

Leadership, strategic oversight and management

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Written by College of Policing

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Leadership

Senior officers, together with police and crime commissioners, should take the lead in promoting a positive police culture when dealing with domestic abuse and supporting its victims. They should make it a force priority so that it is handled appropriately, whether as a volume crime, a serious and complex crime or a major incident. They should also emphasise the importance of adopting a multi-agency approach to domestic abuse. Victim protection must be a priority at all times, whichever category the crime falls into. This should be addressed not only at the strategic level but also integrated into core business so that it becomes operational reality. Inconsistency in frontline attitudes can lead to public mistrust and risk of harm to victims not being addressed.

Addressing this challenge means, for example, taking steps to ensure that:

- officers understand what the priority means in practice – when it is a volume crime and when it may need escalation as a serious and complex crime or major incident
- responding effectively to domestic abuse is viewed as everybody's business not just that of specialists
- positive culture/attitudes are reinforced, thus making victims safer
- officers are better equipped, through training, to improve both their understanding of the dynamics of domestic abuse and coercive control, and their basic investigation skills
- clear channels are established to support officers lacking specialist knowledge
- officers are aware of support pathways for victims and potential victims which are clear, simple and utilised
- reward and recognition schemes specifically include work relating to domestic abuse, for example, supporting a vulnerable victim or a particularly good evidence-led investigation leading to a

conviction

- effective performance management and supervision are in place
- existing governance structures, tactical intelligence assessments and tasking processes are adapted to embed the response to domestic abuse both culturally and operationally
- the impact on staff welfare of dealing with or experiencing domestic abuse is recognised and support made routinely available

Senior officers should lead the drive to improve the force-wide response to domestic abuse. They should consider some or all of the following options.

- Reviewing domestic abuse incidents in daily management meetings at operational and strategic levels.
- Taking a leading role in partnership working.
- Facilitating force participation in scrutiny panels.
- Involving senior members of the command team in focus groups.
- Encouraging victim and user surveys.
- Engaging with voluntary and community groups to improve victim confidence.

Her Majesty's Inspectorate of Constabulary (HMIC) (2014) Everyone's business: Improving the police response to domestic abuse sets out a check list to support police and crime commissioners in holding their forces to account for improved delivery of services to victims of domestic abuse. It is reproduced here, with permission, as it provides a robust framework for forces to ensure they are providing the best possible protection to these victims.

Nine questions for the force

1. How well does the force deal with initial contact?

- What are the force's definitions of what constitutes a repeat victim of domestic abuse and vulnerable victim of domestic abuse, and are they understood well by staff?
- Are call handlers able to identify repeat and vulnerable victims of domestic abuse consistently?
- To what extent do call handlers have access to relevant and reliable information to provide an accurate history to responding officers?
- What information on previous history will a responding officer have each time they attend a domestic abuse incident? Is this sufficient and is it guaranteed to be provided?

2. How effective is the force's initial response?

- How much emphasis is placed on the quality of the responding officer's initial investigation and how is this assessed?
- How does the force ensure that standards of the initial investigation meet the requirements of national policy?
- What does the force's policy on positive action mean in practice, do staff understand it, and how does the force measure whether positive action is keeping victims safe?
- Has the force reviewed its arrest rate for domestic abuse related crimes and how does it keep this under review?
- How does the force satisfy itself that the risk assessment process is well understood and conducted effectively by responding officers?
- Is the force using body worn cameras and how is the force evaluating their effectiveness?

3. How effective is the force in investigating crimes and safeguarding victims?

- Following handover by responding officers, is it clear who is responsible for what element of victim care and investigation, and is this well understood by staff across the organisation?
- How is the repeat 'handover' of victims minimised by the force, and how are any risky gaps closed?
- How effectively are victims kept informed on the progress of their case by the force?
- How is risk reassessed for standard, medium and high risk cases? What are the trigger points and how many repeat incidents are required before there is a review of standard and medium risk cases?
- Are specialist domestic abuse units properly resourced and are staff well trained and supported?
- Is it possible that risk levels are downgraded on the basis of the capacity of the specialist team or the Multi-Agency Risk Assessment Conference (MARAC) rather than on the basis of risk to the victim? Is the force in a position to be able to spot this and address it?
- To what extent is the force using cautioning and restorative justice as a means of resolving domestic abuse incidents and is this appropriate?
- How successful is the force at bringing offenders to justice?
- What is the force's approach to securing evidence led prosecutions and how successful is this?
- How does the force use the SafeLives review process and data to assess the effectiveness of MARACs?

4. How well does the force work with partners?

- How is the force engaging with local voluntary and community sector groups as it develops its service?
- Is the Independent Domestic Violence Adviser (IDVA) provision in the force areas appropriate? How can a long-term commitment to funding the IDVA posts be achieved?
- What other multi-agency approaches does the force support, for example, a Multi-Agency Safeguarding Hub (MASH)? Do the multi-agency arrangements have good buy-in from other partners?
- How do the force and the Crown Prosecution Service (CPS) work together to support evidence led prosecutions? How successful has the approach to evidence led prosecutions been so far?
- To what extent does the force review, with the CPS, the reasons for low conviction rates in domestic abuse?

5. How is effectively is victim feedback obtained and used?

- How does the force routinely survey victims of domestic abuse?
- How does feedback from victims help to shape the service the force provides?
- How is the force fulfilling its statutory responsibilities under the Victims' Code?

6. How effective is the force in preventing domestic abuse?

- What is the force's strategy for dealing with serial perpetrators of domestic abuse?
- Does the force have an active and well-managed approach to targeting domestic abuse perpetrators and how does it measure its effectiveness?
- To what extent are the force's neighbourhood policing resources deployed in preventive activity in respect of domestic abuse, and safeguarding victims?
- To what extent does the force deploy similar tactics used against members of organised crime groups in its fight against domestic abuse?

7. How effective are force mechanisms for ensuring that the stated priority translates into operational reality?

- How does the force ensure that domestic abuse is an operational priority?
- How does tackling domestic abuse feature in the priorities for the day-to-day activity of frontline officers and assignment of work?

- How widely known is the force policy on domestic abuse and when was it last reviewed?
- How does the force's performance management regime promote tackling domestic abuse as a force priority?
- Who has responsibility for domestic abuse at the National Police Chiefs' Council (NPCC) level, and how do they ensure effective oversight?
- How effective are the force's IT and information systems in supporting officers in their jobs?
- How does the force deal with victims and perpetrators of domestic abuse employed by its force?
- How does the force promote and value the work of officers and staff who work well with victims of domestic abuse?
- How are successful interventions by staff in keeping victims of domestic abuse recognised and rewarded? For example, when was the last time a chief constable's commendation was awarded for keeping a victim of domestic abuse safe?
- How is poor performance of officers and staff and inappropriate attitudes in respect of domestic abuse identified and dealt with by the force?
- How important is expertise in understanding and dealing with domestic abuse in the force's selection and promotion arrangements?
- How is the force responding to the recommendations of HMIC's national and force reports?

8. How effective is the force's training on domestic abuse?

- Do officers have the skills and knowledge necessary to engage confidently and competently with victims of domestic abuse, and how does the force assess this?
- How does the force provide training on domestic abuse? Is this for all frontline officers at all ranks? How regular is this training?
- How does the force measure the effectiveness of this training?
- How much training is face to face as opposed to e-learning? What are the opportunities for extending training?

9. How effective are the force's supervision arrangements in respect of domestic abuse?

- What are the principal responsibilities of frontline supervisors and how does the force establish if they are effective?
- Does the force check or dip sample any of the following:

- control room logs and recordings to check the correct identification of victims of domestic abuse and in particular vulnerable and repeat victims?
- decisions by call handlers to make a scheduled appointment?
- DASH forms to check the quality risk assessment, especially in standard or medium risk cases?
- officer justifications for a decision not to arrest when a crime has been committed?
- case files to provide assurance on the quality of initial investigation?

Nine pieces of data for routine monitoring

1. Can the force provide data on domestic abuse incidents and crimes and on victims (broken down by ethnicity and gender)?
2. Does the force have a clear definition of repeat victims and can it access data that tells it the number of repeat victims?
3. How does the force describe a positive outcome in domestic abuse cases and what data does it use to demonstrate this?
4. Can the force provide accurate data on the arrest rate where a domestic abuse related crime has been committed?
5. What does the force measure in terms of domestic abuse outcomes and how does this compare with other victim based or violent crimes?
6. How does the force use data from the CPS to track successful criminal justice outcomes?
7. Can the force measure its domestic abuse cases at every level of risk?
8. How does the force use the data provided by SafeLives?
9. Does the force have victim satisfaction data for domestic abuse?

Strategic oversight

Duty of positive action

Positive action in this context should not be confused with the concept of positive action under the [Equality Act 2010](#).

The [Human Rights Act 1998](#), incorporating the [European Convention on Human Rights 1958 \(ECHR\)](#), imposes positive obligations on the UK to actively protect individuals from acts which interfere with their rights, and to investigate effectively alleged breaches of those rights. Most

relevant to domestic abuse are: Senior managers are responsible for ensuring that their force fulfils its obligations under the [Human Rights Act 1998](#), which includes taking positive action to protect victims of domestic abuse. Senior managers should ensure their staff are aware of the contribution they can make to victim safety by taking positive action at domestic abuse incidents.

- [Article 2](#) – right to life
- [Article 3](#) – right not to be subjected to torture or to inhuman or degrading treatment or punishment, which includes ill-treatment
- [Article 8](#) – right to respect for private and family life, which includes physical integrity

Positive obligations under Article 2 require the UK to take ‘appropriate steps to safeguard the lives of those within its jurisdiction’ ([L.C.B. v UK \(1999\) 27 EHRR 212](#)), which includes ‘preventive operational measures to protect an individual whose life is at risk from the criminal acts of another individual’ ([Osman v UK \(2000\) 29 EHRR 245](#)). In practice this means that where the victim is threatened in a real and immediate way and the authorities know, or ought to know, of the threat, they must take reasonable measures to counter that risk.

Article 3 requires member states, including the UK, to take steps to ensure that individuals within their jurisdiction are not subjected to torture or inhuman or degrading treatment or punishment, including such ill-treatment administered by private individuals ([A v UK \(1999\) 27 EHRR 611](#)).

Positive obligations under Article 8 to safeguard the individual’s physical integrity may involve adopting measures applicable to relations between individuals. Grave acts affecting essential aspects of private life, such as sexual abuse and rape, therefore require effective deterrence by way of legislation and criminal investigation. Children and other vulnerable individuals are particularly entitled to effective protection ([M.C. v Bulgaria \(2005\) 40 EHRR 20](#)).

Police officers, as agents of the state, consequently have a positive obligation to take reasonable action, within their lawful powers, to safeguard the above rights of victims and children.

This includes the duty to:

- make an arrest where it is necessary and proportionate to do so, see the authorised professional practice (APP) on [detention and custody, lawful arrest](#)
- protect the victim and vulnerable people within the household from harm

The requirement for positive action in domestic abuse cases incurs obligations at every stage of the police response. These obligations extend from initial deployment to first response, through the whole process of investigation, and the protection and care of victims and children. Action at all of these stages should ensure:

- effective protection of victims and children
- criminal proceedings where appropriate
- effective perpetrator management where criminal proceedings are not possible or unsuitable

Senior management must, therefore, establish a force-wide approach to tackling domestic abuse which reflects the requirement for positive action.

A force-wide approach

The role of specialists

Senior managers are responsible for deciding how best to provide high quality services to victims of domestic abuse, and organising their implementation.

Force models for specialist personnel dealing with domestic abuse vary according to available resources, but it is clear from HMIC findings and victim feedback that specialist teams are seen as providing a better quality of service because of their greater understanding of context.

Forces should work towards having a dedicated team of officers and supervisors with specialist knowledge, either in a specialist unit or within the public protection unit. As a minimum, there should be a body of specially trained officers across the force.

There is a need for effective oversight across the force area. Whether this is achieved through the appointment of a central domestic abuse coordinator or equivalent supervisory function within a dedicated team, or by way of a regular meeting of wider team supervisors, is a matter for forces. The important point is that there must be a means to acquire a detailed overview of domestic abuse across the force, not just at individual case level or for high-level statistical purposes, but with in-depth knowledge of local trends, current perpetrators and victims, progress of cases through the courts and other information and intelligence. This resource should be made available to local response and policing teams so that information is shared across the force.

Including domestic abuse as part of basic training does not replace the need for specialist knowledge, and frontline officers still need access to those with specialist expertise and an overview of domestic abuse in the local area. It is also appropriate for more complex or high-risk cases to be led by specialists. Whatever the force model, there needs to be clear lines of responsibility for victim care and risk assessment in every case.

Specialist units should be adequately resourced for the workload. This should be kept under review and recorded on the force risk register if not achieved. High-risk cases referred to the unit must be prioritised at all times. Supervisors are responsible for ensuring that arrangements are in place to progress high-risk cases outside the unit if an excessive unit workload means such cases cannot be effectively managed.

Recruitment into the unit should be balanced. It should not be limited to officers on restricted duties. Secondments into the unit are a good way of providing experience to a larger number of officers, but should take place alongside established personnel to maintain consistency.

Forces should consider allocating appropriate equipment to the unit, for example, a dedicated vehicle.

Issues for management consideration include:

- developing deployment models to ensure first response teams have access to specially trained domestic abuse officers for advice on investigation development and victim safety
- ensuring that domestic abuse officers take responsibility for managing or investigating serious and complex cases
- developing the role of domestic abuse coordinators/supervisors to manage domestic abuse officers, and to carry out multi-agency functions
- identifying working links between domestic abuse officers, child abuse investigators, and specially trained officers dealing with adult sexual offences
- ensuring there are clear pathways into local authority and third sector support schemes for victims and potential victims
- ensuring that liaison with CPS domestic abuse contacts is facilitated through designated coordinators or supervisors
- incorporating additional measures to manage domestic sieges and hostage-taking incidents, taking into account local emergency procedure guidelines

- providing welfare support to specialist officers and other officers affected by policing domestic abuse, especially where personal experience of domestic abuse has been disclosed

For further information see [Meeting the welfare needs of domestic abuse specialists](#).

Domestic abuse as core business

Policy

Senior managers are responsible for ensuring that domestic abuse victims receive the best possible service. This is best achieved by making domestic abuse an integral part of force policy and strategic decision making.

Management considerations include:

- embedding the national decision model (NDM) containing the [Code of Ethics](#) as a set of policing principles and standards of behaviour across the force
- linking policies relating to domestic abuse, child abuse, vulnerable adult abuse, missing persons, homicide investigation, honour-based violence (HBV), immigration, sexual offences, harassment, the management of sexual offenders and violent offenders, and prostitution
- incorporating lessons learned from Domestic Homicide Reviews into force policies and procedures
- incorporating specific sections on vulnerability and high risk crime areas, including domestic abuse, into the force strategic assessment
- ensuring that all crime prevention and management tactics, such as covert policing techniques, are applied as they would be to other high risk crime
- auditing all connected policing policies to ensure the incorporation of domestic abuse issues
- updating force policies to ensure compliance with APP on Domestic abuse
- adopting a domestic abuse workplace policy to be made available to all new starters and circulated periodically to existing personnel
- incorporating domestic abuse into force media strategies and monitoring local media reporting
- ensuring compliance with the [Human Rights Act 1998](#) and the [Equality Act 2010](#)

Throughout the investigation process

Management and oversight should be built into the investigation process in the same way as for any other area of crime, but with a particular focus on managing risk, victim safety and adopting an evidence-led approach to investigation and prosecution.

Management considerations, at the respective stages, include the following.

Call handling

- Developing systems that ensure supervisors monitor domestic abuse-related calls.
- Monitoring the accuracy of call grading according to local call-grading policies.
- Monitoring to ensure that domestic abuse incidents are identified or flagged appropriately at the call-handling stage.

First response

- Identifying domestic abuse cases correctly and dip-sampling incidents to ensure that positive action policies are being effectively applied by officers.
- Requiring officers to record reasons for not arresting suspects when they had grounds for arrest, and recording other positive action taken in domestic abuse cases to make victims and potential victims safer.
- Complying with the National Crime Recording Standards (contained within the [Home Office Counting Rules for Recorded Crime \(HO Counting Rules\) at Annex A](#)).
- Ensuring officers clearly understand the requirement to begin evidence gathering on immediate arrival at the scene.
- Providing first response and domestic abuse officers with access to early evidence kits and cameras.

Investigation

- Ensuring that domestic abuse investigations focus on sources of evidence other than the victim's statement and do not rely exclusively on the victim's support for a prosecution.

Suspect and case file management

- Supervising investigative interviewing.

- Supervising the custody process.
- Implementing **APP on Investigative interviewing**.
- Monitoring the pre-charge advice process.
- Developing local service level agreements (SLAs) with the CPS.
- Challenging CPS decisions that may increase risk of harm to the victim.
- Identifying risk prior to making police bail decisions.

Victim safety and support

- Ensuring victims are kept updated on the progress of cases and, in particular, changes in status of the suspect, for example, when released on bail, conditions attached to bail.
- Ensuring officers conduct early assessments to determine victim eligibility for special measures.
- Developing local systems to ensure that duties as stated in **Ministry of Justice (2015) Code of Practice for Victims of Crime** are complied with and monitored.
- Monitoring the use of victim personal statements.
- Identifying risk prior to making police bail decisions.
- Auditing and increasing the availability of equipment for crime prevention and home security.
- Managing repeat victimisation and risk assessment through targeted policing measures, supervised by the police domestic abuse coordinator/supervisor and involving local/neighbourhood policing teams where appropriate.
- Implementing independent domestic violence adviser (IDVA) schemes, where possible.
- Supporting voluntary sector groups that provide safety-planning advice to victims.

The role of neighbourhood policing

Neighbourhood policing teams (NPTs) or equivalent local policing teams have a key role to play in tackling domestic abuse as a force priority, particularly in relation to perpetrator management, and they should be viewed as an integral part of the force response to domestic abuse.

Systems should be established to ensure that regular up-to-date information is provided to them on:

- at-risk victims and children
- known perpetrators
- newly reported incidents
- likely domestic violence (DV) hot spots

- newly issued and current protective orders, including: non-molestation and other civil orders, restraining orders, [DVPNs](#) and [DVPOs](#), and specialist orders such as [violent offender orders \(VOOs\)](#), sexual harm prevention orders (SHPOs) or sexual risk orders (SROs) – a copy of the order itself should always be immediately accessible so that any breach can be quickly identified and the correct paperwork made available for court

The information could, for example, be supplied through supervisors in daily tasking meetings, and supplemented by maintaining current lists of the above, easily accessible to officers, who would be expected to stay up to date with the lists.

NPTs, in conjunction with domestic abuse specialists and/or case officers, should be involved in safety planning wherever possible, as they are best placed to monitor the situation on a regular basis, and can assist with follow-up visits to victims. Processes should be in place to ensure that beat managers (or equivalent roles) and other NPT personnel tasked with visiting victims are equipped with all relevant information and clear on the purpose of their visit. Appearing knowledgeable about the situation is important to encourage victim confidence.

Existing channels of communications between NPTs and statutory partners, community groups, schools or any other relevant agencies should be used to ensure that any current information relevant to managing risk in domestic abuse cases is exchanged in all cases, not only those referred to [multi-agency risk assessment conferences \(MARACs\)](#).

Multi-agency considerations

Successfully tackling domestic abuse requires effective partnership working and multi-agency responses because good assessment and management of risk depends on being able to see the whole picture. Failing to share crucial information with appropriate partners can make the difference between life and death. Senior managers are responsible for establishing effective multi-agency working arrangements to deal with domestic abuse.

Management considerations for multi-agency working include:

- engaging with multi-agency initiatives through forums, MARACs, [local safeguarding children boards \(LSCBs\)](#) and other relevant groups
- developing multi-agency SLAs

- developing systems for sharing aggregated data and monitoring levels of reported domestic abuse
- ensuring that domestic violence/abuse forums and LSCBs are linked, including some cross-membership
- providing information and equipment, where appropriate, to other agencies to improve the collection of evidence
- providing multi-agency training for domestic abuse officers and police domestic abuse coordinators
- ensuring that multi-agency intelligence products are included within the [national intelligence model \(NIM\) process](#)
- including service user consultation within the audit and strategy process
- identifying levels of domestic abuse and child abuse within crime audits and then as priorities in local community safety strategies
- monitoring referrals to [MARACs](#)
- monitoring all suspects and offenders referred into [multi-agency public protection arrangements \(MAPPA\)](#) for risk factors associated with domestic abuse and child abuse

Management

Management of personnel

Specific management considerations when dealing with police perpetrators of domestic abuse

Police officers who commit domestic abuse-related offences should not be treated differently to any other suspect. They should be investigated and held accountable through the criminal justice system in the same way as any other person. There are, however, some issues which are specific to police suspects and their victims and need to be given particular consideration.

A police officer may have access to weapons, vehicles or information which would not be available to the general public and this should be considered as part of any risk assessment.

Staff and officers, both victims and perpetrators, may:

- feel uncomfortable about seeking help and advice from their colleagues

- be concerned about the implications of people being aware of their personal issues (particularly around seeking early help if they are a perpetrator)
- feel that as they are police they should know what to do
- not recognise the behaviour as abusive or controlling

Forces could consider establishing mutual arrangements with another force for the provision of anonymous help and information in such cases.

Immediate referral

When a report of domestic abuse involving a police suspect is received:

- the first recipient of the information should immediately refer the matter to a supervising officer, normally of the rank of inspector or above
- the supervising officer should pass the information to all of the following:
 - commander for the local policing area
 - nominated NPCC officer
 - domestic abuse coordinator/supervisor and, where applicable, the CAIU (or equivalent) supervisor
 - professional standards department (PSD), which should have its own policies on suspension or movement of the staff involved
- if the suspect is the nominated NPCC officer, information should be passed to the chief officer. If the suspect is the chief officer, the information should be passed directly to the police and crime commissioner

Inter-force arrangements

Where the case involves a suspect who is a police officer from a different police force area, the nominated NPCC officer from the force receiving the report is responsible for:

- providing a report to the nominated NPCC officer in the force which employs the suspect
- ensuring that the professional standards department in the employer force are regularly updated about the investigation and any prosecution process

Reviews of the investigation

IOs should prepare a report, under the direction of the nominated NPCC officer, for consideration by chief officers, professional standards departments and any specialist scanning group that collects intelligence, and reports and assesses cases. The report should review the following issues:

- risk factors relating to the case
- public protection
- community impact assessment
- public confidence and reassurance
- media strategies

Access to records

Whatever information or record-keeping system is used by a force, appropriate safeguards about access to records are necessary to ensure the integrity and effectiveness of the investigation.

Such safeguards might include:

- a requirement that a supervising officer and/or the PSD be notified of any attempt to access records relating to a case involving a police officer as a suspect
- use of a particular identifying 'flag' for cases involving police suspects

Any special provisions relating to access to records should ensure that access is not limited in a way which jeopardises the protection of the victim, children or any other person. Consideration needs to be given to ensuring the privacy of victims, but this should be proportionate to the duty to protect them from further harm.

Providing support to victims

Police forces should ensure that victims of police domestic abuse offenders, including victims who are also police officers, are given the same level of service as other victims of domestic abuse. They should be offered confidential support from both internal and external sources. They should have access to the same level of police support, if necessary through arrangements for this to be accessed from another police division or police force. Consideration should be given to appointing force domestic abuse champions whose role is to support colleagues in the workplace and who

receive specialist training for this purpose.

Police forces should also ensure that such victims are given a full explanation of the force's domestic abuse workplace policy and kept fully informed about the progress of internal investigations and misconduct processes. Police personnel providing such information should be of an appropriate rank and appropriately skilled and trained. Forces should also consider domestic abuse or child abuse investigation and/or family liaison officers assisting a senior-ranking officer in providing such information and support.

Police officers may also be victims of non-police perpetrators of domestic abuse. Police forces have the same obligations as any other employer to support their employee and safeguard them and their colleagues.

For further information see the [Corporate Alliance Against Domestic Violence](#), which is a group of companies and organisations working individually and collectively to address the impact of domestic abuse in the workplace.

Meeting the welfare needs of domestic abuse specialists

Senior managers are responsible for the welfare of their staff. Dealing with domestic abuse can be demanding and stressful.

Managers should closely monitor the workload of domestic abuse specialist officers and supervisors. Forces should provide specialists with adequate administrative and intelligence-led support to enable them to carry out their duties and ensure the welfare, health and safety of individual staff members.

Manageable workloads are essential for the safety and welfare of officers, resilience during periods of sickness, leave and other absences, and for ensuring effective and proactive risk management. Monitoring should focus on the amount and nature of work being undertaken.

In recognition of the distressing nature of domestic abuse cases, managers should consider implementing mandatory or voluntary counselling and welfare support for domestic abuse specialists. It should, however, be made clear that such support is intended for staff use and no attempt should be made to provide untrained counselling to victims of domestic abuse.

Domestic abuse specialists with personal experience of domestic abuse may be particularly vulnerable to the stresses of the subject matter, depending on their individual stage of recovery. Where staff have made such a disclosure, managers should ensure that they are offered appropriate support and that their welfare is regularly monitored.

For further information see the Equality and Human Rights Commission in Wales, [information on developing an effective workplace policy](#).

Performance management

Senior managers are responsible for ensuring their force delivers high quality services to victims of domestic abuse, making them safer.

Performance management in domestic abuse policing:

- enables both good and poor performance and practice to be identified
- helps to identify gaps in service provision
- provides a structure for ownership and accountability
- facilitates recognition and sharing of good practice and performance
- underpins mechanisms to improve poor performance

Domestic abuse performance should be built into the overall performance management regime that police forces implement. The requirement to measure domestic abuse performance should be clearly stated in policy documents. Performance should be monitored and reviewed at force, divisional and individual levels. Particular managers should be identified to take responsibility for monitoring domestic abuse performance at force and divisional levels.

Effective management of performance in domestic abuse policing relies on comprehensive performance measurement processes. These require mechanisms to identify, record, link and analyse domestic abuse information fully and accurately. There is currently no national framework or clear understanding of performance in the context of domestic abuse. However, work is ongoing to address this at the national level, as a priority action set out in [Ministry of Justice \(2014\) Transforming the Criminal Justice System Strategy and Action Plan – Implementation Update](#).

Measures or themes that forces could consider for performance review might include:

- domestic abuse incident statistics
- domestic homicide statistics
- domestic abuse arrest and charge statistics
- domestic abuse-related crime statistics and detections
- repeat reported victimisation statistics (relevant to victims and repeat offending)
- case tracking and attrition rates
- policy compliance information
- service user feedback on service provision
- feedback from other domestic abuse service providers
- successful outcomes as a result of [MARACs](#)
- performance information originating from [community safety partnerships \(CSPs\)](#), such as crime audits
- diversity and equality compliance in the delivery of services
- number of [DVPNs](#) issued and of [DVPOs](#) applied for and granted
- number of [domestic violence disclosure scheme \(DVDS\)](#) applications, analysed by right to know and right to ask
- quality of risk management in domestic abuse reports

Forces should inform all staff of domestic abuse performance measures and actively involve them in maintaining and improving performance levels. Line managers should employ close supervision and performance management. This ensures that their staff comply with domestic abuse policy and procedures and contribute to performance at the force level by being given domestic abuse-related individual objectives as part of their individual performance review.

Forces should specifically use reward and recognition schemes to motivate and encourage good work by individuals or teams in the area of domestic abuse. For example, forces could reward good victim care, an investigative success, setting up a new process which proves useful or particularly effective partnership working.

Training provision

Appropriate training is essential to improving understanding of the dynamics of domestic abuse and, consequently, the police response to it. Senior management at the force level are responsible for ensuring that such training is made available to staff.

This means the following.

- Domestic abuse training should be mandatory for all roles coming into contact with domestic abuse reports – in practice this means almost everyone, but could include front-office staff, call handlers, first responders, NPTs, specialists, supervisors, witness care officers and senior managers. Mandatory training requires the allocation of training time and monitoring completion levels.
- Force domestic abuse training should comply with College of Policing national training standards on domestic abuse. College staff should evaluate and quality assure training packages, where possible, to ensure they are fit for purpose.
- Only trainers with subject knowledge and expertise should facilitate domestic abuse training.
- Force training should reflect the fact that domestic abuse is embedded in the Public Protection Curriculum within the National Policing Curriculum and, therefore, is an integral part of initial training and first responder training.
- Training should emphasise the links between domestic abuse and other potentially associated investigations, particularly child abuse, sexual offences, stalking and harassment, to ensure that staff ask relevant questions at the reporting stage and during the investigation.
- Blended learning programmes can be designed incorporating a mixture of classroom-based training, case studies, immersive learning and e-learning. The College of Policing supports this approach to delivery and has a range of resources available to forces on [College Learn](#) which comply with the national training standards.
- Although the use of e-learning in domestic abuse training has been criticised, it can be effectively used to raise awareness as part of a blended learning programme.
- All staff having direct contact with victims should have sufficient training in risk identification and decision making, using the [national decision model \(NDM\)](#), to enable them to flag to the appropriate officer the need for a review of risk assessment – this must include awareness training in coercive control and the dynamics of domestic abuse.
- Training in the use of force-approved risk assessment tools should be mandatory for all those carrying out risk identification and assessment, including first responders.
- Forces should deliver specialist training packages to those carrying out specialist functions, for example, processing domestic violence disclosure requests under the [domestic violence disclosure scheme \(DVDS\) \(Clare's Law\)](#) or preparing [domestic violence protection order \(DVPO\)](#) applications.

- Forces should also provide domestic abuse specialist officers and supervisors with appropriate investigative skills training.

Detailed records should be kept of when and how domestic abuse training is delivered and who has completed it. This should be used to determine the need for force-wide training programmes where new training is required, as well as refresher training to ensure skills are maintained.

Consideration should be given to running awareness training with staff from voluntary sector local support services and, where possible, **IDVAs** so that the learning is consistent across all agencies. This could be done through multi-agency training, which could be linked to the review or development of local SLAs.

Those delivering training should bear in mind that it is statistically likely that both victims and perpetrators of domestic abuse are present among those receiving training. They should make provision for disclosure and support to those staff members.

Management of information

Information technology systems

Information technology (IT) systems should have the facility to record, store, flag, link, analyse, share and present domestic abuse information, both in statistical and case file format. IT systems should be developed so that they can perform these functions in an effective and timely manner.

Issues for management consideration include:

- linking IT systems, where possible, to make appropriate connections with national information systems and databases held by other agencies
- ensuring that IT systems are developed with the capacity to link to all relevant information

Accessing domestic abuse information

Domestic abuse information should be retrievable quickly and without excessive use of resources. Police forces should, where possible, store this information on IT systems where only single search access is required.

Such information should include:

- history of previous incidents, including those with previous partners, ideally in a single narrative format
- risk assessments
- intelligence

Accessing domestic abuse suspect information

Police forces should make every effort to store information that assists in taking immediate and positive action against domestic abuse suspects. Such information should be retrievable from a single search access, where possible, and should contain details of:

- bail conditions
- bind overs
- civil injunctions or orders
- warnings or previous conduct under the Protection from Harassment Act 1997
- restraining orders
- outstanding warrants
- wanted/missing information
- previous convictions
- [DVPN/DVPO](#)
- if disclosure requests have been made/granted under the [DVDS](#)

The Police National Computer (PNC) holds some of this information and should be considered for its suitability in retaining the remainder. Information systems should be linked so that checks can be made on the following internal databases:

- command and control
- custody
- domestic abuse
- child protection
- crime recording
- criminal justice
- intelligence

Domestic abuse and the intelligence process

Information relating to domestic abuse may come from a range of sources, including police sources, members of the public and exchange of information with other agencies. Good intelligence gathering and analysis enables a more targeted and integrated force-wide approach to tackling domestic abuse perpetrators. It is also essential to successful implementation of the [DVDS](#).

Gathering and analysing domestic abuse intelligence

There should be close links between the force intelligence bureau and the specialist unit dealing with domestic abuse to enable an effective bilateral exchange of information.

Analysis of domestic abuse intelligence can help to:

- identify patterns of behaviour and repeat/serial perpetrators
- identify gaps in knowledge to determine intelligence requirements when tasking staff with daily duties, such as attending scenes and incidents
- detect fluctuations in domestic abuse offending to assist with resourcing decisions

Using intelligence to target perpetrators

Force intelligence systems should be used to support the police objective of protecting vulnerable people from harm. The targeting of prolific domestic abuse perpetrators should be included in the daily briefings and when allocating duties to response officers and neighbourhood teams.

Neighbourhood teams should be directed to support tackling domestic abuse in the same way as they do other force priorities. This could be through:

- developing better understanding of domestic abuse offending in their area – which victims are at greater risk, which offenders are the most dangerous and/or prolific and where there are hotspots for repeat victimisation, for example, home addresses with regular domestic abuse-related calls
- undertaking activities to tackle repeat or serial perpetrators
- carrying out preventive work with offenders
- engaging in intelligence gathering and targeted operations against perpetrators

Forces could tackle domestic abuse perpetrators in a more targeted way, for example, by setting up a specialist task force to work alongside frontline colleagues and partner agencies to target perpetrators and proactively investigate every aspect of their criminal lifestyle – including

connections to other offences such as drug dealing, gang violence and driving offences.

Supplementing this approach are multi-agency tasking and coordinating (MATAC) meetings, aimed at addressing the behaviour of serious offenders through the assistance of all multi-agency partners, including [MARAC](#), [domestic abuse forums](#) and similar integrated platforms of local safeguarding and public protection. Multi-agency arrangements such as integrated offender management (IOM) to reduce the risk of prolific or persistent offenders continuing to commit crime could be applied to domestic abuse offenders.

By applying information management and national intelligence model (NIM) processes, tactics and risk assessments can be developed to reduce or remove any threats. The issues relating to domestic abuse should be considered in the relevant control strategy.

Intelligence regarding domestic abuse should feature in strategic and tactical assessments, where necessary. Such assessments should be used to make decisions about the most appropriate strategies for the prevention of abuse, and the most appropriate method of enforcement.

Tactical tasking and coordination groups (TT&CGs) can commission subject profiles, which can be used to identify particular individuals suspected of serial offending or carrying out other criminal activities. Risk analysis should be used to assess the risk posed by, for example, a MAPPA offender or potentially dangerous person (PDP), and to identify the most appropriate tactics for reducing or removing any threat posed.

For further information see the [APP on Intelligence management](#).

Using and managing intelligence to support the [domestic violence disclosure scheme](#)

The reliability of checks and disclosures made under the [DVDS](#) depend entirely on the accuracy of the information available to officers. Domestic abuse intelligence should be kept as up to date as possible and uploaded onto local intelligence systems and national databases, particularly the Police National Database (PND), without delay.

Issues for management consideration include:

- ensuring that intelligence about domestic abuse-related offending, including disclosures of sexual offences, is routinely included on appropriate local and national intelligence databases and is

reviewed according to national and local policies

- ensuring that intelligence, particularly in relation to persistent offenders, is passed to intelligence officers
- implementing NIM to take account of domestic abuse issues
- embedding good intelligence practice by:
 - commending officers locally for gathering and submitting high quality intelligence information reports on domestic abuse perpetrators
 - including a domestic abuse intelligence element in personal development objectives and key performance indicators
 - publicising good results and successes, at least internally

Domestic violence disclosure scheme (Clare's Law)

This section is based on [Home Office \(2013\) Domestic violence disclosure scheme guidance](#).

The scheme is not based on any single piece of legislation. It formalises processes, based on common law powers to protect people, to be followed when considering potential disclosure of information to individuals at risk of domestic violence. Any disclosure must, therefore, comply with the existing legal framework, in particular the Human Rights Act 1998, the Data Protection Act 1998, the Rehabilitation of Offenders Act 1974, and established case law. The domestic violence disclosure scheme (DVDS), also known as Clare's Law, was introduced to increase protection for domestic abuse victims. It establishes recognised procedures for disclosing information to enable new or existing partners of previously violent individuals to make informed choices about how and whether they take forward that relationship.

Information which may be disclosed includes convictions and out-of-court disposals for violent offences and/or information about the person's behaviour which reasonably leads the police and other safeguarding agencies to believe that the person poses a risk of harm to the potential victim. Spent convictions cannot be disclosed by virtue of the Rehabilitation of Offenders Act 1974, but they can be taken into account by the police when deciding if there is a risk of harm.

For further information see [Ministry of Justice \(2014\) New Guidance on the Rehabilitation of Offenders Act 1974](#) for information on spent convictions.

Applying the National Decision Model

The [national decision model](#) (NDM) is a significant aid to officers and staff when dealing with requests for disclosure of information under the scheme. As more information is received, officers and staff should reassess the situation and consider their powers and options so that they take effective steps to make potential victims as safe as possible.

The NDM is underpinned by the [Code of Ethics](#). All decisions should be made ethically, in accordance with the laws and powers that apply and driven by a selfless intention to make potential victims as safe as possible.

The safety of the potential victim and others is paramount at all stages. The following safety considerations apply throughout the entire process.

- A safe means of communication must be agreed with the applicant from the outset, to include place, means and timing.
- If at any stage the police believe a crime is being alleged, rather than information being asked for, they must record and investigate in accordance with normal criminal investigation procedures – the DVDS can run in parallel to a criminal investigation.
- If the police identify an immediate or imminent risk of harm, immediate safeguarding action must be taken and must include a robust safety plan.
- At no time should any written correspondence concerning the disclosure be sent to or left with the applicant, whether or not a disclosure is made, in case the suspect becomes aware of it.

There are two entry routes to making a disclosure. These are:

- the 'right to ask' route, which enables members of the public to make a direct request to the police for information
- the 'right to know' route, which requires safeguarding agencies coming into possession of relevant information to proactively consider whether it should be disclosed

In either case, the information can only be shared between agencies and the disclosure made to the applicant if both the information sharing and the disclosure are lawful, necessary and proportionate to protect the potential victim from further crime.

The 'right to ask' entry route

The request for disclosure may be made by either the potential victim or a third party with concerns about a potential victim. Any disclosure will be made to the most appropriate person, which may not be the applicant but a person best placed to safeguard the potential victim, for example, the potential victim, a parent or third-sector worker.

The request to the police for information about a person's previous violent offending may be made in person at the police station or elsewhere, by telephone, by email, online or as part of a police investigation. It can also be facilitated by a partner agency where a request has been made to them.

Initial contact

It is likely that initial contact will be received and managed by police control room staff. Verbal applications received by frontline officers should be referred to control room staff to complete once basic details have been recorded.

A complete list of information to be obtained and communicated by police officers or staff during initial contact can be found in [**Home Office \(2013\) Domestic violence disclosure scheme guidance**](#). The following information is required to enable checks to be made, but also to enable immediate assessment of risk to a potential victim.

- Details of the person applying, potential victim(s) (if different), affected children and the person about whom information is sought.
- Method of contact – this is important to enable follow-up contact without alerting the person who is the subject of the application.
- Why the information is being sought and any specific indicators of risk, such as assault, coercive controlling behaviour, indications of violent behaviour.
- Consent for information sharing – officers are likely to check a variety of indices for information and may pass on information if necessary to prevent a crime, particularly if necessary to protect the safety of a person, including the potential victim.

Immediate steps must be taken to make any person safe if imminent risk is identified during initial information gathering.

This information should then be forwarded to the appropriate person or unit that deals with DVDS applications, in accordance with local processes.

Initial checks should be completed within 24 hours to assess whether:

- the disclosure application should be progressed
- there is an immediate or imminent risk of harm to the potential victim

These checks must, as a minimum, include:

- PNC
- PND
- Violent and Sex Offenders Register (ViSOR) (if the subject has a ViSOR marker on the PNC)
- local intelligence systems

The police officer or staff member should make an initial risk assessment based on the information obtained and the minimum checks made. They must then decide, in accordance with local procedures, whether to progress the disclosure application and how the applicant is to be contacted for this to be done.

If the officer or staff member decides not to progress the application following initial risk assessment, they should still provide the applicant with details of local domestic abuse support services and of the National Domestic Violence Helpline (0808 2000 247) as a preventive measure.

Face-to-face meeting

If the disclosure application is progressed, the applicant must have a face-to-face meeting with an officer or member of police staff to:

- ensure that the request is not malicious
- obtain additional details for further risk assessment and to help make the disclosure decision
- provide information and advice to safeguard the potential victim

This should take place no more than 10 working days after initial contact. It is strongly recommended that the meeting be conducted by an officer or member of staff from the public protection unit with domestic abuse expertise.

Home Office (2012) Domestic violence disclosure scheme guidance sets out the required steps for a face-to-face meeting.

- Preliminary warnings which the officer or staff must give to the applicant.
- Verification of the applicant's identity.
- Further details to be obtained.
- Explanation of the need for a confidentiality undertaking by the person to whom any disclosure is made.
- Provision of an information pack explaining the DVDS and interim safeguarding measures pending the outcome of the application, eg, leaflets signposting local domestic abuse support services and details of the National Domestic Violence Helpline (0808 2000 247).

Full risk assessment

Where the applicant is the potential victim, a risk assessment should be completed within five working days using the force risk assessment tool, for example, DASH. The research and checks should aim to fill any gaps in information and should include checks with other agencies where appropriate, for example, social services or probation.

The 'right to know' entry route

The police can receive indirect information relevant to the safety of a potential victim. This is likely to arise from:

- a criminal investigation which leads the police to believe that the potential victim is at risk of harm from their partner
- information on alleged violent offending by the subject – this could be received from partner agencies as part of information-sharing meetings, from intelligence sources or from either party coming into contact with the police as part of routine operational duties

Where the police receive such information, they should carry out minimum checks to form an initial picture of the subject and potential victim.

These checks must, as a minimum, include:

- PNC

- PND
- ViSOR (if the subject has a ViSOR marker on the PNC)
- local intelligence systems

The veracity of the information received should also be assessed against the national intelligence model.

The safeguarding response should be proportionate to the risks identified. The police may prioritise which potential disclosures should receive a full risk assessment by considering whether the potential victim is believed to be at high or medium risk of harm from the subject, and whether they are associated with a serial perpetrator of domestic violence.

Referral to the local decision-making forum

Having completed information gathering and checks under either the 'right to ask' or 'right to know' entry routes, the police should categorise the disclosure application or indirect information received as either a 'concern' or 'no concern' prior to referral to the local decision-making forum. This should be done within five working days of the face-to-face meeting or receipt of the indirect information.

Concern

A 'concern' applies where the potential victim is found to be at risk of harm from the subject.

Factors that are relevant, but not conclusive, in making this finding are:

- unspent convictions related to domestic violence
- that the subject is a serial perpetrator of domestic violence
- existing intelligence about previous violent offending, for example, cases not proceeded with, concerning behaviour towards previous partners, including coercive control, and spent convictions
- concerning behaviour by the subject towards the potential victim, including coercive control

As part of the balancing exercise (right to privacy of the subject against the nature and extent of the risk posed to the potential victim), the police must consider if representations should be sought from the subject prior to making a final decision on disclosure. This must include considering if there are good reasons not to seek a representation, for example, an urgent need to disclose the information or that seeking a representation would place the potential victim at greater risk. Alerting the subject

can place the potential victim in serious danger.

No concern

A 'no concern' applies where:

- the subject has no relevant unspent convictions
- there is no other intelligence or information to suggest the subject may cause harm to the potential victim
- there is insufficient intelligence or information to register a concern

It is for the local decision-making forum to make the final decision on whether a 'concern' or 'no concern' applies, based on the information gathered by the police.

Ideally this forum should be the multi-agency risk assessment conference (MARAC), but where this is not possible it should be a multi-agency body consisting, as a minimum, of the police, probation service, the local independent domestic violence adviser (IDVA) service and Local Authority Children's Social Care if any children are potentially affected.

Home Office (2013) Domestic violence disclosure scheme guidance sets out in full the steps that the local decision-making forum must take when deciding whether or not information should be disclosed. The basic principles are that:

- the police must conclude that disclosure to the applicant is necessary to protect the potential victim from crime
- there is a pressing need for the disclosure, and
- interference with the subject's rights is necessary and proportionate for the prevention of crime – which includes balancing the consequences for the subject of details being disclosed, against the nature and extent of the risk posed to the potential victim

Decision made to disclose

Where the local decision-making forum decides that there is a risk of harm to the potential victim that warrants a disclosure, it must then decide:

- what will be disclosed – sufficient information to allow the recipient to make an informed choice, accompanied by a robust safety plan
- to whom the disclosure should be made, that is, the person best placed to safeguard the potential victim, which could be the victim themselves
- how the disclosure should be made – by which agency, preferably in person and at a safe time and place

The person receiving the information should be told that:

- it should only be used to safeguard the potential victim
- they must sign an undertaking to keep the information confidential and not disclose it further
- legal proceedings could result if confidentiality is breached

If the person will not sign the undertaking, the police should consider whether disclosure should still take place and record their decision in the risk assessment, decision-making process and safety plan.

The safety of the potential victim is the paramount consideration. The proposed safety plan should be reconsidered and an assessment made of whether it can be effective without disclosure being made or whether it could be improved with different and/or additional measures. If disclosure is necessary for the safety of a potential victim, it should take place even without the signed undertaking. All considerations should be fully recorded.

- The information disclosed should be recorded verbatim, signed and retained by the police. It should never be given to the applicant.

The person to whom the disclosure is made should be given an information pack to help safeguard the potential victim in future. It should, as a minimum, explain the DVDS and signpost local domestic abuse support services. It should also include details of the National Domestic Violence Helpline (0808 2000 247).

Decision made not to disclose

Where the local decision-making forum decides that there is no risk of harm to the potential victim that warrants a disclosure, the next steps depend on the entry route involved.

Under the 'right to know' entry route, the decision not to disclose and the rationale should be recorded. This may be relevant to future disclosure considerations concerning the subject.

Under the 'right to ask' entry route, the following measures should be adopted.

- The applicant should be informed in person that there is no information to disclose, based on the information they provided and the results of checks carried out.
- They should be advised that lack of information to disclose does not mean there is no risk of harm to the potential victim and any future concerns should be reported.
- The applicant should be given an information pack to help safeguard the potential victim in future, which includes details of specialist domestic abuse services and the National Domestic Violence Helpline (0808 2000 247).
- The subject of the application should not be notified where no disclosure is made.

Managing the perpetrator

Regardless of the decision made, the local decision-making forum should consider referring the subject to an appropriate local framework for managing offenders, for example, [multi-agency public protection arrangements \(MAPPA\)](#) or integrated offender management (IOM), depending on the risk of harm posed by the person's offending behaviour.

It will also be necessary in many cases to ensure follow-up and monitoring. Often this will be achieved through [MAPPA](#) or [MARAC](#). Where these processes are not engaged, other measures should be considered, such as informing the local policing team to monitor the situation to ensure, as far as possible, the safety of the potential victim.

Maintaining a record for the disclosure consideration

A final intelligence report must be submitted to police and local agency intelligence systems on the conclusion of every application, whatever the outcome. This should record the request, the outcome and the details of all parties involved. It should be retrievable to all police forces via the PND so that any patterns, for example, multiple disclosure requests, can be identified to protect potential victims.

See [Home Office \(2013\) Domestic violence disclosure scheme guidance](#) for detailed guidance on how the DVDS works. The document also includes some useful annexes.

- [Annex A](#) – non-exhaustive list of offences which may be disclosed.
- [Annex B](#) – data protection principles.
- [Annex C](#) – template of the minimum standard of information to be obtained/checks to be completed at the initial contact stage.
- [Annex D](#) – template for initial checks/risk assessment.
- [Annex E](#) – template for face-to-face contact meeting.
- [Annex F](#) – template checklist on disclosure decision-making process by local decision making forum.
- [Annex G](#) – template containing minimum information to be disclosed (including form of words).
- [Annex H](#) – template form of words for non-disclosure.

Domestic abuse-related media strategies

At the investigation stage, officers should be aware that uncontrolled or inappropriate media reporting may be damaging to future criminal proceedings. It may facilitate defence submissions of abuse of process or affect the defendant's ability to have a fair trial. There are many legal restrictions governing what can be said to the media during ongoing criminal and/or care proceedings, including information about any court orders in force.

When it is clear that a particular case has attracted media interest, the CPS and force press office should be consulted and a media strategy agreed. Strategies should have input from other relevant agencies conducting domestic abuse functions, to ensure that agreed, consistent statements are issued by designated spokespersons, and that staff in each agency have a clear line of referral.

The following considerations should apply when responding to media enquiries:

- avoiding further harm to any person
- sensitivity to the victim(s), any children and their families
- sensitivity to the alleged offender(s) and their families
- providing lawful, evidence-based information
- recognising the potential for harm to future criminal proceedings
- providing the media with consistent messages from all agencies involved

- using the opportunity to reinforce messages about the unacceptability and criminal nature of domestic abuse, the positive approach adopted by the police, the role of other agencies and the availability of support services for victims and children

Victims and their families should be protected from the potential trauma associated with media interest. Any press releases should avoid identifying victims, children and their location so that they may be shielded from media attention unless, and until, they need to attend court.

Media strategies in domestic homicide cases should use the opportunity to reinforce positive action policies in relation to domestic abuse. Their focus should be on the seriousness of the offence because of the relationship of trust between the victim and the offender. More generally, forces should employ media strategies to better engage with the third sector, voluntary groups and members of the public to create a positive image change regarding the police response to domestic abuse. This could be through social media or targeted campaigns arranged around seasonal holidays or major sporting events.

Tags

Domestic violence