

## Cafcass Knowledge Alert

### Joint Targeted Area Inspection: Domestic Abuse

#### Introduction



Six local areas were inspected: Bradford, Hampshire, Hounslow, Lincolnshire, Salford and Wiltshire. This method of inspection is known as a JTAI and aims to examine 'how well agencies are working together in a local area to help and protect children'. Each JTAI focusses on a particular issue and this set of inspections considered domestic abuse. The report was published on 19 September 2017 and can be found [here](#).

#### Overall Findings

Based on their enquiries and a literature review, the report makes some key findings. These include:

- **There needs to be a joined up national strategy that addresses how domestic abuse can be addressed in the long-term. This should include preventative work because too much focus is being put on responding to domestic abuse rather than working towards preventing it, unlike many other social problems.**

The inspectorates found that, at times, agencies were focussed upon responding to domestic abuse crises and there were too few examples of preventative work. They described this as a 'short-term view'.

- **Most agencies did not focus on the perpetrator of abuse enough, choosing instead to consider victims and children at immediate risk.**

In the worst cases, this resulted in victims being held responsible for the safeguarding issues arising from domestic abuse instead of perpetrators. Some agencies considered a separation good enough cause to consider a risk reduced whereas evidence suggests that separation can escalate risk.

- **Information sharing could be strengthened between agencies**

While there are clear protocols in place in many areas, some agencies are still not completely clear about what information can be shared at what time in order to protect children.

The report goes on to make a number of observations of relevance to the whole sector. In particular, there was a focus on the need to improve services available to prevent domestic abuse and also for identified perpetrators of domestic abuse. A contrast was drawn between domestic abuse and other unhealthy patterns of behaviour. The inspectorates essentially asked 'if services are available for people who need to stop smoking, lose weight or drink less alcohol, why are services not available for people who wish to stop behaving abusively to partners, given this is also demonstrably harmful?'

## Cafcass Practice

Ofsted considered 18 Cafcass cases across the six services areas and provided positive feedback about 14 of the cases. The report reads:

*Thorough and comprehensive analysis of risks of domestic abuse to the children and families was evidenced in a significant proportion of Cafcass cases. Recommendations made in the vast majority of private family law section 7 reports were appropriate and reflected a fair and balanced approach. Family court advisers used a good range of tools to assess risk of domestic abuse. Practice was appropriately proportionate to the role of Cafcass. This enabled children's needs to be identified and informed appropriate decision-making and advice to court. While tools were often used to comprehensively understand the risks to children, in a minority of cases this was not the case. When parents completed the 'Domestic Violence – What We Need to Know', which is a tool to gather parental concerns, they were used well and were really beneficial to the court's understanding of the family's experience of living with domestic abuse.*

Ofsted considered a minority of cases to need improvement. In particular, this related to direct work with children, information sharing across agencies and taking into account how a child might wish for their views to be considered. Lastly, their report noted some variation between the extent of our understanding about the emotional impact of domestic abuse upon children. The report reads:

*In a minority of Cafcass cases, there was insufficient gathering of children's views. These children would have benefited from further opportunities to share their wishes and feelings in order to inform decisions and recommendations to the court. There was not consistent evidence that the needs of the child were sufficiently taken into account when considering how their views should be gathered. Information-gathering from other relevant agencies was not consistently robust. There was also variation in family court advisers' level of understanding about the emotional impact of domestic abuse on children.*

Ofsted cited one case example relating to Cafcass good practice relating to a perpetrator with mental health issues. The report reads:

*In one Cafcass case, the perpetrator had mental health issues. The case was dealt with well because the family court adviser addressed the complexity of the relationship, including identifying coercive control and supporting the relationship while the perpetrator was under a restraining order. Sensitive direct work with the children and each parent involved good use of a range of effective tools, including specific domestic abuse tools. This supported a good analysis and understanding of risk and appropriate recommendations.*

## Practice Messages

Three main messages arise for our practice:

### 1. [The domestic abuse pathway](#)

The domestic abuse pathway provides a structured, focussed framework for use when assessing cases featuring domestic abuse. Its use in all private law cases involving domestic abuse should be evident from the case file. All practitioners should be familiar with the pathway. It encourages confident, evidenced-based professional assessment. Its application to casework should reduce the risk to children arising from domestic abuse and ensure national consistency in how Cafcass approaches this work.

### 2. The use of [evidence informed practice tools](#)

There is now very clear evidence that the use of Cafcass evidence informed tools strengthens assessment for children and it is no surprise that Ofsted considered cases where tools were used to be stronger than cases without. Our own auditing work confirms Ofsted's findings. The use of tools is compulsory within private law practice featuring domestic abuse.

Evidence informed practice tools *enhance* professional assessment and provide evidence to support professional analysis. They do not replace practitioner judgement but complement and evidence it.

Think carefully about *which* tool is appropriate for your case. The tool 'domestic abuse – what we need to know' is a useful 'gateway' tool in so far as it provides information that enables you to consider the nature, frequency and extent of domestic abuse alleged. This will assist you in benchmarking against the DV-RIM which is an analytical tool that enables you to assess the level of risk arising from allegations. From these tools, you may consider typology of abuse, as outlined in the practice pathway, to enhance your analysis to an advanced level and provide justification for your recommendations. Where there are indicators that the typology of abuse is coercive control, the 'Cafcass Tool for Assessment of Coercive Control' can be used to explore the victim's experience and to ask relevant questions around current perceptions and safety.

### 3. Direct work with children is key to the process, including ensuring they are safely informed of the outcome

In undertaking direct work with children, we need to think carefully about why we have chosen a particular way of working. If we choose to see a child in the office or at home, it is important to say why on the file – and ensure this relates to the child's needs.

If there is more than one child in the family, have we carefully thought about the impact of the family's circumstances and any risks on each child in the family individually? Does their age make a difference? Do any of the children have additional learning needs or disabilities and if so how is that relevant to their experience?

In line with the Family Justice Young People Board's '[National Charter](#)', we should consider in every case how children are informed of the progress of their case. Sometimes, it will be appropriate for us to ensure they are made aware of the outcome either by telephone or, where necessary, by visiting them. Sometimes it will be appropriate for a parent or carer to

tell them the outcome, particularly if both parents are able to agree on a consistent message for the child delivered by them both. We can also consider writing to children after the meeting with them or at the end of their proceedings with a child-centred, age appropriate letter (perhaps including a copy of their direct work). This practice makes for a good discussion in team meetings or group supervision, so as to share ideas and best practice.