

# DOMESTIC ABUSE

## Section D05 (Stoke-on-Trent) Section 4N (Staffordshire)

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## 01 Introduction

The Safeguarding Children Board (SCB) seeks to bring about the effective co-ordination and intervention between and within those agencies, organisations, and individuals who have responsibilities for safeguarding and promoting the welfare of children within the geographical boundaries of Stoke-on-Trent and Staffordshire. These procedures reflect the underlying principles to Section 11 of the Children Act 2004 and are complimentary to Working Together 2018 and other related guidance which is highlighted within the body of this document.

When working with individuals who are experiencing domestic abuse, practitioners should support them in making choices about their safety and also consider the safety of any children involved.

This policy and procedure recognises that any practitioner may be required to make a referral to the respective Children's Social Care or to the respective local authority's Adult Safeguarding Service where a child or adult with care and support needs are involved.

## 02 The Objectives of these procedures

The overriding objective of these procedures is to provide appropriate direction and guidance for agencies and individuals who may encounter situations of domestic abuse in the course of their professional activities. The notion of 'professional activity' is intended to include those engaged in statutory, independent or voluntary activities either directly or indirectly with potential victims.

**The key objectives are as follows:**

- To set out the necessary process for taking action in situations where it is known or suspected that a child/children/young person may be at risk as a result of domestic abuse.
- To set out the roles and responsibilities of key agencies whose professional activities may be directly relevant to an effective intervention, and to provide an awareness of 'agency specific' policies and procedures where appropriate
- To provide some core information which should assist in developing a better understanding of domestic abuse and its potential implications for safeguarding children, and to signpost sources of additional information that may assist the development of an enhanced level of practitioner knowledge.

## 03 Underlying Principles

These procedures embrace five underlying principles which should be prominent in each agency or individual's activity and involvement in situations where children are subject to the impact of domestic abuse

These are:

- To protect and support the child/ren.
- To support the non-abusing carer to protect themselves and their child/ren.

- To hold the abusive partner accountable for their behaviour and to recognise/promote opportunities for change.
- To prevent further episodes of domestic abuse
- To undertake all professional activity within a framework of non-judgmental, non-discriminatory, and respectful practice.

## 04 Definition of Domestic Abuse?

There is currently no statutory definition of domestic violence, although the Government has said it will include one in the forthcoming Domestic Violence and Abuse Bill.

However, there is a non-statutory cross-government definition. In March 2013, the Home Office extended this definition and as a result the definition includes young people aged 16 to 17 (to raise awareness that young people can be victims) and coercive or controlling behaviour

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

'Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

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

The Government definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

It has been widely understood for some time that coercive control is a core part of domestic violence. As such the extension does not represent a fundamental change in the definition. However, it does highlight the importance of recognising coercive control as a complex pattern of overlapping and repeated abuse perpetrated within a context of power and control.

## 05 What is Domestic Abuse?

Very often a victim of domestic abuse will fail to recognise that they are experiencing other forms of domestic abuse, in addition to the physical violence and abuse. This can include

coercive control. It is important that professionals working with victims of domestic abuse have the skills to approach the subject sensitively, so that victims feel more comfortable to talk about the issue with the worker and appropriate support can be identified and provided.

Domestic abuse is a generic term to describe a wide range of intentional behaviours used by one individual to control and dominate another. It does not only relate to married or co-habiting couples and it frequently continues after a relationship has ended. A significant number of women and children are no safer when they leave an abusive home, and for very many it is known that the level of violence and abuse can escalate.

Domestic abuse is not typified by ethnicity, class, sexuality, age religion, gender or physical or mental impairment. It can affect men and women in same sex relationships and men and women in heterosexual relationships. It is not restricted to physical violence and often manifests itself as psychological, emotional, sexual and economic abuse. Practitioners should be aware that the perpetrators of domestic abuse can be either gender and victims can be abused by their siblings, children, grandchildren as well as other familial members.

Children and young people can also be subjected to violence and abuse within a context of forced marriage<sup>1</sup> and honour-based violence. The cultural and religious complexities related to 'dishonour' within certain communities pose significant challenges for professionals in terms of identifying and responding to situations, but this should always be considered as a potential form of domestic abuse.

The risks of harm to children<sup>2</sup> who are exposed either directly or indirectly to domestic abuse are known to be significant but the gathering of statistics in relation to the number of children affected by domestic abuse is difficult to capture due to the hidden nature of the abuse. However much of the research tells us about children's experiences living with domestic abuse and what we do know is that nationally:

- Around 1 in 5 children have been exposed to domestic abuse;
- Domestic abuse is a factor in over half of all serious case reviews;
- A third of children witnessing domestic abuse also experience other forms of abuse;
- Children exposed to domestic abuse are more likely to have behavioural and emotional problems;
- Approximately 130,000 children live in households with high risk domestic abuse and;
- Children exposed to domestic abuse have a higher risk of becoming a perpetrator of violence as an adult (Bellis et al 2014, Brandon et al 2016) and;
- 1 in 5 young people have been physically abused by their boyfriend or girlfriend

The cultural and religious complexities related to 'dishonour' within certain communities pose significant challenges for professionals in terms of identifying and responding to situations, but this should always be considered as a potential form of domestic abuse.

On a wider national scale, the HM Government '*Ending Violence against Women and Girls Strategy 2016 – 2020*' reports that there was an estimated 1.35 million female victims of domestic abuse in 2015 and nearly 450,000 victims of sexual violence. Tragically, the report also highlights that over 80 women a year still lose their lives to domestic homicide and

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<sup>1</sup> Multi Agency Practice Guidelines: Handling cases of Forced Marriage  
[www.fco.gov.uk/forcedmarriage](http://www.fco.gov.uk/forcedmarriage)

<sup>2</sup> In this document as in the Children Acts 1989 and 2004 respectively, including Working Together to Safeguard Children 2018, a child is anyone who has not yet reached their 18<sup>th</sup> birthday. Children therefore means 'children and young people' throughout.

around **85% of victims of domestic abuse seek help from professionals at least five times before getting the support they need.**

## **06 The Experience and Impact of Domestic Abuse and Violence**

Research indicates that there is a significant risk of ever-increasing harm to children's physical, emotional and social development if they witness domestic abuse or are in a household where it is a factor.

Children's responses to the trauma of witnessing domestic violence may vary according to a multitude of factors including, but not limited to, age, culture, sexuality and stage of development. Children are individuals and may respond to witnessing abuse in different ways; those living in homes where domestic abuse is prevalent will grow up in an atmosphere of fear, tension, intimidation and confusion. Most commonly they may:

- Directly observe physical or sexual violence by being in the same or next room, being woken, seeing their parent or carer in distress or injured
- Directly observe and often experience emotional violence and abuse
- Have been directly threatened, injured or abused themselves
- Be forced to participate in the abuse and degradation by the abuser
- Live with secrecy and shame – whether it be keeping the violence a secret or where they have had to flee, keeping their past life a secret
- Feel that somehow it is their fault that it is happening
- Intervene (by calling the police or trying to protect their non-abusing parent, carer or other siblings) and get injured themselves

If they have to flee the abuse they will:

- Experience disruption of their home and schooling
- Experience the loss of friends, pets, toys, their routines, activities and relationship they had with their abusive parent / carer
- Often find themselves brought to the center of the abuse as the perpetrator seeks renewed control over contact with them
- Experience various responses to the effects that domestic abuse can have on children

Young people themselves can be subjected to domestic violence and abuse perpetrated in order to force them into marriage or to punish them for 'bringing dishonor' on the family. This abuse may be carried out by several members of a family increasing the young person's sense of isolation and powerlessness.

Practitioners should be mindful that abusers often use children as a form of abusing their partner. This may include:

- Threaten to harm the children
- Threaten to report the non-abusing parent to 'Childrens Services' / the police as an unfit parent / carer

- Saying that they will gain custody if they leave
- Turning the children against their non-abusing parent / carer
- Constantly criticise the abilities of the non-abusing partner
- Withhold money
- Abuse the children physically, sexually or emotionally
- Abuse through child contact after separation

## 07 Adolescent to Parent Violence and Abuse (APVA) Home Office 2013 <https://assets.publishing.service.gov.uk/government/uploads/system/.../APVA.pdf>

Adolescent to parent violence and abuse may be referred to as 'adolescent to parent violence (APV)', 'adolescent violence in the home (AVITH)', 'parent abuse', child to parent abuse, child to parent violence (CPV), or 'battered parent syndrome'.

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.

It is important to recognise that APVA is likely to involve a *pattern of behavior*. This can include physical violence from an adolescent towards a parent and a number of different types of abusive behaviours. 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, stealing from a parent and heightened sexualised behaviours. However, some families might experience episodes of explosive physical violence from their adolescent with fewer controlling, abusive behaviors. Although practitioners may be required to respond to a single incident of APVA, it is important to gain an understanding of the pattern of behavior 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 behavior in the family unit; siblings may also be abused or be abusive. There may 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

It is important to recognise that 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 and that they will be blamed or disbelieved by those to whom they disclose the violence. Many parents worry that their victimization 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

## 08 Taking Action

If a family or children suffering domestic abuse are to be effectively supported and protected, it is paramount that care is taken to develop as clear an understanding as is possible of the circumstances – an understanding that needs to be informed by an awareness of professional responsibility and appreciation of the complexities of the victim's personal circumstances.

**Practitioners must be mindful that it can be extremely daunting for a child to disclose abuse.**

An awareness or suspicion of domestic abuse may arise in a number of different ways: e.g.

- Direct or indirect observation through own professional role.
- Disclosure from a victim or child within the family.
- Disclosure from a perpetrator.
- Information from third parties.
- Evidence arising from associated predicative indicators (eg bruising or marks).

In circumstances where a disclosure is made then the opportunity to work within a framework of consent and support should be pursued, notwithstanding the need to gather as much information as possible from which to make a measured assessment and decide upon the most appropriate course of action.

Attempts must be made to discuss concerns about a child's welfare with the child (subject to age & understanding). Discussion should also take place with parents, and agreement sought to refer the child to Children's Social Care unless contact with parent places the child or another person at increased risk of significant harm.

However, there are likely to be significant barriers which prevent the making of disclosures, and professionals should be sensitised to the reasons for this. An abused victim may be fearful of professional intervention and be anxious of how statutory agencies may respond when children are involved. They may minimise the situation, be concerned that they won't be believed, or feel that the violence may increase. Furthermore, research shows that the risk for domestic violence victims increases at the time of help seeking or deciding to leave the perpetrator.

Children will often remain protective of their parents or be anxious about the uncertainty of what might happen if they talk to someone. They may also be in fear of the perpetrator and it is important for professionals to recognise this.

It is necessary to understand that children who have experienced domestic abuse and violence often find it difficult to trust others, particularly adults. It is therefore crucial when working with these children to take sufficient time to build rapport and trust before expecting the child to talk about painful emotions related to their experiences of domestic abuse.

It is important, that when engaging with known or suspected victims of domestic abuse the environment and nature of the enquiries or the questions posed, are structured in a way that convey a climate of safety, sensitivity and reassurance. A pre-condition to an effective and thorough assessment is enabling and empowering the victim to disclose their experiences, and to consider its impact upon their own and their child(ren's) life. Non-abusing parents are

usually too afraid or uncomfortable to raise the issue of violence themselves. Therefore, asking a range of questions sensitively but directly will assist you in their disclosure.

The important principles will be to:

- Listen carefully to what is being disclosed
- Provide reassurance in terms of unacceptability and blame.
- Take responsibility for alerting the appropriate agency/ agencies.

The overriding objective for any professional is to take an informed judgement about what to do next and to be ever mindful that all children living with domestic abuse are likely to be children in need. The most appropriate course of initial action may be to discuss the concerns with the designated individual responsible for child protection within the professional's organisation.

Where there is knowledge or evidence to indicate that children are **not** at risk of harm, consideration should be given to whether the child is a 'child in need' (Section 17 of The Children Act 1989) and requires a children's social care assessment. If the child does **not** meet the threshold for a children's social care 'child in need' assessment then the most appropriate model of assessment establishing the basis of 'what next' will be through the undertaking of an **Early Help Assessment (EHA)** which is a standardised approach to conducting an assessment of a child's additional needs.

Early help is about offering support to the right child at the right time with the right services which are designed to prevent a child's needs from escalating into the statutory arena. EHAs provide a good opportunity to identify any domestic abuse that the child may be affected by in order to offer early integrated support to the child and non-abusing parent.

[For further information about EHA and assessing children's needs please refer to SOT Multi Agency Guidance to the Levels of Need 2018.](#) (Click on the link).

[Staffordshire's Early Help Assessment and Guidance](#)

Professionals should collect as much information as possible and establish a clear and balanced understanding of what is going on, so that the impact of domestic abuse and the associated level of need and risk can be clearly evaluated. This must also include an evaluation of the individual strengths within the family environment.

The assessment should analyse and respond to the changing nature and level of need and/or risk faced by the child/ren as well as the non-abusing parent. The assessment activity should not preclude the possibility of professional input which combines protection and support, and in that respect the process should seek to identify protective factors as well as risks. Other agencies involved with the family would be expected to contribute to this assessment, including any adult services in order to gain a complete overview of the risk and needs of the family

Practice based evidence shows that victims will often take several appointments before revealing the full extent of their abuse. It is therefore important to consider the timeliness of assessments as well as the quality of the information provided and how this is then analysed in order to determine risk and need.

The framework of any assessment focusing upon a child living with domestic abuse should include exploration of several key areas:

- The child's voice and experiences
- The non-abusing parent's voice and experiences
- Evidence of harm – physical, emotional and behavioural
- The quality of the child's relationship/attachment with their parents / carers (non-abusing and the perpetrator of abuse)
- What are the child's support networks?
- What are the child's coping strategies?
- Are there additional factors compounding the child's vulnerability, e.g. disability?

The most important aspect of an effective assessment is ensuring that there is a clear and balanced analysis of the individual child's needs and that their needs and any risks are clearly understood. This analysis will then inform what action needs to take place to promote the welfare and safety of the child. This can then be closely monitored to ensure those risks to the child(ren) are minimised or eradicated altogether and that their needs are being met. Should the risk to the child(ren) increase it may be necessary to then make a referral to children's social care.

## 09 Referrals to Children's Social Care

In **all** cases where there is knowledge or suspicion that a child or children are suffering from or at risk of suffering **significant harm** as a result of domestic abuse, then an immediate referral should be made to the respective local authority Children's Services:

**Stoke-on-Trent Children's Social Care, via the Safeguarding Referral Team (SRT)**  
**Staffordshire Children's Social Care via Families First Team**

Stoke-on-Trent Safeguarding Referral Team:

Monday – Thursday 0830 – 1700 and Friday 0830 – 1630

Email: [SRT@stoke.gcsx.gov.uk](mailto:SRT@stoke.gcsx.gov.uk)

Telephone: 01782 235100

Out of Hours Emergency Duty Team: 01782 234234

Staffordshire Police: 101 and ask for M.A.S.H (Multi Agency Safeguarding Hub)

First Response Service:

Monday – Thursday 0830 – 1700 and Friday 0830 – 1630

Telephone: 0800 13 13 126

Out of Hours Emergency Duty Team: 0345 6042886

[Report a concern online](#)

**In an emergency always call 999**

It is important that as much information as possible is shared by the referrer. All telephone referrals must be followed up, in writing, within 48 hours using a Multi-Agency Referral Form (MARF). This document will assist you in collecting the appropriate information when making a referral. Examples include: of such information include;

- Family name (s)
- Address (es)
- Date of birth
- Details of family members / significant others
- Basis of concerns
- Other relevant information (historical and current)
- Are family individuals aware of the referral?
- Does the referral increase the potential risks of harm to the child or to others?
- How may the victim(s) be best contacted without compromising safety?

All referrers will receive written acknowledgment of their referral.

The referrer should ensure that they maintain appropriate and relevant records in accordance with their individual agency's policies and procedures.

If the nature of the referral indicates a criminal offence may have been committed then in all cases the police must be informed without delay.

## 10 Police Referrals

The police are often the first agency aware of domestic abuse within a household and have invested in specialist training for frontline officers and staff to ensure that they have the knowledge and tools to effectively deal with this complex area of their work.

Any officer attending a domestic incident will complete a thorough investigation and will spend time with the victim to complete a risk assessment, known as a DIAL (Domestic Investigation Assessment Log). The details gathered within the risk assessment will identify issues of potential risk heightened risk – i.e. separation, pregnancy, escalation, community issues, stalking or sexual abuse.

Officers attending an incident where there is **immediate risk of harm** to a child, including where a child has sustained injury or is clearly traumatised **should take immediate action** to protect them. This will include an immediate referral to Children's Services, or the Emergency Duty Service (out of hours).

All DIALs are reviewed by a police supervisor immediately following the officer completing it. At this point a comprehensive review of the investigation and risk is carried out, ensuring any appropriate safeguarding arrangements have been put in place as necessary.

Where a safeguarding concern is apparent, DIALs are reviewed within the Multi Agency Safeguarding Hub (MASH). This allows for a multi-agency assessment to be initiated on those cases where the threshold criteria for Levels of Need are met.

The purpose of this screening is to share information and determine the most appropriate response.

The risk assessment will form the basis for further action and the involvement of other agencies as necessary. If considered High Risk it will ensure the family involved are put

forward to a MARAC (Multi Agency Risk Assessment Conference) in order to more effectively deal with the victim, any children involved and to hold the offender to account.

Lists of individual cases to be discussed at MARAC are forwarded to Children's Services for information sharing and to ensure that any further assessment that is required can be done so in a timely manner. The MARAC meeting will not delay action if action is required immediately.

Disclosure regarding the sharing of information is undertaken by the Police or the IDVA (Independent Domestic Violence Advisor) following contact with the domestic abuse victim unless circumstances dictate otherwise. Where police powers have been used, the police will consider legal authorities to disclose this information with MARAC partners as appropriate. Children's Services will need to be informed that consent has been obtained or not as part of the referral information received.

## 11 Multi Agency Risk Assessment Conference (MARAC)

MARAC is a multi-agency arena where information is shared on the highest risk domestic abuse cases between representatives of local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors..

The primary focus of the MARAC is to safeguard the adult victim. The MARAC will also make links with other forums to safeguard children and manage the behaviour of the perpetrator. At the heart of a 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

As a result of information shared, recommendations for future agency actions will be recorded. A MARAC meeting may identify that the threshold for action under s47 of the Children Act has been met. However, the recommendation to 'convene an Initial Child Protection Conference should not be made at a MARAC. This decision can only following the outcome of S47 enquiries, which will of course be informed by information received at the MARAC.

After sharing all relevant information they have about the victim, representatives will discuss options for increasing the safety of the victim.

## 12 Domestic Violence Protection Orders (DVPO)

The Domestic Violence Protection Order has two stages:

- Where the police have reasonable grounds for believing that a perpetrator has used or threatened violence towards the victim and the victim is at risk of future violent behaviour, they can issue a Domestic Violence Police Notice on the spot, provided they have the authorisation of an officer at Superintendent rank
- The magistrate's court must then hear the case for the Protection Order itself which is the second step and within 48 hours of the Notice being made. If granted, the Order may last between a minimum of 14 days and a maximum of 28 days. This

strikes the right balance between immediate protection for the victim and judicial oversight.

### 13 Domestic Violence Disclosure Scheme: Clare's Law

A Domestic Violence Disclosure scheme allowing police forces to disclose to individuals details of their partners' abusive pasts was extended to all police forces across England and Wales from March 2014. The scheme is commonly known as Clare's Law (after Clare Wood, who was killed in 2009 by an ex-partner who unknown to her had been violent to previous partners).

Previously it was difficult for someone entering a new relationship to find out or be aware if their partner had prior convictions for violence or domestic abuse. The Clare's Law Disclosure Scheme aims to prevent men and women from becoming victims of domestic violence and abuse by providing a formal method of making 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.

Staffordshire Police are therefore in a position to help to empower potential victims of domestic abuse with the right to ask about their partner and providing them with information that aims to help the potential victim to make an informed decision on whether to continue a relationship; this also provides an opportunity to provide further help and support to assist the victim when making that choice.

Every request under Clare's Law is thoroughly checked by a panel made up of police, probation services and other agencies to ensure information is only passed on where it is lawful, proportionate and necessary. Trained police officers and advisers are then on hand to support victims through the difficult and sometimes dangerous transitional period. The scheme works in two ways:

- Right to ask: Victims (potential and actual), third parties (parents, neighbours and friends) **and agencies** can all make requests under the scheme.
- Right to know: The police make a proactive decision to disclose details when they receive information to suggest a person could be at risk.

If police checks reveal the individual has a record for abusive offences or there is information to suggest a person is at risk, the police will give consideration to sharing this information with the person at risk or a person who is best placed to protect the potential victim.

#### **How is an application made?**

An application can be made by contacting the police in one of the following ways:

- Visiting a police station.
- Phoning 101.

### 14 Domestic Homicide Reviews (DHR)

The purpose of a DHR is to consider the circumstances that led to the domestic violence death of a person aged 16 or over and identify where responses to the situation could have been improved. In so doing the lessons learned will be taken on board by the professionals and agencies involved.

A review panel made up of members of local statutory and voluntary sector agencies will be responsible for undertaking the DHR to consider what happened and what could (if anything) have been done differently.

Where applicable, they will also recommend actions to improve responses to domestic violence situations in the future. It is the responsibility of the Community Safety Partnership for the area in which the victim of the domestic homicide lived to ensure that actions arising from a review are implemented. Lessons to be learned from Staffordshire and Stoke-on-Trent Domestic Homicide Reviews will be shared with both the Children's and Adults' Safeguarding Boards. [The Home Office Multi-Agency Guidance for the Conduct of Domestic Homicide Reviews](#) sets out the relevant procedures for dealing with domestic homicide reviews. (Click on the link)

## 15 Information Sharing and Confidentiality

The effective exchange of information is pivotal in enabling organisations to protect children from harm, and in that respect, expressed or implied powers to share information effectively are contained within *The Children Act 1989, and The Children Act 2004 (s10, 11.)*. Sharing information is a critical element in bringing about the co-ordinated provision of services for children with additional needs.

Seeking consent prior to sharing information, suspicions, or concerns relating to domestic abuse should always be seen as the preferred basis from which to undertake any course of action. The duty to safeguard children and take necessary steps to protect them from harm should not be impeded by the withholding of a non-abusing parent or child's consent, nor should action be unreasonably delayed or frustrated by the desire to seek the agreements of relevant parties.

For further details on effective information sharing including practice issues around gaining consent please refer to the [National Information Sharing Guidance](#)

## 16 Specialist Domestic Abuse Services

All providers commissioned by the local authority will work with males, females and children victims of domestic abuse.

Specialist support services provide support to men, women and children who are living with, escaping or recovering from domestic abuse<sup>3</sup>. They support people in overcoming the impact of the abuse they have experienced.

They provide a variety of services for victims of abuse, including:

- safe refuge/ emergency accommodation
- community based one to one support and advocacy
- referrals to a range of community support resources
- resettlement services
- telephone helplines
- counselling services

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<sup>3</sup> This can include victims of forced marriage and/ or honour based violence and agencies/ practitioners would need to consult with organisations to discuss further

- Recovery Group programmes for males and females
- CYP one to one support

The specialist support services also provide support to victims suffering abuse from parents, older children, other *family* members<sup>4</sup> or same sex partners.

Programmes are also provided to perpetrators of domestic abuse, aimed at educating them on how to eliminate their use of violent, abusive, coercive and controlling behaviour, and promoting the value of equal relationships.

### Access to specialist domestic abuse services can be found below:

<p><b>New Era – Victim Service (Staffordshire and Stoke-on-Trent)</b>  Referrals: <a href="mailto:new-era@victimsupport.cjism.net">new-era@victimsupport.cjism.net</a>  Website: <a href="http://www.new-era.uk/">http://www.new-era.uk/</a></p> <p>New Era aims to end relationship abuse through a wide range of individual and group support for adults, children and young people for as long as they need it.</p> <p>Specially trained staff are able to help whether or not a report has been made to the police. Operating across Staffordshire and Stoke-on-Trent, victim services are provided by for everyone, with safety and recovery prioritised.</p>	<p>24 hour telephone line for victims and professionals: 0300 303 3778</p>
<p><b>New Era – Perpetrator Service (Staffordshire and Stoke-on-Trent)</b>  Referrals: <a href="mailto:new-era@rrp.gse.gov.uk">new-era@rrp.gse.gov.uk</a>  Website: <a href="http://www.new-era.uk/">http://www.new-era.uk/</a></p>	<p>Telephone line for self-referrals and professionals: 01785 601690</p>
<p><b>ARCH Domestic Abuse Services</b>  <a href="http://www.archnorthstaffs.org.uk">www.archnorthstaffs.org.uk</a>  Email: <a href="mailto:dv.services@archnorthstaffs.org.uk">dv.services@archnorthstaffs.org.uk</a></p> <p>Arch works in North Staffordshire and surrounding areas supporting adults, children, young people, families and professionals on a mission to prevent and tackle domestic abuse from crisis accommodation to recovery.</p>	<p>01782 222421</p>
<p><b>Staffordshire Women’s Aid</b>  24 hour help line</p>	<p>03003305959</p>
<p><b>Savana</b>  <a href="http://www.savana.org.uk">www.savana.org.uk</a></p> <p>Sexual violence service which offers support, information and counselling.</p>	<p>01782 433204</p>
<p><b>Karma Nirvana</b>  <a href="http://www.karmanirvana.org.uk">www.karmanirvana.org.uk</a></p> <p>Support for anybody who has experienced honour based violence or forced marriage.</p>	<p>08444 111 444</p>

<sup>4</sup> Family members are defined as mother, father, son, daughter, brother, sister, and grandparents whether directly related, in-laws or step family. Source: [www.fco.gov.uk](http://www.fco.gov.uk)

<b>Gingerbread</b> <a href="http://www.sotgingerbread.btck.co.uk">www.sotgingerbread.btck.co.uk</a> Provide advice and a confidential phone service for lone parent families.	01782 344740
<b>Citizens Advice Bureau</b> <a href="http://www.stoke-cab.org.uk">www.stoke-cab.org.uk</a> Helps people resolve their legal, money and other problems by providing fee, independent and confidential advice.	08444 111 444
<b>Stoke-on-Trent Advice and Access Team</b>	01782 232200

### National Helplines

<b>Mens Advice helpline</b>	0808 801 0327
<b>Honour Network Helpline</b>	0800 5999 247
<b>Forced Marriage Unit Helpline</b>	020 7008 0151
<b>National Domestic Violence Helpline</b>	0808 2000 247
<b>Galop National Support Service and National LGBT and Domestic Abuse Helpline</b>	0800 999 5428
<b>Women's Aid and Refuge</b>	0808 2000 247
<b>NSPCC Helpline</b>	0800 800 5000

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## Appendix A

### Initial Contact with the Family

Enquiries into private family matters are often viewed by the abuser as a threat to his or her control over the family. It should be noted, however, that many non abusive families will respond negatively to such enquiries as well. Promoting safety for all parties is the primary goal when intervening in cases where there are allegations of domestic abuse.

To safeguard domestic abuse information from the alleged abuser, professionals should not leave domestic abuse resource information, post letters out to their address, or leave voicemail messages asking to speak with the alleged victim about the abuse. Such information can jeopardise not only the alleged victim's safety, but also the nature of the caseworker's interview with family members who may be threatened or forced to deny the allegations. Professionals need to make direct contact with the alleged victim to avoid any attempts by the alleged abuser to sabotage their efforts. If professionals are not able to make initial contact with the alleged victim, they should find alternative, creative means of contact (e.g., at the alleged victim's place of work or through the children's school).

Ideally, separate interviews should be conducted with the children, alleged victim, and alleged perpetrator. These cases involve child abuse and so professionals must follow safeguarding procedures and interview the individuals in that order unless it compromises someone's safety. Separate interviews allow adults and children to talk safely about the abuse. There will be times when professionals arrive at the home and find both partners present. In these instances, caseworkers should collect general family information and refrain from direct inquiry about the domestic abuse. Professionals can use their authority to request separate, follow-up interviews and inform family members that it is a routine agency procedure.

Please note that victims of domestic abuse are entitled to privacy with regard to their use of a support service from a domestic abuse specialist provider. It may put the victim at risk or impact detrimentally upon support if the perpetrator is made aware of this. It may also be used as a form of abuse and control. It is best practice to respect this confidentiality about a victim using the services of a specialist provider, including any referrals made.

### Collaborate with Service Providers

Professionals are expected to assess a number of risk factors in addition to domestic abuse. Families involved often have multiple needs requiring complex interventions. Professionals are not expected to have specialised knowledge on every social problem affecting the family and professionals must seek the expertise of specialist service providers who can provide support regarding assessment and intervention techniques and assistance with accessing relevant services. Enlisting the help of service providers (as well as other substance abuse and mental health service providers, when appropriate) can make these challenging cases more manageable.

## Appendix B

### ADVICE ON SAFETY PLANNING

#### How to be prepared to leave urgently:

A person who realises that they may need to leave home suddenly can be greatly assisted by being prepared. They need to plan where they (and any children and/or vulnerable adults) would go, how they would get there and what they would take. The following checklist might help:

- Have important telephone numbers available (Refuge & Women's Aid 24 hour help-line number, friend, family);
- Keep birth and marriage certificates, passports, medical cards together, or copies in a safe place;
- Keep benefit books, bank and building society books handy;
- Have rent or mortgage details written out;
- Carry change, a phone card or a mobile phone all times;
- Carry their driving licence, car registration and details of car insurance;
- Hide some money, credit cards, or open own savings account;
- Hide or leave spare keys to house and car with someone;
- Have necessary medication for themselves and their children ready;
- Have someone write out a statement of her situation in English if not English speaking;
- Have a photograph of the abusive person (useful for serving court documents);
- Decide what to do about personal items or valuables, e.g. family photos, which are often important later;
- Have packed bag with a change of clothes, toiletries, toys hidden or at someone else's house;
- Plan to take all the children that they wish to have with them (the longer children are 'left at home' the harder it is to get them later);
- Talk to the children about the situation;
- Keep together any documents relating to their immigration status;
- Talk to friends or family about staying in an emergency;
- Use a call box or a friend's phone to keep calls private;
- Be ready to call 999 if they or their children / any vulnerable adult is in danger;
- Tell people they trust about the abuse;
- Talk to agencies, e.g. a solicitor, about their legal rights, or other professionals such as their health visitor;
- Develop and keep reviewing their safety plan if there is the risk of abuse. For instance, avoid some rooms (kitchen, because of potential weapons; or bathroom, with no exit). Help them to think about all possible escape routes: windows, doors, stairs (and suggest that they practice before it's needed, if possible). An alternative may be a safe room to barricade while the police are coming;
- Ask neighbours and friends to call 999 if they see or hear noises that could mean they (and/or their children or any vulnerable adult) are in danger. (Think about what they will scream or shout if attacked);
- Teach the children to use 999 and ask for the police. Talk to the children about staying safe, how they get out and where to go.
- Support them in arranging care for their pets as refuges are usually unable to accommodate them. This will be important to children and some domestic abuse support projects have arrangements in place with pet welfare organisations to accommodate on a temporary basis.

## IF THEY DECIDE TO LEAVE

### If the person decides to leave, before they go:

- Help them to think about a place they can go where they will be safe, or where the abuser will not know to look for them, such as to a friend or relative (only if it is safe), to a hotel, or refuge, or to another town or city;
- They can also ask the Housing Department (or Homeless Person's Unit) or Children's Service for help. Suggest they plan now and make a back-up plan. Suggest that they get legal advice;
- Work wherever possible with your local domestic abuse support provider who will help with safety planning

If possible, suggest the following:

- Put some money away in a safe place a little at a time;
- Move some of their things out a little at a time (for example, identification and other things that may not be noticed);
- Keep a diary and record the abusive incidents (only if they can do this safely, in a hiding place or a safe address).

At any stage they can encourage them to make careful notes of everything that happened, including times, dates, names, and what everyone said. If they are able to keep a diary, it can help them to remember. If they have been injured, they (you, and the GP) might record all of the details including:

- Exactly where they received the injuries (for example, the upper thigh);
- How they were hurt (for example, by a fist or boot);
- How many times they were hit, and
- How severe their injuries were (for example, bruises or cuts requiring stitches).

These notes are very important. They may help the individual to access legal rights, welfare rights and benefit them and their children / any vulnerable adults they are caring for. Keep them in a safe place:

- Identification, including benefit books, medical cards, legal papers (like court orders, marriage certificate, passports, birth certificates, drivers licence);
- Proof of their housing situation e.g. mortgage paper, tenancy agreement, a bill with name and address, rent book;
- Money for fares, credit cards, cheque book;
- Clothes for two or three days, in a bag which is not too heavy;
- Things of special personal value (like writing, photos), or hide or store them;
- A few of the children's favourite toys, books or games;
- Toiletries, nappies, sanitary towels.

**Any proof of the abuse like notes, photos, taped messages, their diary, crime reference numbers, names and numbers of professionals who know.**

If there is a residency or a parental order in place, they might consult a solicitor who specialises in child and family work before leaving, or as soon as possible after they have left with the children. It may prevent a missing person's investigation or an emergency order being issued by the abuser for the children's return.

Ideally, they might leave a note that says that they have left with the children, that they are safe, and that they will contact the non-resident parent in the near future. (Where possible a copy of this note should be kept).

For further help and guidance the individual can also contact the national 24 hour National Domestic Violence Help-line run in partnership between Refuge and Women's Aid on **0808 2000 247**, voluntary agencies in their area, the police, their local authority Children's Social Care Services or their local housing department.

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## Appendix C

### Examples of disclosure questions for a non-abusing parent/survivor

Professionals should sensitively offer direct questions for potential victims to answer

- Can you tell me what's been happening?
- You seem upset, is everything all right at home?
- Are you frightened of someone/something?
- Did someone hurt you?
- Did you get those injuries by being hit?
- Are you in a relationship in which you have been physically hurt or threatened by your partner?
- Have you ever been in such a relationship?
- Are you feeling depressed or having suicidal thoughts?
- Do you ever feel frightened by your partner or other people at home?
- Are you (or have you ever been) in a relationship in which you felt you were badly treated? In what ways?
- Has your partner destroyed things that you care about?
- Has your partner ever threatened to harm your family? Do you believe that (s)he would?
- What happens when you and your partner disagree?
- Has your partner ever prevented you from leaving the house, seeing friends, getting a job or continuing in education?
- Does your partner 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 specify behaviour.)
- Has your partner ever hit, punched, shoved or slapped you?
- Has your partner ever threatened you with a weapon?
- Does your partner do or say things of a sexual nature that make you feel bad?
- Does your partner use drugs or alcohol excessively? If so how does (s)he behave at this time?
- Do you ever feel you have to walk on eggshells around your partner?
- Have you ever been physically hurt in any way when you were pregnant?
- Has your partner ever threatened to harm the children? Or to take them away from you?

## Appendix D

### The following are some of the legislation that are relevant to domestic abuse

#### The Children Act 1989 and the Children Act 2004

This law establishes the legal framework for child protection and the key principle that the welfare of the child is the paramount consideration. It affirms that children should usually be cared for within their own home, but that children should also be safe and protected if they are at risk of significant harm. Section 17 makes provision for local authorities to provide support, care and services to safeguard and promote the welfare and development of the child and can be used, even if the mother has no recourse to public funds to support mothers and their children.

#### Adoption and Children Act 2002

Section 120 of the Adoption and Children Act 2002 extends the legal definition of 'significant harm' to children to include the harm caused by witnessing or overhearing abuse of another, especially in a context of domestic violence. It is important to remember that the responsibility for the harm lies with the abuser.

#### Female Genital Mutilation Act 2003

This Act came into force on 3 March 2004. It replaces the 1985 Act and makes it an offence for the first time for UK nationals or permanent UK residents to carry out FGM abroad, or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where the practice is legal.

#### Domestic Violence Crime and Victims Act 2004

The Domestic Violence, Crime and Victims Act 2004, introduced new powers for the police and courts to tackle offenders whilst ensuring that victims get the support and protection they need. The Act creates a number of important provisions for example: there are new procedures to deal with multiple offending; breach of non-molestation orders becomes a criminal offence; and causing or allowing the death of a child or vulnerable adult becomes a new offence. Domestic Homicide Reviews were established on a statutory basis under section 9 of the Domestic Violence, Crime and Victims Act (2004) and came into force on 13 April 2011.

#### The Gender Equality Duty 2007

The Gender Equality Duty requires all public bodies to respond to the needs of women and men fairly and tailor their services accordingly. Domestic violence disproportionately affects women and their children. Apart from the physical injuries sustained by victims and their children, those experiencing domestic violence are twice as likely to experience high levels of depression. They are also more likely to self-harm and attempt suicide.

## Domestic Violence Disclosure Scheme (Clare's Law)

The Domestic Violence Disclosure Scheme gives members of the public a 'right to ask' Police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual. If an application is made under the scheme, Police and partner agencies will carry out checks and if they show that the partner has a record of abusive offences, or there is other information to indicate that there may be a risk from the partner, the Police will consider sharing this information.

## Crime and Security Act 2010

The Crime and Security Act 2010 introduced Domestic Violence Protection Orders (DVPO's) which enable the police to put in place protection for the victim in the immediate aftermath of a domestic violence incident. Under DVPOs, the perpetrator can be prevented from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim a level of breathing space to consider their options, with the help of a support agency. This provides the victim with immediate protection.

## The Serious Crime Act 2015

The Act creates a new offence of controlling or coercive behaviour in intimate or familial relationships (section 76). The new offence closes a gap in the law around patterns of controlling or coercive behaviour in an ongoing relationship between intimate partners or family members. The offence carries a maximum sentence of 5 years' imprisonment, a fine or both.

- Crime and Disorder Act (1998, 2004, 2014);
- Police Reform Act (2002);
- Children Act (1989, 2004) (with particular reference to Section 11 of the Children Act 2004)
- Victims Code of Practice (2015);
- Human Rights Act (1998);
- The Equality Act (2010);
- Data Protection Act (1998);
- Serious Crime Act (2015);
- Crime and Security Act (2010);
- Domestic Violence, Crime and Victims Act (2004);
- Working Together (2015);
- Care Act (2014);
- Mental Capacity Act (2005);
- Social Value Act (2012);
- Code of Practice for Victims (2015 - pursuant to section 33 of the Domestic Violence, Crime and Victims Act 2004);
- EU General Data Protection Regulation (2018);
- Hidden Harm (2003, 2005, 2007);
- Domestic Violence and Abuse: Multi Agency Working (NICE, February 2014, PH50);
- Domestic Violence and Abuse (Quality Standard QS116, February 2016);
- National Violence Against Women and Girls Strategy (2016-2020);
- Home Office Violence Against Women and Girls National Statement of Expectations (2016);