include:

- threatening to 'out' a victim, that is, telling family or work colleagues about their sex or sexual orientation
- threatening to 'out' a lesbian or gay parent/couple to social services, claiming that their children will then be taken away from them
- threatening to disclose or make allegations about the victim's HIV status or other sexually transmitted infection – while also possible in the heterosexual community, this is potentially more damaging to a person in the LGBT community
- telling a victim that abuse is part of a 'normal' LGBT relationship
- claiming that no one will help the victim because they are lesbian, gay, bisexual or transgender
- criticising someone for not being, for example, a 'real lesbian' if they are currently in their first lesbian relationship after a series of heterosexual ones
- forced marriage/HBA

For further information see:

- APP on [Victim and witness care](#)
- [Lesbian/Gay Power and Control Wheel](#).
- [Same sex sexual violence and sexual violence involving a trans complainant or suspect/defendant - Toolkit for Prosecutors](#)

Organisations that can assist LGBT victims of domestic abuse include:

- [\*\*GALOP\*\*](#)
- [\*\*Survivors UK\*\*](#)
- [\*\*The Albert Kennedy Trust\*\*](#)
- [\*\*Stonewall\*\*](#)
- [\*\*Stonewall Scotland\*\*](#) (describing LGBT experiences of domestic abuse)
- [\*\*Local IDVA service\*\*](#)

For further information, see [\*\*Donovan, Barnes and Nixon, The Coral Project: Exploring Abusive Behaviours in Lesbian, Gay, Bisexual and/or Transgender Relationships, Interim Report, September 2014\*\*](#)

Some police forces have Lesbian and Gay Liaison Officers (LAGLOs), police officers and staff who are dedicated to supporting lesbian, gay, bisexual and transgender communities.

A small study looking at transgender people's experiences of domestic abuse found high levels of abuse among those who responded. It also found very low levels of reporting and a lack of confidence in contacting the police, due in part to fear of revealing their trans status and of transphobia.

Types of abuse experienced which focused on transgender identity included:

- being stopped from being able to express their gender identity through their appearance (for example, clothes, hair, make-up)
- being made to feel ashamed, guilty or wrong about their trans identity or background
- being stopped from taking medication or having treatment (for example, hormones or surgery) that they needed to enable their physical bodies to more closely match their gender identity

For further information on the study, see LGBT Domestic Abuse Project and Scottish Transgender Alliance, [\*\*Transgender people's experiences of domestic abuse\*\*](#).

See also [\*\*Office for National Statistics 2009 Trans Data Position Paper update\*\*](#) for a discussion of the difficulties in collecting reliable data concerning transgender people.

## **Victims with a disability**

Victims with a long-term illness or disability, which includes physical, mental or learning disability, are particularly vulnerable to domestic abuse from partners, ex-partners and family members.

Office of National Statistics analyses consistently show that both men and women with a long-term illness or disability are significantly more likely to experience domestic abuse than those without.

### **ONS 2016 Focus on Violent Crime and Sexual Offences - Domestic abuse, sexual assault and stalking**, section 6.

Victims with a disability may face particular difficulties in reporting abuse and accessing support services.

These could include:

- communication difficulties
- concern that they will not be believed, particularly if they have known mental health issues
- not recognising the behaviour as abusive
- reluctance to report their abuser if that person is also their carer

Safety planning must address their specific needs, for example, supplying appropriate equipment to alert the police of an incident if the person is hearing and speech-impaired.

See also:

- [CPS Support for Disabled Victims and Witnesses of Crime](#)
- [SafeLives \(2022\) The Unseen: Blind and partially sighted people's experiences of domestic abuse](#)

## **Victims from armed services families and emergency service/public service personnel**

While there is no evidence that domestic abuse is more prevalent in military families than general society, such families do face unique factors in terms of impact on career, implications of loss of family accommodation, particular psychological stressors, and long periods of not being together as a family. Victims can find it difficult to confide in anyone because frequent relocation can prevent them from establishing relationships of trust. Consequently, families can feel that they face additional barriers to reporting domestic abuse and accessing support.

There is precedent for a **protocol agreement** between a police force and military police forces that sets out practical working arrangements and information-sharing practices for responding to domestic abuse incidents involving military families. This allows the civilian and military police forces to work together to support victims of domestic abuse.

The umbrella organisation for armed services families is **COBSEO**.

Confidential welfare support is available to service families affected by domestic abuse from the Army Welfare Service (AWS), the Soldiers, Sailors, Airmen and Families Association (SSAFA), and Royal Navy, Royal Marines Welfare (RNRM Welfare). Unit welfare officers, chain of command and equivalent can assist with domestic abuse support, but this will not normally be confidential.

**Domestic abuse: guidance and support for the armed forces community** is a useful resource for those experiencing armed forces domestic abuse as either victim or perpetrator, or providing support to those involved.

Emergency service personnel, namely, police, fire and ambulance staff, may be exposed to trauma that has an impact on their personal relationships in a similar way to military staff. Victims in a relationship with someone in these services may be concerned that they will not be believed, as may those whose partner is in a public service such as probation, social services or the prison service.

Victims who are themselves employed in an emergency or public service may find it equally difficult to report domestic abuse. They may have a sense that their role, training and increased awareness of domestic abuse means that it should not happen to them. They may be worried about their partner being able to access personal information if they are both in the police service. See **specific management considerations when dealing with police perpetrators of domestic abuse**.

## Teenagers and young persons

Teenagers and young persons may be vulnerable to domestic abuse from their peers but also from older or significantly older partners who may have groomed or conditioned them. They may have little experience of positive relationships, making it more difficult for them to identify abusive behaviour. Organisations like **Victim Support** can provide services within the school setting for children and young people to help them understand more about healthy relationships.

Teenagers and young persons may be vulnerable to peer pressure and gang associations. This may result in pressure to engage in sexual activity and sometimes sharing of partners between gang members.

Some of those teenagers and young persons who identify as lesbian, gay, bisexual or transgender may also be susceptible to domestic abuse, not only in intimate partner relationships, but also from parents and other family members who may not accept their emerging sexual identity or choice of dress or appearance.

Victims of domestic abuse who are 16 or 17 years old are still children and therefore victims of child abuse as well as domestic abuse. Witnessing domestic abuse in the home may also amount to child neglect.

Similarly, if the domestic abuse perpetrator is under 18 years old, officers must ensure that appropriate agencies are involved in **MARACs** or relevant support, as the offender is still considered a child. Relevant agencies include youth offending teams (YOTs), schools and charities, such as the **SafeLives**.

Changes in how people communicate, including increased use of social media, now mean that social networking platforms may be a setting for domestic abuse. This could be directly, for example, by:

- sending abusive or harassing messages
- sending or threatening to send intimate images or videos
- forming part of a pattern of controlling behaviour, for example, monitoring or interfering with a victim's social media accounts

For further information see **SafeLives Resources for working with young people**.

## Children as victims of domestic abuse

Under section 3(2) of the Domestic Abuse Act 2021, a child is a victim of domestic abuse for the purposes of the Act where they see, hear, or experience the effects of domestic abuse and are related to either a perpetrator or victim of abuse, or either individual has parental responsibility for the child. This means that if the 2021 Act imposes a duty in relation to victims of domestic abuse, this will include children falling under section 3.?

The Act defines a child as any person under the age of 18. It uses the definition of 'parental responsibility' set out in the Children Act 1989 and the definition of 'relative' set out in the Family Law Act 1996.

The 2021 Act does not create a new offence of domestic abuse. It reinforces the need to consider the full range of existing legislation (including relevant offences) and safeguarding procedures to protect children.

There is growing evidence that highlights how significant the impact of witnessing or experiencing domestic abuse is on a child's development and wellbeing. The purpose of this Act is to ensure that children's needs are appropriately assessed and met.

Existing safeguarding, risk assessment and referral processes and procedures should be followed to ensure children receive support and remain visible in the multi-agency response to domestic abuse. Statutory guidance in **Working Together to Safeguard Children** sets out expectations for inter-agency working to safeguard and promote the welfare of children, including those experiencing domestic abuse.

The Children and Social Work Act 2017 and Working Together 2023 places a joint and equal responsibility on the chief officer of police, the clinical commissioning group and the local authority to work together to safeguard and promote the welfare of children in the area. They are required to work together to coordinate targeted services for children to meet their needs at all stages of the continuum of need. This is intended to remove the blockages, bureaucracy and organisational self-interest that prevent the effective and efficient delivery and practice of multi-agency services to protect and safeguard children.

Officers attending incidents of domestic abuse are required to identify and record any children of the relationship, whether present or not. Where they are present, officers should check on their welfare and communicate with them on an appropriate level.

Appropriately trained staff should be identified to continue to engage with children who might be identified as important witnesses or victims of direct abuse. This will aid communication and enable them to comply with the requirements under **Achieving Best Evidence in Criminal Proceedings**.

Children experiencing domestic abuse should continue to be considered eligible to access services under the Victims' Code. The Code defines a victim as a person who has suffered harm, including

physical, mental or emotional harm or economic loss which was directly caused by a criminal offence.

The Code also sets out that those who have suffered harm, including physical, mental or emotional harm or economic loss, as a direct result of witnessing a crime, are a victim of crime for the purposes of the Code. They can access services that support victims. They do not need to have provided a statement to the police, been interviewed by the police or be required to attend court as a witness.

Local arrangements should equip police officers and staff with the knowledge and understanding to safeguard children. This includes how to respond and refer details of children and young people being exposed to domestic abuse to their multi-agency safeguarding systems.

Consideration is required regarding ongoing responsibility for engaging with and keeping children updated on investigations, particularly where those with parental responsibility are the abusers.

Officers should notify designated safeguarding leads at the child's school about domestic abuse incidents through the **Operation Encompass** scheme or similar information-sharing agreements.

There are significant associations between domestic abuse and child abuse. In households where domestic abuse is perpetrated, children may also be abused. Exposing children to domestic abuse may amount to an offence of child neglect by the suspect.

Officers should look out for indicators of domestic abuse when investigating child abuse. Similarly, they should be alert to potential concerns relating to children in a household where domestic abuse is perpetrated.

Guidance on the actions to follow if officers suspect child abuse can be found in APP on **investigating child abuse and safeguarding children**. There is further information on **child cruelty** offences and **neglect** offences within this APP.

In all cases, whether child abuse, domestic abuse or both, police officers should focus on the best outcomes for victims, and apply safeguarding principles. Crown Prosecution Service (CPS) **Domestic Abuse Guidelines for Prosecutors** state that prosecutors should apply the domestic abuse?policy to all cases of current or former partner or family abuse irrespective of the age of the offender or the complainant.

Further resources include:

- [\*\*Domestic Abuse Act 2021 Statutory guidance\*\*](#)
- GOV.UK (2023) [\*\*Working together to safeguard children: Statutory guidance\*\*](#)
- College of Policing APP for [\*\*investigating child abuse and safeguarding children\*\*](#)

## Familial abuse

Police officers are accustomed to dealing with intimate partner abuse, which is what is traditionally thought of as domestic abuse. Familial (non-intimate partner) abuse poses some different challenges in terms of finding the appropriate response. It can be less easily recognisable as domestic abuse, yet it falls within the [\*\*definition\*\*](#) and should be treated as such. Types of familial abuse are listed below, together with links to further advice and information.

### Abuse of older people

As with other domestic relationships, older victims are often dependent on their abuser, whether this be an intimate partner or a family member. Unlike other such relationships, dependence generally increases with age for health reasons. This makes the prospect of the victim gaining independence from their abuser less likely than for other domestic abuse victims.

Abuse can occur where the abuser has taken on a carer role towards the older person. If the adult child or grandchild has formally taken on the role, abuse may result from tensions caused by the carer relationship or as a means of maintaining control. When the presenting issue seems to be abuse by the carer, officers should consider whether it also constitutes domestic abuse.

In some cases, a person with a certain illness or condition, for example, dementia, may also become uncharacteristically abusive to their familial carer. The carer may not recognise this as domestic abuse or may not report it because they feel it is not the person's fault, but the difficult nature of the situation can sometimes result in mutual abuse. Where such tensions appear to be present, officers should consider consulting with Adult Services to identify appropriate support to keep both parties safe.

Section 42 of the Care Act 2014 requires a referral to police in any case where abuse is suspected of an adult who has care needs that mean they are unable to protect themselves from abuse.

Where the concern involves suspected abuse by a familial carer, officers should consider that the

case may be domestic abuse from the outset. Officers should look out for signs of other manifestations of domestic abuse when investigating vulnerable adult abuse in a household. They should also be alert to concerns relating to vulnerable adults in a household where domestic abuse is perpetrated.

For further information see:

- Hourglass is a national charity working on abuse of older people. Their website has links to research and case studies. See also Building a UK-wide Picture of the Abuse of Older People: Domestic Abuse of Older People
- CPS (2019) Policy guidance on the prosecution of crimes against older people
- Adults at risk APP
- Vulnerable adults
- Vulnerable adult abuse investigation
- Safeguarding adults boards

## Child to parent abuse

Child (or adolescent) to parent abuse is generally used to refer to abuse of parents by teenage children. It can also apply to abuse of grandparents carrying out parental functions. Where the child is 16 or over, this behaviour falls within the definition of domestic abuse. The definition includes those with a parental relationship with the child, so would cover foster parents, for example.

Child to parent abuse can, of course, be committed by adult children of any age on parents and grandparents, as well as by younger children. Where a child under 16 is abusing a parent or grandparent, officers should refer the matter to social services and investigate as appropriate.

In all cases, parents may be frightened, ashamed or simply not know how to effectively address the situation and should be offered support.

Although this type of domestic abuse is more likely to come to the attention of the police in families that are more widely involved with services, it can occur in all families. There is some evidence to suggest that exposure to violence at home, either between parents or towards the child, may make parent abuse more likely. Children may imitate the abusive behaviour of the perpetrator towards the other parent, or they may become violent towards the perpetrator to protect the abused parent. Sibling abuse may also occur alongside other abuse.

Further resources include [\*\*Family Lives\*\*](#) (formerly Parentline Plus) and [\*\*Respect\*\*](#).

## **Sibling abuse**

Sibling abuse may begin at any age, but falls within the definition of domestic abuse once both siblings turn 16. If the victim is 16 or 17 it is also child abuse. The dynamics are complex, which makes it difficult for officers to recognise and challenging to resolve. Although there is some evidence relating to sibling sexual abuse, there is little evidence on sibling abuse more generally.

## **Checklist: Dealing with suspected familial abuse**

This is domestic abuse. Build rapport, investigate, risk assess and safety plan as for any other domestic abuse incident.

Officers should:

- take appropriate steps to make the victim and potential victims safe
- speak to both parties to understand what the appropriate response might be
- speak to other family members to better understand the familial context
- acknowledge how difficult it may be for a victim to report a family member to the police
- notify local authority children's social care/adult social care as appropriate
- signpost appropriate services (including IDVAs or equivalent)
- keep in touch

If the abuse involves an older person, officers should also:

- consider that the perpetrator may be struggling to cope with caring responsibilities and may need help
- take into account the specific characteristics of the victim when safety planning, for example, whether they can reach the phone to call in an emergency or if they have mobility issues preventing them from leaving the property
- consider if both the victim and the perpetrator have sufficient capacity for the criminal justice process (but do not assume they do not) – further enquiries may need to be made with medical professionals
- remember that capacity may reduce over time (this can occur quickly in response to trauma) so an evidence-led case should be built even if the victim is initially supportive

- consider the use of special measures for the victim, for example, an intermediary

If the abuse involves a 16- or 17-year-old as either victim or perpetrator, officers should also:

- consider whether there may be other forms of domestic abuse occurring in the household, for example, between parents
- contact the relevant educational establishments for additional information on the child and their family
- avoid making assumptions about the parent's role in the abuse, for example, that they are to blame for their child's behaviour towards them, that they are aware that sibling abuse is taking place, or that they are supportive of an abused child, as this may impact on safety planning or reinforce parental concerns or guilt

## Tags

Domestic abuse