

# NORTHERN IRELAND POLICING BOARD

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## DOMESTIC ABUSE REVIEW

December 2019

## **Introduction**

The Northern Ireland Policing Board is responsible for the independent oversight of the work of the Police Service of Northern Ireland. Its job is to make sure that the police comply with relevant legislation in delivering the service to the community.

In addition to regular Board accountability meetings with the Chief Constable, the Board has four Committees to take forward detailed scrutiny of the work of the PSNI and fulfil its range of legislative duties. The Board's Performance Committee is responsible for issues related to PSNI operational performance including performance against the Policing Plan measures specific to the Committee, Human Rights compliance, the Professional Standards of police officers and oversight of the functions of the National Crime Agency (NCA) in Northern Ireland.

The Performance Committee agreed on 14 February 2019, that the PSNI response to domestic abuse and violence would be a priority area of focus in its programme of work during 2019/20. This paper sets out some of the key issues that the Committee considered through their engagements and briefings with individuals in meetings held on 11 June 2019 and 12 September 2019.

You can find out more about the Committee's work by reviewing the minutes of the meetings in the Publications section of the Board's website at [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

## **Background**

On behalf of the Policing Board, the Performance Committee and its predecessor the Human Rights & Professional Standards Committee, has considered the policing of domestic abuse in detail over a concerted period of time. The Board dedicated a Human Rights Thematic Review to examine how effectively the PSNI tackles domestic abuse in 2009, closely followed by an update report in 2011. Domestic abuse continues to be examined through the Board's Human Rights Monitoring Framework and reported on each year within the Human Rights Annual Reports. Furthermore, since April 2016 the Board has monitored PSNI performance specifically in relation to protecting and supporting victims of domestic abuse through the Strategic Outcomes for Policing 2016-2020 and supporting annual Policing Plans.<sup>1</sup>

Engagement with key stakeholders is pivotal to this area of police performance monitoring, with particular emphasis on victims' organisations in order to ascertain their direct experience of the service provided by PSNI. The Board values its membership on the PSNI's Domestic Abuse and Sexual Violence Independent Advisory Group (IAG) alongside key criminal justice partners and victims' organisations.<sup>2</sup> Therefore the Performance Committee invited members from the IAG to attend the meeting on 11 June 2019 and thereafter met with the PSNI on 12 September 2019. This publication sets out the key issues considered by the Performance Committees in these meetings;

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4. The effectiveness of current risk identification, assessment and management arrangements; **p.9**
5. The establishment of Independent Domestic Violence Advisors (IDVAs); **p.13**
6. The Domestic Violence & Abuse Disclosure Scheme (DVADS) **p.14**

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<sup>1</sup> Strategic Outcome 2.1: Harm caused by crime and anti-social behaviour is reduced with a focus on protecting the most vulnerable, including repeat victims.

<sup>2</sup> Current Membership includes: the Public Prosecution Service, the NI Courts and Tribunal Service, Women's Aid NI, NEXUS NI, Men's Advisory Project, the Rainbow Project, Victim Support, Action on Elder Abuse NI, NSPCC and Safeguarding Board for Northern Ireland.

## **1. Recent Statistics**

PSNI publishes quarterly statistics on domestic abuse incidents and crimes on its website which helps inform the scale of domestic abuse and violence in Northern Ireland. The statistical bulletin covering the period 1st April 2018 to 31st March 2019, recorded the highest financial year figures for domestic abuse incidents and crimes since the start of the data series.<sup>3</sup> When compared to the previous 12-month reporting period, the number of domestic abuse incidents increased by 5.9%, while the number of domestic abuse crimes increased by 11.4%.

In 2018/19 domestic abuse crimes represented 16% of all police recorded crime, increasing from 14.8% during the previous 12 months. Increases were seen across all the main crime types except for breaches of non-molestation order.<sup>4</sup> There were four murders with a domestic abuse motivation, compared with eleven during 2017/18. Particularly noteworthy was an increase of 58.5% in harassment linked to domestic abuse. PSNI explain this increase to be, in part, due to a change in Home Office counting rules. For instance, offences relating to harassment were previously included in the 'violence without injury' classification and since 2017 are now presented in their own classification. A further change introduced April 2018 requires harassment, including malicious communications, to be recorded in addition to the most serious victim-based offence.

In addition to the quarterly statistics PSNI also publishes a more detailed statistical bulletin on an annual basis which includes trend information on domestic abuse incidents and crimes since 2004/05, including detail on crime type and outcomes. Further to a recommendation made by the Board in 2009 in its Human Rights Thematic Review on Domestic Abuse, the bulletin also provides information on victim and perpetrator characteristics. The annual statistical bulletin, covering the period 2004/05 – 2018/19, was published on 8 November 2019.<sup>5</sup> The annual trends

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<sup>3</sup> PSNI, Domestic Abuse Incidents and Crimes Recorded by the Police in Northern Ireland, Update to 31 March 2019: <https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/domestic-abuse-statistics/2018-19/q4/domestic-abuse-bulletin-mar-19.pdf>

<sup>4</sup> The categories are violence with injury; violence without injury; harassment; sexual offences; theft (including burglary); criminal damage; breach of a non-molestation order; and, all other offences.

<sup>5</sup> PSNI, Trends in Domestic Abuse Incidents and Crimes Recorded by the Police in Northern Ireland 2004/05 to 2018/19 Annual Bulletin published 8 November 2019 <https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/domestic-abuse-statistics/2018-19/domestic-abuse-incidents-and-crimes-in-northern-ireland-2004-05-to-2018-19.pdf>

bulletin revealed that, with regard to victim characteristics during 2018/19, 69 per cent of all domestic abuse crime victims were female and 31 percent were male, compared with 75 per cent female and 25 per cent male in 2004/05. In 2004/05 over three quarters of victims (77 per cent) were between the ages of 20 and 49; by 2018/19 this had fallen to 61 per cent. Over the same time period increasing proportions were seen in both the younger and older age groups, but particularly in relation to victims under the age of 15 (comprising 3% in 2004/05 to 14% in 2018/19). Of all offenders dealt with by police during 2018/19 in connection with domestic abuse crimes that resulted in an outcome, 86 percent were male and 12 percent were female.

While expressing evident concerns around the rising trend of domestic abuse incidents and crimes, the PSNI also consider the figures a positive indication that more victims are coming forward to report. Nevertheless, in terms of the outcomes of reported cases, statistics also indicate that the outcome rate for domestic abuse crimes has been falling over the last number of years, from 46.6% in 2010/11 to 26.7% in 2018/19.<sup>6</sup> The PSNI published data in November 2018 via an Annual Bulletin on the outcomes of crime recorded by the police between 2015-16 and 2017-18 (data for 2018-19 is not yet available).<sup>7</sup> For crimes with a domestic abuse motivation, around a quarter of crimes with a domestic abuse motivation were resolved by means of charge or summons, compared to a fifth of all crimes; three-fifths of crimes with a domestic abuse motivation (60%) did not progress to prosecution due to evidential difficulties; in more than 40% the victim did not support police action. This compares to around 30% of all crimes which did not progress to prosecution due to evidential difficulties. Data from the Criminal Justice Inspection (Northern Ireland) (CJINI) thematic inspection of domestic violence and abuse indicates that around a third of domestic violence and abuse cases do not meet the

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<sup>6</sup> ibid

<sup>7</sup> PSNI, Outcomes of Crimes Recorded by the Police in Northern Ireland 2015/16 to 2017/18, Annual Bulletin published 30 November 2018 <https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/police-recorded-crime-statistics/documents/police-crime-outcomes-in-northern-ireland-2015-16-to-2017-18.pdf>

required standards to proceed to a prosecution, and just under a third resulted in a conviction.<sup>8</sup>

## **2. Current Legislative Landscape**

Prior to the collapse of the NI Assembly in January 2017 there had been a focus on domestic violence and abuse and there were numerous developments in respect of legislation and practice. These included: the development of a Domestic Abuse Bill (including behaviour which amounts to coercive control); a review of the need for stalking legislation, the development of guidance and policy to enable the introduction of Domestic Violence Prevention Orders (DVPOs) as legislated for in the Justice Act (Northern Ireland) 2015, but not yet brought into force; the introduction of the Domestic Violence & Abuse Disclosure Scheme (DVADS) which commenced in March 2018; and, the development of an appropriate model for a Domestic Homicide Review (consultation launched July 2018). Domestic Homicide Reviews (DHR) are intended to provide a forum for agencies such as the police, probation, health and social services to consider the circumstances of the case, assess their response, and potentially learn critical lessons, improve services and work to prevent future victims coming to harm. The DHR model is due to be tested in 2019, using a historic case, ahead of introduction around spring 2020.

While legislation and policy guidance have been developed by the Department of Justice for an offence of domestic abuse, due to the absence of a Minister of Justice, Committee for Justice and NI Assembly, it has not been possible to progress these any further. Members of the Board's Performance Committee considered the impact of this pause in the implementation of the draft Bill. In particular Members considered the legislative provisions in both England & Wales (since 2015) and Scotland (since April 2019) which make emotional coercion and control a criminal offence, given the potential for fatal escalation to other types of abuse, particularly physical violence. Members considered how this suspension could have an impact on knowledge of police staff on the importance of recognising these behaviours. This is discussed

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<sup>8 8</sup> CJINI, 'No Excuse: A thematic inspection of the handling of domestic violence and abuse cases by the Criminal Justice System in Northern Ireland' June 2019 <http://cjini.org/TheInspections/Inspection-Reports/2019/April-June/Domestic-Violence>

further below in relation to training and PSNI's risk identification and assessment practices. Generally speaking, the victims' organisations who engaged in this Committee Review were of the shared view that this legislation is critical for enabling officers to deal with coercive control and emotional and psychological abuse.

### **3. PSNI Training**

During the Performance Committee meeting on 11 June 2019, the victims' organisations present raised concerns over the need for more in-depth training of frontline officers to ensure a more effective police response to domestic violence and abuse incidents. As a result, Members discussed key issues in a follow-up meeting with the PSNI, including the content and level of training carried out with frontline officers with regards to domestic abuse; how it differs from training PSNI frontline officers received previously; and, whether it is envisaged that training will be delivered to all PSNI frontline officers to ensure consistency in knowledge. Of particular concern was the scale of specialised input officers receive on the identification of harmful patterns of behaviour and the impact on the assessment of risk, for instance from external subject matter experts.

As demonstrated above, it has been nationally accepted that coercive and controlling behaviour is a key identifier of domestic abuse and evidence of a pattern of behaviour which may, in itself, occasion significant anxiety and fear, or escalate over time into physical violence. Therefore, Members considered that in terms of capacity building in PSNI, the absence of a specific legislative provision for coercive and controlling behaviours should not impact their integration into police training. Other police services in the UK have undertaken specific training on this type of behaviour. For example, in December 2018 Police Scotland announced that over 14,000 officers and staff would be trained by SafeLives and specialist trainers, ahead of the implementation of the Domestic Abuse (Scotland) Act 2018 which came into force on 1 April 2019. The training reflected the '*Domestic Abuse Matters Change Programme*', which had been developed with the College of Policing<sup>9</sup> and is focused

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<sup>9</sup> The College of Policing is a professional body for the police in England and Wales. It was established in 2012 to take over a number of training and development roles that were the responsibility of the National Policing Improvement Agency (NPIA).

on equipping officers to recognise and effectively respond to the signs of coercive and controlling behaviours.

Furthermore, guidance issued by the Attorney General for Northern Ireland in April 2018 emphasised the need for PSNI to be alert to patterns of coercive and controlling behaviour as a key risk factor for identifying abuse. It states; '*Officers are required to take, within the scope of PSNI's powers, preventive and protective measures even where no criminal offence is immediately apparent, particularly where there are signs of controlling or coercive behaviour and stalking*'.<sup>10</sup> The guidance highlighted responsibilities of PSNI in the areas of risk assessment and the need for a proactive approach, immediate response, prevention and protection, recording and analysis, policies, training, secondary victimisation and delay. Therefore the Performance Committee were concerned over the findings of CJINI's latest inspection, published June 2019, which identified the training and development of student officers and first responders<sup>11</sup> in the areas of harassment, stalking and coercive and controlling behaviour; and their approach to risk assessment as areas all requiring improvement.

In undertaking the inspection, CJINI Inspectors found that while harassment is covered in a specific lesson in the Foundation Training, it is only mentioned in relation to the Domestic Abuse, Stalking and Harassment and Honour-based violence risk identification, assessment and management model (DASH) form during the session on domestic abuse rather than as a form of domestic abuse itself.<sup>12</sup> During their fieldwork Inspectors advised of several incidents which suggested a lack of understanding among PSNI officers around the cycle of domestic abuse and how what may be perceived to be minor can escalate into something much more significant. The Performance Committee questioned the Chief Constable at the Board Meeting in April 2019 to seek clarification over the measures taken to prepare officers for dealing with the planned introduction of the new domestic abuse offence

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<sup>10</sup> Attorney General for Northern Ireland, Guidance by the Attorney General for Northern Ireland pursuant to Section 8 of the Justice (Northern Ireland) Act 2004: No. 13 human rights guidance for the Police Service of Northern Ireland, the Public Prosecution Service, the Probation Board for Northern Ireland and the Northern Ireland Courts and Tribunals Service, Domestic Abuse and Stalking, April 2018: [https://www.attorneygeneralni.gov.uk/sites/ag/files/media-files/Section%208%20Guidance%20in%20Relation%20to%20Domestic%20Abuse%20and%20Stalking%20-%20Final\\_0.pdf](https://www.attorneygeneralni.gov.uk/sites/ag/files/media-files/Section%208%20Guidance%20in%20Relation%20to%20Domestic%20Abuse%20and%20Stalking%20-%20Final_0.pdf)

<sup>11</sup> Call handlers and frontline officers

<sup>12</sup> CJINI 'No Excuse' Pg.38

that encompasses coercive and controlling behaviour. In a written response the then Chief Constable advised that;

“Research shows that learning is likely to be most effective when it occurs nearest to the time and place of use. Therefore, [PSNI] will use this time prior to the legislation being introduced in Northern Ireland to work with partners and learn from the experience in England, Wales and Scotland to develop our training plan – the delivery date of which will need to be considered alongside a known date for introduction of the legislation.”

However the Committee acknowledge that if PSNI are to properly identify and subsequently support vulnerable victims of domestic abuse, there must be a sufficient means of capturing this type of behaviour irrespective of a specific legislative provision being in place. The Committee invited views from relevant victims’ organisations and discerned a general consensus that the PSNI would benefit from a more structured and consistent approach to the training associated with these issues across the districts.

Senior officers from the PSNI’s Public Protection Branch attended the meeting of the Performance Committee on 12 September 2019 and discussed these issues. PSNI advised they rolled out ‘Enhanced Domestic Abuse Training’ developed by Public Protection Branch and District Training, which 835 frontline officers have received since 2016. In addition, all Local Police Team (LPT) officers received a further two hour training on domestic abuse in 2018/19. Members were particularly encouraged to note that the PSNI are presently engaged with SafeLives in respect of the ‘Domestic Abuse Matters Change Programme’. A further aspect of police training pinpointed through discussion with victims’ organisations, was the need for police to engage effectively to children’s experiences of domestic abuse as they often witness violence or abuse and can be considered secondary victims.<sup>13</sup> Therefore, Members were encouraged that the PSNI have kept abreast of these issues through their Domestic Abuse and Sexual Violence Independent Advisory Group, and highlighted all relevant research to police trainers. PSNI advised that the Safeguarding Board Northern Ireland (SBNI) have dedicated £1.5million to fund training and research for

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<sup>13</sup> Research Review: The Impact of Domestic Violence on Children:  
[https://pure.gub.ac.uk/ws/files/17369087/Research\\_review\\_impact\\_of\\_domestic\\_violence\\_on\\_children.pdf](https://pure.gub.ac.uk/ws/files/17369087/Research_review_impact_of_domestic_violence_on_children.pdf)

Adverse Childhood Experiences (ACE). SBNI funded a pilot training package on ACE which was delivered to all frontline officers in Derry City & Strabane District in March 2019.

Members of the Committee were additionally pleased to note that the PSNI have welcomed the findings of CJINI's 'No Excuse' Inspection Report and ensured they are committed to implementing the recommendations within the time frames set. PSNI briefed Members on their progress so far, this includes the development of an Action Plan to further develop the approach to dealing with cases of domestic violence and abuse and address the issues highlighted in relation to training and development and risk assessment. The PSNI also advised they are raising an agenda item at the next MARAC Operational Board meeting with a view to progressing the recommendation from CJINI on further development of multi-agency safeguarding arrangements. The PSNI and Public Protection Service (PPS) have also agreed to take forward a joint project of work based on the CJINI recommendations.

#### **4. The Effectiveness of current Risk Identification, Assessment and Management Arrangements**

As considered above, the ability of police officers to identify harmful patterns of behaviour will have implications on their assessment of a victim's risk of domestic abuse and violence. The concern is that, individuals subject to underlying psychological control or abuse may be harder to identify as high risk victims, and as a result, appropriate police and/or civil interventions may be missed at an early opportunity. Failure to recognise the signs and patterns of domestic abuse is particularly concerning given that the number of domestic homicides has almost doubled over the last 10 years and Northern Ireland still does not have a mechanism for Domestic Homicide Reviews (DHR). Analysis of DHRs conducted in England and Wales in 2016 identified risk assessment as a key issue and in 73% of all cases sampled, victims or perpetrators had presented to agencies with possible signs of

domestic abuse and/or violence but this had not been recognised or explored further.<sup>14</sup>

As per national standards, PSNI's risk assessment tool for incidents of domestic abuse and violence is known as the DASH (Domestic Abuse, Stalking and Honour-based violence) risk checklist. DASH forms include 27 questions based on research of domestic abuse which assist police officers in identifying and supporting individuals designated as high risk. PSNI's service procedure on domestic abuse outlines that it is the responsibility of the attending officer to complete the DASH assessment and identify and assess the risk to the particular circumstances present, including the presence of children. Thereafter attending officers may make referrals as necessary, for example to the Multi-Agency Risk Assessment Conference (MARAC), to social services in respect of children or to support agencies. Those initially assessed as high risk are referred to the MARAC process and, if deemed high risk by this multi-agency panel, they will be flagged on the police system for a minimum of 12 months. This is supported by the creation of a safety plan for that individual to reduce their level of vulnerability.

Through the PSNI's performance reports against the Policing Plan 2019/20, the PSNI is required to provide the Board with a breakdown of victims by risk classification. However, Members raised concerns that there appears to be no flagging system for medium or low risk individuals. Members considered that a greater level of analysis into a sufficient means of capturing these types of behaviour is required if PSNI are to protect vulnerable victims, especially those at risk from escalating behaviours. Members recognise that the PSNI is not the only police service with issues around the quality of risk assessment processes. DASH forms are currently undergoing a national review and it is understood that the College of Policing are currently trialling a new tool. However, further concerns were raised by CJINI's 'No Excuse' Inspection Report indicating issues with officers' understanding of the importance of adequately completed DASH forms. For example, some officers noted 'DASH form refused' rather than completing the form as best as they could

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<sup>14</sup> Home Office, Domestic Homicide Reviews: Key Findings from Analysis of Domestic Homicide Reviews, December 2016, Pg 4.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575232/HO-Domestic-Homicide-Review-Analysis-161206.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575232/HO-Domestic-Homicide-Review-Analysis-161206.pdf)

with the information known to them (for example, with reference to any previous domestic violence incidents, whether any injuries were sustained).

Where Inspectors asked about the reason for this it was generally suggested that the form was too long with too many questions and that officers didn't see the relevance of some of them. Inspectors suggested this indicated a poor level of engagement with the victim in obtaining the information or poor understanding of the reason why the DASH form was important. While HMIC Inspectors found that the standard of DASH assessments was generally good (albeit based upon findings from a small dip-sample), it was similarly noted that officers expressed frustration over the bureaucracy of completing the forms. It was suggested that the service should consider making the form available for completion and submission on its mobile data platform.

Therefore Members are encouraged to hear that PSNI are in the process of moving DASH onto an electronic system, which provides officers mobile access to the checklist and other details in connection with an incident (such as background information on the victim and perpetrator and any statements). This aims to speed up referrals to MARAC and also hopes to have a positive impact on the quality of completed DASH forms. Officers must submit an answer to all questions in order to proceed, which will hopefully address CJINI's concerns in relation to the high numbers of incomplete or poorly filled out forms. The system is currently being tested before further information can be shared formally with the Performance Committee.

With regard to the operation of MARAC, a review had been undertaken by the Department of Justice Analytical Services Group, commissioned by the DoJ, PSNI and Department of Health, and subsequently published in October 2017. The review identified a number of areas for improvement; including the high proportion of referrals from the police compared to other organisations, particularly in the Health sector; inadequate attendance from some organisations, particularly from organisations representing male victims; mixed views about the effectiveness of action plans; and the need for specialist training. There was unanimity from those organisations surveyed during the course of the review that an Independent

Domestic Violence Advisor (IDVA) should be established in Northern Ireland as a matter of priority (discussed further below).<sup>15</sup>

During meetings with the victims' organisation and the PSNI, Members considered the effectiveness of MARAC and the relatedly lower volume of referred cases to the MARAC in Northern Ireland (19 per 10,000 vs the recommended rate devised by SafeLives 40 per 10,000). Members sought information from PSNI on how they plan to improve the referral rates and what are the current barriers to doing so. Members discussed the disparity in figures between PSNI and MARAC, as PSNI statistics indicate a steady rise in incidents and crimes involving domestic abuse, yet MARAC report decreases in the number of referrals. While the PSNI contemplate this could be down to improved early intervention, the victims' organisations were not wholly convinced of this by virtue of their direct experience with victims and the sustained pressure on support services.

PSNI advised the Committee that the MARAC Operational Board had been reconstituted, with an emphasis on improving the efficiency and productivity of the process to address concerns over the time lag between an incident occurring and the date of the corresponding meeting, as well as dip sampling to ensure quality assurance of information sharing and decision making. CJINIs 2019 Thematic Inspection outlines a strategic recommendation (recommendation 2) to PSNI stating that, *'The PSNI and MARAC Operational Board should develop an action plan, within six months of this report, to further develop the multi-agency safeguarding arrangements for cases of domestic violence and abuse in Northern Ireland'*. PSNI have stated that they have accepted the role of Chair of the MARAC Operational Board and will use this forum to continue to further develop multi-agency safeguarding arrangements for cases of domestic violence and abuse and create an action plan. Further development of this recommendation will be shared with the Board in the given timelines PSNI have to implement them (for this recommendation, within 6 months of the CJINI report published in June 2019).

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<sup>15</sup> DOJ Analytical Services Group, *R&S Bulletin 302-2017: Review of MARAC*, October 2017: <http://niopa.gub.ac.uk/bitstream/NIOPA/7616/1/r%26s-bulletin-30-2017-review-of-marac.pdf>, pp. 15, 16, 21-22, 31-32, 37, 38.

## **5. The Establishment of Independent Domestic Violence Advisors (IDVAs)**

Independent Domestic Violence Advisors (IDVAs) and Independent Sexual Violence Advisors (ISVAs) have existed in England and Wales for a number of years. The scheme provides victims with a primary point of contact, who normally work with them from the point of crisis, to assess the level of risk and discuss the range of suitable options and develop safety plans. CJINI highlighted that IDVAs are critical for the effectiveness of MARAC, by supporting *'engagement between the victim and the criminal justice system, but also liaison with other agencies such as housing and health'*.<sup>16</sup> The 2016 HMIC Inspection highlighted that the lack of an IDVA scheme in Northern Ireland contributed to weaknesses in the criminal justice system's handling of domestic abuse.<sup>17</sup> CJINI advised further that, *'with the lack of an IDVA service, the PSNI are reliant on signposting victims to Women's Aid, Men's Advisory Project or other support organisations who are often not appropriately funded for this work'*.<sup>18</sup> The result is a rather disjointed approach whereby the victim must engage with a number of agencies for ad-hoc support at each stage of the process. In February 2019 Board officials met with DoJ who advised that a model for a composite advocacy support service for victims of domestic and sexual violence and/or abuse has been developed. Although the model is ready for a formal consultation, securing sustainable funding continues to hamper efforts.

Following a recommendation from a 2015 research report by the University of Ulster, two Domestic Abuse Support Workers (DASWs) have been working across Northern Ireland police stations since April 2017, including Antrim, Ballymena, Carrickfergus, Larne and Newtownabbey (ABCLN). Both DASWs were provided by Women's Aid. Some of the key functions of the DASWs include: contacting victims of domestic abuse and violence following a reported incident and/or referral to PSNI; liaising with victims and referring them to a range of supportive services; outreach teams and agencies to ensure on-going support and advocacy; outlining a range of options available to victims in how to progress, including the civil and criminal justice systems. Liaising with PSNI where appropriate for updates on progress through the

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<sup>16</sup> CJINI 'No Excuse' Pg.92

<sup>17</sup> HMIC PEEL: Police effectiveness (vulnerability) An inspection of the Police Service of Northern Ireland 1-5 February 2016, August 2016: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/psni-peel-effectiveness.PDF>

<sup>18</sup> CJINI 'No Excuse' Pg 92

criminal justice system. An evaluation funded by the DoJ was published by the University of Ulster in September 2018. The results showed observable positive impacts on the response and service provision to victims of domestic violence, particularly in relation to collaboration between police officers and Women's Aid ABCLN.

However, Members have concerns in relation to the degree of inconsistency in support across PSNI, with some districts having the resources available while others do not. As a result there may be a risk of postcode lottery in accessing the service. Therefore, Members considered the absence of an advocacy model across Northern Ireland remains a huge challenge and the approach to funding will need to be coordinated. PSNI advised of the hugely positive impact the DASWs were having in PSNI stations, both for police and victims, however similarly emphasised their support for a regional model of advocacy and seeing merit in the wider proposal of support workers beyond that of police stations. In any event, the PSNI advised the Committee that the learning from the DASW service will be taken forward and has been invaluable.

## **6. The Domestic Violence & Abuse Disclosure Scheme (DVADS)**

The Domestic Violence & Abuse Disclosure Scheme (DVADS), which commenced in March 2018, provides individuals with the 'right to ask' the police to check if their partner, or the partner of someone they know, has a history of domestic abuse as well as giving the police the 'power to tell' an individual about their partner's abusive history. In 2018/19 there were 327 applications to the scheme, with around 62% qualifying. 91 cases were referred to a decision-making forum and thereafter 44 disclosures (24 power to tell and 20 right to ask) have been made by police and partner agencies. Four of those 44 disclosures were classified as urgent (three power to tell and one right to ask). Members sought PSNI's views on the effectiveness of DVADS, as in 2018/19 in Northern Ireland only around 13% of total applications resulted in disclosures. For 2017/18 in England & Wales, of the 40 police forces who supplied data returns to the Office for National Statistics, 57% of 6,313 'right to know' applications made resulted in disclosures (3,594), while 44% of

4,655 'right to ask' applications resulted in disclosures.<sup>19</sup> Therefore Members queried whether there were any perceived ineffectiveness or inefficiencies in the system that led to this disparity. PSNI advised that there have been no issues with the operation of the scheme, however at present the threshold for disclosure is set at 'serious harm'. PSNI admitted this may be quite high for the purposes of intervention and provided assurance that, as this mechanism is still relatively new, it will be reviewed and the service is committed to its continuous improvement.

## **Conclusion**

The Committee Review has been invaluable to Members for deepening their understanding of the PSNI's handling of cases involving domestic abuse and violence. Members will continue to follow up on all issues raised through the Board's monitoring frameworks and by overseeing PSNI's implementation of all external recommendations made by our criminal justice partners. The Board will maintain its frequent engagement with key stakeholders, criminal justice organisations and victims' organisations through the Domestic Abuse and Sexual Violence Independent Advisory Group. Members would like to acknowledge the assistance given by PSNI officers in relation to this review and the ongoing efforts being made in relation to the issues discussed. PSNI have shown a genuine commitment to meet the challenges and concerns presented by criminal justice organisations and public bodies to support and protect victims of domestic abuse and violence. Furthermore, the consultation process for the Policing Plan 2020-2025 has commenced and will run until 6 January 2020.<sup>20</sup> Members look forward to considering the views of the public on the development of the new five year plan, which will assist their assessment of PSNI's effectiveness in the support and protection of victims of crime within our communities. Notably, the Consultation document proposes maintaining a focus on those who are vulnerable or at greater risk of being victimised or repeatedly victimised. It is therefore envisaged that the PSNI performance in relation to their approach to domestic abuse will continue to be monitored and assessed by the Performance Committee going forward.

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<sup>19</sup> The 2018/19 figures will not be available until November 2019. Office of National Statistics, *Domestic abuse in England and Wales: year ending March 2018*, November 2018, <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwales/yearendingmarch2018>

<sup>20</sup> Policing Plan Consultation 2020-2025, Available online: <https://www.nipolicingboard.org.uk/sites/nipb/files/media-files/policing-plan-2020-25-consultation.pdf>

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