



<b>Policy &amp; Procedure Title:</b>	<b>Domestic Abuse - Initial Attendance and Investigation</b>
<b>Reference No:</b>	<b>410-02 Issue 10</b>
<b>Workstream/Business Area:</b>	<b>Public Protection Unit (PPU)</b>
<b>Policy Contact/Author:</b>	<b>DI – Central PPU</b>
<b>Service Area Approval:</b>	<b>DCS [REDACTED]</b>
<b>Chief Officer Approval:</b>	<b>ACC</b>
<b>Effective (Start) Date:</b>	<b>01 November 2020</b>
<b>Next Review Date Due:</b>	<b>11 January 2023</b>
<b>Protective Marking:</b>	<b>Official Sensitive</b>

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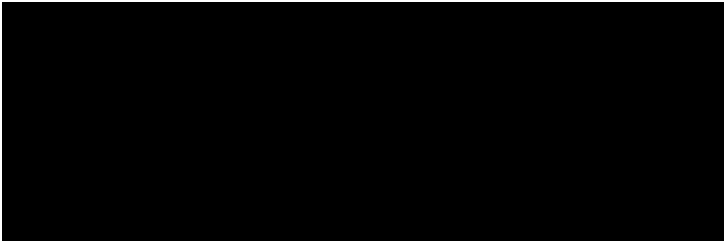
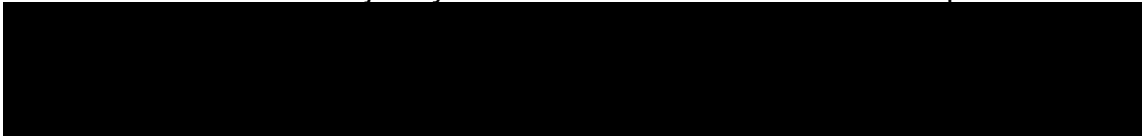
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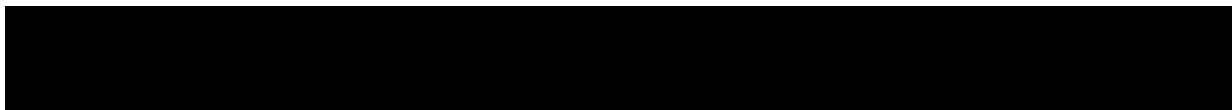

**APP Guidance:**

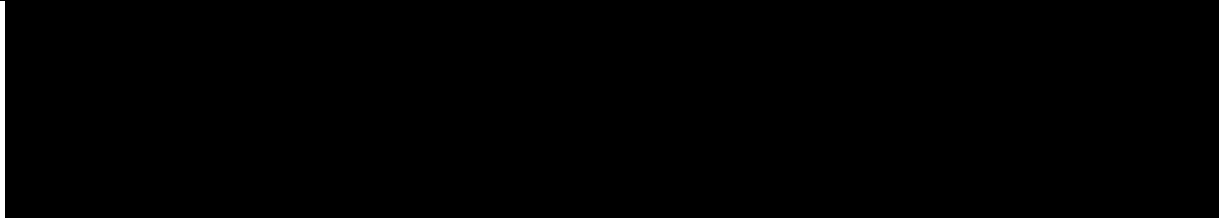
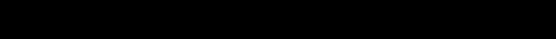
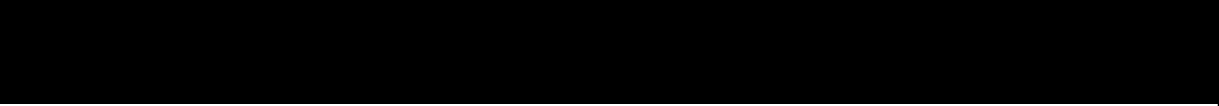
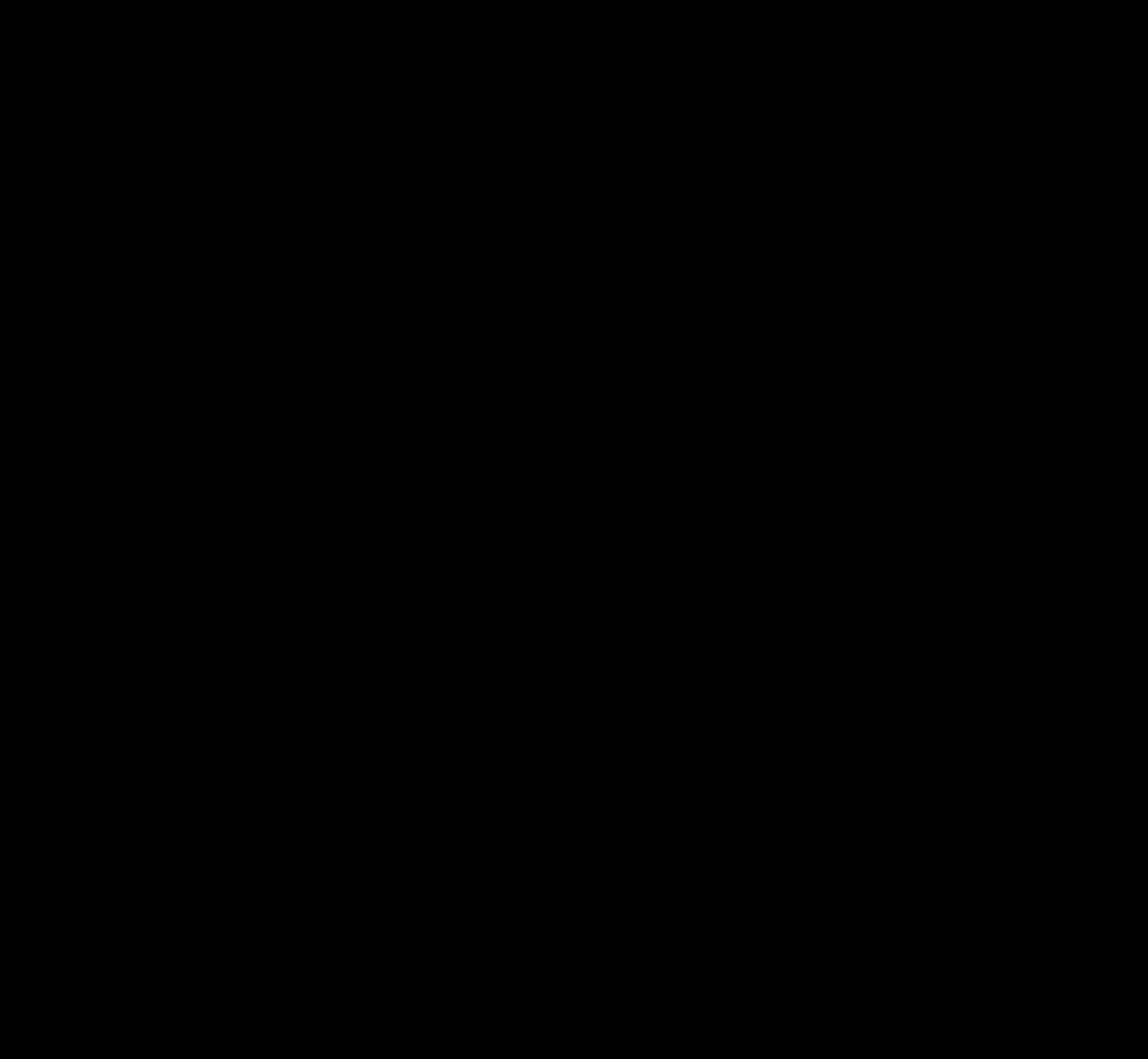

This Policy has been checked against APP. Gwent Police has adopted the APP provisions, with supplementary information contained herein, which reflects local practice and the needs of the communities served by Gwent Police. Those provisions are shown in the links below:


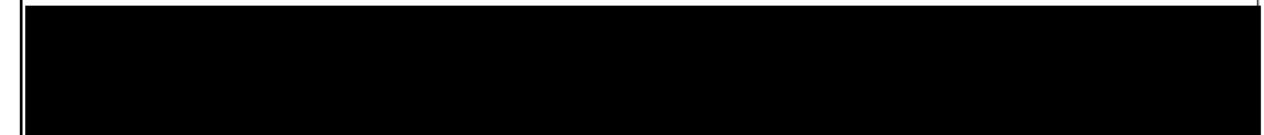
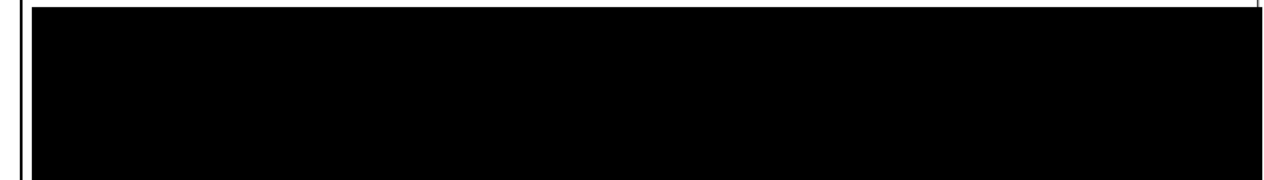

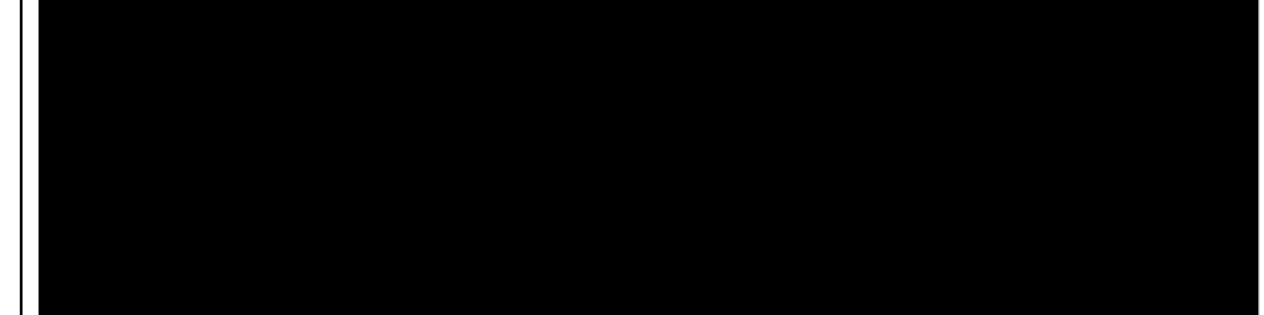
<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/domestic-abuse/>

<b>1.0</b>	<b>POLICY AIMS</b>
1.1	Our aim is to protect and reassure victims and witnesses of Domestic Abuse and the communities served by Gwent Police.
1.2	<p>We will do this by:</p> <ul style="list-style-type: none"><li>a) Domestic abuse is a serious crime and a priority for Gwent Police</li><li>b) Early positive intervention is essential to save lives, and the first priority of officers attending domestic abuse incidents is to protect victims and their families, especially children and vulnerable adults.</li><li>c) When dealing with victims of domestic abuse officers must be aware of protected characteristics and use of Welsh or other languages, and ensure that everyone is treated with dignity and respect regardless of background or lifestyle choices</li><li>d) The level of intervention will be intelligence based and depend upon the perceived risk of harm. Factors to be considered are: </li><li>e) When considering level of intervention, the arrest of the alleged perpetrator must always be considered.</li><li>f) Officers must be able to justify a decision not to arrest where that power exists. </li><li>g) Officers will take firm and positive action against offenders or take other positive steps to ensure safety of victim, children and other vulnerable person.</li><li>h) Criminal investigations into domestic abuse will ensure all necessary and proportionate lines of enquiry are considered to both protect the victim and prevent further incidents.</li><li>i) Investigations should not solely focus upon the willingness of a victim to engage. It is the decision of the police and the Crown Prosecution Service, not the victim, to arrest and/or charge a suspect.</li><li>j) We are committed to working in partnership with other agencies to eradicate domestic abuse, to build safer communities and thereby improve the quality of life for victims and their children.</li></ul>

<b>2.0</b>	<b>PROCEDURE</b>
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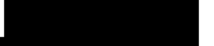





2.1	<b>Definitions</b>
2.1.1	Domestic abuse is defined as:
2.1.2	Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.
2.1.3	The abuse can encompass but is not limited to the following types of abuse: <ul style="list-style-type: none"><li>a) psychological</li><li>b) physical</li><li>c) sexual</li><li>d) financial</li><li>e) emotional</li></ul>
2.1.4	Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family.
2.1.5	<u>Repeat Victim</u> A repeat victim is a person who has within a twelve month period suffered two or more domestic abuse incidents.
2.1.6	<u>Serial Perpetrator</u> A serial perpetrator is someone who has been reported to the police as having committed or threatened domestic abuse against two or more victims. This includes current or former intimate partners and family members.
2.2	<b>Force Contact and Control (FCC)</b>
2.2.1	<u>Prompts (THRIVE)</u>
2.2.1.1	
2.2.1.2	An accurate record of information obtained from the caller and decisions made will be entered into the command and control log. Relevant information from this initial assessment will be passed to the attending officer.
2.2.2	<u>Intelligence Checks and Information to be passed to Attending Officers</u>
2.2.2.1	Call handlers will check Force systems and pass the following information to attending Officers: 

	
2.2.3	
2.2.3.1	
2.2.4	<u>Call Grading Policy</u>
2.2.4.1	Domestic Abuse incidents will be classified in accordance with National Standards of Incident Recording (NSIR):
2.2.4.2	
2.2.4.3	
2.2.4.4	
2.2.4.5	
2.2.4.6	
2.2.4.7	
2.2.4.8	
2.2.4.9	
2.2.5	<u>Supervision in the Force Contact and Control (FCC)</u>
2.2.5.1	FCC supervisors are responsible for ensuring that all the staff they supervise are competent to perform their role in relation to Domestic Abuse incidents. 

	
2.2.5.2	All incident logs relating to high risk Domestic Abuse incidents will be reviewed by the Force Incident Manager to ensure an appropriate response in line with Force Policy.
2.2.6	<u>Training</u>
2.2.6.1	The FCC Training Officer will maintain a training plan to support the development needs of staff in the FCC and will also evaluate the effectiveness of this training.
2.2.7	<u>Attendance Policy</u>
2.2.7.1	Where a Domestic Abuse incident is graded as an emergency, the nearest available and most appropriate resource will be identified and despatched by the Force Communications Suite
2.3	<b>Initial Attendance</b>
2.3.1	<u>Safety of the Victim and Positive Action</u>
2.3.1.1	The first priority of the attending officer is to ensure the safety of the victim and any other persons present at the incident. In carrying out their duties, Officers will take positive action to assess the risks, reduce or remove the threat, secure and preserve evidence, and identify the needs of victims.
2.3.1.2	
2.3.1.3	
2.3.2	<u>Body Worn Video (BWV)</u>
2.3.2.1	Body Worn Videos are an effective way to capture evidential opportunities.  

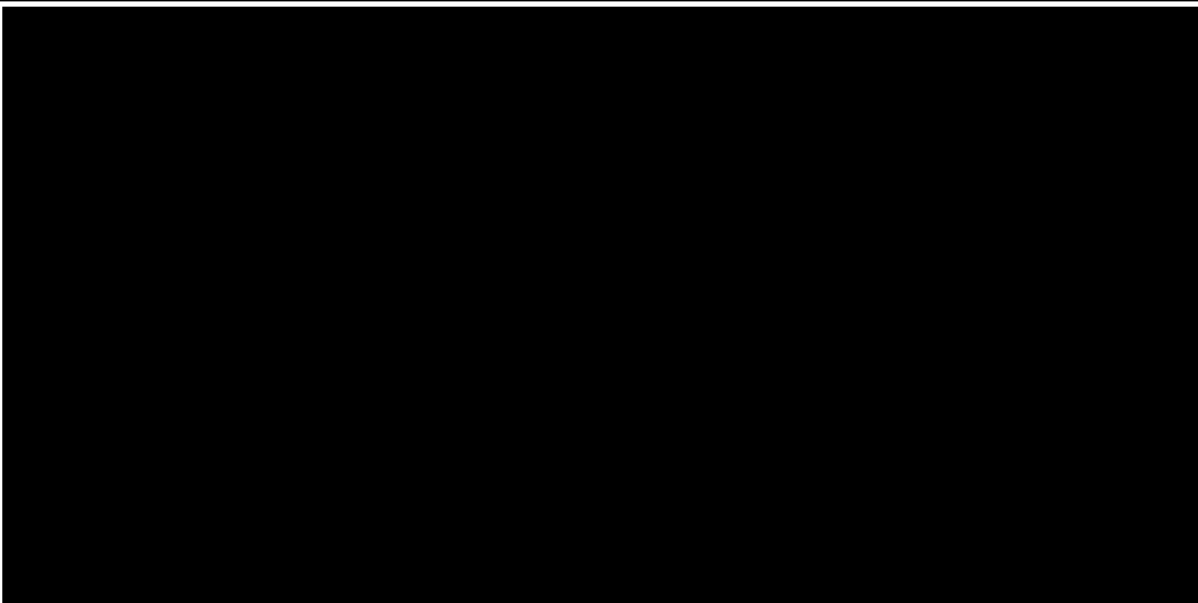








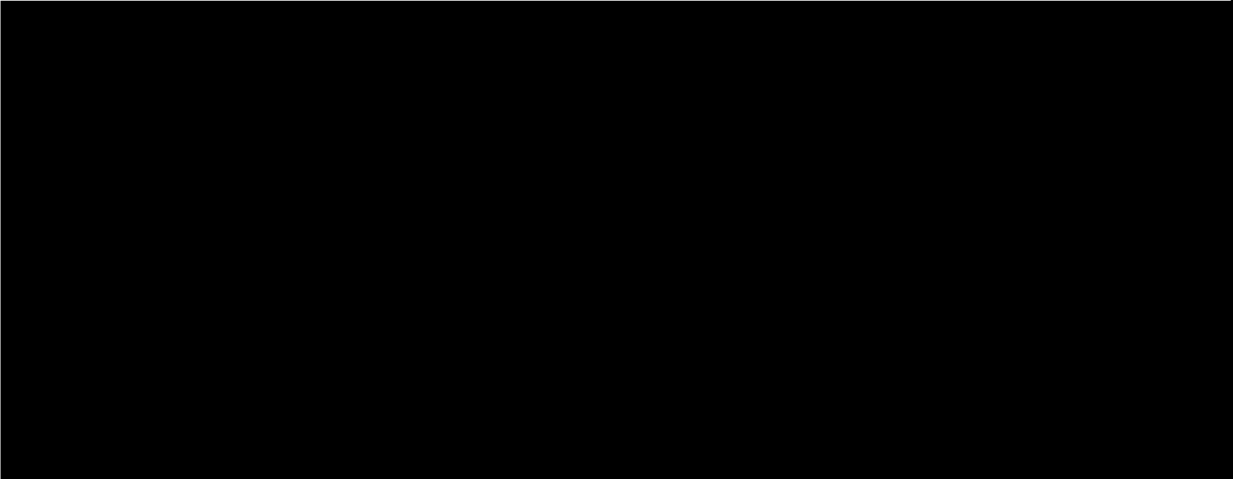
2.3.2.2	[REDACTED]
2.3.3	<u>Primary Risk Assessment</u>
2.3.3.1	The initial attending officer is responsible for risk identification, assessment and response and remain so until a specialist officer takes responsibility. [REDACTED]
2.3.3.2	Regardless of the result of the risk assessment the initial attending officer is responsible for putting in place immediate victim safeguarding which is both suitable and sufficient to mitigate the identified level of risk and is proportionate to the circumstances. [REDACTED]
2.3.3.3	Officers carry out this assessment by interviewing the victim and any witnesses present at the scene, [REDACTED]
2.3.3.4	Officers will engage sympathetically with victims and explain the reasons for asking the questions. [REDACTED]
2.3.3.5	[REDACTED]
2.3.3.6	Officers will also carry out checks of Force systems to identify relevant information [REDACTED]
2.3.3.7	[REDACTED]

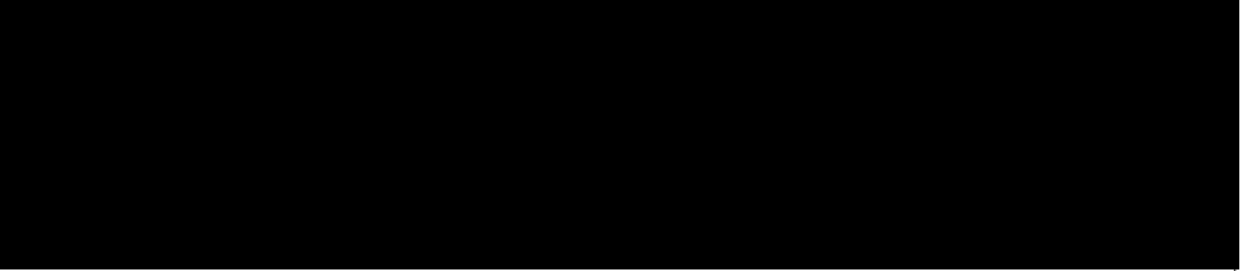
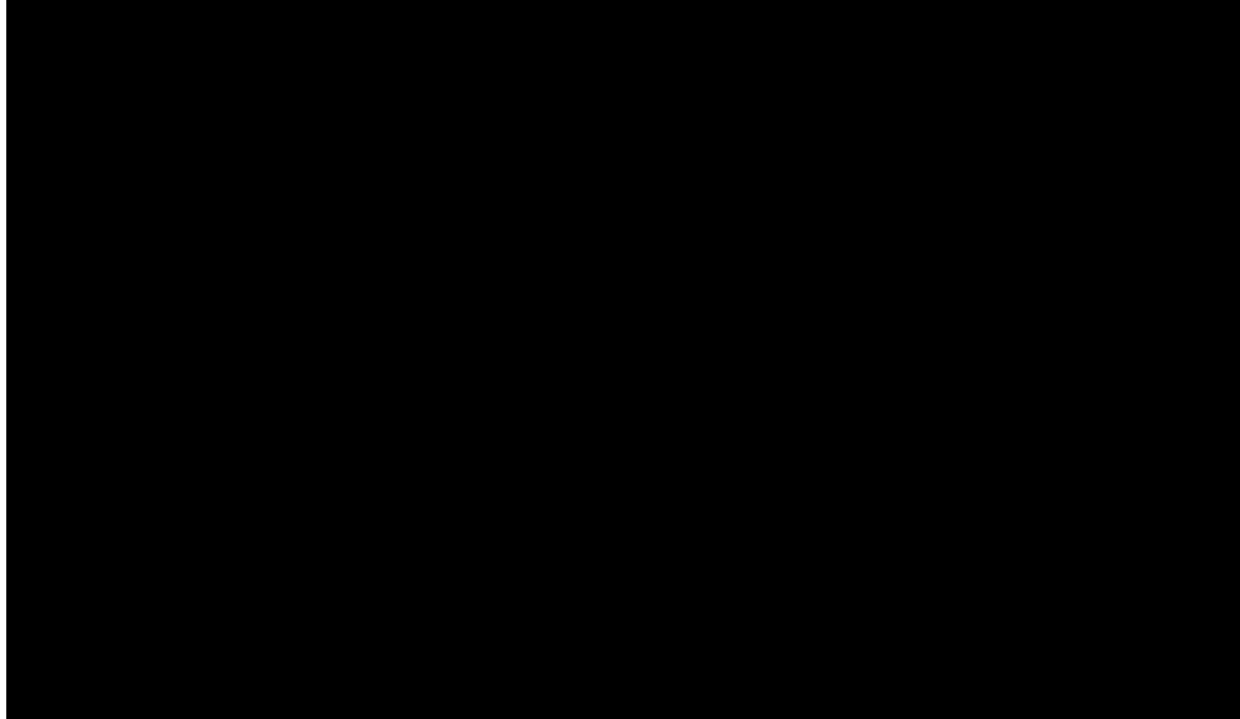
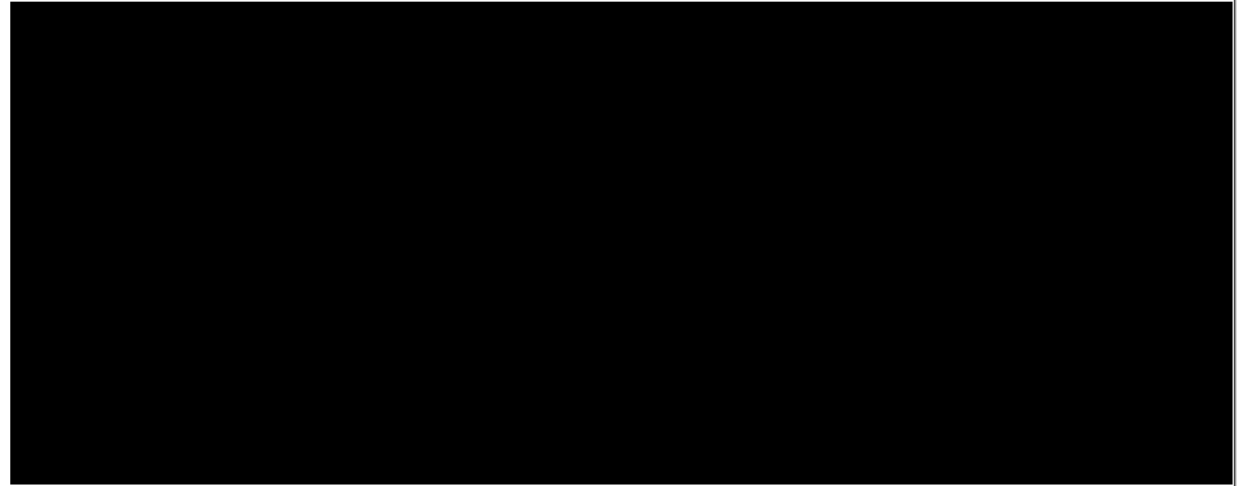
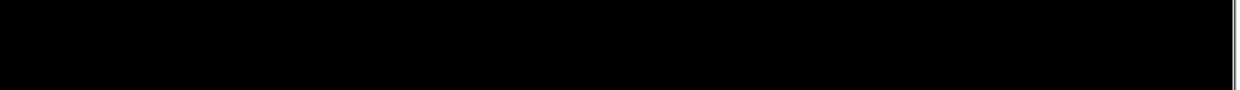
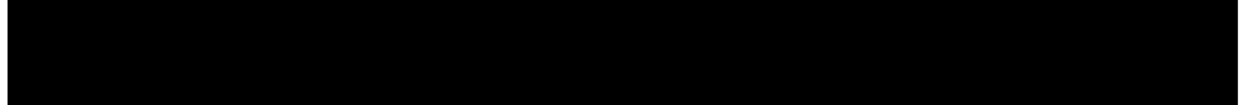
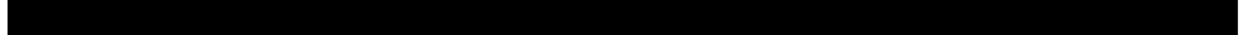


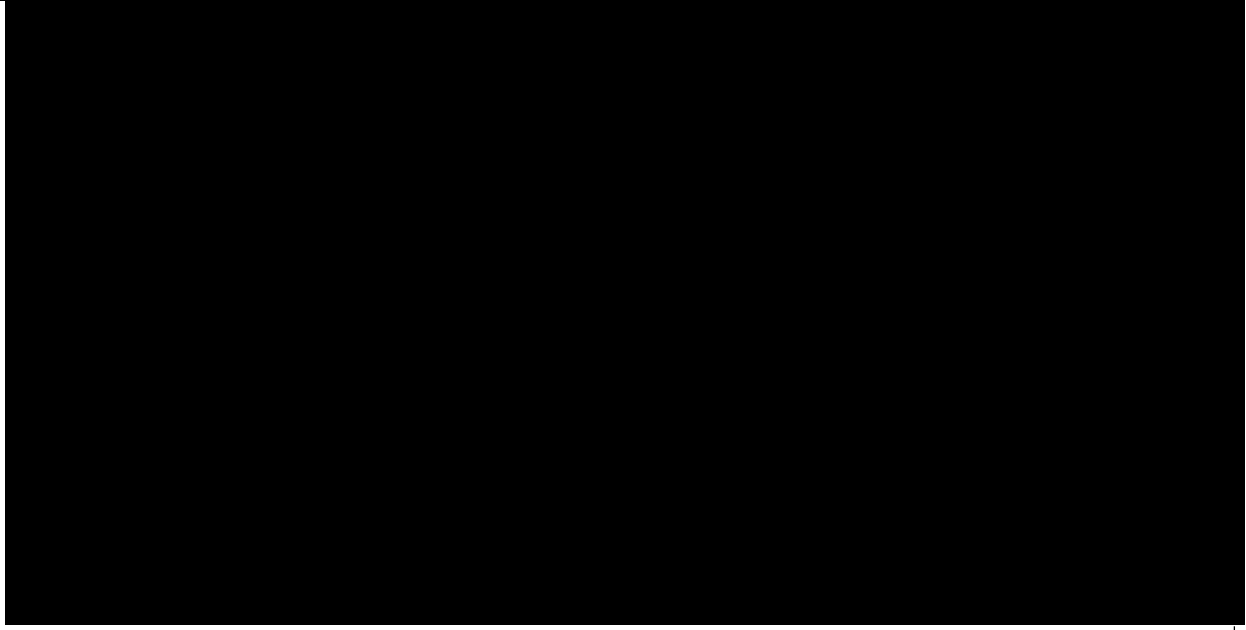

	
2.3.3.8	
2.3.3.9	
2.3.3.10	<p>Whilst the arrest of an offender may temporarily manage the risk to a victim, officers should always remember that custody status can change at any time. </p>  <p>There are three levels of risk identified by the 2009 DASH Risk Assessment Model:</p> <ul style="list-style-type: none"><li>a) Standard – </li><li>b) Medium – </li><li>c) High – </li></ul>  <p>For further guidance please see <a href="#">College of Policing Domestic Abuse APP on Risk Identification and Assessment</a>.</p>

2.3.4	<u>Initial Safety Planning</u>
2.3.4.1	Attending Officers must consider the threat, risk and harm they have identified in their primary risk assessment and they must take immediate positive action to mitigate these risks. Officers should always aim to support the needs and wishes of the victim in formulating their initial safety plan but must always consider their primary duty to protect life and limb, which includes the victim, but also the wider public.
2.3.4.2	[REDACTED]
2.3.4.3	A Detective Sergeant will be available 24/7 to provide advice and guidance to Patrol Officers in relation to domestic abuse safety planning. During core hours, the first point of contact will be the Public Protection Unit.
2.3.5	<u>Safety Measures to be considered</u>
2.3.5.1	[REDACTED]
2.3.5.2	The arrest of the suspect provides a number of safety measures which include bail conditions and remand in custody. These are not available where powers of arrest are not exercised.
2.4	<b>Management of Investigations</b>
2.4.1	<u>Primary and Secondary Risk Assessments</u>
2.4.1.1	The attending officer will complete a DASH form for all cases of domestic abuse. [REDACTED]

2.4.1.2	[REDACTED]
2.4.1.3	[REDACTED]
2.4.1.4	All Domestic Abuse investigations will be carried out by Officers who are competent to perform an effective and proportionate investigation. All high risk cases will be dealt with by a Detective Constable.
2.4.1.5	Patrol Sergeants will be responsible for supervision of the initial attendance at Domestic Abuse incidents. [REDACTED]
2.4.1.6	Where an officer needs to seek advice about primary risk assessment, initial safety planning and evidence gathering at the scene, they should contact the most appropriate available supervisor. [REDACTED]
2.4.1.7	Where an attending officer assesses the risk as High, they must seek guidance from the covering Detective Sergeant, [REDACTED]
2.4.2	The FCC will have initial ownership of high risk DA cases [REDACTED]
2.4.2.1	<u>OIC &amp; Supervisors Responsibility on Niche</u> Police Constable guide [REDACTED] [REDACTED]

	
2.4.2.2	<p>After initial documentation and for ongoing case management, updates are to be provided on the investigator update template. </p> 
2.4.2.3	<p>Sergeant Guide for oversight of crime investigation </p>    
	<p>Inspector Guide: </p> <p><b>Crimes Outcomes</b></p>
2.5 2.5.1  2.5.2	

	
2.5.3	<p>Where a crime has been committed the following lines of enquiry should be sought in every investigation:</p> 
2.5.4	
2.5.5	
2.5.5.1	
2.5.5.2	

	
2.5.5.3	
	<b>Victim Testimony</b>
2.6	Police officers need to consider how evidence is obtained from persons subject to Domestic Abuse. Consideration should be given to the Youth Justice Criminal Evidence Act.
2.6.1	
	<p>The Youth Justice and Criminal Evidence Act 1999 (YJCEA) introduced a range of measures that can be used to facilitate the gathering and giving of evidence by vulnerable and intimidated witnesses. The measures are collectively known as "special measures".</p> <p>Special measures are a series of provisions that help vulnerable and intimidated witnesses give their best evidence in court and help to relieve some of the stress associated with giving evidence. Special measures apply to prosecution and defence witnesses, but not to the defendant and are subject to the discretion of the court. Paragraph 2.21, Part B, of the <u>Code of Practice for Victims of Crime</u> (the Victims' Code) requires prosecutors to give early consideration to making a Special Measures application to the court, taking into account any views expressed by the victim. (See the <u>Code of Practice for Victims of Crime: CPS Legal Guidance</u>.)</p>
2.6.1.2	<p><i>Eligibility for Special Measures</i> A vulnerable or intimidated witness will be eligible for special measures under sections 16 to 33 of the YJCEA.</p>
2.6.1.3	<p><i>Vulnerable</i> Vulnerable witnesses are defined by section 16 YJCEA as:</p> <p>a) All child witnesses (under 18); and</p>

- b) Any witness whose quality of evidence is likely to be diminished because they:
- c) are suffering from a mental disorder (as defined by the Mental Health Act 1983);
- d) have a significant impairment of intelligence and social functioning; or
- e) have a physical disability or are suffering from a physical disorder.

[REDACTED]

*Intimidated*

2.6.1.4

Intimidated witnesses are defined by section 17 YJCEA as those suffering from fear or distress in relation to testifying in the case. Complainants in sexual offences are defined by section 17(4) as automatically falling into this category unless they wish to opt out. [REDACTED]

*Serious Crime*

Victims of the most serious crime, as set out in the Victim's Code, might also be regarded as intimidated. [REDACTED]

**Perpetrators**

2.7

Every effort should be made to arrest domestic abuse suspects at the earliest opportunity. [REDACTED]

2.7.1

[REDACTED]

2.7.2

2.7.2.1

[REDACTED]

**Voluntary Interviews**

2.8

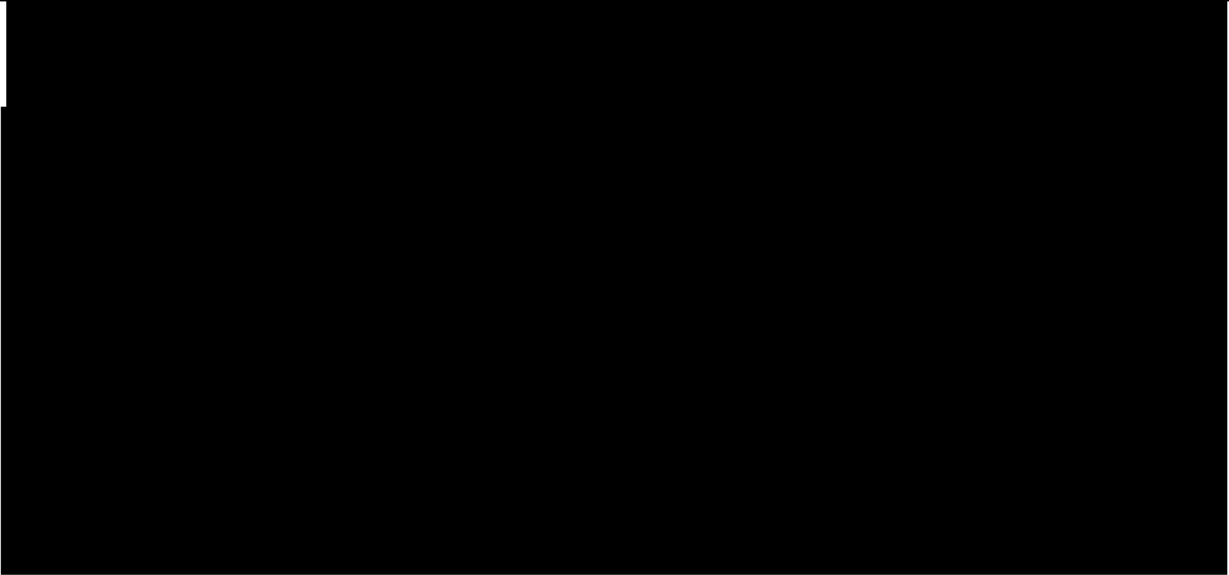

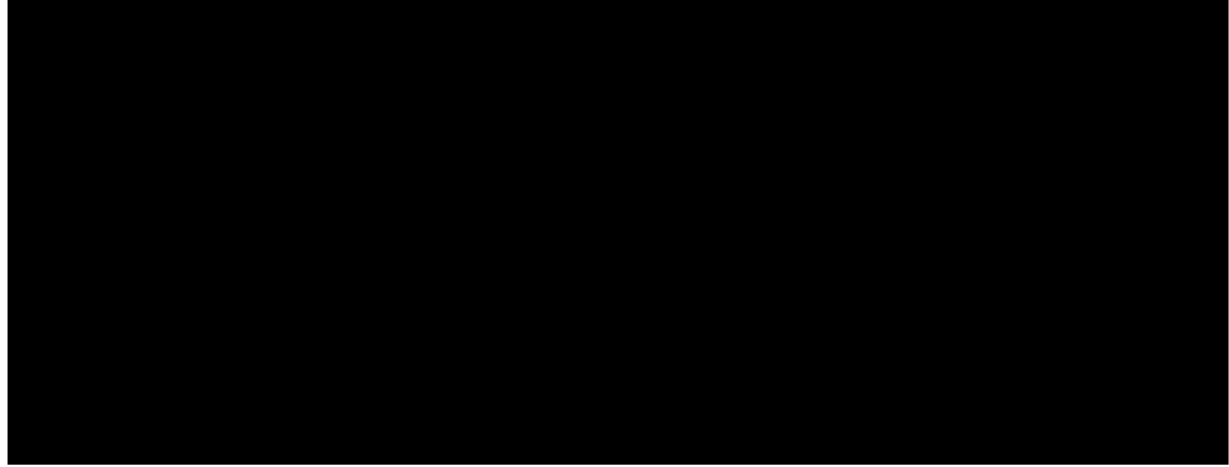
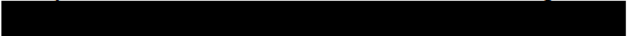


Where the necessity requirements of code G (PACE) are not met then consideration is to be given to conducting a voluntary interview with the suspect. [REDACTED]

2.8.1

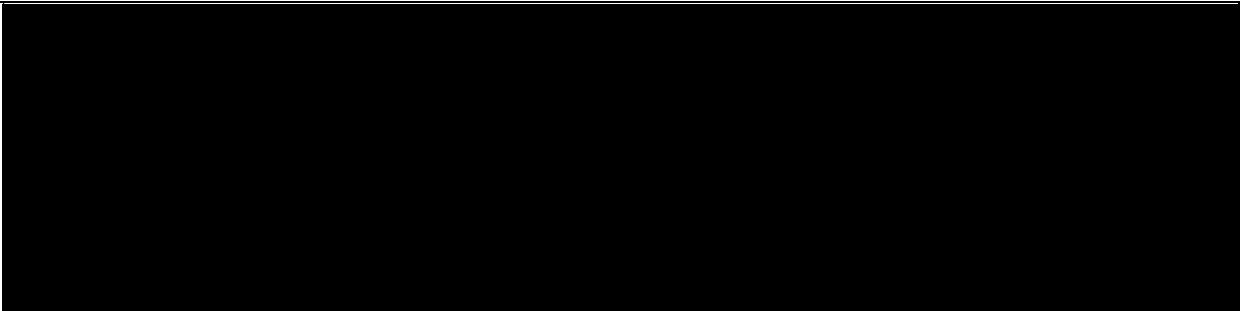
[REDACTED]

	<b>Custody / Detention</b>
2.9	Only the arresting officer is responsible for determining the necessity to arrest. [REDACTED]
2.9.1	[REDACTED]
2.9.2	[REDACTED]
2.9.3	[REDACTED]
	<b>Multi Agency Risk Assessment Conference (MARAC)</b>
2.10	The Multi Agency Risk Assessment Conference is a local, multi-agency, victim focused meeting where information is shared on the highest risk cases of domestic abuse.
2.10.1	[REDACTED]
2.10.2	[REDACTED]
2.10.3	[REDACTED]
2.10.4	[REDACTED]
2.10.5	[REDACTED]
2.10.6	[REDACTED]
2.10.7	[REDACTED]
	[REDACTED]

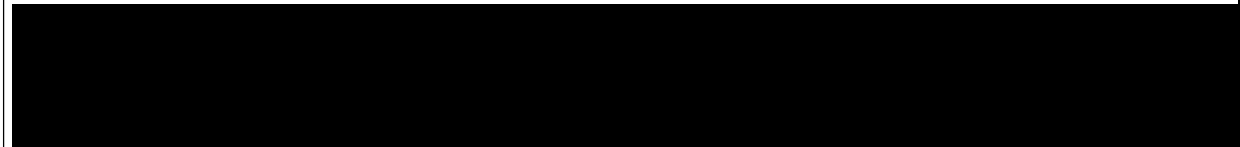


	
2.11	<b>Domestic Violence Protection Notices and Orders</b>
2.11.1	The responsibility for applying for a Domestic Violence Protection Notice rests with the Officer in the Case. 
2.11.2	
2.11.3	
2.11.4	
	Further information and guidance can be found <a href="#">College of Policing APP</a> .
2.11.5	<b>Domestic Violence Disclosure Scheme</b>
2.12	The Central Public Protection Unit will be responsible for coordinating the Force response to the Domestic Violence Disclosure Scheme, otherwise known as Clare's Law.
2.12.1	
2.12.2	The Domestic Violence Disclosure Scheme (DVDS) gives members of the public a 'right to ask' police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual. 
	
	

2.12.3



2.12.4

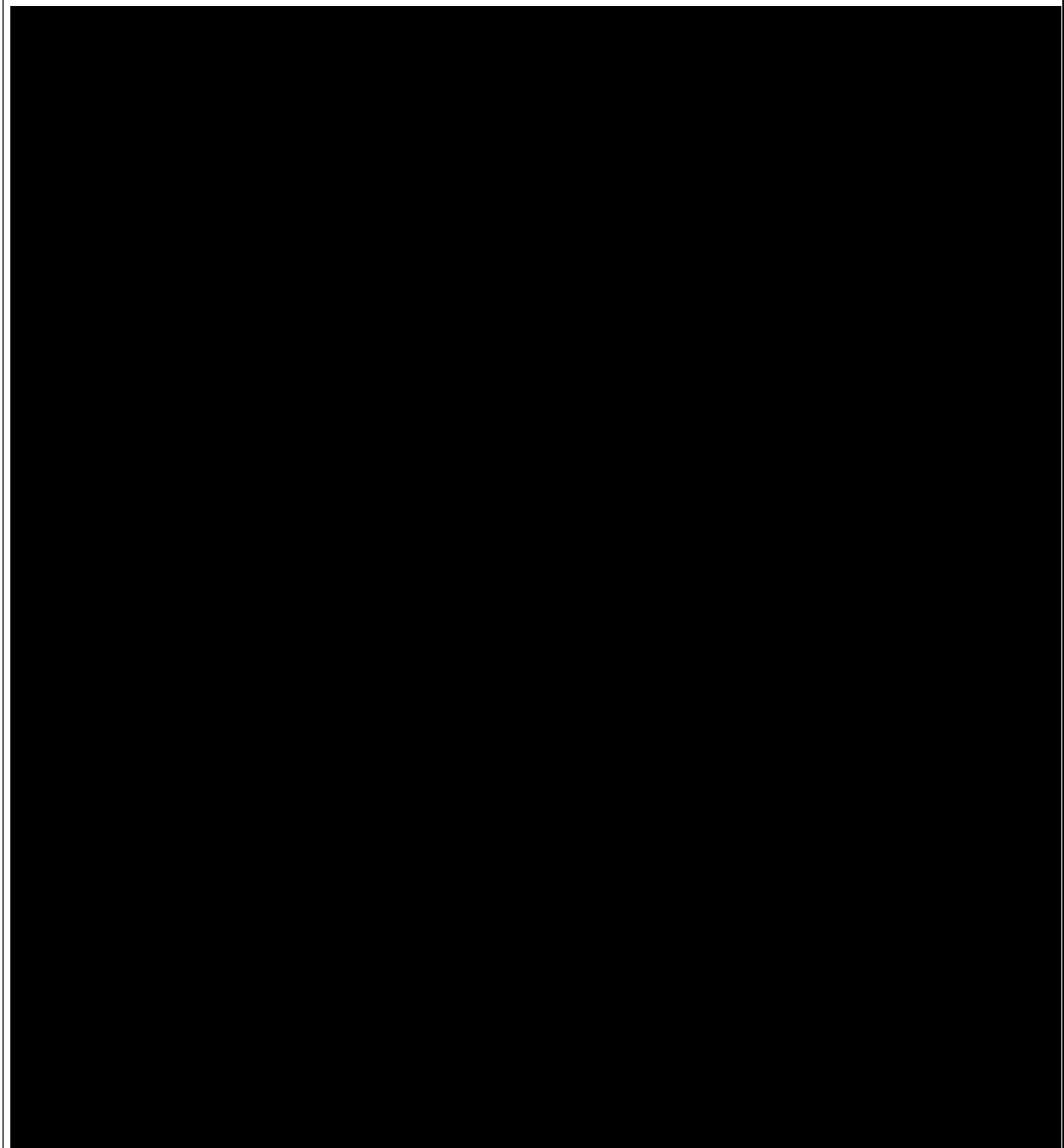


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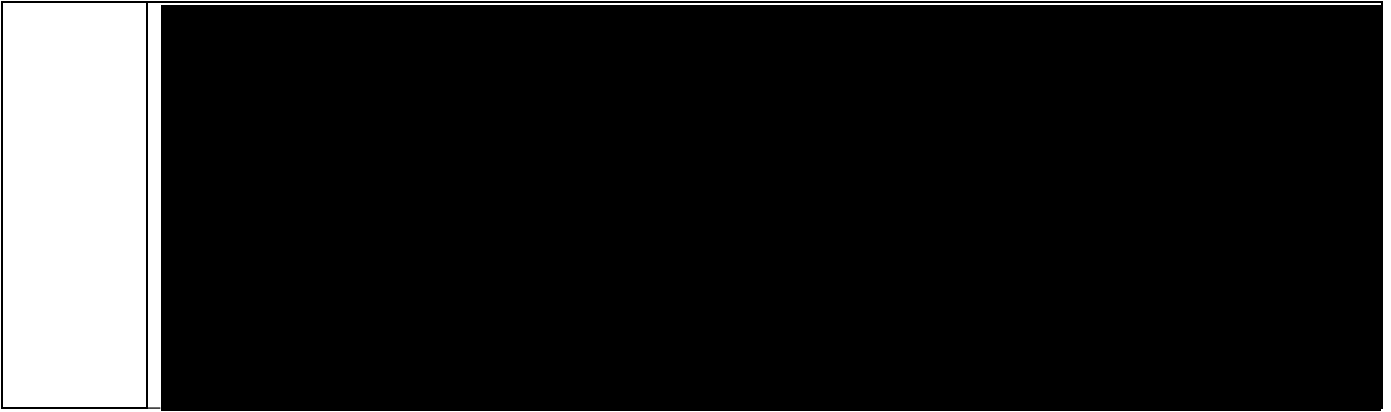
**Domestic abuse Safeguarding Team - DAST**

2.13

2.13.1



2.13.2



<b>3.0</b>	<b>LEGISLATIVE FRAMEWORK</b>
3.1	<ul style="list-style-type: none"> <li>• Common Law</li> <li>• Offences against the Person Act 1861</li> <li>• Sexual Offences Act 1956</li> <li>• Criminal Damage Act 1971</li> <li>• Bail Act 1976</li> <li>• Police and Criminal Evidence Act 1984</li> <li>• Criminal Justice Act 1988</li> <li>• Children Act 1989</li> <li>• Criminal Justice and Public Order Act 1994</li> <li>• Criminal Proceedings and Investigation Act 1996</li> <li>• Family Law Act 1996</li> <li>• Protection from Harassment Act 1997</li> <li>• Crime and Disorder Act 1998</li> <li>• Youth Justice and Criminal Evidence Act 1999</li> <li>• Criminal Justice and Police Act 2001</li> <li>• Domestic Violence Crime and Victims Act 2004</li> <li>• Home Office Circular 19/2000(Domestic Violence: Revised Circular to the Police)</li> </ul>
<b>4.0</b>	<b>HUMAN RIGHTS</b>
4.1	This Procedure has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts, the legitimacy of its aims, the justification and proportionality of the actions intended by it, that it is the least intrusive and damaging option necessary to achieve the aims and that it defines the need to document the relevant decision making processes and outcomes of actions.
<b>5.0</b>	<b>WELSH LANGUAGE STANDARDS</b>
5.1	This Policy aims to comply with the Welsh Language Standards in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Welsh Language Standards.
<b>6.0</b>	<b>HEALTH AND SAFETY</b>
6.1	The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.
<b>7.0</b>	<b>REVIEW/RESPONSIBILITIES</b>

7.1	The policy business owner maintains outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department/unit responsible for its continued monitoring.
7.2	The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office, NPCC, legislative changes, good practice (learning the lessons) both locally and nationally.
<b>8.0</b>	<b>LINKS TO OTHER POLICIES/PROCEDURES/OTHER DOCUMENTS</b>
8.1	<ul style="list-style-type: none"><li>• Code of Ethics</li><li>• Crime Recording</li><li>• Critical Incidents</li><li>• Data Protection</li><li>• Domestic Abuse in the Workplace</li><li>• Firearms Licensing</li><li>• Freedom of Information</li><li>• Stalking and Harassment</li><li>• Hate Crime</li><li>• Licence to Lead</li><li>• Medical Evidence Statements</li><li>• National Decision Model</li><li>• National Standards of Incident Recording</li><li>• Public Protection</li><li>• Rape and Serious Sexual Offences</li><li>• Threat to Life</li><li>• Victim Support</li><li>• Notifiable Association</li></ul>
<b>9.0</b>	<b>APPENDICES</b>
9.1	