

FOR POLICE EYES ONLY

Domestic Violence Investigation / Arrest Form

CAD ref. / Date		CRIMINT ref.
CRIS ref		
OFFICER COMPLETING		
Warrant No.	Rank	No
OCU code	Station	

SPECSS - HEIGHTENED RISK FACTORS

- 1. Separation/child contact issues** - Victims trying to terminate relationships, or participating in child contact processes face increased danger.
- 2. Pregnancy/new birth** - 30% of domestic violence starts or can intensify in pregnancy.
- 3. Escalation** - Increases in frequency and severity indicate greater risk. The severity of violence tends to escalate after each incident.
- 4. Cultural Awareness/isolation** - Reduced access to services and social isolation can combine to increase lethal risks. There is a professional and moral duty to deal with criminals, irrespective of whether they seek to blur issues behind a smoke screen of culture.
- 5. Stalking** - Obsessive controlling behaviour, such as watching, following and constant calling of partners/ex-partners indicate heightened risk.
- 6. Sexual assault** - Those who are sexually assaulted are subject to more serious injury and perpetrators are more dangerous.

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MP 587/04

Book 124D has been designed for the purpose of ensuring that officers comply with Standard Operating Procedures for domestic violence (DV). Historically, police officers have responded poorly to victims of DV tending to overlook incidents as criminal offences, failing to retrieve all available evidence to prove offences, not identifying future risk to victims and leaving them in vulnerable positions having reported the incidents but not taken positive action.

We must be seen to be consistent in our response to Domestic Violence. During the pilot there were some comments on bureaucracy and duplication in the use of the form and yes, parts of the form do duplicate what is required on a CRIS report, but there are many examples of poor recording on CRIS resulting in inadequate investigations which have come to light as a result of child and domestic violence murder reviews which have highlighted a real need for improvement

Consequently this form was piloted on two boroughs at the end of 2003 and was a success in terms of the areas of improvement that it sought to address. The form is currently being rolled out pan London.

PAGE ONE

It is important that investigators of domestic violence incident include as much information in initial case files and reports as is possible to ensure effective investigations and to remove the need to seek adjournments to gather further evidence e.g. medical, adding to pressures to the victim to withdraw from the criminal justice process.

Noting reference numbers will enable quicker retrieval of information and remind officers to complete CRIMINT entries.

The SPECSS+ model is a structured method of risk assessment for DV and this mnemonic is set out on page 1 to inform officers.

This document will be subject to the rules of disclosure and included as sensitive material.

NOTES FOR GUIDANCE

DO NOT leave blank spaces
One form for each victim unless non-crime
Expand in notes where necessary

DEFINITION

"Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or who have been intimate partners or family members, regardless of gender." (ACPO)

All incidents falling within the definition should be entered on CRIS and flagged 'DV'

POSITIVE ACTION POLICY

Where a power of arrest exists, the suspect should be arrested. Officers must justify any decision not to arrest and must always make use of intervention and safety options available.

POLICE AND CRIMINAL EVIDENCE ACT 1984

Codes of Practice

Code C para. 10.4 The caution shall be in the following terms:-

'You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.'

Under Section 25 of PACE, a constable may arrest a person where s/he has reasonable grounds for believing it is necessary to prevent him or her from causing physical injury to another person, or to protect a child or other vulnerable person.

PLAN FOR HUMAN RIGHTS

Proportionality:

Police actions must be fair and achieve a balance between the needs of society and the rights of the individual. You should consider different options capable of achieving the objective and select the least intrusive.

Legality:

Police actions must be supported by legislation or stated cases. You must know your basic police powers well

Accountability:

Police actions will be open to scrutiny. You should fully record your actions and the options considered. Show what factors influenced your decision, include reasons for **not** taking action.

Necessity:

Police actions must be 'necessary in a democratic society'. You must be able to justify any infringement of rights.

Best Information/Intelligence:

Police actions must be based on the best information and intelligence **available to you at that time.**

Show reference numbers where applicable

PAGE TWO

Focus groups with practitioners identified some areas where it was felt that guidance notes would be useful as a prompt/reminder for initial investigating officers.

The form performs many functions, including a record of every action taken at an incident of DV negating the need to use a pocket book, IRB or MG11 to make notes, in addition to an aide memoir to prompt officers into action.

As officers may be giving evidence at court from this document at later court hearings, the caution is laid out here to remind officers, as it is not uncommon for lawyers to ask officers to recite it verbatim.

There may be occasions when officers are concerned about their powers of arrest in certain circumstances, therefore S25 PACE 1984 is explained. You are reminded that you must have reasonable grounds to suspect an offence, which is not an arrestable offence, has been committed or attempted and that the service of a summons is impractical or inappropriate before this section applies.

EVIDENCE

Ref. Nos. and locations

Photographs / ICEFLO VIW	
Photographs / ICEFLO Scene	
Video footage	
Victim MG11	
Victim audio statement	
Visually check welfare of children	
Form 78/Merlin	
FME examination VIW Suspect	
Early swabs / samples i.e. urine, spittle 'SCENESAFE'	
DNA Samples Victim Suspect Scene	
IDO Request	
CPO Request	
Property seized (e.g. weapons, clothing, mobiles, correspondence)	
Local / neighbour Enquiries	
Initial intelligence checks (CRIMINT, CAD ETC.)	
Initial Investigation Officer's MG11	
Medical consent attached (Form 172)	
Record damage to venue	
CCTV seized	

PAGE THREE

This page is in the form of an aide memoir for officers engaged in evidence gathering at scenes. Whilst it is recognised that evidence retrieval will not be an issue for non crime incidents, quite often opportunities for evidence gathering at the scene are overlooked as officers feel that forensic or other material evidence will not have a bearing on the case as the parties are known to each other.

However, the use of material evidence in the forms of photographs, visual evidence of investigating officers, exhibits etc can be very powerful when used in interviews or presented at initial court hearings to refute defences put forward by perpetrators or provide evidence to corroborate the victims statement. The preservation, continuity and integrity of evidence must be considered and reference numbers shown to inform investigators. Statements should be obtained in all cases where evidence is required.

Children are often the hidden victims of domestic violence. We know that in 90% of cases reported to police that children in a relationship are present in the house, 50% actually witness the incidents. Many are subject to abuse from the same perpetrator. Growing up in abusive households can have devastating effects on children, therefore we must be intrusive and ensure their welfare F78/Merlin are to be completed in every case where children are known to be part of the relationship, this information is then monitored and used by the Child Abuse Investigation Teams (CAIT) and social services.

In order to properly assess future risk to victims and their families, historical checks must be carried out and recorded by investigating officers, this information may also be important to the risk present for officers attending scenes and should be obtained at the earliest opportunity.

ALLEGATION

Allegation (victims words)	
Made in presence and hearing of suspect	Yes No
Date/time committed	
Date/time reported	

VICTIM 1

Name			
DoB	Male Female	IC Code SDE Code	
Address			
Safe contact numbers / times			
Interpreter required	Yes No	First language	
Injury details			
Treatment	LAS nos. Hospital		
Emotional disposition			
Additional / special measure needs			
Relationship with suspect (e.g. partner, separated, sister)			
Do they live together?	Yes No	Have they ever lived Together?	Yes No
Reported domestic incident to police in last 12 months If 'yes' CRIS Nos if 'No', any recent history.		Yes No	

VICTIM 2

Name		
DoB	Male Female	IC Code SDE Code
Address		
Safe contact numbers / times		
Interpreter required	Yes No	First language
Injury details		
Treatment	LAS nos. Hospital	
Emotional disposition		
Additional / special measure needs		

PAGE FOUR

Allegations made to police often vary in relation to what is contained in a MG11 and recorded on CRIS. Quite often police officers are the first person that a victim complains to immediately after incidents have occurred. The CPS may consider the use of this evidence, as 'res gestae' to counteract the hearsay rules and the recording of this information will assist officers in their future statements.

Parties must be separated initially to enable victims to speak freely without intimidation. This if it is safe to do so and the victim is willing the allegation should be made in the presence of the perpetrator and any replies noted in accordance with PACE. However the safety of the victim is paramount and if this is not possible then the officer's notes should reflect this.

The fields on CRIS do not provide for information relevant to victims to enable the appropriate support to be provided this information is regularly omitted which in turn delays the investigation. In the case of non-crime incidents one form will suffice with both parties shown as victims.

Again, in order to provide a full picture in relation to current and future risk to the victim, the history of the relationship must be recorded; it is therefore imperative that the CRIS database is searched from live to identify previous recorded incidents. In addition, if there is information that victims have moved home, databases for their previous addresses must be searched. There are many cases which have resulted in murder where the lack of a holistic intelligence check in relation to both the victim and the perpetrator have resulted in flawed risk assessment and management/ intervention.

CHILDREN

Children in relationship		Live with viw	
Yes	No	Yes	No
Names		DoB	School attended
			Wit.*
Address		* Witness to Incident	
GP Details			
Details of court/contact orders			

WITNESS 1

Name	
DoB	Contact No.
Address	
Language spoken	
Evidence provided (i.e. first complaint)	
Additional needs	

WITNESS 2

Name	
DoB	Contact No.
Address	
Language spoken	
Evidence provided (i.e. first complaint)	
Additional needs	

PAGE FIVE

As well as a visual check on the welfare of children, this information is required as a minimum on F78/Merlin entries to ensure that information is shared with the relevant authorities and an appropriate response to children as victims is actioned.

Section 31(1)(a) Freedom of Information Act 2000 Exemption

SUSPECT

SUSPECT ARRESTED	Yes No	If 'yes', custody number	
If 'no', JUSTIFY REASONS FOR NOT ARRESTING			
Words used / admissions / significant statements.			
Name			
PNC number			
DoB	Male Female	IC Code SDE Code	
Address			
Description			
Behaviour			
Injury			
Treatment			
Left prior to arrival of police		Yes No	
Possible location/steps to locate			
Court order or bail conditions in place?		Yes No	
If 'yes', give details			
Which court		Expiry date	

VENUE

Address / Location
Signs of disturbance / damage to property

PAGE SIX

Standard Operating Procedures and Home office positive action policies provide that where evidence exists to justify an arrest then an arrest will be made. If arrest is not made then the reasons why must be documented, and if the perpetrator has left the scene, steps will be taken to trace them.

Perpetrators can be quite calculating when developing defences. Unsolicited comments and admissions made at the scene, might later become evidence in the case. Officers must ensure that those comments and statements are dealt with in accordance with PACE e.g. presented for signature to the perpetrator, covered at the start of an interview.

Injuries sustained by perpetrators can often strengthen the victim's case, as well as the lack of injury. Again these facts are rarely seen as important and not recorded.

To comply with positive action in relation to intervention, steps must be taken to locate the suspect and to provide the secondary investigating officer with information as to the possible whereabouts of the perpetrator.

NOTES FOR DETS PAGE

Immediate action:

Scene:

Forensics:

VIWS:

Suspects:

Other evidence:

PAGE SEVEN

These are your notes. They may be as brief as you require them to be to enable you to refresh your memory when completing DETS on CRIS. However it cannot be overstressed how important concise DETS are in relation to information to enable an effective investigation to take place. Additionally, work carried out at the Racial and Violent Crime Task Force at New Scotland Yard under the NIM (National Intelligence Model) often includes research and analysis using information from DETS to guide strategic and tactical assessments and proactive tasking.

Officers are reminded that the DETS are disclosable and care must be taken not to include any names or addresses of witnesses or any address where the victim may have been relocated. Addresses of refuges must never be placed on CRIS.

RISK IDENTIFICATION/ASSESSMENT

HEIGHTENED RISK FACTORS

S Have you separated or told your abuser you want to separate from them?

P Are you currently or have you recently been pregnant?

Are you having problems with your partner/ ex-partner over access or other child contact issues?

E Is this incident worse than previous incidents or happening more often?

C Are you particularly isolated from support or help or have you any personal or cultural issues that make it harder for you to seek help?

S Do they follow or harass you in anyway?

S Do they say or do things of a sexual nature that makes you feel bad or that physically hurts you or someone else?

OTHER RISKS

Do they abuse your children / pets?

Do they have use of or access to any weapons?

Are either of you suicidal?

Do either of you have drug/alcohol problems?

Are they acutely jealous/controlling?

Have they made threats to kill you or your family?

Do they have mental health problems?

PAGE EIGHT

The risk assessment model for domestic violence has been developed after lengthy research into serious domestic violence crimes, domestic violence murder review and the use of other academic research conducted outside of the police service.

Consultation and piloting has since taken place with the final process now developed.

Risk assessment is required in many aspects of police work but there are very few structured, evidence-based models in existence, which leaves officers vulnerable and results in flawed, indefensible decisions.

This model is designed specifically for domestic violence incidents. Risk factors cannot be 'weighted' numerically as it is not possible to determine which factors sit above others on the scale of dangerousness. Neither will one or two factors present make that particular case high risk. It should be applied in all cases to identify risks and to measure the risk based on structured questions (SPECSS+) and other factors apparent in the relationship including the history, severity of incidents, and intelligence on the offender and a decision based on professional judgement to the level of risk present as outlined in the OASys chart detailed on page 9.

This assessment should then inform the level of intervention required at that time to protect the victim and her family and to prevent re-victimisation.

A record should then be made on CRIS and Crimint detailing any high risk factors and the officer's risk assessment decisions and interventions. This will in turn inform the next stage of the assessment by the CSU as this must remain 'fluid' and be revisited as circumstances change.

Officers should ensure that victims are clear on the purpose of the assessment and be mindful of the vulnerability of victims and ask the questions in a sensitive manner.

IMMINENT RISK TO VICTIM based on SPECSS and other risk factors

Standard	Medium	High
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RISK IDENTIFICATION / ASSESSMENT

STANDARD	No significant current indicators of risk of harm.
MEDIUM	There are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.
HIGH	There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

RISK MANAGEMENT

REMOVE THE RISK	By arresting the suspect and obtaining a remand in custody.
AVOID THE RISK	By rehousing victim/significant witness(es) or placement in refuge/shelter in location unknown to suspect.
REDUCE THE RISK	By joint intervention/victim safety planning, target hardening and use of protective legislation.
ACCEPT THE RISK	By continuing reference to the MPS Risk assessment model, continual multi agency intervention planning support and offender targeting within proactive Assessment and Tasking Proforma (PATP).

PAGE 9

This page explains to officers, using the OASys (prison and probation offender assessment system) definition what constitutes the levels of risk. Intervention can then take place using the 'RARA' model. This model will be applied at all stages of the investigation. The options for intervention available to response officers will be limited and the most obvious are listed on page 10

INITIAL INTERVENTION

Arrest	
Trace suspect (if left scene)	
Initial Safety Planning	
Emergency Accommodation	
Referral to Family Law Solicitors	
Other referrals	
1st Instance Harassment warning	

ADDITIONAL OPTIONS FOR INTERVENTION

Crime prevention advice	
Panic Alarms	
Computer Aided Despatch noted	
Community Officer Informed	

VICTIM CONSENT TO REFERRAL

Signature
(You may withdraw consent at any time by contacting your CSU)

OFFICERS

INVESTIGATING OFFICER (Print Name)		
Rank	No.	Station
Signature		
SUPERVISING OFFICER (Print Name)		
Rank	No.	Station
Signature		
The supervising officer must check that where a power of arrest exists and has not been executed, he/she is satisfied that this course of action is documented herein. They must review and agree the risk assessment and level of intervention. Any areas of concern should be noted in the section below.		
Remedial action taken		

PAGE 11

Positive action in relation to arrest is paramount, but where this is not possible other forms of intervention must take place to ensure the victims safety. Some of those options are shown in this list with a more in-depth list contained in the document 'Tactical Menu Options for Domestic Violence Victims and Offenders' published on the DCC4 website.

Safety planning and intervention to protect victims from further abuse can be a lengthy process and better dealt with by experts from external agencies such as Women's Aid. However, as police officers we have a duty of care to victims. Victims need to be aware that we take their plight seriously and have an understanding of their experiences and offer them advice in relation to the options available.

Basic safety planning will vary according to the risk. We would prefer for them to stay in their own homes with their children and remove the danger posed by perpetrators rather than place them in emergency accommodation. However, in some circumstances this will not be an option.

We then need to discuss how they can increase their safety by using some of the options listed, suggesting the use of code words to relatives or friends to notify them that they are in danger, compiling an escape plan and secreting a bag containing legal papers and documents e.g. passports, driving licence, birth certificates, essential clothing, medicines and some money.

Community safety units work closely with support agencies and local authority departments, and often need to refer victims out to those agencies for help in specific areas. They cannot, other than in exceptional circumstances, do this without the victims consent. This is provided for in the forms as it is often omitted from the CRIS.

The effectiveness of the Metropolitan police response to domestic violence relies on a professional and responsible commitment by all staff. It is incumbent on supervisors at all levels of investigations to ensure compliance with policies and procedures.

ADVICE LINES

Freephone 24 Hour National Domestic Violence helpline	0808 2000 247
Devon M.A.L.E. (male victims)	0845 0646800
Broken Rainbow (LGBT victims)	07812 644914
Crimestoppers	0800 555111
Victim Support	0845 303 0900
Metropolitan Police Website	www.met.police.uk
Women's Aid Website	www.womensaid.org.uk
Your local Community Safety Unit is	
Phone Number	

Do you live in fear of violence or other abuse at home?

What happens next?

This report will be transferred to the Community Safety Unit. We are the police officers and staff of your local police station. We care about protecting the people who live in our communities. We're here to help anyone who, like you, has been affected by someone else's abuse or violence. With support from the specially trained staff of your local Community Safety Unit, we'll do all we can to help you deal with what's happened to you.

What can we do for you?

PROVIDE INFORMATION. It's not always easy to know if what has happened to you is a crime. What if your partner bullies or intimidates you at home? Or do they have to hurt you before it becomes a crime? If you're not sure, please ask us. It's our job to help you identify what's happened and make sure that appropriate action is taken.

STAY IN TOUCH. We will stay in touch with you and see you through the whole investigation, from start to finish. Our aim is to contact you within 24 hours of you reporting the offence to let you know what's happening. We will also give you a phone number, so you can call us directly to find out how your case is going or talk about anything that might be worrying you.

FIND HELP FOR YOU. With your consent, we can put you in touch with other local support organisations that understand your specific needs.

PROTECT YOU. If appropriate, we will arrest the suspect at the time to protect you from further harm and give you time to think. If that's not possible, we will do all we can to find them. We will take your wishes into account when we decide what to do with them. Whatever happens, we will let you know what will be expected of you.

GIVE YOU GUIDANCE. We'll talk you through all the procedures so that you know what you are being asked to do and why. For example, we'll probably want you to give a statement explaining what happened. If you go to court we can explain the court process to you and let you know what can be expected of you.

You may be asked to make a Victim Personal Statement. This is a statement which adds to the information you have already given to the police in your statement about the crime. It gives you the chance to tell us about any support you might need, and how the crime has affected you (for example, the crime could have affected you physically, emotionally or financially).

WITNESS STATEMENT

CJ ACT 1967, s.9 MC Act 1980, ss 5A(3)(a) and 5B; MC Rules 1981, r70
Statement of

Age if under 18 (if over 18 insert 'over 18')

Occupation _____

This statement consisting of page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated: _____ **Time:** _____

Signature: _____

PAGE 19

This copy of form MG11 is intended for use in taking the victims statement. It should remain in the booklet and will be included at a later stage in typed format with the case papers if an arrest is made. It is essential that, circumstances' permitting, a statement is taken. The CPS have expressed that early evidence provided by the victim is crucial to any subsequent proceedings and whilst there may not be the opportunity to take a full and detailed statement capturing history, background and impact due to responsibility in relation to arrest, initial statements have proven invaluable, particularly in relation to future independent prosecutions

Section 31(1)(a) Freedom of Information Act 2000 Exemption

Signature

Signature Witnessed

WITNESS STATEMENT continued

Signature Witnessed

Signature

State dates when witness unavailable

The CPS will pass information about you to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services

MPS FOIA Disclosure

Police Station:

Police Reference:

Tel. No.: Extn.:

Authority to disclose details of medical condition and treatment relevant to an offence

I
of

hereby authorise the release to officers of the Metropolitan Police details of my medical condition and/or*

treatment received on/between and

at (hospital surgery)

relating to
(reasons for treatment)

(and authorise the medical practitioner concerned to make a written statement about the matter to police if required*)

This information is for police use in the investigation of an offence. It may also be used by the Crown Prosecution Service to support a criminal prosecution or by the Criminal Injuries Compensation Board in support of any claim you might make. The information will be available to the court and to the defence, but the doctor giving details of your medical condition will not disclose your address.

Signed:

Signed/Countersigned by parent/guardian where necessary:

.....

Witnessed by:

Date: ...

Officer/CJU Clerk in case:

Signed:

Det. Insp./Insp.*

A form 172 must be completed in all cases of assault

* Delete where applicable

Based on Form 172

