

**CAMBRIDGESHIRE DOMESTIC ABUSE**

**and VIOLENCE Guidance**

October 2017

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1. **INTRODUCTION:**

The impacts of domestic abuse, specifically of violence against women and girls (VAWG) cannot be ignored either nationally or locally. The recent (2017) Cambridgeshire and Peterborough VAWG needs assessment showed that:

* There were 12,300 police recorded incidents of domestic abuse in 2015/16, with 80% of victims being female. Investigating domestic abuse crimes is now the force’s single largest workload[[1]](#footnote-1)

There were 7,900 VAWG-related crimes recorded by the Constabulary in the same year, of which 1,260 were sexual offences. 87% of sexual violence victims were female[[2]](#footnote-2)

* One in ten Year 10 girls report that they have been put under pressure to have sex or do sexual things with a previous or current boyfriend[[3]](#footnote-3)
* Around 50% of children’s social care caseloads across the county reflect some form of domestic / sexual abuse element[[4]](#footnote-4)
* An estimated 80% of domestic abuse and sexual violence crimes are never reported[[5]](#footnote-5)

Cambridgeshire takes the impact of Domestic Abuse on children and families seriously. Following the national VAWG strategy and the Cambridgeshire and Peterborough Local Safeguarding Board domestic abuse strategy, we have developed this guidance to support workers in Children’s Services to identify and assess Domestic Abuse and its impact on the families we work with, and to describe what assessment tools and good practice are available to staff. In this way, we aim to offer families a consistent approach to this complex issue.

We would like to thank Jenny Goodes, Head of MASH and IFD in Cambridgeshire and Peterborough for allowing us to develop the Peterborough Handbook for Cambridgeshire use.

Jitka Kohoutova and Anna Cullen

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**1.2:** **Definition and Underpinning Principles**

1. **Definition**

Cambridgeshire has adopted the national definition of domestic abuse and violence (DAV), also underpinned by the LSCB which covers:-

***'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 membersregardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse; psychological, physical, sexual, financial, and emotional’. This also includes so called honour based violence, female genital mutilation and forced marriage.’***

‘Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent on the perpetrator – isolating them from others, those that can support them, monitoring and controlling their movements and behaviours, stripping them of their independence.

‘Coercive behaviour is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.’

Domestic violence and abuse is an indicator of likelihood of harm to children. Prolonged and/or regular exposure to domestic violence and abuse can have a serious impact on a child’s development and emotional well-being despite the best efforts of the non- abusing parent to protect them.

More specifically, Violence Against Women and Girls (VAWG) is defined by the Home Office as:

* *‘Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life’* (United Nations**,** 2013 and Home Office, 2016)

The National VAWG agenda now also includes Domestic Abuse in this definition. Although women and girls are disproportionately harmed by all VAWG crime types, locally we recognise that men and boys can also be victimised. All children, whether direct or indirect victims of VAWG, are harmed by its impact.

International and national responses to VAWG are legislated for under the Istanbul Convention (2011), which places a responsibility on signatories to ‘combat and prevent’ violence against women and girls. Subsequently, the Home Office has developed a new *National Statement of Expectations* (NSEs) as part of its 2016-2020 *End Violence Against Women and Girls Strategy* to inform local activities.

For the local LSCB strategy, you can access more information here:

https://www.cambslscb.co.uk/domestic-abuse/

1. **Principles**

**The child’s safety is paramount**

There may be occasions when the child’s needs are in conflict with the wishes of the abused victim. Safeguarding the child is paramount. Workers should always consider whether threats might be being made to the victim by the abuser. Consideration should also be given to vulnerable adults in the domestic situation.

**Working in partnership with parents/individuals**

Where possible workers should always engage with both the victim and the abuser to decrease risk and increase safety whilst recognising that the safety of the child and victim is paramount. It is often the case that the non- abusing parent/individual is important in safeguarding both them and their children from further harm. Careful thought needs to be given to the safety of the child and victim before engaging directly with the perpetrator, as this could make elevate the risk.

**Diversity and Equality**

Domestic abuse affects people regardless of their age, gender, race, ethnicity, sexuality, nationality, disability or social class. When English is not the first language an independent interpreter should be used.

1. **Confidentiality**

A victim/child’s safety can depend on the confidentiality of services provided to them and breaches of confidentiality in situations of domestic abuse can be extreme. Agencies may have to share information regarding the adults in order to safeguard the children.

**Prevention and joint working**

Raising awareness of domestic violence and abuse and its effects is a first step towards its prevention. All workers need to be alert to the signs of domestic violence and abuse and consult with their colleagues and line managers if they have concerns.

**Staff Development and Safety**

Working with such complex situations requires high levels of skills. Managers should ensure that workers can access appropriate training and provide the environment for workers to explore the impact on them individually. Risk of violence to workers needs to be assessed and appropriate measures put in place in line with health and safety guidelines.

**1.3 En****abling Disclosure**

It is effective practice for professionals to create an environment that facilitates and enables disclosure to take place. Understanding some of the barriers to disclosure will help professionals respond in a sensitive and appropriate manner.

1. **Barriers to disclosure for victims of Domestic Abuse and Violence (DAV)**

There are many reasons why an individual may be unwilling to disclose or approach an agency for support, including:

* Not recognising or identifying the behaviour as abuse or as illegal
* Past experience of poor responses from agencies or professionals
* Fear that the situation will become worse as a result, including more serious assaults or being killed
* A survival strategy of minimising the nature and effects of DAV to themselves or to others, in order not to be seen as a victim or out of fear of the consequences of identifying it clearly, or because they feel that they are in some way to blame
* Fear that the children will be removed by the Local Authority or the abusive partner
* Shame, embarrassment, self-blame
* Fear of not being believed or past experience of not being believed
* Fear that the abuser will make allegations and that these could result in being detained under the mental health act or having children removed or drug use exposed
* Fear of being deported
* Isolation from friends, family, agencies and other sources of information about how to get help
* Perception that the situation will be worse after seeking help, e.g. because the effects of homelessness or moving area will be worse for the children than the effects of living with the abuse and violence, particularly as the risk of violence continuing may be high

1. **Reasons why it may be difficult for some individuals to leave or end an abusive relationship**

DAV victims, particularly female victims, may find it difficult or even impossible to consider leaving the family home or ending an abusive relationship. This can be assumed by professionals, friends and family, that the victim is “choosing” the abuse or to stay in an abusive relationship. Women in these circumstances are often treated by professionals as responsible for the effects of the abuse on their children, or described as being unaware or uncaring of the effects on their children. In fact, children are usually the most common reason for a woman remaining with an abusive partner.

These attitudes lead to dangerous assumptions and unsafe and unhelpful practices. It is more useful for protecting children as well as the victim to see this is as a decision based on a lack of perceived or actual safe alternatives. They will often have come to this decision reluctantly, or under severe threat or pressure from the abuser or others. Working with an understanding of why someone may have made this decision will help professionals and others to protect victims and children.

The reasons why someone may have not been able to identify the possibility of ending an abusive relationship or leaving the family home include one or more of the following:-

* Fear of the children being removed by the Local Authority,
* Fear or being killed, or the children being killed,
* Not wanting to take the children away from the other parent or extended family,
* Fear that the other parent will gain residence of the children,
* Not wanting to take the children away from family home, pets, school, friends, etc.,
* Not knowing about the range of legal and financial help they are entitled to,
* Being unwilling to spend time in temporary accommodation,
* Strong values about the importance of marriage for life,
* Family, community or professional pressure to stay

Professionals should bear in mind that these may be the reasons why a victim has not considered leaving or ending the relationship and should find out from them if these or other reasons are the case. Doing this will help to inform safety strategies and other interventions considered and put in place for protecting the children and victim. Consideration should also be given to how risk is managed once a victim has ended the relationship as this is usually a period of heightened risk.

1. **Barriers to disclosure for children**

Children may also find it difficult to tell anyone about what is happening to their parent and to them. They may also go to great lengths to hide it. The reasons include:-

* Fear of being taken into care,
* Fear of having to move house, leave the area, school, friends and pets if they tell someone,
* Being threatened directly or indirectly by the abuser about consequences of telling,
* Fear of exposing the family to shame and dishonour,
* Not wanting to share family secrets with outsiders,
* Fear that they or the victim might be deported,
* Wanting to protect the victim,
* Wanting to protect the perpetrator.

1. **c) Enabling disclosure for victims of DAV**

Many victims want to tell someone about the abuse or want to be asked. Enabling them to tell or knowing when to ask is something professionals can make easier for victims by doing some or all of the following:-

Before you begin to discuss domestic abuse it is important to consider whether it is safe. You should ask the following questions:-

CAN ANYONE OVERHEAR YOU?

IS IT OK TO DISCUSS POSSIBLE ABUSE IN FRONT OF FAMILY MEMBERS?

It is essential that when discussing domestic abuse or violence that you remember the following:

* Never ask about possible abuse in the presence of the perpetrator
* Use an independent or police interpreter to obtain a direct history from the victim when English is not the first language
* Ask direct questions and listen carefully so that you can draw out information
* Respect confidentiality and privacy – also understand the need to share information if immediate protection is required for either the adult or the children
* Respect and validate what they tell you and remember that you may be the first person who has listened to them and taken them seriously.
* Acknowledge what has been disclosed and emphasise the unacceptability of violence, that it is a crime and that they are not responsible for the violence.
* Seek to empower rather than make decisions on behalf of the victim

Things to bear in mind:

* Be alert to any possible signals that the victim is giving and don’t ignore them – many victims say that they didn’t want to be the first one to say something or didn’t know how, but tried to get professionals to ask by giving clues or presenting at particular times
* Offer all adults the chance to talk to someone alone even if there are no obvious signs of DAV – some of the most vulnerable victims will be under such threat that they may be trying very hard to appear as if everything is fine when they are with the perpetrator.
* Respond positively to any disclosure of DAV and offer information, support or other services which show the victim a clear benefit from disclosing – victims will put off asking for help again if the first response they get is unhelpful or does not seem to offer anything to protect them and their children
* Show that you are not scared or embarrassed to hear personal information – victims will not want to tell someone who looks as though they don’t want to hear

1. **Practice**
2. **Initial Contact**

When a contact is received that indicates that domestic abuse or violence has occurred the MASH team will use the **Barnardos Domestic Violence Risk Identification Matrix (DVRIM – see Appendix 1)** to assess the level of risk, the safety factors present and the impact on the child to make a decision as to whether there is a need for statutory intervention under either S17 or S47.

1. **Assessment**

If a referral progresses to an assessment under s17, s47 or an Early Help assessment, a **DASH RIC (also known as either the Safe Lives DASH or CAADA DASH, see Appendix 2)**

The impact on and the safety of the child should be the central concern of the assessment and the child’s voice needs to be heard strongly throughout the assessment process.

Any immediate safety planning must be undertaken and a referral made to MARAC should the **DASH** produce a scoring of 14+ , or if there are significant repeat incidents or professional judgment is that criteria are met (referral process available here: <http://www.cambsdasv.org.uk/website/referral_forms/296136> ).

1. **Ongoing work with families and with children**

A major source of guidance for work with families is the **Against Abuse and Violence (AVA) Complicated Matters** book – <http://www.cambsdasv.org.uk/website/toolkits/171483> ). There also follows questions to ask, the impact that DA can have on a family for assessment purposes, and signs that things are improving.

The following questions can be useful for professionals to help adults gain a greater understanding of the impact of domestic abuse for their children:-

* How do you think … (child) would describe life at home?
* What changes do you think … (child) would like to happen?
* Are you worried about your children (or someone else in your family or household)?
* Has … (the perpetrator) threatened to hurt your child?
* Has … (the child) seen or overheard the yelling/violence?
* What is the reaction of … (child) when … (perpetrator) has been violent to you?
* How is this affecting your children?
* Is … (the child) afraid to leave you alone?

The impact on children living in households where there is domestic abuse can include:

* Being denied a safe and supportive environment in which to grow and develop
* Hearing on-going verbal and/or emotional abuse and witnessing the degradation and isolation of the non-abusing parent
* Being physically, verbally or emotionally abused when they attempt to intervene in the violence
* Being denied extended family, peer and broader social support and connection as a result of social isolation imposed on them by the perpetrator
* Being denied the physical care and emotional support necessary for their wellbeing when the non-abusing parent is neither physically nor emotionally able to care for them
* Assuming a parental role over younger siblings when the non-abusing parent is neither physically nor emotionally able to care for them
* Protecting siblings from harm during explosive outbursts
* Feeling responsible for the violence or blaming siblings or the non-abusing parent
* Being pressured to maintain a family secret
* Being subjected to death threats towards themselves, their siblings or the non-abusing parent.
* High levels of anxiety and fear about their own and/or the non-abusing parent’s safety feelings of shame, guilt, self-blame, anger about what is happening in the family behaviours of withdrawal and hostility towards parents or others for the on-going violence
* A sense of loss and grief in losing the family or their father/mother at separation
* High levels of compliance
* Feelings of hopelessness and despair that the violence will not end
* Risks of forming similar personal relationships

Things will have improved when:

* The victim and children, when interviewed separately, report feeling safer
* The victim has knowledge of and access to relevant support services, information, and safety options
* The victim and the abuser understand the effects of domestic abuse on their children
* The victim of domestic abuse has a primary connection to a community service provider who will have ongoing contact with him or her and the children
* The children and victim have safety plans. The protective parent demonstrates what they will do should domestic abuse resume
* All agencies are in agreement that the risk of harm has been lowered for the victim and children
* Domestic abuse intervention programmes, criminal and civil courts, probation and other community service providers will continue to monitor and respond with immediate sanctions to any new violent behavior by the abuser
* The perpetrator has access to and engages with intervention programmes and support services

1. **Adolescent to Parent Violence and Abuse (APVA)**

There is currently no legal definition of adolescent to parent violence and abuse. However, it is increasingly recognised as a form of domestic violence and abuse and, depending on the age of the child, it may fall under the government’s official definition of domestic violence and abuse. Further practice guidance and factors to consider are located under Appendix 9 and also located here: <http://safelives.org.uk/sites/default/files/resources/HO%20Information%20APVA.pdf>

1. **High Risk Victims – Multi Agency Risk Assessment Conference (MARAC)**

MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of the local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sector. After sharing all relevant information they have about a victim/children, the representatives discuss options for increasing the safety of the victim and turn these into a coordinated action plan. The primary focus of the MARAC is to safeguard the adult victim, and safeguarding implications for any children are also considered. The MARAC will therefore liaise directly with children safeguarding representatives and where possible manage the behaviour of the perpetrator. At the heart of the MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is represented by an IDVA who speaks on their behalf.

In Cambridgeshire, there is a daily MARAC meeting held in the MASH which will be responsible for putting in place immediate safety planning in high risk cases that are reported. There will also be a weekly face to face MARAC Plus meeting for those high risk complex cases that require full information sharing and discussion. All social workers who have a case heard at MARAC should attend to provide information and be involved in the safety planning. You should complete any actions requested and provide an update an update to the Childrens Services MARAC representative.

A MARAC flag should be recorded on ICS and a case note should indicate that case has been heard and what actions were required. MARAC co-ordinators will, where possible, contact the allocated social worker when an open case has been referred to MARAC. Also, be aware of the strict confidentiality surrounding MARAC, and refer to the guidance for more details.

1. **Legal Options and Sanctions**
2. **Domestic abuse disclosure scheme (Clare’s Law)**

There are two parts to the Domestic Abuse Disclosure scheme; a) right to ask and b) right to know. The scheme provides a formal mechanism that allows police to share information with an individual, or close family member or friend, about their partner’s record of abusive offences. The scheme aims to enable potential victims to make an informed choice on whether to continue the relationship, and provides help and support to assist the potential victim when making that informed choice.

Right to Ask – Members of the public can make enquiries about an individual who they are in a relationship with or who is in a relationship with someone they know, and there is a concern that the individual may be abusive towards their partner. If police records show that an individual may be at risk of domestic abuse and violence from a partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

Who can ask for a disclosure?

* Anyone can make an application about an individual who is in an intimate relationship with another person and where there is a concern that the individual may harm the other person
* Any concerned third party, such as a parent, neighbour or friend can make an application not just the potential victim; however,
* A third party making the application would not necessarily receive the information about the individual concerned. It may be more appropriate for someone else to receive the information such as the victim or another person who is best placed to protect the potential victim

How to make an application?

* Visit a local police station
* Phone 101, the non-emergency number for police
* Speak to a member of the police whilst out in the community

If someone believes there is an immediate risk or harm to someone, or it is an emergency, always call 999.

**Right to Know**: - If police checks show that the individual has a record of abusive offences, or there is other information to indicate the person they know is at risk, the police will consider sharing this information with the person(s) best placed to protect the potential victim. The decision to disclose information when you have not asked for a disclosure will be made by the multi-agency meeting (described above), and the disclosure will only be made if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

Further information about Clare’s Law can be found here: <http://www.cambs.police.uk/GetCloser/DomesticAbuse/ClaresLaw.asp>

1. **Domestic Violence Protection Notices & Orders**

A Domestic Violence Protection Notice (DVPN) is the initial notice issued by the police to provide emergency protection to an individual believed to be the victim of domestic violence. The notice contains prohibitions that effectively bar the suspected perpetrator from returning to the victim’s home or otherwise contacting the victim.

A DVPN may be issued to a person aged 18 years and over if the police have reasonable grounds for believing that:

*The individual has been violent towards*

**Or**

*Has threatened violence towards an associated person, and The DVPN is necessary to protect that person from violence or a threat of violence by the intended recipient of the DVPN*

The associated person mentioned above does not have to consent to the issuing of a DVPN or Domestic Violence Protection Order (DVPO).

Following an alleged breach of the DVPN, the police may arrest the individual without warrant and hold that person in custody pending the magistrates’ court hearing of the DVPO application; this hearing must take place within 24 hours of the arrest for the alleged DVPN breach.

Within 48 hours of the DVPN being issued (excluding weekends and bank holidays), the police must submit an application to the magistrates’ court for the DVPO. The Magistrates can make a DVPO if two conditions are met:-

* The court is satisfied on the balance of probabilities that the recipient has been violent towards, or has threatened violence towards, an associated person
* The court thinks that making the DVPO is necessary to protect that person from violence or a threat of violence by the recipient

A DVPO may be in force for no fewer than 14 days beginning on the day on which it was made and no more than 28 days.

DVPO are a new power that fills a gap in providing protection to victims by enabling the police and magistrates to put in place protection in the immediate aftermath of a domestic violence incident.

With DVPOs, a perpetrator can be banned with immediate effect from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim time to consider their options and get the support they need.

It is imperative that any DVPN / DVPO served / secured needs to be shared with relevant partners, including with the Registered Social Landlord (RSL), so that they can pursue further protection in the intervening period and prior to the DVPO expiring.

1. **Family Law Injunctions**

Injunctions are court orders which require someone to do, or not to do, a certain act. The common areas in which injunctions are applied for is when a relationship has broken down and one party is harassing, threatening or assaulting the other. There are two main types of injunctions available under Part IV of the Family Law Act 1996:-

* A non-molestation order
* An occupation order

Police Officers have direct access to the National Centre for Domestic Violence ASSIST database which provides immediate access to all Non-Molestation Orders, Occupation Orders and Domestic Violence Protection Orders. This service helps Police Officers obtain original court papers.

**What is a non-molestation order?**

This is an order to stop the person who is the abuser from molesting the victim or their children. Molesting means harassing, pestering or interfering with the victim or their children and also includes assault. ‘Assault’ can mean pushing, punching, slapping, throwing objects, spitting, etc. The order can also extend to cover anyone else who the abuser may tell to molest, harass, pester or be violent towards the victim or their children.

A breach of a non-molestation order is now a criminal offence; however, a victim can also take the case back to the civil court if the order is broken if they prefer to do so. There may be a power of arrest attached. Powers of arrest may also be attached to an occupation order. These powers come into effect if the abuser breaks the order (see below, Powers of arrest).

**What is an occupation order?**

An occupation orderregulates who can live in the family home, and can also restrict an abuser from entering the surrounding area. Where a victim does not feel safe continuing to live with their abuser, or has had to leave home because of violence, but wants to return to their home and exclude their abuser then an occupation order can be used to help them to do this. The court will apply a ‘balance of harm’ test when deciding whether to make the order. When making an occupation order, the court may make other related orders imposing obligations on the victim or the abuser (for example, relating to repair and maintenance of the home, or to payment of rent or mortgage).

An occupation order can include the following outcomes:-

* Allow the victim to remain in the home if the abuser is trying to get them out
* Allow the victim back into the home if the abuser has already thrown them out or is preventing them from going back into the home
* Exclude the abuser from all or part of the home
* Impose a set of rules about living in the home
* State that the victim and abuser must live in separate parts of the home
* Exclude the abuser from coming within a certain distance of your home
* Order the abuser to leave the home or a part of it
* If the victim does not own the property and has not paid towards the cost of the property the victim can obtain an order which says that they are still entitled to live in the property because they have ‘matrimonial rights’. There is also an order that this right will not end if the abusive partner dies or there is a divorce. However, the abuser can apply to the court to try and end the victim’s ‘matrimonial rights’ or restrict them

**How long does an injunction last for?**

Injunctions are normally for a specified period of time but can be renewed; or they may be made ‘until further order’. There is no limit on the length of time that non-molestation orders can be extended for. Occupation orders can only be extended beyond 12 months if you have a legal right to stay in the home (i.e. as owner or co-owner, or tenant/joint tenant, or because you are or have been married to the owner/tenant). Occupation orders are usually only for a short period of time therefore legal advice needs to be sought if a joint tenancy exists between the victim and the perpetrator.

**Who is eligible to apply for an injunction?**

In order for someone to apply for one of these orders they must be what is referred to as an ‘associated person’. This means the victim and abuser must be related or associated with each other in one of the following ways:-

* They are or have been married to each other
* They are or have been in a civil partnership with each other
* They are cohabitants or former cohabitants (including same sex couples)
* They live or have lived in the same household
* They are relatives
* They have formally agreed to marry each other (even if that agreement has now ended)
* They have a child together (this can include those who are parents of the same child, and those who have parental responsibility for the same child)
* Although not living together, they are in an ‘intimate relationship of significant duration’
* They are both involved in the same family proceedings (e.g. Divorce or child contact)

**What is a Power of Arrest?**

This can be attached to an injunction and will give the police power to arrest the abuser if he or she breaks the order. To obtain a power of arrest you need to show that violence has been used against the victim or has been threatened and this is likely to happen again.

**Restraining Orders**

Legislation also allows for a restraining order to be attached when criminal proceedings have been taken – even if the conviction has not been upheld – if the court believes that the victim is likely to be at risk. Restraining orders can provide the same protection as injunctions under the civil law but may be more effective as they carry stronger penalties. Taking action under the criminal law, coupled with restraining orders, may help the victim to avoid the cost of taking, what can be expensive, civil legal action if they do not also need to apply for an injunction to exclude the abuser from their home.

The Protection from Harassment Act (1997) makes harassment a criminal and civil offence and gives the police more powers to arrest and charge a person who is harassing someone, and can be used instead of ‘Common Law Injunctions’. Harassment includes, nuisance phone calls, stalking, threats, excessive noise etc. Basically any behaviour which causes the victim ‘alarm’ or ‘distress’. The harassment has to have happened more than once to use this Act. In the case of stalking the victim must show that the behaviour caused them to believe that the person was likely to use violence on them. The Act can also be used to prevent harassing behaviour by neighbours, protesters, family members, the media etc.

If there is evidence of harassment the police have powers to arrest suspected offenders, charge them and take them to either the Magistrates Court or the Crown Court. If they are found guilty in the Magistrates Court they can be sentenced to up to 6 months in prison and/or up to a £5,000 fine as well as an order preventing them from further harassment. In the Crown Court they can be sentenced to up to five years in prison or an unlimited fine as well as an order preventing them from further harassment.

**Common Law Injunction**

Unmarried couples not living together, neighbours, relatives, friends or acquaintances – can also apply for a ‘Common Law Injunction’. These are sometimes called ‘Assault and Trespass Injunctions’.

These injunctions will stop somebody coming onto the victim’s property without their permission or assaulting them. Specifically these orders can enable the victim to:-

* Stop the person from assaulting or harassing them. The harassment must be serious to the point that it interferes with their mental or physical health. The harassment must also be intentional. Repeated phone calls can amount to harassment
* Stop the person from trespassing on their property. The victim must show they have an interest in the property, for example own it or be a tenant
* Stop the person from causing a nuisance
* Stop the person interfering with your possessions
* More recently the courts have also allowed orders to exclude abusers from coming within a certain distance of the applicant’s home or place of work

You cannot get a power of arrest with this type of injunction or an order to force somebody who is living in the home (such as a relative) to leave, if they have a right to be there. If the abuser breaks the injunction the victim will need to go back to court to get an order to send them to prison.

**Anti-harassment Injunctions**

If the victim is not eligible to apply for an order under the Family Law Act, or if they are being continually harassed, threatened, pestered or stalked by a stranger, acquaintance, or after a relationship has ended, a civil injunction can be applied for under the Protection from Harassment Act (1997).

1. **Housing Injunctions – Registered Social Landlords (RSL)**

Registered Social Landlords (RSLs) are able to support their tenants who are suffering from domestic abuse and violence via housing specific injunctions.

* *Section 153A Injunction (non-tenant) -*Behaviour capable of causing a nuisance or annoyance which directly or indirectly affects an RSL’s housing management function. Proceedings can be issued against persons aged 18 years or older and a power of arrest or exclusion order can be attached whereby the behaviour involves the use or threatened use of violence or there is a significant risk of harm.
* *Section 153D Injunction (breach of tenancy) -*Any breach of tenancy agreement including acting, allowing, inciting, permitting visitors, children occupants or lodgers to act in a manner capable of causing a nuisance or annoyance. Also any other breaches of tenancy agreement e.g. property condition, unkempt gardens etc. A power of arrest can be attached if the complaint involves the use or threatened use of violence or there is a significant risk of harm.

1. **Criminal prosecution under the Mental Capacity Act 2005, Section 44**

The Mental Capacity Act introduced a new criminal offence of ill-treatment or wilful neglect of a person who lacks capacity.

1. **Criminal prosecution under the Domestic Violence, Crime and Victims (Amendment) Act 2012**

This act extends the offence of causing or allowing the death of a child or vulnerable adult, to causing or allowing serious physical harm, like inflicting brain damage or broken bones. See Ministry of Justice Circular No. 2012/03.

1. **Recognition of Coercive Control as a criminal offence: Section 76, Serious Crime Act 2015**

From 29th December 2015 Coercive or controlling domestic abuse became a crime punishable by up to five years in prison, even if it stops short of physical violence. The new legislation will enable the Crown Prosecution Service (CPS) to bring charges where there is evidence of repeated, or continuous, controlling or coercive behaviour within an intimate or family relationship. This can include: a pattern of threats, humiliation and intimidation, or behaviour such as stopping a partner socialising, controlling their social media accounts, surveillance through apps or dictating what they wear.

# Local and National Resources

1. **LOCALLY**

Cambridgeshire is a key partner in the local Domestic Abuse and Sexual Violence Partnership (**Cambs DASV** : <http://www.cambsdasv.org.uk/website/the_dasv_partnership/84035> ). On the website you can access information about the local offer and links to resources which include:

* Refuge places
* Specialist DASV services
* Independent Domestic Violence Advisory Service (IDVAs)
* Young Persons IDVA
* Independent Sexual Violence Advisor Service (ISVAs)
* Tools including the AVA Complicated Matters toolkit
* E-learning
* Referral forms, here, <http://www.cambsdasv.org.uk/website/referral_forms/296136>

which include:

* + MARAC referral form including the DASH checklist;
  + YP IDVA referral
  + ISVA referral
  + The DVRIM
* The DASV have produced some films to help explain MARAC, the role of the IDVA, etc, all available here: <https://www.youtube.com/watch?v=lscFCuCzrxQ>

Within Children’s Services, an Early Help Assessment should be completed for lower-level concerns, and Early Help colleagues are trained to use the AVA/Complicated Matters toolkit.

Safety plans must be developed with children and young people, and must identify a safe person or a ‘go-to’ person that the child will contact if abuse is happening in the household. A guide Safety plan for CYP is attached at Appendix 8. This needs to be recorded and the Safe person needs to be identified on the Family Plan.

Internal procedures and other guidance are available online here: <http://cambridgeshirecin.proceduresonline.com/chapters/p_dom_viol_abuse.html>

# Children’s Services mandatory DV training pathway is clearly defined, and is available here, along with the booking system: <https://www.cambslearntogether.co.uk/social-care-development-1/learning-and-development-children/-s/learning-and-development-childrens/>

# There are also resources available on CCINform here: <https://www.ccinform.co.uk/knowledge-hubs/domestic-abuse-knowledge-and-practice-hub/>

1. **NATIONALLY**

A great deal of information, contacts and up to date polices and national guidance is available at the .gov.uk domestic violence website linked here: <https://www.gov.uk/guidance/domestic-violence-and-abuse>

**Women’s Aid**

Women's Aid is the key national charity working to end domestic violence against women and children. It offers a range of services including advice, information, support, training, development and empowerment opportunities for women and children. Contact: - 0808 2000 247, [helpline@womensaid.org.uk](mailto:helpline@womensaid.org.uk), Women's Aid, PO Box Bristol 391, BS99 7WS

**Refuge**

Refuge provides a range of services for abused women and children to regain control of their lives and move forwards in a positive way. Contact: 0808 2000 247

**SAFE LIVES – Co-ordinated Response Against Domestic Abuse**

Safe Lives provides practical help to support professionals and organisations working with domestic abuse victims. Safe Lives supports and develops the work of Multi-Agency Risk Assessment Conferences and IDVAs link here: [www.safelives.org.uk](http://www.safelives.org.uk)

**NCDV - National Centre for Domestic Violence**

The National Centre for Domestic Violence (NCDV) provides a free, fast emergency injunction service to survivors of domestic abuse regardless of their financial circumstances, race, gender or sexual orientation. Their service allows anyone to apply for an injunction within 24 hours of first contact (in most circumstances). It works in close partnership with the police, local firms of solicitors and other support agencies (Refuge, Women’s Aid etc) to help survivors obtain speedy protection. Contact: - 0844 8044 999 Option 1, [office@ncdv.org.uk](mailto:office@ncdv.org.uk), 5 Riverview, Walnut Tree Close, Guildford GU1 4UX

**SUPPORT FOR LESBIAN, GAY, BISEXUAL AND TRANSGENDER COMMUNITIES**

**Broken Rainbow**

BROKEN RAINBOW UK is the only National LGBT Domestic Violence Helpline providing confidential support to all members of the Lesbian, Gay, Bisexual andTrans (LGBT) communities, their family and friends, and agencies supporting them. The confidential helpline service is run by trained LGBT people who have an understanding of sexual identity issues along with the impact domestic violence can have on this. Contact: - 0300 999 5428 – Monday and Thursday 10am-8pm, Tuesday and Wednesday 10am-5pm, [help@brokenrainbow.org.uk](mailto:help@brokenrainbow.org.uk)

**Stonewall**

Stonewall is a Lesbian, Gay and Bisexual Charity and campaigns on behalf of the LGBT communities. Contact: - 0800 050 2020, [info@stonewall.org.uk](mailto:info@stonewall.org.uk), [www.stonewall.org.uk](http://www.stonewall.org.uk), Tower Building, York Road, London, SE1 7NX

Bottom of Form

**Safra Project**

Working on issues relating to lesbian, bisexual, transgender and questioning women who identify as Muslim. Issues covered include gender, sexuality and Islam, mental health, isolation, domestic violence, forced marriage, asylum and other social welfare issues. Contact: - 07941 659 320, [info@safraproject.org](mailto:info@safraproject.org), [www.safraproject.org](http://www.safraproject.org), 87a Corbyn Street, London, N4 3BY

**SUPPORT FOR THE DISABLED**

**Women’s Aid ‘The Survivor’s Handbook’**

A number of domestic violence organisations now do provide for a range of services for people with disabilities. Many have outreach services or independent advocacy services which can help. Many refuges now have full wheelchair access, and workers who can assist women and children who have special needs such as hearing or visual impairments, and some Women's Aid organisations offer BSL interpreters.

Contact: - 0808 2000 247

**Scope Dial UK**

The DIAL network is an independent network of local disability information and advice services run by and for disabled people. Contact: - 0808 800 33 33**,** [response@scope.org.uk](mailto:response@scope.org.uk)

**Royal National Institute for the Blind (RNIB)**

Information and support for anyone with visual impairment and sight problems. Contact: - 0845 766 9000, Monday to Friday 9am - 5pm, [helpline@rnib.org.uk](mailto:helpline@rnib.org.uk). [www.rnib.org.uk](http://www.rnib.org.uk)

**BLACK AND MINORITY ETHNIC COMMUNITIES**

**Saheli Asian Women’s Project**

Saheli provides advice, information and support services to Asian women and their children fleeing Domestic Abuse and Forced Marriages. All Staff speak English, Urdu, Punjabi and Hindi.

Contact: - 0161 945 4187, [saheliltd@btconnect.com](mailto:saheliltd@btconnect.com), [www.saheli.org.uk](http://www.saheli.org.uk)

**Southall Black Sisters**

This is a resource centre mainly for Asian, African and Afro-Caribbean women. It provides advice and information on domestic violence, racial harassment, welfare and immigration rights, and matrimonial rights. Contact: - 0208 571 9595, [sbs@leonet.co.uk](mailto:sbs@leonet.co.uk), [www.southallblacksisters.org.uk](http://www.southallblacksisters.org.uk)

**Aanchal**

Helpline for Asian women experiencing domestic violence, languages spoken include Bengali, Hindi, Punjabi, Gujurati, Tamil and Urdu.

Contact: - 08454 512 547, 7 day, 24 hours

**Asylum Aid**

Gives free legal advice to asylum seekers and runs the Women's Resource Project.

Contact: - 0207 3549 264 or 0207 3549 631.

**Joint Council for the Welfare of Immigrants**

For information on immigration and asylum matters

Contact: - 020 7251 8706, Tuesday and Thursday 2pm - 5pm, [info@jcwi.org.uk](mailto:info@jcwi.org.uk), [www.jcwi.org.uk](http://www.jcwi.org.uk)

**The Refugee Council**

The Refugee Council provides advice and assistance to asylum seekers and refugees. Contact: - 020 7346 6777, open Mondays, Tuesdays, Thursdays, Fridays 10am – 1pm and 2 – 4pm, Wednesdays 2-4pm, [info@refugeecouncil.org.uk](mailto:info@refugeecouncil.org.uk), [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)

**National Asylum Support Service (NASS)**

Offers housing and financial support if you have made an application for asylum or on human rights grounds. Contact: - 0845 602 1739, <http://www.asylumsupport.info/nass.htm>, [www.asylumsupport.info](http://www.asylumsupport.info) To obtain NASS support, you will need to go to the Refugee Council One Stop Service in your area (check your phone book for your local number, call 020 7346 6700 or visit their website [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk/)

**Immigration Advisory Service**

An independent non-governmental organisation giving free and confidential legal advice and representation on immigration issues. It provides offices throughout the UK, and its website offers information on relevant legislation, and contact numbers and opening times for local offices.

Contact: - 0207 967 1200, Monday through Friday 9am - 6pm. Message phone outside office hours 0207 378 9191, [ukadvice@ias.org](mailto:ukadvice@ias.org), [www.iasuk.org](http://www.iasuk.org)

**Iranian and Kurdish Women’s Rights Organisation (IKWRO)**

IKWRO is a registered charity which provides advice and support to Middle Eastern and Afghan women and girls living in the UK who are facing Forced Marriage, Child Marriage, “Honour” Based Violence, Female Genital Mutilation and Domestic Violence. They offer advice in Farsi, Dari, Kurdish, Arabic, Turkish, Pashto and English and run a free [counselling](http://ikwro.org.uk/need-help-now/counselling/) service in Farsi, Kurdish, Arabic and English. Contact: - [www.ikwro.org.uk](http://www.ikwro.org.uk)

**FORCED MARRIAGE**

**14.54 Forced Marriage Unit**

Forced Marriage Unit offers specialist advice and guidance on this issue.

Contact: - 020 7008 0151, [fmu@fco.gov.uk](mailto:fmu@fco.gov.uk), [www.gov.uk/forcded-marriage](http://www.gov.uk/forcded-marriage)

**Karma Nirvana**

Karma Nirvana are a national registered charity providing advice and support to South Asian men, women and their children who are survivors of forced marriage and 'honour' based violence, and also provide the Honour Network helpline.

Contact: - 0800 5999 247 between 9:30am to 5:00pm Monday to Friday. There is an out of hours answer phone facility, [info@karmanirvana.org.uk](mailto:info@karmanirvana.org.uk) , [www.karmanirvana.org.uk](http://www.karmanirvana.org.uk) , PO Box 148, Leeds, LS13 9DB

**NSPCC**

Has separate child protection helplines in a variety of Asian languages.

Contact: - Bengali 0800 096 7714, Gujurati 0800 096 7715, Hindi 0800 096 7716, Punjabi 0800 096 7717, Urdu 0800 096 7718, [www.nspcc.org.uk](http://www.nspcc.org.uk)

**ADOLESCENT TO PARENT VIOLENCE AND ABUSE**

**Alternative Restoratives**

A practitioner-run resource which aims to raise awareness about parent abuse and highlight restorative approaches to intervention.

<http://www.alternativerestoratives.co.uk/about.htm>

**Partnership Projects**

A practitioner-run resource providing information and training in NVR for practitioners who wish to work with families with adolescents who behaving aggressively.

<http://www.partnershipprojectsuk.com/>

**RESPECT**

A membership association for domestic violence and abuse prevention programmes and integrated support services; the Young Peoples Services is a sub-site of which offers regular conferences and training for practitioners who are working with young people who use violence in close relationships (including against parents)

<http://www.respect.uk.net/pages/young-peoples-services.html>

Tel: 020 7549 0578

**SERVICES FOR PERPETRATORS OF DOMESTIC ABUSE**

**Respect**

Respect offers a Confidential helpline offering advice, information and support to help perpetrators stop being violent and abusive to their partner. Respect also provides information on [domestic violence perpetrator programmes](http://www.respect.uk.net/pages/domestic-violence-perpetrator-programmes.html) as well as advice on working safely with perpetrators.

Contact: - **0808 802 4040** Monday-Friday **9am-5pm**, [info@respectphoneline.org.uk](mailto:info@respectphoneline.org.uk)

[www.respectphoneline.org.uk](http://www.respectphoneline.org.uk)

**APPENDIX 1**

**Barnardos Multi Agency Domestic Violence Risk Identification Threshold Scales and User Guidance (DVRIM)**

The risk identification matrix is a tool to assist staff to use the available information to come to a judgement about the risk of harm to a child. **This may include deciding that the available information is not enough to form a sound judgement about risk**.

The risk identification matrix not only identifies the level of risk to children but also the risk to the non- abusing parent as it includes risk factors contained in the adult domestic violence risk assessment tool – DASH RIC and includes the protective and vulnerability factors in the child’s situation.

**Structure of DVRIM**

There are four scales indicating the level of risk to the child which will direct the level of assessment required to safeguard them. The scale headings at the top of each section indicate the degree of seriousness of each cluster of incidents/circumstances (eg: scale 1 – moderate risk of harm). Each scale has categories for professionals to think through whether the information is about:

* Evidence of domestic abuse or violence
* Characteristics of the child or situation which are additional “risk factors or potential vulnerabilities”
* Characteristics of the child or situation which are “protective factors”

**Professionals should keep in mind that protective factors may help to mitigate risk factors and potential vulnerabilities.**

Staff should tick **Y** if known to be present, **N** if not and **S** if it is suspected. A DVRIM should be completed for each individual child within the family as the risk factors, potential vulnerabilities and protective factors that exist are likely to differ for each child.

**Factors which increase vulnerability/risk**

Age of the child

Child has special needs

Non abusing parent is a Vulnerable Adult

Family is from a Black or Minority Ethnic community

Adult Mental Health issues or Substance Misuse

Staff need to be aware of the difference between a child’s resilient factors and a coping strategy.

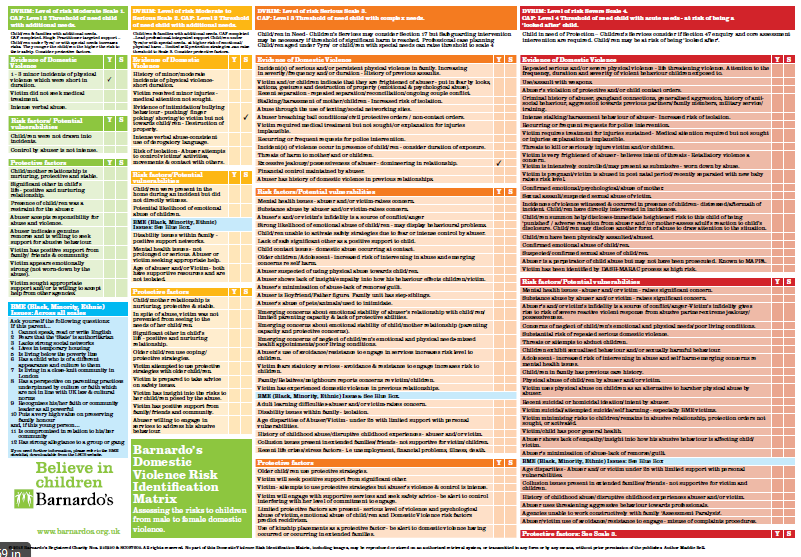
When completed the DVRIM should clarify the level of intervention required and action needed to reduce/mitigate risks to the child(ren).

**A DVRIM should be completed in the following circumstances:**

* When a contact concerning domestic abuse/suspected domestic abuse or violence is received to assess threshold for intervention

It is also an expectation that it will be used alongside the **DASH RIC** in the following situations:

* At the end of a Single Assessment to support decision for ongoing intervention, step down or closure
* Every 3 months as part of ongoing CiN /CP intervention
* At the end of a period of intervention before case is closed to Childrens Services



**Appendix 2**

**DASH RIC (also known as the Safe Lives DASH or CAADA DASH) and MARAC referral form**

The purpose of the **RIC** is to give a consistent and simple tool for practitioners who work with adult victims of domestic abuse in order to help them identify those who are at high risk of harm and whose cases should be referred to a MARAC meeting in order to manage their risk. It should be completed when a case meets threshold for statutory intervention either under S17 or S47 (Scale 3 and Scale 4 on DVRIM). Please note that there is also guidance for completion here: <http://www.cambsdasv.org.uk/website/referral_forms/296136>

**Aim of the form:**

• To help front line practitioners identify high risk cases of domestic abuse, stalking and „honour‟-based violence.

• To decide which cases should be referred to MARAC and what other support might be required. A completed form becomes an active record that can be referred to in future for case management.

• To offer a common tool to agencies that are part of the MARAC process and provide a shared understanding of risk in relation to domestic abuse, stalking and „honour‟-based violence.

• To enable agencies to make defensible decisions based on the evidence from extensive research of cases, including domestic homicides and „near misses‟, which underpins most recognised models of risk assessment.

**Before you begin to ask the questions in the RIC**:

• Establish how much time the victim has to talk to you? Is it safe to talk now? What are safe contact details?

• Establish the whereabouts of the perpetrator and children;

• Explain why you are asking these questions and how it relates to the MARAC.

**Whilst you are asking the questions in the RIC**:

• Identify early on who the victim is frightened of – ex-partner/partner/family member • Use gender neutral terms such as partner/ex-partner. By creating a safe, accessible environment LGBT victims accessing the service will feel able to disclose both domestic abuse and their sexual orientation or gender identity.

**Revealing the results of the RIC to the victim:**

Telling someone that they are at high risk of serious harm or homicide may be frightening and overwhelming for them to hear. It is important that you state what your concerns are by using the answers they gave to you and your professional judgement. Equally, identifying that someone is not currently high risk needs to be managed carefully to ensure that the person does not feel that their situation is being minimised and that they do not feel embarrassed about asking for help. Explain that the factors are linked to homicide and serious harm and that if s/he experiences any in the future, that they should get back in touch with your service or with the emergency services on 999 in an immediate crisis.

Please pay particular attention to professional judgement in all cases. The results from a checklist are not a definitive assessment of risk. They should however provide you with a structure to inform your judgement and act as prompts to further questioning, analysis and risk management whether via a MARAC or in another way.

The referral process and DASH RIC is also available online here: <http://www.cambsdasv.org.uk/website/referral_forms/296136>

|  |  |  |
| --- | --- | --- |
| **Current situation**  The context and detail of what is happening is very important. The questions highlighted in bold are high risk factors. Tick the relevant box and **add comment** where necessary to expand. | Yes  **☑** | No  **☑** |
| 1. Has the current incident resulted in injury? (please state what and whether this is the first injury) |  |  |
| **2. Are you very frightened?**  Comment: |  |  |
| 3. What are you afraid of? Is it further injury or violence? (Please give an indication of what you think (name of abuser(s)….. might do and to whom)    Kill: Self 🞎 Children 🞎 Other (please specify) 🞎    Further injury and violence: Self 🞎 Children 🞎 Other (please specify) 🞎  Other (please clarify): Self 🞎 Children 🞎 Other (please specify) 🞎 |  |  |
| **4. Do you feel isolated from family/ friends i.e. does (name of abuser(s)…..) try to stop you from seeing friends/family/Dr or others?** |  |  |
| 5. Are you feeling depressed or having suicidal thoughts? |  |  |
| **6. Have you separated or tried to separate from (name of abuser(s)….) within the past year?** |  |  |
| **7. Is there conflict over child contact?** (please state what) |  |  |
| **8. Does (…..) constantly text, call, contact, follow, stalk or harass you?** (Please expand to identify what and whether you believe that this is done deliberately to intimidate you? Consider the context and behaviour of what is being done) |  |  |
| **Children/Dependents** (If no children/dependants, please go to the next section) | Yes | No |
| **9. Are you currently pregnant or have you recently had a baby (in the past 18 months)?** |  |  |
| 10. Are there any children, step-children that aren’t (…..) in the household? Or are there other dependants in the household (i.e. older relative)? |  |  |
| **11. Has (…..) ever hurt the children/dependants?** |  |  |
| 12. Has (…..) ever threatened to hurt or kill the children/dependants? |  |  |
| **Domestic Violence History** | Yes | No |
| **13. Is the abuse happening more often?** |  |  |
| **14. Is the abuse getting worse?** |  |  |
| **15. Does (…….) try to control everything you do and/or are they excessively jealous?** (In terms of relationships, who you see, being ‘policed at home’, telling you what to wear for example. Consider honour based violence and stalking and specify the behaviour) |  |  |
| **16. Has (…..) ever used weapons or objects to hurt you?** |  |  |
| **17. Has (…..) ever threatened to kill you or someone else and you believed them?** |  |  |
| **18. Has (…..) ever attempted to strangle/choke/suffocate/drown you?** |  |  |
| **19. Does (….) do or say things of a sexual nature that makes you feel bad or that physically hurt you or someone else?** (Please specify who and what) |  |  |
| 1. **Is there any other person that has threatened you or that you are afraid of?** (If yes, consider extended family if honour based violence. Please specify who) |  |  |
| 1. Do you know if (…..) has hurt anyone else ? (children/siblings/elderly relative/stranger, for example. Consider HBV. Please specify who and what)   Children 🞎 Another family member 🞎 Someone from a previous relationship 🞎 Other (please specify) 🞎 |  |  |
| 22. Has (…..) ever mistreated an animal or the family pet? |  |  |
| **Abuser(s)** | Yes | No |
| 23. Are there any financial issues? For example, are you dependent on (…..) for money/have they recently lost their job/other financial issues? |  |  |
| **24. Has (…..) had problems in the past year with drugs (prescription or other), alcohol or mental health leading to problems in leading a normal life?** (Please specify what)  Drugs 🞎 Alcohol 🞎 Mental Health 🞎 |  |  |
| **25. Has (…..) ever threatened or attempted suicide?** |  |  |
| 26. Has (…..) ever breached bail/an injunction and/or any agreement for when they can see you and/or the children? (Please specify what)  Bail conditions 🞎 Non Molestation/Occupation Order 🞎 Child Contact arrangements 🞎  Forced Marriage Protection Order 🞎 Other 🞎 |  |  |
| 27. Do you know if (……..) has ever been in trouble with the police or has a criminal history? (If yes, please specify)  DV 🞎 Sexual violence 🞎 Other violence 🞎 Other 🞎 |  |  |
| Other relevant information (from victim or officer) which may alter risk levels. Describe:(consider for example victim’s vulnerability - disability, mental health, alcohol/substance misuse and/or the abuser’s occupation/interests-does this give unique access to weapons i.e. ex-military, police, pest control) |  |  |
| Is there anything else you would like to add to this? |  |  |

In **all** cases an initial risk classification is required:

|  |  |  |  |
| --- | --- | --- | --- |
| **RISK TO VICTIM:** | | | |
| STANDARD | MEDIUM | HIGH | |
| Please note that some agencies will automatically refer a case to the MARAC if it scores 14 ticks or more. 14 ticks or more (on their 24 item checklist) is believed to be a rational starting point for case referral to MARAC. However, if you believe a case to be high risk and there are less than 14 ticks, please rely on your professional judgement and mark it as high risk.  Total Number of ticks: | |  |  |

##### Signature:……………………….

##### Date:………………

Score of 14 or above to be referred to MARAC

**Appendix 4**

**Domestic Abuse Tool- Questions to use with children**

**Assessing and Understanding the Child’s Experience**

|  |  |  |
| --- | --- | --- |
| **Types and frequency of exposure to domestic violence** | | |
| **What kind of things do mummy and daddy argue or fight about?** | **What happens when they argue or fight?** | **Do they shout at each other or call each other bad names?** |
| **Does anyone break or smash things when they get angry?** | **Do they hit one another? What do they hit with?** | **How often do your mummy and daddy argue or hit?** |
| **Have you ever seen your mummy or daddy get hurt?** | **Have the police ever come to your house?** | **How does the hitting usually start?** |
| **Risks posed by domestic violence** | | |
| **Have you ever been hit or hurt when mummy and daddy have been fighting?** | **Has your brother or sister ever been hurt?** | **Has either your mummy or your daddy ever hurt your pet?** |
| **Impact of exposure to domestic violence** | | |
| **Do you think about when you are at school etc ?** | **Do you think about mummy and daddy fighting a lot?** | **How does the fighting make you feel?** |
| **Why do you think they fight?** | **What would you like them to do to make it better at home?** | **How would you describe your mummy/daddy?** |
| **Protective factors** | | |
| **What do you do when they start fighting?** | **Have you ever called the police?** | **Have you ever talked to someone about what was happening?** |
| **Is there an adult that you can talk to about what is happening at home?** | **What makes you feel better when you think about your mummy and daddy fighting?** | **Do you have a mobile telephone that you could use in an emergency ?** |

**Appendix 5**

**Impact of Domestic Violence on Child Development**

|  |  |  |
| --- | --- | --- |
| Areas of  Development | Impacts of Domestic Violence | Warning Signs |
| Stage 1: The child from 0-2 years | | |
| Health | Foetal damage could result from physical violence against the mother - foetal fracture, brain injury, organ damage.  • Miscarriage  • Premature birth  • Low birth weight and still birth  Young children may suffer physical assault as part of the violence against a parent or be physically harmed or hit and be at risk of:  • Absorbing a dangerous/violent atmosphere  • Rough handling  • Disturbed sleep  • Witnessing/hearing domestic violence  • Being shouted at  • Having toys broken | * Depressed, withdrawn mother; * Signs of current or previous physical abuse of parent and baby; * The baby is jumpy, nervous and crying a lot; * The baby has sleep & * eating disturbances; * The baby is not responsive or cuddly. |
| Intellectual Development | Depressed parents have been shown to:  • Respond less frequently to their baby's cues  • Or modify their behaviour according to that of their infant  Some research suggests this can lead to delays in an infant's expressive language and ability to concentrate on and complete simple tasks. | * Poor language skills in the infant |
| Identity | The infant may develop identity problems if parents or carers call the child by different names or if they are highly critical of the child and show little warmth. | * Poor language skills in the infant. |
| Family and Social Relations | A parent whose depression is caused or compounded by living in an abusive environment may emotionally detach from the child | * Poor language skills in the infant. |
| Emotional and Behavioural Development | A baby will largely develop it’s emotions and behaviour from those who are caring for them.  • A depressed parent experiencing domestic violence may withdraw emotionally and this can be mirrored in the infant.  • Children as young as 18 months became upset and distressed during angry exchanges between parents. | * A baby who is withdrawn and difficult to engage in play or communication. |
| Areas of  Development | Impacts of Domestic Violence | Warning Signs |
| Stage 2: The child from 3 - 4 years | | |
| Health | A parent suffering from domestic violence may be limited in their capacity to protect their child from physical danger and provide a child with feelings of safety.  This may be demonstrated by a poor physical condition of the child:  • The child may appear unfed or unwashed and;  • Have marked development problems especially in language | * Poor physical neglected condition; * Signs of current or previous physical abuse of the child; * Poor language skills; * Sleep problems; * Delayed toileting; * Frequent visits to the GP and hospital. |
| Intellectual Development | The child may show a lack of interest in their environment and poor intellectual development.  • Children living in a violent environment may be too frightened to show inquisitive behaviour.  • Their attendance at pre- school facilities may be disrupted because an abused parent may wish to conceal the evidence of domestic violence | * Little awareness and/or understanding of their environment; * Problems relating to other children. |
| Identity | Children of this age often blame themselves for their parents' problems  Reports from abused parents suggest that infants who witness domestic violence try to protect their parent. Children may be harmed by trying to intervene. | * Little awareness and/or understanding of their environment; |
| Family and Social Relations | The child may experience:  • lnconsistent parenting  • Emotional unavailability  • Exposure to inappropriate carers and separation  This can cause children to become fearful or unnaturally vigilant believing they are in continual danger.  Children may develop inappropriate behaviour and insecure attachments through apathy and disinterest in their environment. Alternatively they may exhibit controlling behaviour, which can be accompanied by inner turmoil.  lnfants may cope with disturbing parental behaviour by appearing not to respond. These children may appear to be coping with the violence, but in reality they are likely to be trying to prevent further frightening responses from the parent. | * Overly aggressive and bullying behaviour of peers/siblings; * Controlling behaviour over siblings; * imitating inappropriate sexual behaviour; * Withdrawn from conversation and has difficultly expressing feelings. |
| Emotional and Behavioural Development | Research suggests that when children experience frightening parental behaviour they can demonstrate symptoms similar to post traumatic stress disorder.  This includes:   * Bed-wetting, * Sleep disturbance- nightmares * Rocking   Children who have witnessed and experienced domestic violence demonstrate significantly more behavioural problems than those who have only witnessed the abuse. Pre-school children can be at greater risk of emotional disturbance than older more articulate children because they are less able to communicate this verbally | * Behaving in a nervous or jumpy way. |
| Areas of  Development | Impacts of Domestic Violence | Warning Signs |
| Stage 3: The child from 5 - 9 years | | |
| Health | Children may be harmed in the course of:  • Defending one parent  • Physically intervening  • Calling police or other help  • Being asked to collude with the secrecy  • Living with the fear of serious injury or desertion by one or both parents  There is an increased risk of:  • Physical injury  • Extreme anxiety, fear.  This brings an increased risk of medical problems including:  • lnjuries  • Convulsive disorders  • lncreased frequency of hospitalisation.  Children can also show other health related issues which may include:  • Stomach pains, headaches, asthma, allergies  • Disturbed sleep patterns.  Children's ill health may go unrecognised because of:  • School absenteeism  • As a result of parenting problems  • May mean school medicals are missed. | Frequent visits to the GP and hospital;  • Bed wetting;  • Depressed, withdrawn behaviour;  • High level of school absenteeism. |
| Education | Some research suggests that children of this age, from a violent home can display a gender split in their cognitive development.  • Boys display aggression and anxiety,  • Girls are more likely to underachieve in school. | * Aggressive/ confrontational behaviour * Extreme levels of anxiety & introverted behaviour. |
| Identity | Children living in a violent environment are at risk of developing low self-esteem and a belief that they are unable to control events in their environment. | * Aggressive/ confrontational behaviour * Extreme levels of anxiety & introverted behaviour.   . |
| Family and Social Relationships | Children may also believe that what they do triggers the violence between their parents. Children can feel helpless and guilty in these circumstances.  lnconsistent parental behaviour may cause anxiety and faulty attachments.  When separation from an attachment figure is unavoidable children of this age may demonstrate lower levels of distress than younger children. | * The appearance of poor attachment to either parent |
| Areas of  Development | Impacts of Domestic Violence | Warning Signs |
| Stage 3: The child from 10 - 16 years | | |
| Health | Teenagers may:  • Try to kill a parent  • Become a party to, or imitate abusive behaviour  • Become identified with abused or abusing parent  lf a parent has been emotionally unavailable to a child they may not have had the opportunity to discuss contraception or how to behave in close personal relationships.  Children in this situation may have grown up with:  • lnappropriate role models  • A poor attitude to and/ or understanding of sexual relations.  This could put them at risk of:  • Getting pregnant or getting someone pregnant  • Or catching a sexually transmitted disease.  Young people need a level of self-confidence to be able to influence what happens to them in a sexual relationship and growing up with domestic violence will usually damage a young person's self-confidence. | * lnappropriate sexual behaviour or comments towards peers or adults; * Signs of sexual aggression |
| Education | A failure to achieve education potential could lead to:  • School exclusion  • A lack of attainment that will determine future life chances.  lf disturbed behaviour results in exclusion from school, teenagers need an adult to champion their cause and strive for their re-entry or ensure their learning continues. However, parents with problems may leave teenagers without a champion. | * Frequent patterns of disciplinary action at * school; * A history of expulsion from school. |
| Identity | When young people have grown up in families where little is predictable or reliable, they are likely to believe that they have little control over what happens to them. | * Has difficulty in making decisions and following them through |
| Family and Social Relationships | Adolescents can feel isolated from friends and adults outside of the family. The wish to escape from parents can place young people in a very vulnerable position. Young people may attempt to withdraw and run away in a number of ways by emotionally withdrawing and spending large amounts of time on their own. Secondly there are high incidences in families with domestic violence of children actually running away. Alternatively, the young person may seek escape and solace in drugs and alcohol. The experience of domestic violence will also affect young people's dating behaviour. Research suggests that witnessing the abuse of their mother is associated with teenage boys taking an aggressive, angry and abusing role during dates.  • Seek refuge in risk taking behaviours | * Poor social networks amongst peers and adults; * A history of running away from home; * Extremely introverted behaviour; * Evidence of reliance on drugs or alcohol * A tendency to get serious about relationships too early in order to escape home; * Over aggressive behaviour with peers and adults. |
| Social Presentation | To have grown up in a culture of violence may result in young people resorting to aggression as a method of solving their own problems. | * Overly aggressive physical and verbal behaviour. |
| Emotional and Behavioural Development | The tendency to blame themselves for parental behaviour continues through to late adolescence. Research suggests that children who have experienced physical and sexual abuse are at risk of suicidal behaviour, self-harming and depression. | * Signs of depression and feelings of powerlessness and evidence of self-harm. |
| Self Care Skills | When away from home many teenagers continue to worry about their parents and siblings, this concern may result in young people leading a restricted life | * Limited social networks and social skills. |
| Forced Marriage | | |
| Areas of  Development | Impacts of Domestic Violence | Warning Signs |
| Health | ln forced marriage one or both of the spouses do not consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure. Forced marriage is primarily, but not exclusively an issue of violence against women. There is evidence to suggest that 15% of victims are males.  Young people are risk of:  • Rape/sexual assault  • Physical assault  • Kidnapping  • Threats to kill | * Substance misuse * Depression * Anorexia * Low self esteem * Reports of domestic violence or breaches of the peace at the family home * Family disputes * Unreasonable restrictions * 'House arrest' |
| Education | Young people at risk of forced marriage are frequently withdrawn from education, restricting their educational and personal development. These factors can contribute to:  • lmpaired social development  • Limited career and educational opportunities  • Financial dependence and lifestyle restrictions. | * Family history of older siblings leaving education and marrying early * Truancy * Decline in performance/punctuality * Low motivation at school * Poor exam results * Being withdrawn from school by those with parental responsibility * Not allowed to attend extra curricular activities |
| Identity | Parents who force their children to marry often justify their behaviour as protecting their children:  • Building stronger families  • Preserving cultural or religious traditions.  They may not see anything wrong with their actions. Forced marriage cannot be justified on religious grounds; every major faith condemns it, freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages.  The majority of forced marriage cases encountered in the UK involve South Asian families. However it is clear that forced marriage also involves families from East Asia, the Middle East, Europe, and Africa. | * Family history of older siblings leaving education and marrying early * Truancy * Decline in performance/punctuality * Low motivation at school * Poor exam results * Being withdrawn from school by those with parental responsibility * Not allowed to attend extra curricular activities |
| Family and Social Relationships | lsolation is one of the biggest problems facing victims of forced marriage.  They may fell they have no one to talk to about their situation. For many running away may be their first experience of living away from home. For individuals, especially females from ethnic minority communities, leaving their family can be especially hard. Leaving their family may be seen as bringing shame on the honour of the individual and their family in the eyes of the community. This may lead to social ostracism and harassment from the family and community. | * Withdrawn * Depression * Fear, anxiety |
| Social Presentation | Studies have shown that the suicide rate of young Asian women is two to three times the national average and contributory factors include lack of self-determination, excessive control, and the weight of expectations on  the role of women and their marriages | * Self harm * Attempted suicide |
| Emotional and Behavioural Development | Young people forced to marry, or those that fear they may be forced to marry may fell unable to against their parent's wishes. They may appear anxious, depressed and emotionally withdrawn | * Self harm * Attempted suicide |
| Self Care Skills | Those who do leave their families to escape force marriage often live in fear of their own families who will go to considerable lengths to find them and ensure their return. | * Self harm * Attempted suicide |

**Appendix 3**

**Questions to start discussion with Victims**

* Has your partner tried to keep you from seeing your friends or family?
* Has your partner prevented you from continuing or starting a college course, or from going to work?
* Does your partner constantly check up on you or follow you?
* Does your partner accuse you unjustly of flirting or of having affairs?
* Does your partner constantly belittle or humiliate you, or regularly criticise or insult you in front of other people?
* Are you ever scared of your partner?
* Have you ever changed your behaviour because you're afraid of what your partner might do or say to you?
* Has your partner ever deliberately destroyed any of your possessions?
* Has your partner ever hurt or threatened you or your children?
* Has your partner ever kept you short of money so you're unable to buy food and other necessary items for yourself and your children?
* Has your partner ever forced you to do something that you really didn't want to do, including sexually?
* Has your partner ever tried to control you by saying you could be deported because of your immigration status?
* Has your partner ever threatened to take your children away or said he would refuse to let you take them with you, or even to see them, if you left him?

**Appendix 6**

**Meeting with the perpetrator**

A structured interview is crucial as its purpose is to gather information to inform the assessment. Abusive fathers should be interviewed by two social workers, one to take the lead and ask questions the other to record and note key observations of the man’s behaviour and demeanour during the interview process. It is more helpful to ask direct questions rather than open ended questions which may provide opportunity for offender to deny, blame or distract.

Aim of interview is to gather information to establish:-

* How complete is his account of his abusive conduct?
* Does he deny or seek to minimize his conduct?
* Does he accept responsibility or does he blame his partner?
* Does he think his behaviour was wrong?
* How firm is his commitment to change?
* Can he talk about the impact of domestic violence on his partner/ on his children?
* What is his understanding of parenting and how does he assess his own parenting?

The interview should be divided into three parts as follows:

Part 1

Address concern relating to recent domestic violent incident and seek to assess the level of responsibility for the incident and explore what form victim blaming takes.

Part 2

Explore the impact of violence on his children and on his partner. What level of willingness is there to change his behaviour and improve his parenting.

Part 3

Make enquiries about violent behaviour and other forms of abuse - start from general/less severe to specific/more severe forms.

**Appendix 7**

**MARAC Process**

1. Undertake DASH RIC assessment (<http://www.cambsdasv.org.uk/website/referral_forms/296136>), if threshold is reached (14+ or PJ) refer to MARAC. Ensure immediate safeguarding is in place. Inform the client the application will be submitted and explain MARAC processes (see Safe Lives MARAC guidance)

**2.** Send the completed DASH / referral form to [IDVAReferrals@cambs.pnn.police.uk](mailto:IDVAReferrals@cambs.pnn.police.uk) or call 01480 847718 to discuss (if accepted, the referral will be allocated immediately to an IDVA and the case will be heard within 48 hours).

**3**. The referral will be checked and approved, (or not) on receipt. Feedback will be sent to the referring agency by the MARAC Coordinator. On approval an IDVA will be allocated. The IDVA service will make four separate attempts at safe contact with the victim. The MARAC Coordinator will publish the meeting agenda on MODUS, and will send out a reminder, via email that the agenda has been published. If an allocated social worker has been identified, the MARAC Coordinator will email them directly with the agenda with a date and time slot. MARAC partner agencies will use this period to collate risk led information concerning the persons listed on the agenda case prior to the meeting.

**4.** At the MARAC meeting, the referring professional or a delegated colleague, is expected to attend or conference call in to present their case. Each partner agrees to the MARAC confidentiality declaration. Each case has a time slot of 15 mins. Attending core partner services will also contribute risk led information from their records. The victim’s voice will be presented by the IDVA Service.

**5**. At the end of the presentations, the Chair will summarise risks to the victim / any children, and all agencies will contribute and formulate a safety plan, based on the risks highlighted. If the case is complex and requires further discussion and additional safety planning, it may be referred to MARAC + at this time. MARAC + meetings are held the following week.

**6**. The minutes and SMART actions arising from the MARAC will be posted on MODUS by the MARAC Coordinator on the day of the meeting. All professionals tasked with actions at the MARAC will be expected to complete actions within seven days or an agreed time frame. Partners should record and update on MODUS actions tasked (or by advising the MARAC Coordinator). An allocated service, normally the IDVA will feedback to the victim the victim

**Appendix 8**

**Example of child’s Safety Plan**

**My Safety Plan**

This plan is to help me remember what to do if I am afraid. I will try to memorise it. I will keep it in a safe place or with a safe person in case I need to look at it.

My safe place is:-

My safe person is:-

Things to remember:

Keep a mobile phone handy and fully charged

Have some spare change if you need to use a phone box

Ask a neighbour to contact the Police if you cannot reach a phone

Remember your address to tell the Police

My address and telephone number is:

………………………………………………………………………………………………………………

These are things that happen in my family that may make me feel afraid:-

If these things happen and I feel afraid I need to find a safe place.

My safe place is

**If people are fighting should I try to stop them? NO**

**This can be dangerous and puts you at risk of getting hurt.**

**If people are fighting, try to get help from a safe adult.**

If I need adult help I can call:-

* The Police. Their number is 999
* Their number is
* Their number is
* Their number is

If I don’t want someone to hear me phoning the Police, I can use a code word to ask a trusted person to call them for me.

My trusted person is

Their phone number is

Our code word is

**This plan is to keep me as safe as possible at the time something is happening. Afterwards I should tell should tell my trusted person what happened**

The person I can tell afterwards is

There are also people I can phone to talk to aboutse are the peop

Childline: 0800 1111 / [www.childline.org.uk](http://www.childline.org.uk)

NSPCC: 0808 800 5000 / [www.nspcc.org.uk](http://www.nspcc.org.uk)

[Runaway Helpline](http://www.missingpeople.org.uk/runaways/) 24 hours a day on Freefone 0808 800 70 70

**The Hideout** Website to help children and young people understand domestic abuse [www.thehideout.org.uk](http://www.thehideout.org.uk/)

**Appendix 9**

**Adolescent to Parent Violence and Abuse (APVA)**

APVA is likely to involve a pattern of behaviour. This can include physical violence from an adolescent towards a parent and a number of different types of abusive behaviours, including damage to property, emotional abuse, and economic/financial abuse. Violence and abuse can occur together or separately. Abusive behaviours can encompass, but are not limited to, humiliating language and threats, belittling a parent, damage to property and stealing from a parent and heightened sexualised behaviours. Patterns of coercive control are often seen in cases of APVA, but some families might experience episodes of explosive physical violence from their adolescent with fewer controlling, abusive behaviours. Although practitioners may be required to respond to a single incident of APVA, it is important to gain an understanding of the pattern of behaviour behind an incident and the history of the relationship between the young person and the parent.

It is also important to understand the pattern of behaviour in the family unit; siblings may also be abused or be abusive. There may also be a history of domestic abuse, or current domestic abuse occurring between the parents of the young person. It is important to recognise the effects APVA may have on both the parent and the young person and to establish trust and support for both.

**Reporting/Disclosing APVA**

Incidents of APVA reported to the police are likely to represent only a small percentage of actual incidents and actual levels are likely to be much higher. All forms of domestic violence and abuse are under-reported and parents are, understandably, particularly reluctant to disclose or report violence from their child.

Parents report feelings of isolation, guilt and shame surrounding their child’s violence towards them, and fear that their parenting skills may be questioned; they will be blamed or disbelieved by those to whom they disclose the violence. Many parents worry that their victimisation will not be taken seriously or, if they are taken seriously, that they will be held to account and that their child may be taken away from them and/or criminalised

Adolescents may also choose not to disclose due to guilt or fear of the social care and justice system. Young people may not understand the impact of their actions and be concerned about the consequences so they may not seek help, allowing the situation to escalate to crisis.

There are specific factors to consider when working with young people who are involved in adolescent to parent abuse:-

|  |  |
| --- | --- |
| **Environmental factors** | **Emotional self-regulation**  • D |
| Is there a history of domestic abuse within the family unit? | Does the young person have difficulties in forming relationships? |
| Is the young person in an abusive intimate relationship? | Does the young person have mental health issues, self-harm or suicidal tendencies? |
| Is there a need for adult services’ involvement in the family? | Is the young person disengaged from education? |
| Is the young person being coerced into abusive behaviours? | Is the young person misusing substances? |
| Is the young person displaying heightened sexualised behaviours? | Does the young person display an obsessive use of violent games or pornography? |
| Is the young person associating with peer groups who are involved in offending or older peers? | Does the young person have poor coping skills or engage in risk taking behaviours?  Does the young person they identify their behaviour as abuse? |
| Are Children’s Services currently involved with the family? |  |
| Should a risk assessment be conducted on the siblings to see if they are at risk of violence and/or contributing to the violence? |  |
| Is the young person isolated from people and services that could support them? |  |
| Is there a risk that the young person is being bullied? |  |
| Are there BAME issues that need to be considered or that may affect a victim’s disclosure? |  |

**Encouraging disclosure from parents**

* Encouraging disclosure of APVA is essential. Parents affected by the issue may have taken a long time to come to acknowledge the problem they are facing, thus making the challenge of verbalising this behaviour to others even greater. Parents need to be encouraged to understand that the services they access are safe places where they can disclose APVA
* Avoid making assumptions for instance assuming that because someone is a parent they always have control over their child’s behaviour or that the behaviour is always a direct result of parenting style
* Make asking about APVA part of your routine screening. Bear in mind, though, that many parents will not conceptualise what they are going through as domestic violence and abuse. They may think about APVA in completely different terms and you might need to use different language when asking about it
* Questions you could to start a discussion; Does your child ever frighten you? What happens when your child is angry?
* Parents can be supported by discussing with them how they can manage the situation, this could include helping them to:-
  + Recognise situations, triggers or events that are likely to escalate into violence and how these can be tackled differently
  + Stop whatever they’re doing and count to 10 backward. This will help them think about their feelings before they get out of control
  + If they can't control their anger encourage them to get away; take a time out
  + Think about the options and consequences of their actions for them and the child
  + If necessary, get help from a third party to solve differences
  + Cool off – calm down and then talk to their child
  + Listen carefully to the child’s opinion and views
  + Be assertive, not aggressive; parents should stand by their views/boundaries but talk to their child about them using statements such as "I feel this way when..." or "I don't like it when..." placing the focus on the child’s behaviour rather than the child
  + Be willing to admit and be responsible for something they may have done wrong and to discuss this with their child

1. Cambridgeshire Constabulary (2017). [↑](#footnote-ref-1)
2. Ibid. [↑](#footnote-ref-2)
3. Cambridgeshire Health-Related Behaviours Survey (2016). [↑](#footnote-ref-3)
4. Cambridgeshire County Council and Peterborough City Council (2016). [↑](#footnote-ref-4)
5. Crime Survey for England and Wales (2016). [↑](#footnote-ref-5)