

# GREATER MANCHESTER POLICE

## Force policy template

Policy title:

**'Tackling Domestic Abuse' policy**

**Summary (give brief details of the policy):**

Greater Manchester Police is committed to protecting the lives of both adult and child victims of domestic abuse, to investigate all reports effectively, to bring offenders to justice and hold them accountable for their actions and to adopt a proactive multi-agency approach in order to prevent and reduce domestic abuse.

Many domestic abuse incidents form part of a history, which often escalate in severity. You as an individual officer and we as a police service have to demonstrate that protecting the victim is central to our core business of tackling domestic abuse.

In pursuing an effective investigation, you should look at the entire incident, with the aim of building a case that is not totally reliant on the oral or written evidence of the victim.

In order to increase confidence all victims will receive the appropriate quality of service according to their individual needs.

If you attend a domestic abuse incident and an arrest is justified you should always consider an arrest as an appropriate course of action. You should clearly record the decisions you make, the justification and the reasons in your PNB, statement and on the FWIN.

### Incidents

The definition GMP will use is:

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

**PNB=POCKET NOTE BOOK**

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### **Definitions**

#### **Adult**

18 years and over.

#### **Family members**

Mother, father, son, daughter, brother, sister, grandparents, in-laws, first cousins and stepfamily.

#### **Intimate partners**

Includes those who are or have been in a relationship with each other, with some degree of continuity and stability. The relationship must also have, or have had, or be reasonably supposed to have had, a sexual aspect, such as in the relationship between a husband and wife or between others generally recognised as a couple, including same sex couples.

They need not be living together on a full time continuing basis and need not ever have done so.

The incident need not take place in the home of one or both of the partners. It could take place, for example, in a public house or the street.

#### **Physical abuse**

Any offence of violence, including common assault, grievous bodily harm or actual bodily harm.

#### **Sexual abuse**

Rape, sexual assault and other sexual offences.

#### **Emotional or psychological abuse**

Any harm deliberately or recklessly inflicted on another person's well being. This may amount to an offence

under the Offences Against the Person Act 1861 and could, for example also, fall under the Protection from Harassment Act 1997.

### **Financial abuse**

The abuse of power in a relationship where one partner maintains control over the other's money or financial circumstances. Again, this may amount to an offence under the Protection from Harassment Act 1997.

### **Repeat victim**

A common feature in most domestic abuse cases is repeat victimisation. This is usually defined as more than one incident reported to the police in a given period. Greater Manchester Police define this as a rolling 12-month period.

A repeat victim indicates a need to escalate our response.

## **The role of the police**

Research has shown that it is at the point when the victim seeks help and support, or leaves the abuser, that they are at greatest risk of further abuse and death. The Greater Manchester Police are committed to protecting victims of domestic abuse, and in many cases arresting the abuser is the most proportionate response.

Research has also shown that taking positive action has a beneficial effect on the future behaviour of the alleged offender.

### **Diverse Communities**

All victims of crime should be listened to and treated according to their individual needs. Their treatment should not be based on stereotypes of what people from certain religions or BME communities will expect. Anxiety about being accused of discriminatory practice should not prevent the necessary action being taken to safeguard a vulnerable person. Practical innovative solutions may need to be adopted to provide a quality service to all victims.

### **Gender**

Whilst females are the victims in the majority of domestic incidents it must be noted that those involving male victims involve around 10%. It should be recognised that domestic abuse affects men as well as women and that both genders are covered in terms of perpetrators of domestic abuse.

### **Older people**

This policy recognises that domestic abuse has no age boundaries; some domestic violence victims are older people that have been subjected to a lifetime of unreported abuse.

### **Black, minority, ethnic (BME) and religious groups**

Nationally, under reporting of domestic abuse within certain communities exists, and may be compounded by additional stigmas and an unwillingness by communities to acknowledge the problem. Although it is dangerous to generalise, an increased problem in some communities may stem from the lack of empowerment for women, which can hinder their access to relevant information. Particular communities may also suffer forced marriage, dowry related violence and female genital mutilation, which can or will also constitute forms of domestic abuse.

### **Interpreters**

For people who do not speak English or for whom English is not their first language, you should use an interpreter. Where possible, the interpreter should be of the same sex as the victim. As officer in the case you must always consider using an independent interpreter and ensure that the interpreter is not connected even tenuously with the victim or perpetrator. Remember, a victim may feel embarrassed to discuss personal issues even in front of family members and sensitive information may be passed on to others. You should record details of the fact that an interpreter has been used on the FWIN, so that the domestic violence officer can assess what further action needs to be taken.

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### **Forced marriage**

A clear distinction must be made between a forced and an arranged marriage. In arranged marriages the families of both spouses take a leading role in choosing the marriage partner but the choice whether or not to accept the arrangement remains with the young people. In forced marriage one or both spouses do not consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure.

Every major faith condemns forced marriage. Freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages.

If you receive a report from:

- a person who fears he or she may be forced to marry;
- a third party, on behalf of an individual having been taken abroad for the purpose of a forced marriage;
- an individual who has already been forced to marry; or
- a spouse who has come to the United Kingdom from overseas;

you should immediately notify the duty inspector.

### **Lesbian, gay, bisexual and trans (LGBT) relationships**

Domestic abuse committed in LGBT relationships is under reported, partially because of a fear of not being taken seriously by the police or other agencies.

LGBT people who are victims of domestic abuse can be subject to unique types of coercion by abusers, this could include, threat of revealing HIV status, causing problems with child custody, outing of victim's sexual orientation or gender identity. It is therefore important that officers create an atmosphere where victims can identify issues of concern to them, which may be very different in nature to the circumstances of people in heterosexual relationships

### **Missing persons investigations**

There is a potential link between missing persons and domestic abuse. The person reporting an individual as missing may not know or might not disclose domestic abuse. Identifying that the missing person is a victim of domestic abuse or child abuse or is an offender will have an important influence on determining the type and level of investigation undertaken.

### **Children**

Research has highlighted that there is significant correlation between domestic abuse and direct child abuse. 'Child abuse' is a generic term encompassing all circumstances of ill treatment of children, including physical abuse, sexual abuse, emotional abuse and neglect.

It is important to recognise that children witnessing domestic abuse are exposed to harm and risk. In child abuse investigations the welfare of the child is paramount; failing to identify and fully investigate the domestic abuse element of any abuse could result in failure to protect the safety and well being of both child and adult victims.

### **Significant harm**

The guidance on significant harm within section 31 of the Children Act 1989 was amended in 2005 to include '**impairment suffered from seeing or hearing the ill-treatment of another**'. Exposure to violence or trauma, and the resultant persisting fear with which the young child lives is emotional abuse the effects of which directly impair the natural development of that child. Children will attempt to intervene during violent incidents, putting themselves in greater at risk of physical abuse.

### **Interviewing children prior to video interview**

Whilst it remains important that child witnesses should not provide their full account prior to a video interview, they can provide information that amounts to the Who (description of any suspect), What (establishing the offence itself), Where (offence location), When (time of incident) and How (very basic circumstances). Such information may be crucial to instigate an investigation and needs to be recorded contemporaneously, both questions and answers, and signed by the witness and a responsible adult.

### **Parental responsibility**

In married couples who are both parents (including those who are separated and divorced) of one or more children, both will have parental responsibility.

In unmarried parents, if the parent's details are recorded on the child's birth certificate and it post-dates 1<sup>st</sup> December 2004 then both parents of the child will have parental responsibility. Where the birth certificate pre-dates 1<sup>st</sup> December 2004 the unmarried father will not automatically have parental responsibility, unless there is an order of the court or an agreement on parental responsibility that has been formally recorded, and a copy of which produced to the officer.

In cases of civil partnerships or step families where a child's parent who has parental responsibility for a child is married to a person or is a civil partner of a person who is not the child's parent, it is possible for the non parent to acquire parental responsibility by agreement or by court order. A copy of which should be produced.

In cases of dispute, officers must make enquiries to determine who is the main carer of the child(ren) and the child(ren) should be returned to them unless there are serious concerns about their ability to care for the child(ren).

### **People with disabilities**

Police employees should be aware that any or all of the parties involved may have a disability and act accordingly. Many disabilities are not visible and only a small percentage of disabled people are wheel chair users. People with learning disabilities may not understand what is happening and some medical conditions can manifest themselves in behaviour, which can easily be misinterpreted. Officers must recognise the victim's inability, owing to these factors to remove themselves from abuse or that they may also present significant risk not only to themselves but also to their families and as such may need specialist support.

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### **Useful helplines**

National Domestic Violence Helpline	0808 2000 247
Women's Domestic Helpline	0161 636 7525
RESPECT – Perpetrators Helpline	0845 1228609
Men Experiencing Domestic Violence	0845 0646800
Male Domestic Violence Helpline – Victim's and Perpetrators	01744 454290
Elder Abuse	0808 8088141
Tulip Group – Children's violent behaviour to parents	0151 637 6363
Relate – Counselling	0161 442 2443
Central Manchester Women's Aid	0161 273 4366
African and Caribbean Women's Outreach Project	01 61 882 0632
Greater Manchester Homeless	0161 234 5335
Jewish Women's Aid	0800 591203
Wai Yin Chinese Women's Society	0161 237 5908
Victims Support Helpline	0845 3030900

NSPCC Helpline	0808 800 5000
Lesbian & Gay Foundation (LGF) Helpline	0845 3 303030
Broken Rainbow	08452 60 44 60

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