



# SafeLives' response to the consultation on the Coercive and Controlling Behaviour Statutory Guidance

## Contents

SafeLives' response to the consultation on the Coercive and Controlling Behaviour Statutory Guidance	1
Comments on Section 1: Purpose of this guidance	3
Do you feel there are any overarching ways the guidance could be improved?	3
Comments on Section 2: Criminal Justice Response	8
The offence of controlling or coercive behaviour	8
Where the offence applies	8
Types of behaviour	9
Identifying the offence	11
Conducting risk assessments	12
Types of evidence	13
Perpetrator tactics	15
Comments on Section 3: The defence	17
Comments on Section 4: Criminal penalties and protection orders	17
Comments on Section 5: Multi-agency response	18
Overall comments	18
Detailed comments	23
Comments on Section 6: Related harms, offences and other subsets of domestic abuse	23
Harassment or stalking	23
Other subsets of domestic abuse	24
Verbal abuse	24
Economic abuse	24
Abuse relating to faith	24
Honour-based abuse	24
Comments on Section 7: Related considerations	24
Age: Children and young people	25
Age: Older people	25
Pregnancy	26
Disability	26
D/deaf victims	26
Race and ethnicity	26
Immigration status and migrant victims	26
Gender and sex	27
Sexual orientation and transgender identity	27

Comments on Annex D: Examples of reasons for retractions and withdrawals by complainants ..... 28

Annex F - Support available for victims ..... 28

Are there any other barriers faced by frontline agencies from recognising controlling or coercive behaviour? ..... 29

What are the most important things that the police and Crown Prosecution Service (CPS) should be aware of, and understand, when it comes to investigating controlling or coercive behaviour? ..... 31

Do you have any comments on if the guidance is clear in showing how economic abuse can be a form of controlling or coercive behaviour? ..... 32

Do you think the case studies used are helpful in supporting the aims of this guidance? ..... 32

Do you feel there are any significant gaps in the guidance that should be addressed? ..... 33

Do you think this guidance is: too short, too long, correct length, no comment on the length? ..... 33

## Comments on Section 1: Purpose of this guidance

### Do you feel there are any overarching ways the guidance could be improved?

Overall, we welcome the development of this guidance and are generally satisfied that it provides clear and factual information about Controlling and Coercive Behaviour (CCB) that will be helpful for agencies and other organisations to identify and respond to this type of domestic abuse. This consultation response incorporates the views and experiences of our Pioneers (survivors of domestic abuse who work closely with us), and our staff, as well as external organisations led by and for the communities they serve, who hold particular expertise in the experiences of marginalised and minoritised survivors.<sup>1</sup>

However, the guidance could be improved in a number of ways. The length of the document means the Executive Summary could be made more comprehensive, in particular making clear from the outset the gravity of this type of abuse, and that the guidance is inclusive of all survivors. While the length of the document may be necessary to capture the nuance and complexity of this type of abuse, it is essential that this guidance is accompanied by an awareness-raising campaign, co-created with survivors and experts, including more digestible information on what controlling and coercive behaviour is, and its impact.

We have set out our overarching recommendations below.

#### **1. The guidance should be more explicit from the outset (and throughout) about the seriousness of this offence, including its long-term impact.**

Across statutory agencies, the legal system, and wider societal attitudes, we often see physical violence ranked above other types of abuse in terms of gravity of harm. This means non-physical forms of abuse, including CCB, remain less well understood, recognised and responded to. This persistent cultural perception that CCB is 'less serious' is deeply harmful, with survivors often made to feel that they cannot access safety and justice for this type of abuse:

*"I have previously experienced physical and sexual assault in relationships. I would say the psychological cruelty was much worse in terms of its effects on my mental and physical health. I put up with it for much longer than I would have if he had been hitting me. I actually wished for him to hit me, so I'd have a reason to end things - every time I tried to end things I felt terrible and guilty."*

**- Survivor<sup>1</sup>**

*"I have seen many women with devastating effects from suffering this level of abuse. It has taken a long time for them or someone else to recognise that this is abuse. Too often I hear from women that "he doesn't hit me" so therefore I am not being abused in any way"*

**- Practitioner<sup>2</sup>**

CCB and physical abuse should be understood as falling along a continuum of abusive behaviour, with devastating impacts at every point. As the guidance later acknowledges, in the UK, controlling behaviour is one of the most determining factors underpinning most Domestic Homicide Reviews (DHRs).<sup>3</sup>

*"I felt throughout the guidance that it wasn't clear that controlling and coercive behaviour can lead to violence and even death. I felt that it needed to be clearer about the seriousness of it from the start."*

**- SafeLives Pioneer**

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<sup>1</sup> With particular thanks to Stay Safe East and Southall Black Sisters.

Even where CCB does not overlap with or lead to physical violence or a homicide, the impact on the survivor/victim can very often be life-limiting, and even fatal. SafeLives research<sup>4</sup> shows that among survivors of psychological abuse<sup>ii</sup>:

- 90% reported feeling their self-esteem or self-worth was low;
- 88% reported feeling confused, anxious or under pressure;
- 88% reported feeling exhausted, worn down, a lack of motivation, emotionally withdrawn or shut down;
- 84% reported feeling lonely and isolated;
- 47% of survivors reported having suicidal thoughts.

The Domestic Homicide Project has found that controlling and coercive behaviour was present in over half (56%) of suspected victim suicide cases.

*“This is the form of abuse that still haunts me to this day, almost twenty years later. It has impacted my long-term mental health, ability to trust people and have healthy relationships. I was a teenager then and my experience of being gaslighted, manipulated, controlled and emotionally beaten down destroyed me.”*

**- Survivor<sup>5</sup>**

There is also clear evidence of the impact that interparental coercive control has on children. A study involving interviews with 21 children described the effect of psychological abuse and control in terms of children’s sense of constrained use of space, constrained self-expression, as well as explaining how their relationships were managed in relation to the controlling and abusive relationships that characterised their home life.<sup>6</sup>

It is critical that the gravity of this type of abuse is clear from the outset and throughout the guidance, so practitioners have an appropriate sense of urgency and of their responsibility in identifying and responding to this crime. There should be a section in this guidance providing evidence of the short and long-term impact of this type of abuse, including the impact on child victims.

*“Experiences of CCB have a continuous impact on who a person is, from their decision-making to their mental health.”*

**- SafeLives Pioneer**

## **2. The guidance should be explicit from the outset (and throughout) that it is inclusive of every survivor, recognising disproportionalities and barriers to support.**

We welcome the comprehensive overview of ‘Related considerations’ in Section 7, which includes information on how individuals’ protected characteristics shape their experiences of abuse, and access to support (detailed comments on this section are provided in the corresponding question).

Wider societal and systemic inequalities are often mirrored in the dynamics of abuse, and survivors’ ability to access safety and justice – including misogyny, sexism, racism, homophobia, transphobia, ageism, and ableism. The intersectionality of domestic abuse should come through clearly from the start of the guidance, to make clear that it is inclusive of all survivors.

*“Everybody needs to feel included from the first page.”*

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<sup>ii</sup> The term ‘psychological abuse’ is used here to reflect the scope of SafeLives’ (2019) research into ‘psychological violence’, using the terminology of the Istanbul Convention. While the Istanbul Convention does not specifically recognise coercive control, it requires state parties to pay due attention to various forms of psychological violence, alongside physical and sexual violence. In the absence of a separate article in the Convention concerning it, both Articles 33 and 46 of the Istanbul Convention are relevant when considering coercive control as a repeated or continuous form of psychological violence. This research is therefore highly relevant to understanding the psychological dynamics and impact of CCB, and is variously referenced in this consultation response.

**- SafeLives Pioneer**

*“Domestic abuse has different presentations for different groups, and none should be ignored.”*

**- SafeLives Pioneer**

It is very important that the guidance acknowledges from the outset the inequalities and disproportionalities in victimisation and perpetration of domestic abuse (for example, the gendered nature of domestic abuse, highlighted by the disproportionately high number of female survivors and of male perpetrators). SafeLives Pioneers also felt the guidance should shine a light on the experiences of survivors with (often overlapping) identities who may constitute a minority and therefore be less likely to be able to access appropriate support or be identified by services. Pioneers mentioned Black women, LGBT+ people, and boys and young men as some examples of groups who may not initially *‘feel the guidance is for them’*, and potentially be overlooked and face barriers to support from services not designed around their needs.

Children are a group that are both disproportionately impacted by domestic abuse, and overlooked in terms of available support. It should be made clear that whenever the guidance refers to victims/survivors, it means adult *and* child victims/survivors. Responses and support provided for children needs to be bespoke, though linked and integrated with responses for the adults in their lives.

*“I think the guidance should reflect the statistics...we know the majority of the victims are women.”*

**- SafeLives Pioneer**

*“Domestic abuse affects women more than men – but among young people I work with, experiences of controlling and coercive behaviour are increasingly common among young men and boys.”*

**- SafeLives Pioneer**

We would therefore welcome the following addition in the Executive Summary:

*“Professionals should be aware that controlling or coercive behaviour is a pattern of behaviour, often encompassing a range of abusive behaviours such as physical, sexual and economic abuse. Professionals should be mindful that wider social and economic inequalities, such as gender inequality, are often mirrored in the dynamics of controlling and coercive behaviour, as well as survivors’ ability to access safety and justice. They should also be conscious that there is no ‘perfect victim’: domestic abuse can affect people of all genders, ethnicities, sexualities, ages, abilities, religion or beliefs, immigration status, or socio-economic backgrounds.”*

### **3. This guidance must be complemented and reinforced by a communications campaign to the general public, keeping survivor voice at the centre.**

The length of the document may be necessary to capture the nuance and complexity of controlling and coercive behaviour – including intersectional experiences of CCB, but it is vital that this guidance is accompanied by more digestible and visual information which communicates clearly to the general public (including survivors and perpetrators) what the offence of CCB is and its impact.

*“It needs to be broken down into something that is easy to digest. 89 pages is long! Survivors don’t have time to read 89 pages.”*

**-SafeLives Pioneer**

This information must be accessible to and inclusive of audiences with a range of accessibility needs and literacy levels. The 'Easy Read' guidance published alongside the full statutory guidance is one such example, but the Home Office should go further to develop a full suite of communications outputs, in collaboration with survivors, and the domestic abuse and Violence Against Women and Girls (VAWG) sector. An example of an effective campaign is 'Safer Scotland', developed by the Scottish Government to accompany the roll-out of the Domestic Abuse Scotland Act (2018), which was widespread.<sup>7</sup> SafeLives Pioneers and staff suggested that it would be helpful to have something visual showing all the different forms of coercive and controlling behaviour and examples.<sup>iii</sup> SafeLives' joint 'Your Best Friend' project, funded through the Tampon Tax fund, is an excellent example of how visually impactful infographics, co-created with young people, can be used to raise awareness of abusive behaviours in cohorts for whom statutory guidance is less accessible.<sup>iv</sup>

*"The communications campaign by the Scottish Government around the DA Act 2018 was really positive. There was lots of media attention."*

**- SafeLives Scotland practitioner**

Legislation and accompanying statutory guidance alone are not sufficient to shift cultural understandings of domestic abuse, including among professionals who regularly come into contact with survivors. Previous SafeLives research carried out in 2019 (four years after CCB was criminalised in the 2015 Serious Crime Act) shows that almost half of practitioners surveyed (43% / n=198) think legislation on CCB has not made a difference due to a lack of awareness and understanding of the issue among professionals.<sup>v</sup> They highlighted the lack of knowledge of the law as a key issue as to why only a small number of charges were being made under the legislation:

*"[Psychological abuse] is massively under-reported and there is a lack of understanding by the public as to what it is and the effects."*

**- Survivor<sup>8</sup>**

*"Victims don't report [controlling and coercive behaviour] because they think 'what's the point'? We don't understand the legislation. Police turn up on our door and ask us what we want them to do about it. We don't know! It's important there is comms and awareness-raising campaigns, so people know their rights."*

**- SafeLives Pioneer**

*"Legislation is one thing. To understand and act appropriately is another. We are not offering victims a consistently proactive service when they come forward to report psychological abuse. Policing of the whole issue of abuses is ineffective and inconsistent in many areas."*

**- Specialist domestic abuse practitioner<sup>9</sup>**

For the guidance to meet its declared aims, the vital information it contains must be translated into an awareness-raising campaign, so that survivors, perpetrators, professionals and the general public have a clear understanding that CCB is a crime. The signposting to help within such a campaign should include direct victims, friends and family who have concerns, and people worried about whether their own behaviour might constitute CCB.

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<sup>iii</sup> For example, please see Figure 1 in Halliwell et al (2021), 'A life barely half lived': domestic abuse and sexual violence practitioners' experiences and perceptions of providing care to survivors of non-physical abuse within intimate partner relationships.

<sup>iv</sup> SafeLives 'Your Best Friend': <https://yourbestfriend.org.uk/>

<sup>v</sup> All but 4 of these respondents were from the UK which, since 2015 in England and Wales, has had a comprehensive law covering coercive and controlling behaviours. SafeLives (2019) Psychological Violence <https://www.safelivesresearch.org.uk/Comms/Psychological%20Violence%20-%20Full%20Report.pdf>



#### 4. This guidance must be complemented and reinforced by a properly funded and regularly refreshed training programme for frontline public services staff.

The success of the change in status of the definition of domestic abuse will only be as effective as the commitment made to training frontline workers across a whole range of multi-agency partners involved in responding to domestic abuse, so that identifying and responding to CCB becomes part of their everyday business. Training around CCB, as with new offences such as non-fatal strangulation, needs to be embedded into the induction of new staff, and updated annually for all staff. This already happens for frontline policing through Domestic Abuse Matters training and we recommend such cultural change programmes are developed and embedded in local authorities, social services, health settings and other relevant agencies, as well as throughout the court system.

SafeLives research shows that 91% of UK practitioners agreed that mandatory training for police and legal professionals and training for wider agencies would help identify psychological abuse earlier.<sup>10</sup>

*“We don’t give [the police] an annual [training] refresher, even though, like first aid training, it saves lives.”*

**- SafeLives training practitioner**

*“I was a DA Advocate in Court for years, and the conversations I was having with prosecution (who had been trained) and defence lawyers was clearly indicative that the fundamental understanding of CCB was lacking. I would say that every single day I spent in court I had at least one conversation with a lawyer or a sheriff about why a victim may have contact with a perpetrator in spite of bail conditions. The understanding that it is often safer to know what a perpetrator is doing, or that there is greater risk in cutting off contact, was completely lacking.”*

**- SafeLives practitioner**

In response to the HMIC report highlighting the need for improvements in how police forces and officers understood and responded to coercive control,<sup>11</sup> SafeLives worked the College of Policing and key stakeholders to develop ‘Domestic Abuse Matters’, a bespoke cultural change programme for police officers and staff in England and Wales. Since the development of the programme, we have worked with over two thirds of English and Welsh forces, as well as all of Police Scotland, to roll out the training. Domestic Abuse Matters is much more than a training course: it is a cultural change programme designed to transform the response to domestic abuse, challenge victim blaming, ensure the voice of the victim is placed at the centre, and controlling and coercive behaviour is better understood. The programme is designed to have long-term impact: changing and challenging the attitudes, culture and behaviour of the police when responding to domestic abuse.

A 2022 evaluation of SafeLives Domestic Abuse Matters training across 24 British Police Force areas between 2018 and 2021, drawing on 31,781 survey responses, finds that nearly all (95%) of First Responders felt that the course gave them a strong understanding of the tactics perpetrators demonstrate when coercively controlling their victims, an increase of 74% from their pre-training scores.<sup>12</sup> Following the training, most respondents (93%) reported a strong understanding of the stages of coercive control and the impact this has during a relationship and when preparing to leave (a substantial increase of 79%).

*“We need to make sure that people in frontline roles get training on the guidance. We have been in such a mindset that abuse only happens in a relationship. Victims believe they have a right to justice post-separation. It is a big shift. Training is good to help overcome the barriers to making sure all frontline staff understand this properly.”*

**- SafeLives Pioneer**

With funding from the Home Office, SafeLives also designed and delivered training to frontline Children's Social Care staff, known as *The Whole Picture Cultural Change* training programme. An evaluation of a pilot, which ran between June 2019 and March 2020, showed that, after receiving the training, nine out of ten (90%) respondents felt that they had an extremely or very good understanding of the different forms of abuse, including coercive control.<sup>13</sup> It also showed that 94% felt they had an extremely or very good understanding of the impact that domestic abuse has on children and young people, up from 63% before training.<sup>14</sup>

There are many examples of good practice in other sectors. The IRIS (Identification and Referral to Improve Safety) programme provides domestic violence training for GPs and other General Practice staff, giving them the skills to recognise, ask and respond to abuse, and provide a clear pathway to support. A randomised controlled trial of practices in Hackney and Bristol found IRIS training and support intervention had a 'substantial effect' on recorded referrals and identification of survivors.<sup>15</sup> The number of referrals to domestic violence agencies made by clinicians in practices where IRIS was in place was 6 times greater than those made in the practices where IRIS was not implemented. A follow-up cost effectiveness study showed that IRIS would produce societal cost savings of £37 per woman registered in a general practice.<sup>16</sup>

For this training to be responsive to the most marginalised survivors, it should include mandatory cultural competency training for relevant agencies around Black survivors' experiences of domestic abuse,<sup>vi</sup> as well as other marginalised and minoritised groups, such as other racially minoritised survivors, D/deaf and disabled survivors, migrant and refugee survivors, and LGBT+ survivors. Specialist services run by and for the communities they serve often report that abuse goes unidentified and unchallenged by public agencies which dismiss or normalise abuse as specific or intrinsic to a particular culture or community.

*"It's not only training [we need], but also cultural competency, so there is more inclusivity of Black women and services."*

**- SafeLives Pioneer**

This guidance should be explicit that statutory services should work with domestic abuse specialists, including specialist services run by and for the communities they serve, to train frontline staff in the content and practical application of this guidance. To have impact, this training should be delivered by specialists, regularly refreshed, and properly resourced.

*"Cops were trained before the legislation went live. It really helped them to understand the nuances of controlling and coercive behaviour."*

**- SafeLives Scotland practitioner** (discussing the Scotland Domestic Abuse Act 2018)

## Comments on Section 2: Criminal Justice Response

### The offence of controlling or coercive behaviour

**Paragraph 16** could be made clearer by not referring to person 'A' and person 'B' and then using a lettered list ('a', 'b'..).

### Where the offence applies

<sup>vi</sup> Sistah Space is leading the powerful campaign for 'Valerie's Law', which advocates for mandatory cultural-competency training that accounts for the cultural nuances and barriers, colloquialisms, languages and customs that make up the diverse black community. Valerie's Law will enable police officers, relevant government agencies and domestic violence safehouse staff to acknowledge and protect black women in abusive situations through an understanding. For more information, please see: <https://www.sistahspace.org/valerieslaw>



**Paragraph 18**, prioritises physical and sexual violence, omitting psychological and emotional abuse, which isn't in the list of "serious effects" on the victim, even though they have been cited as the most common forms of abuse present in the context leading up to Intimate Partner Femicide followed by 'coercive control'.<sup>17</sup>

**Paragraph 18** states that "where abuse takes place on two occasions but over a prolonged period (10 years apart for example), it is unlikely that this will be considered behaviour that has occurred repeatedly or continuously." This guidance should not dissuade police from continuing to accurately record relevant information over an extended period of time, as those perpetrating abuse can be triggered to continue the abuse years after separation.

A SafeLives Pioneer explained that, as the grandchildren her perpetrator has with another woman have grown up and are keen to have a relationship with him, this has renewed his interest in having a relationship with her [the Pioneer's] children, and criticism of her from his family for prohibiting this.

*"One thing I wanted to highlight was the repeated incidents. With the 10 years apart example [in the guidance], I've been free for 3 years – which is quite a significant period of time. But we need to recognise that perpetrators have triggers further down the line, and it could be significant gap."*

- SafeLives Pioneer

*"We have had cases where hearings have been delayed because of the pandemic and women have been told that their allegations of abuse are now too old to be successfully prosecuted."*

- Southall Black Sisters

## Types of behaviour

**Paragraph 19** could include a reference to explain what "capture or course of-conduct crimes" mean.

**Paragraph 21** should reference that CCB occurs in all relationships, as the current framing suggests it occurs only in heterosexual ones.

**Paragraph 21:** The reference for Barlow *et al.* (2020) could be augmented with support from governmental, police and CPS data on the gendered breakdown of DVA incidents. The evidence of women disproportionately experiencing DVA is widely recorded and studied, so citing one academic article seems inappropriate/ineffective.

**Paragraph 22** suggests CCB is committed alongside physical/sexual abuse. CCB can happen without any physical or sexual abuse, and can still have a serious impact (non-violent coercive control) and domestic homicide reviews consistently identify cases where the context beforehand has not included physical violence.<sup>18</sup>

**Paragraph 26 should include the following additions:**

- **Constant criticism** of victim/survivor's role as a partner, spouse or parent, including gendered 'put-downs'.
- **Threats of suicide/homicide/familicide.**<sup>vii</sup>
- **Extreme jealousy.**
- **Technology-facilitated abuse**, including:

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<sup>vii</sup> SafeLives research shows that 49% of survivors experienced a partner threatening to take their own life following an abusive incident or if they tried to end the relationship. SafeLives (2019) [Psychological Violence](#)

- Encouraging a victim to send compromising and/or illegal explicit sexual images of themselves, or to 'talk' in an explicit sexual manner, often with threats or blackmail that this will be sent to others.<sup>viii</sup>
- Use of spyware or GPS locators on items such as phones, computers, wearable technology, cars, motorbikes and pets.
- **Physical intimidation**, for example, blocking doors, clenching or shaking fists, slamming doors, hitting walls, displaying weapons or harmful objects, driving dangerously or erratically with the victim in car (all used to create fear without there being any physical violence).
- **Controlling and undermining a person's gender identity**, including policing a victim of domestic abuse's gender and sexuality presentation, restricting their access to hormones, clothing, or other items they need to transition, and deliberately misgendering the victim.
- **Using honour or shame arguments** to control a victim's behaviour.
- **Pressurising the victim to get more dowry** in the form of cash and other gifts, from her family
- **Using arguments of what constitutes appropriate 'feminine' behaviour** to force women into domestic slavery.

*"For some reason he would know where I am, if I go to McDonald's or Subway, what we ate and where I went was monitored via something on my phone. I wasn't aware of it until I bought a new phone. It's creepy. Monitoring a person's space and time is coercive control. I hope that's explicit in the guidance."*

- **SafeLives Pioneer**

And the following expansions:

- **Economic abuse** to include abuse beyond financial abuse, for example, "depriving the victim of means of subsistence, including food, sanitary protection, and clothing" and the overlap with psychological abuse, such as "humiliating a person over their inability to work;"
- Under '**Using children to control the victim**,' include reference to "threats around child contact and involvement of social services;"
- **Threats to expose sensitive information** to include "Threats to disclose the victim's HIV status;"
- **Reproduction coercion** to include 'forced pregnancy;'
- **Intentional undermining of the victim** to include the paragraph included lower down in the guidance "...including mocking someone about their disability, transgender identity, religious or faith belief, sexual orientation, physical appearance etc.;" explaining that it erodes a person's self-esteem and confidence.
- **Using immigration status to threaten the victim** to be expanded to say "including threatening deportation and taking the victim's children away," and "deliberately jeopardising a person's immigration status, for example by supplying them with false information, withholding essential documentation and interfering with their application to regularise their stay. This results in many victims becoming 'overstayers' and undocumented;"
- Under '**Making and enforcing rules and regulations that the victim is expected to follow**' include "and using non-physical punishment to make them comply, for example, the 'silent treatment,' making accusations or humiliating a person in public or private for deviating from the rules."

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<sup>viii</sup> This type of abuse is particularly common in relationships between younger people. SafeLives *Your Best Friend* project shows that controlling and coercive behaviour is normalised in many young people's relationships, particularly behaviours such as pressure to send 'nudes', isolation from friendships, scrutinising what partners are wearing, checking partner's phones and questions about where their time is spent and with whom. SafeLives (2021) *Your Best Friend: Discovery Report*

And the following amendments:

- **‘Abuse relating to faith’** should be re-worded to read “Abuse relating to a person’s faith, freethinking and/or belief system.”

**Paragraph 26, under ‘Using children to control the victim’, it would be helpful to give further examples of how perpetrators might use children to perpetuate abuse.**

For example, those perpetrating abuse can seek to turn the children against the non-abusive parent or involve them directly in the coercive and controlling activities, for example, getting them to monitor the non-abusive parent’s behaviour and movements, and report back or take part in humiliating the victim. SafeLives research shows that 85% of survivors said the perpetrator used their children to threaten and control them, and 72% thought the perpetrator attempted to turn the children against them.<sup>19</sup> Sikh Women’s Aid have also cited instances of the abusive parent involving children in sexual coercion or abuse of the primary adult victim, for example, bringing them into the room or even the bed where the adult victim is being sexually abused.

## Identifying the offence

**Paragraph 27 could be re-worded to reflect that, while domestic abuse affects people of all genders and other (intersecting) identities, evidence clearly shows that certain groups of people are disproportionately at risk of domestic abuse, as acknowledged in the wording of the Tackling Domestic Abuse Plan.**

In the last year, 1.6 million women aged 16-74 (7.3 per cent of the population) experienced domestic abuse, in comparison with 757,000 men in the same age bracket (3.6 per cent of the population). An estimated 5.9 million women – or more than one in four (27.6 per cent) – have experienced domestic abuse at some point since the age of 16.<sup>20</sup> Furthermore, research shows that “coercive controlling abuse is highly gendered, with women overwhelmingly the victims.”<sup>21</sup> SafeLives data shows that 94% of the approximately 116,000 cases seen at Marac per year (which addresses victims at the highest risk of serious harm or murder), relate to women.

Suggested amended wording:

*“Some people are at greater risk of experiencing domestic abuse, such as women and girls. While it is important to be aware of this, it is also true that domestic abuse can affect people of all genders, ethnicities, sexualities, ages, abilities, religion or beliefs, immigration status or socio-economic backgrounds.”*

*Domestic abuse can occur between family members as well as between intimate partners or ex-partners. When working with victims of domestic abuse, it is also important to demonstrate professional curiosity and avoid making assumptions that may lead to missed opportunities in supporting and protecting victims.”*

It would also be very useful to include some more detail here about how coercive control could look different and/or be more difficult to identify within different contexts, linking to Section 7 of ‘Related considerations.’

**Paragraph 28** should say police officers “must” always consider the wider context, rather than “should.”

**Paragraph 31** could elaborate on how they could explore this further safely to allow the victim to feel more able to disclose.

**Paragraphs 28 – 36**, it would be useful in this section to include some narrative about identifying who is doing what to whom at the scene. For example, the person who called the police and represents themselves as a victim may be using a police call-out as a tactic of controlling behaviour, which a police response could aggravate. We have seen examples in case audits where individuals who have previously been identified as victims – and may even have been discussed at Marac as a victim – are arrested at the scene. This can cause them to lose trust in the criminal justice system and withdraw support of any ongoing investigations. It can also reinforce any narrative upheld by the perpetrator that the victim is, in fact, in the wrong.

*“People who have gone through CCB sometimes think they are the abuser.”*  
**- SafeLives Pioneer**

We also see examples in case audits where police officers are unable to identify a primary perpetrator or primary victim in a situation and classify it as mutual violence. It may well be the case that a perpetrator is using the tactic of DAVRO: Deny, Attack, and Reverse Victim and Offender, a concept articulated by Dr Jennifer Freyd.<sup>22</sup> SafeLives have published guidance on to help tackle the issue of counter-allegations, where both parties allege that the other is abusive.<sup>23</sup> This links to the professional curiosity point in the guidance, and the importance of having the skills to identify who is doing what to whom.

Professional curiosity should extend to identifying whether there might be multiple perpetrators of abuse in a single situation. There could, for example, be collusion by multiple family members including in-laws, uncles, aunts and cousins. This is not confined to families from racialised groups.

Therefore, it is crucial that, in cases where a person does not speak English or has a disability which affects their communication, family members are not used as interpreters.

## **Conducting risk assessments**

This section does not reference any formal risk assessment tools, such as the Dash-RIC (used by police forces, domestic abuse services and multi-agency partners in England and Wales), which draws on research from previous cases and what victims say to develop a checklist of questions professionals can ask to assess risk.

The Dash was developed to assess adult victims disclosing domestic abuse, so-called ‘Honour’-Based Violence and/or stalking, and is based on evidence of risk indicators from extensive research and analysis by leading academics including reviews of over 500 domestic homicides and ‘near misses,’ exploring specific factors and patterns that might indicate a victim is at risk of serious harm. The Dash focuses on control-related behaviour and therefore is helpful in identifying coercive and controlling behaviour. Risk training highlights the importance of professional judgment (which can be used to upgrade risk levels but should never be used to downgrade the level of risk shown by the actuarial score) and the need for understanding the context and impact of behaviours. Through its use, a common language and understanding of risk has developed, creating a nationally consistent approach to risk assessment for statutory and non-statutory services. The Dash has been designed so that non specialist practitioners can use it and signpost to specialist support where needed.<sup>24</sup> We recommend this is explicitly included in the guidance.

*“Individual incidences might seem low-level, but the pattern is one of extreme levels of control. If you are well-trained in the Dash, you’ll pick it up.”*  
**- SafeLives Scotland practitioner**

The guidance could also be clearer about when it is necessary to undertake a risk assessment, and how it should be done. We know that, in many cases, it will be necessary for

professionals to use their judgement to assess the risk that a victim faces, although completion of the checklist is essential in having an informed professional judgement.

Stay Safe East highlight that it should not be assumed that just because a person has learning disabilities, mental health issues, is neurodiverse, or is disabled in some other way, that they don't have capacity to take part in a risk assessment.

*“The main thing is building trust and confidence - without it, there is no point. I didn't report when he broke his civil order several times a month. It created fear, but I didn't report it.”*

**–SafeLives Pioneer**

*“Risk assessments are based on actuary and professional judgement. If someone tells you they are very scared, there is an opportunity to expand into other questions, to evidence that fear.”*

**- SafeLives training practitioner**

**After Paragraph 41, in ‘Examples of questions,’** further example questions in the text box could include whether the perpetrator monitors the victim's phone or social media use, whether the victim has access to their documents such as their passport, and whether the perpetrator controls finances. For a full list of questions asked as part of Domestic Abuse Matters training to police forces on controlling and coercive behaviours, please get in touch with our training team here: <https://safelives.org.uk/training/police>

**Paragraph 42, should be amended to say:**

*“It is also essential to ask about past behaviour of the perpetrator....”*

*“Building trust can help to elicit disclosure and it is very often appropriate to tailor the response for the victim.”*

**Paragraph 43** should be expanded to recognise access needs:

*“It is important to give the victim the space and time to process what has happened to them, away from the perpetrator, and to ensure their access needs, including language needs, are met.”*

It would be helpful to give examples here, such as:

- Asking the victim / survivor if they want the lights lower.
- Asking the victim / survivor where they feel safe to be interviewed.
- Asking the victim / survivor if they need a break.
- Asking the victim / survivor if they need a BSL interpreter.

For further examples, please consult Stay Safe East and other specialist services led by and for disabled people and/or people with language needs.

## Types of evidence

This section should stress the importance of proper recording. Though police might be responding to an initially seemingly unrelated incident, or a single incident which does not amount to an offence on its own e.g. a verbal argument overheard by a neighbour, with the right recording, over time this could build the case for a CCB prosecution.

This section could recommend that Body Worn Videos (BWV's) must be switched on while officers are attending a call-out: capturing the victims account, the state of the home (if

damage has been disclosed), safeguarding issues e.g. whether there is enough food in the house, if there are children that are present during the incident.

*“[The police] go off one incident. Controlling and coercive behaviour isn’t incident-based, it’s a pattern.”*

**- SafeLives Pioneer**

*“Correct recording is key. Police have to rely on what is recorded on the system, so another investigator can pick up as if they were the single point of contact. This needs to be reflected in the guidance.”*

**-SafeLives training practitioner**

**Paragraph 48** should provide guidance on how to take a witness statement. It should be explicit about the importance of a victim / survivor having access to an independent advocate, such as an Independent Domestic Violence Advocate (Idva), and that their accessibility needs are recognised and met, including if they are a child or adolescent.

Record keeping should also be inclusive of survivors with learning disabilities and those who are not literate. Police should work with a survivor to establish what is most appropriate for each individual.

**Paragraph 49**, it is positive that here it states in bold that *“it is vital that this statement captures the impact on the victim.”* This needs to be highlighted to all agencies who take statements from victims, and also should be added under Points to Prove on the Pocket Sergeant app and booklets given out to new officers with most common legislations written in them. The impact of the abuse on any children present must also be captured. Too often, victims of domestic abuse are failed by the criminal justice systems due to the evidence available to prove the offence not being recorded by police officers; as a result, the CPS are unable to proceed. The nature of CCB as a pattern of behaviour means that it can continue after the witness statement has been taken. As such, officers need to be aware of this context and keep in contact with the victim of domestic abuse to ensure that further investigative opportunities to collect more evidence are not missed. A 2022 evaluation of DA Matters training found that, following training, 91% of police had a strong understanding of the types of questions that would encourage a victim of coercive control to disclose their experiences (an increase of 72%). Linked to this, 90% reported a strong understanding of the best ways to gather evidence and offer safeguarding advice to victims (increasing by 49%).<sup>25</sup>

It is critical that this section makes clear what first responders need to understand is important in evidence-gathering. It would be useful to include an example to show how this can practically be applied, and the weight and veracity of evidence needed. For example, the 2018 Steven Saunders case, which was the first ever evidence-led prosecution.

*“Traditionally, domestic abuse in the form of stalking and physical abuse is easier to prove. With emotional and psychological abuse, it is harder to evidence it. Training is crucially important”.*

**- SafeLives training practitioner**

**Paragraph 49** subsequently states *“In some cases, if a victim is providing evidence in court which has not been captured in the initial statement, it can be detrimental to their case.”* This feels inappropriate, and ignores evidence on the impact of trauma on a victim’s ability to accurately recall events. In many cases, a survivor may not be aware they have experienced CCB, and as a SafeLives Pioneer highlighted, the abuse they have experienced may even lead them to believe they are the abuser.

It is vital that this guidance advises first responders to treat a victim of domestic abuse in the context that they encounter them, and to exercise professional judgement to assess their level of vulnerability and whether they are in the headspace to be able to give an accurate



statement. The guidance should also make clear that it is possible to take an initial statement and then return to complete the statement at a later time.

*“If [a survivor] is not immensely clear in their first statement, it could affect prosecution? That is disgraceful. You cannot expect people at that moment to be coherent and to remember and put stuff down clearly. That part upset me most of all.”*

- **SafeLives Pioneer**

*“We shouldn’t be advocating a single, immediate statement. People often aren’t in the best place to give their best evidence [immediately after an incident].”*

- **SafeLives training practitioner**

*“One thing that has helped me to share my story was the therapeutic care I received from the police officer. They took time to sit down with me. They took five days to take my statement. But women I work with are having bad experiences with first responders. In areas of high deprivation, the response from the police might not be the same.”*

- **SafeLives Pioneer**

**Paragraph 51** should express the importance of proportionality and specific evidence with regards to phone downloads.

‘Medical records’ could be expanded to include any records and notes from interactions with medical services, such as nurses and mental health workers. An example might be an observation about whether or not the victim of domestic abuse has been able to attend appointments independently.

In **Paragraph 52**, the inclusion of speaking safely to neighbours, colleagues, family, friends or specialist support services is welcome as these testimonies can provide critical supporting evidence. However, the guidance should include a caveat that disabled survivors, older survivors and survivors experiencing so-called ‘honour’-based abuse are more likely to experience familial abuse.

**Paragraph 53** could be improved by adding in a statement about victims being the experts of their own risk may be helpful here.

**There are some omissions in Paragraph 59 which should be addressed:**

- This section should reference “*threat(s)*” made to the victim of abuse, either from the person perpetrating abuse, their associates, or other family members, not just “*pressure;*”
- The potential impact of being re-traumatised through the criminal justice system, for example through a victim of domestic abuse having to re-tell their story to multiple professionals, or being made to feel they are in any way responsible for the abuse they are experiencing or have experienced, by professionals;
- The slow progress in a case being heard in court.

*“It is really important to recognise third parties being part of the abuse. I know a lot of survivors that have had third party involvement.”*

- **SafeLives Pioneer**

**Paragraph 60** should reference Section 28 of the Youth Justice and Criminal Evidence Act 1999, which states that vulnerable witnesses can only request pre-recorded evidence or a screen if a video-recorded interview (VRI) has been completed.

## Perpetrator tactics

Within this section, we welcome the acknowledgement that “perpetrators can be particularly adept at manipulating professionals, agencies and systems and may use a range of tactics to

maintain contact with and control the victim.” However, no detailed guidance or examples are provided regarding how professionals and agencies should seek to recognise and respond to this behaviour.

In order to recognise and address this behaviour in cases of controlling or coercive behaviour, we support Drive’s recommendation that the guidance suggests that Police-led multi-agency forums should be established in each area to coordinate responses to the most harmful perpetrators. These should also be attended by, amongst others, probation, health, social care, children’s services, housing, substance misuse and other services – and crucially, victims’ services. Together, they will share information necessary to keep victims and their families and friends safe, as well as to assist recognition of behaviour where perpetrators are seeking to manipulate professionals, services and agencies as a continuation of their controlling or coercive behaviour. Agencies will cooperate in using all the legal tools at their disposal to disrupt and limit offending behaviour. They will also encourage and support more holistic approaches, including whole family support. These forums – sometimes called perpetrator panels or ‘Multi Agency Tasking and Coordination’ – are increasingly common and are being effectively used in several force areas including Northumbria, West Mercia and North Yorkshire.

**Paragraph 62** could also make reference to Adverse Childhood Experiences (ACEs) more broadly.

It is also necessary to evidence these statements with relevant research and data, particularly because this is a contentious area. The motivation for a perpetrator to cause harm *is* varied; however, listing, for example, “low self-esteem” as a possible cause is risky if not caveated and backed by a reliable and robust evidence base. Without the relevant evidence and caveats to the evidence, these motivations could be used as tools for a perpetrator to extend their harm using the systems intended to keep people safe.

**Paragraph 64** could include the following amendments:

- **Threats and intimidation:** This section is an appropriate place to reference how a person perpetrating abuse might threaten to disclose a the victim’s immigration status to authorities as a method of control, or to ‘send the victim back’ to their country of origin where they will face other risks, for example, persecution and so-called ‘honour’-based violence. Even where a victim may have the right to remain in the UK, perpetrators may manipulate the victim into believing that the police and other agencies are corrupt and will take the perpetrators’ side;
- **Manipulation:** In relation to ‘Using children as a form of control or coercion,’ it would be helpful to reference how a perpetrator may make claims of ‘parental alienation’ to silence legitimate safeguarding concerns of adult and children victims in family courts.<sup>26</sup> A report by MOJ finds that “fears of false allegations of parental alienation are clearly a barrier to victims of abuse telling the courts about their experiences;”<sup>27</sup>
- **Exploitation:** It would be helpful to define the meaning of ‘people who are vulnerable’, explaining that it is a person’s circumstances that may make them vulnerable, rather than who they are. It would also be helpful to explicitly set out how a perpetrator may exploit a victim’s mental health needs or diagnosis to persuade others not to believe them;
- **Sabotage:** This section could include “hiding a victim’s passport or ID, believing that the victim will not be able to leave without these, or to open a new bank account, get access to benefits and housing, etc.”

*“At least one force has a unit attached to them called Project 360 who support medium- and standard/medium-risk victims with domestic abuse. They also have the power to help the victim open a bank account without needing their ID, as long as the staff member can confirm the victim’s identity.”*

**- SafeLives Pioneer**

### And the following additions:

- At the moment the guidance does not capture other tactics, **such as grooming, ‘love bombing’<sup>ix</sup>, and periods of romance and affection to regain control**. SafeLives research shows that nearly all (96%) of survivors said their partner was charming and affectionate at the beginning of the relationship, and 90% of UK practitioners agreed to some extent that psychological abusive was usually interspersed with warmth and kindness to create emotional confusion.<sup>28</sup> Inclusion of these tactics is important for both victim-survivors and practitioners to be able to recognise the dynamics of coercive control.
- The more **covert psychological tactics** could be added to this section, for example, shifting blame to the victim, insults presented as a joke, gaslighting, presenting differently in public to private, using personal status, stonewalling, using comparison to make a victim feel inferior or conform to the abuser’s rules, among others. For other examples, please see our report, *Psychological Violence*.
- Another gap is the tactic of **using third parties to perpetuate and enable the abuse**, with CCB a ‘collective crime’. Currently ‘multiple perpetrators’ is only mentioned once in the guidance in relation to so-called ‘honour’-based abuse, overlooking that this takes place in many other abusive contexts. Organisations such as Southall Black Sisters have highlighted the need for closer examination of the role played by extended family members, including in South-Asian and Middle-Eastern communities, in perpetrating and enabling controlling and coercive behaviour. This dynamic also plays out in communities which are not racially minoritised, and is not specific to any one group. It may be helpful to include several case studies to illustrate how the tactic of ‘collective’ abuse plays out in different contexts.

**Paragraph 62** should make reference to any evidence, such as photos of injuries, messages, calls or emails which are linked to the incident.

**Paragraph 70** Equally, that the presence of another offence, including rape or physical assault, does not mean CCB is not present and cannot be charged.

## Comments on Section 3: The defence

We support calls from Stay Safe East that the guidance should acknowledge that the defence that a person “was acting in the best interests of the victim” and that their actions were “reasonable in the circumstances” disproportionately impacts people who have learning disabilities or cognitive impairments, mental health issues, are neuro-diverse or have communication issues (e.g. D/deaf victims or those who are non-verbal) and who may have – or be seen to have – limited capacity. It also has implications for any victims who have mental health issues as a result of domestic abuse who we know are less likely to receive equal justice.<sup>29</sup>

It can be difficult for police, juries, other public agencies and even survivors themselves, to distinguish between care that is coercive but in the best interests of a person (such as preventing a relative with advanced dementia from leaving the house independently to avoid them becoming disoriented), and illegitimate and abusive coercive behaviours, such as stopping a disabled person from ever leaving the house, even where any risk to their safety could be managed and mitigated.

## Comments on Section 4: Criminal penalties and protection orders

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<sup>ix</sup> Defined by SafeLives as phase one of the cycle of abuse. This stage often involves constant communication and compliments and is designed to lure the victim into (or back into) the relationship.

This section is welcome in drawing attention to the possible use of new civil Domestic Abuse Protection Orders (DAPOs) to increase safety for victims of controlling or coercive behaviour. The guidance highlights how DAPOs will be able to impose both prohibitions and positive requirements on perpetrators. Prohibitions could include restricting the perpetrator from coming within a specified distance of the victim's home and/or any other specified premises, such as the victim's workplace. Positive requirements would require the perpetrator to take an action such as attend a behaviour change programme, an alcohol or substance misuse programme or a mental health assessment.

However, in considering the positive requirements that may be applied to a DAPO in response to a case of controlling or coercive behaviour, we support Drive in making the following recommendations:

1. Support for survivors must be built in to any positive DAPO intervention. It should already be there in any quality-assured DA perpetrator behaviour change intervention but it may not be there in substance misuse or mental health services.
2. Every DAPO needs to sit alongside a local multi-agency risk management process, such as a referral to a perpetrator panel. These formal links must be built in and tested at pilot stage.
3. Any positive intervention ordered under a DAPO needs to be delivered by someone with competence on domestic abuse. This will mean a huge programme of training and supervision required across relevant mental health and substance misuse delivery. This is crucial so that mental health and substance misuse professionals understand their role and are not unwittingly complicit or manipulated, and to avoid in the worst case, entrenchment or worsening of abuse and heightening of risk. There is no current 'slack' in the system to absorb the costs of this. Delivery partners will need funding to prepare. Workforce development will be key if these Orders are to be safely and widely used.
4. Suitability assessments are key to the effective use of domestic abuse behaviour change, substance misuse and mental health interventions. Legislation requires that a named person advises the court on the perpetrator's suitability for any given intervention. This named person will need to have a high level of understanding of domestic abuse so they can consider the risk that a perpetrator poses, typologies of abuse and whether the nature and duration of the intervention is suitable for the perpetrator and safe for the victim
5. Investment is required in a range of domestic abuse behaviour change interventions such that judges have the real option of mandating them. They should include programmes which are tailored to meet the needs of people with protected characteristics, including racially minoritised groups. Investments are also needed in addiction services.
6. Clear guidance will need to be consulted on and published, that anyone providing an intervention mandated by a DAPO will need to meet and there will need to be a system of inspection. These requirements should include a requirement that any domestic abuse behaviour change intervention should be quality-assured. Respect has quality standards which are endorsed by the Home Office for domestic abuse behaviour change interventions. Any statutory guidance relating to the DAPO will need to be updated in light of pilot findings.

## Comments on Section 5: Multi-agency response

### Overall comments

There is a role for all agencies to identify coercive and controlling behaviour, particularly where a victim or survivor of domestic abuse does not know what they are experiencing is an offence, or do not feel able to contact the police. This section of the guidance currently does not comprehensively cover 'multi-agency working' in the sense of agencies working together to manage risk and achieve the best outcome for all family members involved. This may be a criminal justice outcome, for example multi-agency partners jointly building an evidence-led prosecution of a perpetrator of abuse. However, it may also be positive outcomes which do not involve the criminal justice system, such as increasing the safety, resilience, and wellbeing of the survivor.

*"The multi-agency working section is principally centred on the criminal justice system, but if you were a multi-agency partner, you might not read any other section."*

**- SafeLives training practitioner**

This section could be strengthened in the following ways.

## **1. Discussing the aims and principles of Multi-Agency Risk Assessment Conferences (Maracs) in more depth.**

The four aims of Multi-Agency Risk Assessment Conferences (Maracs) are to safeguard victims of domestic abuse, manage perpetrators' behaviour, safeguard professionals and make links with all other safeguarding processes. While criminal justice outcomes may be part of that picture, for example successfully prosecuting the perpetrator, the coordinated action plan developed at Marac is more broadly aimed at reducing risk and improving safety.

SafeLives has developed [10 principles which underpin an effective Marac](#) and support everyone involved to deliver these aims.<sup>30</sup> At the core of each principle is the safety of the victim, which needs to be considered at all stages of the process. Ensuring that the victim is supported throughout and their needs represented at the Marac is crucial to managing risk, improving and maintaining safety, and reducing repeat victimisation.

Outside of Marac meetings, professionals should stay in regular communication and establish an accessible local referral pathway for long-term recovery. This will enable agencies to know what services are available post-Marac when the risk to the survivor and their family has been reduced. It is vital the multi-agency partners understand the importance of their participation and engagement with this *process*, which goes beyond individual meetings.

## **2. Making clear the value of the Independent Domestic Violence Advisor (Idva) beyond the criminal justice process.**

Idvas are experienced in advocating on behalf of the people they are supporting, and their voices and expertise should be respected in an effective multi-agency system. Survivor voice, including an individual's wishes and desired outcomes, as well as their personal risk assessment, must be at the heart of action planning. In examples where victims ask for police action to be taken at a certain time or in a certain place and their wishes are overridden, their trust in the criminal justice system is diminished.

But Idvas are more than just a victim liaison officer for the criminal justice system. An Idva can help a survivor with everything they need to become safe and rebuild their life, advocating for them and representing their voice at a Marac, helping them to navigate different systems and services, and working with statutory agencies to provide wraparound support. An Idva's highest priority at all times is the safety of the client. The most crucial tenet of the Idva role is their independence: no matter who the role is commissioned by or where they are hosted or co-located, the Idva acts in the best interests of their client, the victim or survivor of domestic abuse. An Idva's 'key performance indicator' centres on the victim's safety, rather than on any criminal justice or social care outcomes.

Idvas are particularly important in identifying and responding to CCB. SafeLives' insights data show that **jealous and controlling behaviour is the most common type of abuse that Idvas report**, with 80% of survivors using an Idva service experiencing this type of abuse in the previous 12 months.<sup>31</sup>

We know quality-assured provision delivers good outcomes for survivors and victims. For example, our Insights datasets show that the majority of survivors who receive support from an Idva report positive outcomes. At the point of case closure:

- 88% of Idva clients said they felt safer;
- 84% said their wellbeing had improved;
- 80% said their quality of life had improved;
- 80% were optimistic about the future;
- 79% said they felt more confident.<sup>32</sup>
- Almost half (49%) did not experience any abuse following intake to the service.<sup>33</sup>

The Government's Violence Against Women and Girls (VAWG) Call for Evidence showed that the type of professional support which generated the greatest satisfaction among victims and survivors is Independent Domestic Violence Advisors (85%).<sup>34</sup>

We welcome the Government's recognition of the importance of these domestic abuse experts to victims and survivors in this guidance, as well as in the draft Victims Bill. We are pleased to see the Bill's commitment to providing a statutory definition, which will allow Idvas to advocate for their clients across multi-agency settings and ensure survivors' voices are heard, while still leaving room to develop the various specialisms which exist across the domestic abuse sector and for further evolution of this crucial role.<sup>35</sup> We are urging the Government to support and bolster our definition of the Idva role (included in our submission to the Justice Committee for the Victims Bill pre-legislative scrutiny), which has been developed over many years through our work with thousands of domestic abuse survivors, and updated in light of the evolution of the role since its inception.<sup>36</sup>

It would be helpful to be explicit about Idva's broader, valued role in effective multi-agency working in this guidance, and include the statutory definition of the role once it is developed, building on SafeLives' work in this area to date.

*"[The guidance] completely downplays the roles of Idvas. It's actually about holding her hand right through the process - it's referring her for counselling, attending court with her for emotional support. By the time you get to court, you've done months of work."*

**- Stay Safe East**

### **3. Outlining how the police can work effectively in partnership with other agencies**

While effective outcomes from multi-agency working are not always criminal justice related, the police and CPS can build stronger cases through joined up working with other agencies. Client confidentiality must always be respected where appropriate<sup>x</sup> but, through having a better understanding of CCB, multi-agency partners are more adept at identifying where there

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<sup>x</sup> We also recognise the importance of effective data-sharing. Too often vital information which could save lives and reduce harm is held but not recognised or shared. In 2018, we worked with the Office of the Information Commissioner to [produce guidance on information sharing](#) in light of the introduction of GDPR and the Data Protection Act 2018. This makes it clear that agencies must ensure safeguarding takes precedence when it comes to data protection and that they are required to share information when a victim of domestic abuse's life is in danger. We note that this aspect of data protection is often not fully understood and concerns about privacy are used as a reason or excuse not to share information. Agencies must act in line with data-sharing principles and share when it is a matter of safeguarding.



is a safeguarding risk, and what kind of information is relevant and pertinent to be shared at any given time.

*“You’re only doing part of the job if you’re getting your criminal justice agencies up to speed. The majority of victims are not going to reach a specialist service. Frontline agencies seeing it on the ground need to have the opportunity to see it, recognise it, etc.”*  
**-SafeLives Scotland practitioner**

*“A lot of the time, the risk is more serious. You should not ignore client confidentiality – but there has to be a better understanding of CCB and the risks.”*  
**-SafeLives training practitioner**

This is particularly important in evidence-led investigations and prosecutions, where evidence-gathering must be coordinated between different agencies. Information shared can be useful in court, for example, in demonstrating aggravating factors for sentencing.

*“We can be more intelligence-led, building the case for when the victim is ready to come forward... We need to include drug and alcohol services, health, and all those different services that survivors might be in touch with. Controlling and coercive underpins everything. If we can make sure that everyone knows it is an offence... then if a victim discloses to one agency – that could be a really big help.”*  
**- SafeLives Pioneer**

*“Controlling and coercive behaviour is always a pattern. Every time you record something, if you record it correctly (even when it is not a crime in isolation), it could build a bigger picture of an offence... We are talking about evidence-gathering - which should come from wide range of sources, not just the police. It comes out in every Domestic Homicide Review.”*  
**- SafeLives training practitioner**

The guidance should be explicit that police and multi-agency partners must work together to identify and respond to risk of harm, and safely gather relevant evidence to build a case against a perpetrator.

#### **4. Being explicit about how the specialist community-based services’ expertise can be most effectively used.**

For multi-agency working to be effective, it is vital that public agencies work closely with local specialist domestic abuse services, whose expertise is key to ensuring that survivors of CCB are safely supported in a holistic way that meets their distinct needs.

This includes working with smaller domestic abuse and Violence Against Women and Girls (VAWG) organisations, including ‘by and for’ organisations with further specialism in the experiences of domestic abuse among marginalised and minoritised groups, for example those run by and for Black, Asian and racially minoritised people, LGBT+ people, and D/deaf and disabled people.

The critical role of the domestic abuse specialist sector should be acknowledged in this section.

#### **5. Setting out how multi-agency working should happen below the Marac threshold.**

Earlier intervention can help someone experiencing domestic abuse to recognise the signs before it escalates to high risk of harm.

Intervening early must involve recognising that family members and their vulnerabilities interconnect. A mental health worker supporting a vulnerable woman should know if there is domestic abuse in the household. A child safeguarding team should be aware of substance misuse at home. If information is not shared, we deal with one person and one concern at a time through different professionals, with different priorities - missing opportunities to help and putting lives at risk.

It is vital that services work together to build a picture of each family that reflects how people actually live their lives, making earlier and more effective help a possibility.

SafeLives' *One Front Door* pilot, running from 2016 to 2019, brought together multi-agency specialist teams of statutory and voluntary sector partners to identify the needs and risks of every family member at the same time, making vital links between the needs of individuals and the families they belong to, and providing earlier specialist support to adult and child victims, as well as perpetrators of domestic abuse. The evaluation of the pilot showed the significant positive impact on early intervention and prevention of domestic abuse.<sup>37</sup>

## **6. How multi-agency working can improve identifying and responding to perpetrators.**

Based on learnings from Drive, we believe that a more efficient and effective multi-agency response can be achieved via the establishment of a forum, in each police force area, to coordinate a multi-agency response to high-risk, high-harm perpetrators, including perpetrators of controlling and coercive behaviour. The precise form this forum takes should be decided at the local level, what matters is that it fulfils the following functions:

- Enables police identification of priority perpetrators using a referral criteria (such as the Recency, Frequency, Gravity assessment (RFG) or the Priority Perpetrator Identification Tool (PPIT)) and onwards referral to a multi-agency forum coordinating the response to these perpetrators;
- Is not restricted to only hearing cases identified by the police and criminal justice system, but includes cases that may be deemed to be high-risk by safeguarding agencies and processes such as Marac or Mash;
- Works in close coordination with Marac and local specialist victim services, so judgements about risk and response are informed by the safety of the victim and any other relevant family members;
- Provides a systematic method for multi-agency sharing of known information about high-risk high-harm perpetrators with information flowing both from and to the police. The Drive experience is that Drive intelligence gathered through a one-to-one intensive case management process adds to information held by police building a fuller picture, increasing awareness of offending profiles and often increasing risk priority and space for action from a police perspective;
- Capacity and priority placed on “disruption” work, which is work designed to prevent future abuse. For example, this could be the arrest or recall of a perpetrator for breach of restraining order or bail conditions, completing a house call and welfare checks, or placing flags on the perpetrator’s vehicle. In order to disrupt perpetration of abuse, the knowledge of the perpetrator’s whereabouts, activity and risk factors are absolutely crucial and the information that can be shared by the police with other agencies is key to facilitating this activity;
- Has access to, and provides a referral pathway into, the provision of intensive 1-2-1 case management which targets the most complex and hard to engage serial and repeat cases that require additional time, focus and persistence to achieve change through coordinated disruption and/or motivational and behaviour change interventions.

## Detailed comments

**Paragraph 87 should be re-worded to make clear that the primary purpose of support services is to support the victim.** This may also have the effect of preventing the victim from withdrawing from a case, but it is not their primary aim. Currently, this section centres solely on the criminal justice system (CJS), ignoring the value of these services for those who do not feel able to engage with CJS, for example over-policed communities where there has been a breakdown in trust with the police.

The guidance also states that specialist support *“also supports the gathering of evidence, for example, by providing service and case records, and records of contact made with helplines.”* **This needs to be removed**, as this opens up case records up for so-called ‘fishing expeditions,’ including potential scenarios where information might be used to undermine the victim’s case. It is important to consider the potential repercussions of requesting records as a formality on how victims engage with support services (whose main aim is to protect them and not to progress the investigation). It is concerning that the new CPS guidance for rape trials allows a victim’s counselling or therapy notes to be requested if deemed “relevant” to a case, where before it was only admissible if there was evidence to suggest the information would undermine a case.<sup>38</sup> The guidance should emphasise the role of specialist services in supporting victims and families, not in building police cases.

**Paragraph 88 is also very criminal justice focused**, overlooking the wider support needs and safety planning that Idvas address with survivors. These might include:

- Providing clients with a specialist, pro-active, risk-led response which reflects clients’ individual risks and needs;
- Providing effective and comprehensive safety and support planning work;
- Encouraging and supporting clients to act for themselves and engage with services that can help them.

We would also speak of “advocating” on behalf of a victim of domestic abuse, rather than “liaising” with them.

It also overlooks the critical role that specialist services play alongside Idvas.

**Paragraph 89 makes important points but does not fit very well here.** It might sit better in the section on ‘Identifying the offence’ on page 14.

**Paragraph 90** on perpetrator programmes, should refer to “other accredited local programmes.”

**Paragraph 92** should highlight that first responders must check on any children present when attending a domestic abuse call-out and, dependent on the age of the child and whether or not it is safe to, police should speak to children and ask if they are ok. This may be the child’s first ever interaction with the police, and so it is very formative of their future engagement with the police and criminal justice system. Police Body Worn Videos (BWVs) must be switched on when attending any incident, especially domestic abuse incidents, as this may be the only opportunity when the adult and child victims want to speak to the police.

## Comments on Section 6: Related harms, offences and other subsets of domestic abuse

### Harassment or stalking

**Paragraph 96**, Section 2A, which gives some examples of stalking, should include using smart devices to stalk someone.

This section should include evidence on the link between CCB and stalking, and how protection orders can be used.

## Other subsets of domestic abuse

In this section, there seems a lack of focus on psychological abuse, considering its impact on physical health (such as weight loss, psychosomatic symptoms, and gynaecological disorders), as well as mental health and suicide of victims. It should also be clear how it escalates and keeps the victim in a state of confusion, making it hard to identify as domestic abuse.

For more information, please see: Halliwell et al (2021) '*A life barely half lived*': domestic abuse and sexual violence practitioners' experiences and perceptions of providing care to survivors of non-physical abuse within intimate partner relationships.

**Paragraph 109** should include non-fatal strangulation, including suffocation, as currently it is only referenced as being sexual abuse.

It would be helpful to be explicit that sex with a victim who cannot give sexual consent, including victims with certain disabilities, constitutes rape.

**Paragraph 110** 'Hurting a victim during sex' should include instances where the sex does not involve physical abuse, but the sex is still painful for the victim.

## Verbal abuse

**Paragraph 116** should mention 'racist abuse', and also expand 'mocking someone because of their religious beliefs' to include their political and other beliefs.

## Economic abuse

**Paragraph 120** should be amended to say 'Preventing a victim from claiming welfare and disability benefits'.

'Running up bills and debts such as credit/store cards in a victim's name, including without them knowing' should also include 'gambling away a victim's money'.

## Abuse relating to faith

In relation to 'Causing harm, isolation and or neglect to get rid of an 'evil force' or 'spirit', that is believed to have possessed the victim', it would be good to mention that disabled people and LGBT+ people are particularly at risk of this.

## Honour-based abuse

**Paragraph 136** should remove the comma after 'such as some'.

## Comments on Section 7: Related considerations

**Paragraphs 137 and 138** should be switched around chronologically, as it's important to talk about the factors that all experience before discussing additional barriers.

It would also be helpful if **Paragraph 138** separated out external factors which create barriers (for example, living in a rural or isolated community) from barriers faced by people because services are not designed in a way that is responsive to their needs, characteristics or identities, including D/deaf and disabled people, people with language or speech impairments and people with insecure immigration status.

**Paragraph 138**, under 'Mental capacity' should make clear that a person's vulnerability does not stem from their impairment, but from services which are not designed in a way that is accessible, and that such victims are often not believed.

## Age: Children and young people

We really welcome the reference to SafeLives' Children's Insights data set. Children and young people experience coercive and controlling behaviour in distinct ways to adults, and may not articulate their experiences as 'domestic abuse'.

We would also like to highlight our '[Your Best Friend](#)' project, which has involved speaking to hundreds of girls, young women, and non-binary people about friendships and relationships, and times they have been worried about a friend, via a series of focus groups and national surveys.

The Discovery Report<sup>39</sup> highlights that:

- **9 in 10 (90%)** of girls and non-binary people we surveyed had talked to a friend to try and help them with a toxic relationship but 83% said they would hold back from speaking to them if they thought it might damage the relationship;
- **Nearly three-quarters (71%)** of young people have seen or have had a friend talk to them about behaviours that worry them in friends' relationships;
- **Over three quarters (83%)** of young people have experienced unwanted personal or sexual comments online. For nearly half of young people (46%) this was 'very often or often;'
- **Nearly three-quarters (72%)** of young people had been asked for nude photos. For a third (32%) of young people, this was 'very often or often'. Over half (57%) of 13-15s had been subjected to these requests and nearly a quarter (24%) said this was 'very often or often;'
- **Seven in 10 (70%)** of young people are also receiving unwanted sexual images/nudes. Over a quarter (27%) saying this is 'very often or often.'

*"Coercive behaviour in a young person's relationship can look really quite different. I hear from services 'kids are always messaging each other, they're always texting each other' – failing to recognise where, actually, it is coercive."*

- SafeLives Scotland practitioner

## Age: Older people

It would be helpful to include data and evidence of some of the specific types of abuse older people are particularly at risk of, such as being institutionalised by their family so they can live in / sell the victim's house.

This section should also mention that services often do not meet accessibility needs for older people, particularly where an older person may have intersecting marginalised and minoritised identities.

**Paragraph 149** should say “victims aged 61 or over were more likely to experience domestic abuse.”

**Paragraph 150** should refer to ‘a victim’s disability, health and social care needs.’

## Pregnancy

Forced pregnancy as a form of reproductive coercion should be mentioned here.

The slightly passive tone of the language around pregnancy as ‘a risk factor’ could also be changed to reflect how and why a perpetrator’s controlling and coercive behaviour might intensify during pregnancy.

## Disability

Our comments on how the experiences of disabled victims and survivors of domestic abuse could be better represented and reflected in this guidance are integrated throughout this response.

## D/deaf victims

Our comments on how the experiences of D/deaf victims and survivors of domestic abuse could be better represented and reflected in this guidance are integrated throughout this response.

## Race and ethnicity

Our comments on how the experiences of Black, Asian and racially minoritised victims and survivors of domestic abuse could be better represented and reflected in this guidance are integrated throughout this response.

## Immigration status and migrant victims

It would be helpful if this section of the guidance acknowledged some of **the barriers migrant victims face due to failures in identification of victimisation and in the treatment of migrant victims through current data-sharing policies.**

Migrant survivors and victims with insecure immigration status who leave an abusive relationship are often reported by perpetrators to immigration enforcement in order to curtail the victim’s visas and perpetuate coercive control. Rather than being seen as victims of abuse first and foremost, often migrant survivors are criminalised, including when they attempt to report the abuse or access support. Research shows that the police routinely refer victims of crime to the Home Office: 60% of police forces have admitted to doing so.<sup>40</sup> Research by the Latin American Women’s Rights Service (LAWRS) also reveals that 2 in 3 migrant women who experienced domestic abuse feared that, at the moment of reporting, the police would not support them because of their insecure immigration status. More than half felt that the police and the Home Office would support the perpetrator over them.<sup>41</sup> SafeLives supports continued calls by the Step Up Migrant Women Coalition for safe-reporting mechanisms and an end to data-sharing policies when victims with insecure immigration status report abuse.<sup>42</sup>

**This section should include a reference to the HMICFRS’ report on the super complaint brought by Southall Black Sisters and Liberty**, which recommended that Police forces restrict the sharing of information about vulnerable victims of crime, including domestic abuse, with immigration enforcement agencies.<sup>43</sup> The independent investigation concluded that data-



sharing with the Home Office does not safeguard victims of domestic abuse but, instead, causes further harm to individuals and to the public interest, as crimes go unreported and perpetrators unidentified and unchallenged. It is for this reason we have developed advice with Southall Black Sisters and others for Maracs on prioritising safeguarding above all else.<sup>44</sup>

## Gender and sex

It would be more appropriate for transgender survivors to be referenced in this section, rather than in the section on sexual orientation. Jealous and controlling behaviour, a form of CCB, is the most common type of abuse experienced by trans victims/survivors (80%).<sup>45</sup> Trans survivors may also experience forms of controlling and coercive behaviour that can be linked to their trans identities.

Accordingly, elements of **Paragraph 182 and 183** should be brought into this section:

- *Threats of disclosure of gender identity and gender reassignment to family, friends, work colleagues, community and others.*
- *Coercing a person into not pursuing gender transition including denying or withholding access to medical treatment or hormones.*
- *Ridiculing, or exotifying their body or assaulting medically altered body parts or forcing exposure.*

And make the further additions:

- ‘Policing victim/survivor’s gender presentation.’
- ‘Deliberately misgendering the victim/survivor.’

The guidance should also be explicit about trans survivors’ specific needs. SafeLives’ insights data shows that trans victims and survivors of domestic abuse experience large numbers of additional needs, particularly in relation to mental health. Over half of trans victims/survivors have mental health needs, of which a quarter (25%) had self-harmed, and almost two-thirds had been diagnosed with a mental health condition (83% had been diagnosed with depression, 57% with an anxiety disorder and 26% with a personality disorder. Research by Galop reveals that 70% of trans people surveyed said that transphobia had an impact on their mental health.<sup>46</sup>

The guidance should also reference the specific barriers that trans survivors can encounter when trying to access domestic abuse services. This includes single-sex spaces that are either not trans-inclusive, or the survivor is fearful they may not be.

*“Do refuges accept individuals from the transgender community? And if they do, how will other people that live in the refuge react? Will you be accepted or will you be discriminated against? Are you strong enough for all of this? There’s so much to think about.”*

**- Survivor<sup>47</sup>**

This section should also acknowledge non-binary gender identities, and the third pronoun (they/them).

## Sexual orientation and transgender identity

As above, sexual orientation should be discussed separately to gender identity.

It would be helpful to recognise some of the different dynamics of abuse and barriers to support experienced by gay, lesbian and bisexual people, in order for readers to fully understand these differences and provide effective support.

SafeLives Insights data shows, for example, that:

- Almost half (46%) of the LGBT+ victims/survivors accessing non-specialist domestic abuse support were female and bisexual, and the vast majority of those (85%) were experiencing abuse from a male perpetrator;
- Bisexual women who are victims or survivors experienced the highest rates of complex needs including suicidal ideation and self-harm;
- Gay men were experiencing physical abuse at the highest rate; 75% of gay men within the Insights dataset had experienced physical abuse, compared to 65% of other LGBT+ groups.<sup>48</sup>

## Comments on Annex D: Examples of reasons for retractions and withdrawals by complainants

### Amendments:

- 'Pressure *and* threats from the perpetrator'
- 'Pressure *and* threats from the from other family members, other members of the community or community 'elders'

### Expansions:

- 'Fear they may not be believed and fears that the criminal justice system is biased towards the offender, *including where the perpetrator works for the police or state.*'

### Further example could include:

- Where a victim is reliant on the perpetrator due to health issues and the perpetrator being the main carer.
- Where a victim may have been brought up in a country with high levels of corruption, they may fear that the authorities will side with the perpetrator.
- The victim may not speak, read or write English, or is only able to speak very little, therefore will have to depend on someone else to guide them.
- If the victim is from another country, they may not know the policies and procedures around domestic abuse, and therefore will not know the process - including who to even report it to or their rights to safety and justice.
- The victim may be worried that they will bring shame upon their family (distinct from 'Fear of being publicly shamed, disowned or outcast from the community').
- A victim may stay in an abusive relationship to avoid their community finding out, and it then potentially impacting negatively on the victim's children's life chances - including who they are able to marry in the community.
- The victim may have had their ID taken off them, and therefore feel trapped and as though the only way they to get it back is to remain in the relationship.
- Sexual abuse, domestic abuse, and gender inequality can be normalised in some situations, which can lead a victim to feel the problem is them – not the perpetrator.

*"The Black and minoritised women we support come from deeply patriarchal and conservative cultures in which men's control of women is not only expected and encouraged but seen as 'natural'. It is often located in concepts of women needing male protection and guidance in the ways of the world. In this context, male control of women's behaviour is so normalised that women do not even recognise CCB."*

**- Southall Black Sisters**

## Annex F - Support available for victims

We recommend the inclusion of:

Sistah Space, a community-based service working with African-heritage women and girls who have experienced domestic or sexual abuse or who have been bereaved by domestic abuse.  
Phone: 0207 846 8350

Email: [info@sistahspace.org](mailto:info@sistahspace.org)

Sikh Women's Aid, a charity run by and for women from the Sikh and Punjabi community, tackling violence against women and girls.

Phone: 0333 090 1220

Email: [info@sikhwomensaid.org.uk](mailto:info@sikhwomensaid.org.uk)

## Are there any other barriers faced by frontline agencies from recognising controlling or coercive behaviour?

Many of the key barriers faced by frontline agencies in recognising CCB, and possible solutions, have been addressed earlier in this consultation response.

### 1. Lack of training

Underpinning most of the barriers frontline agencies face in recognising CCB is a lack of regularly refreshed domestic abuse training, delivered in partnership with domestic abuse specialists including services run by and for the communities they serve. It is particularly important that frontline public services staff receive effective training in CCB, where there is currently less awareness of how to assess risk in cases of non-physical abuse, and how to support a survivor to disclose harm and access the right help.<sup>49</sup>

When supporting a survivor or victim to disclose harm, it is critical that frontline agencies are trained to ask the right questions, at the right time and in the right way. SafeLives' Domestic Abuse Matters training encourages police officers to use open questions initially, such as *"what's the first thing you think about in the morning?"* and *"how do you feel about the relationship"*, followed by more directive specific questions such as *"are you frightened of your partner?"* A recent evaluation of the programme found that following training 91% of police had a strong understanding of the types of questions that would encourage a victim of coercive control to disclose their experiences (an increase of 72%).<sup>50</sup>

Training is also critical for understanding and identifying perpetrator tactics, including those used to keep a victim in a relationship, and how a perpetrator might manipulate staff - including through portraying themselves as the victim. Following training, over nine out of ten (92%) first responders felt they had an understanding of the tactics perpetrators of domestic abuse can use to try to manipulate police responders (an increase of 60%).<sup>51</sup>

For victims and survivors to be given the right kind of response from public agencies, it is essential frontline staff are equipped with the knowledge and skills to assess and manage different levels of risk. SafeLives' Domestic Abuse Matters training includes a focus on the different stages of domestic abuse and how professionals should respond to them depending on the stage they are at. Following training, most respondents (93%) reported a strong understanding of the stages of coercive control and the impact this has during a relationship and when preparing to leave (a substantial increase of 79%).<sup>52</sup>

These are just some of the most important elements that are covered in SafeLives training. [Further information is available on our website.](#)

*"Prosecutors had training, Police Scotland got DA Matters, but the judiciary didn't – what they got wasn't aligned. As a result, non-harassment orders (NHOs) aren't being granted at the right rate, due to the lack of judicial understanding. Any case going through court with a domestic abuse aggravator should have an automatic NHO consideration, but that isn't happening."*

- **SafeLives Scotland practitioner** (discussing the Scotland Domestic Abuse Act 2018)

### 2. Cultural competency

The dynamics of CCB often present differently in different communities and cultures, including in Black, Asian and racially minoritised communities, in religious communities, in LGBT+ relationships, and where a survivor may have insecure immigration status, be Deaf or disabled, be older or younger, and / or be facing multiple disadvantage. Sistah Space have highlighted, for example, that a threat can be communicated in a variety of ways in Black culture. Colloquially and contextually, the same words said among white communities can and are shown with very different intentions and received with very different understandings.<sup>53</sup>

Where public agencies do not receive training from specialist 'by and for' services about the different cultural and contextual dynamics of CCB, this can act as a significant barrier to professionals recognising CCB in minoritised and marginalised communities. A lack of cultural competency is likely to be compounded where a public agency has low levels of diversity across different protected characteristics and life experiences among staff at all levels of the organisation.

### 3. Recognising the pattern

First responders, particularly police, are often split across local authority boundaries. Where there is not effective recording, this can lead to a lack of join-up and information sharing which is so crucial in building a picture of CCB.

Another barrier to recognising CCB is that the police response is often very incident-focused, and only where the incident is considered 'severe' enough for police involvement, for example when domestic abuse involves physical violence.<sup>54</sup> For a CCB offence to reach the evidentiary threshold for a charge, evidence gathering must often occur over an extended period of time, and include recording of events which, in isolation, do not constitute a crime.

A breakdown in multi-agency working, including poorly performing Maracs, can also mean that safeguarding partners do not share key information to facilitate the police in building a case, or other actions for partners that would increase the safety of the survivor.

### 4. Lack of time

Frontline public services staff are operating in challenging contexts, with high caseloads and high staff turnover. This can make it difficult to be professionally curious, and to build the trusting relationship with a survivor often needed for them to feel safe disclosing. This means the onus is often placed on the victim to disclose, rather than the professional to spot the signs, make appropriate enquiries, and take action.

### 5. Compassion fatigue

Many frontline public services staff regularly come into contact with the same victims and survivors of abuse, which can lead to compassion fatigue and a feeling among staff that they already know the outcome of a case e.g. that the victim may not wish to support police action and may not want to leave a relationship. Training is key to increasing staff understanding of the various stages of domestic abuse, and the importance of professionals keeping an open mind and sustained engagement with the victim. It's also crucial that professionals get regular feedback on the cases which have 'gone well' and led to one or more forms of justice for an individual or family, underlining why it's important to keep maintaining effort even in the face of challenges.

### 6. Assumptions and societal normalisation of CCB

Staff who have not received up-to-date (or any) training may also have their professional judgement clouded by their own personal beliefs about domestic abuse, including a default assumption that domestic abuse equates to physical violence, which may be reinforced by societal normalisation of non-physical abuse.<sup>55</sup>

*"Police can go in with assumptions, such as assuming physical violence rather than asking questions around how to understand what controlling and coercive behaviour might look like."*

## - SafeLives Pioneer

*“The lack of training of social workers a good example of this. There is a lack of space to reflect on cases using supervision, and Independent Reviewing Officers often focus on physical abuse.”*

## - SafeLives training practitioner

# What are the most important things that the police and Crown Prosecution Service (CPS) should be aware of, and understand, when it comes to investigating controlling or coercive behaviour?

## 1. CCB requires different kinds of evidence to domestic abuse involving physical abuse, which first responders need training in.

SafeLives research shows that a quarter of practitioners (25%) noted there are currently a lack of convictions for CCB due to the burden of proof being put onto the victim to evidence it, and the difficulty of demonstrating this form of abuse.<sup>56</sup>

*“In my experience when women report psychological abuse to the police it never gets anywhere as the Crown Prosecution Service won’t prosecute without evidence. We set up our domestic abuse community support service in June 2015 and as far as I’m aware none of our clients have made it to court when they have reported psychological abuse (over 200 clients to give you an idea of numbers).”*

## - Practitioner<sup>57</sup>

Some survivors point out the difficulties and frustration in trying to prove non-physical abuse to police and judiciary as there was no physical evidence, feeling they would not be believed due to this and the manipulation of services by the perpetrator. A few noted how they ‘wish they’d been hit’ to have something tangible as verification.

*“Evidencing non-physical abuse with police and courts was beyond frustrating, it was incredibly difficult to prove.”*

## - Survivor<sup>58</sup>

*“I find a lot, especially with the police and judges, that unless there is clear evidence of violence, ‘normally’ physical evidence, i.e. bruising, scratches, broken bones, then the victim is not believed or it is ‘not as bad as it seems’ or ‘there is no evidence so there is no prosecution’.”*

## - Practitioner<sup>59</sup>

There is growing demand from the CPS for police officers to produce full files prior to a charging decision, which is where many officers get the idea that it too complex or difficult to charge. Police therefore need training to produce statements which sufficiently evidence the impact of the abuse on the survivor.

## 2. Investigating CCB takes time

The challenge for first responders to gather the suggested evidence is always going to be time restraints, as in many of these cases the behaviour has been normalised and is not recognised as an offence. This might be particularly the case where a victim does not recognise the behaviour as abusive. Survivors have been clear in SafeLives research they did not realise psychological abuse was happening to them until they were free of the relationship;

and the difficulty of articulating and describing what had happened to them, to get help and support.<sup>60</sup>

Please see comments in 'Types of evidence' under Section 2.

### 3. Investigating CCB takes investment

The knowledge, skills and resource required to effectively investigate CCB requires adequate investment at every level of the criminal justice system.

*"We need to highlight to the CPS the under-funding of the system. We can't just blame policy. We need to say to the Government - this is your fault. A lot of these barristers want to do good, but they are under-funded. It's a collective of under-funding, not just courts, police or CPS."*

**– SafeLives Pioneer**

Beyond the criminal justice system, there must also be sufficient investment in the community-based services, including specialist 'by and for' services, which offer wraparound support to victims and survivors day in day out, including ahead of, during, and after criminal justice proceedings.

## Do you have any comments on if the guidance is clear in showing how economic abuse can be a form of controlling or coercive behaviour?

We welcome the increased focus on economic abuse in this guidance, now recognised in UK law as a criminal offence. It would be helpful if the guidance was clearer that economic abuse mostly, if not always, takes place within a context of coercive control, and threads through and reinforces other forms of abuse. In the UK, examples of economic abuse were identified within 60% of the successfully prosecuted cases of controlling or coercive behaviour, with 90% of the economic abuse cases involved psychological abuse, which included isolating and humiliating the victim.<sup>61</sup>

## Do you think the case studies used are helpful in supporting the aims of this guidance?

Overall, these case studies are helpful, and capture a range of experiences. However, it would be useful if there could be more case studies on the covert psychological abuse tactics used by perpetrators, and how it escalates. At the moment there is a fairly strong focus on physical abuse, considering this guidance is for coercive and controlling behaviour. For example, Becky's case study is very physical. Often the physical violence will come in only at the point of a CCB relationship ending.

It would also be useful to add a case study or update names to increase the representation of same-sex couples. For example, [Jessica's story of experiencing domestic abuse perpetrated by a female partner](#).

Finally, the guidance should include a case study highlighting the ways that children are involved in the abuse and are victims in their own right.



## **Do you feel there are any significant gaps in the guidance that should be addressed?**

Children are now recognised legally as victims of domestic abuse in their own right. This guidance could go further in setting out how children experience coercive control, the impact of this type of abuse on them, the kind of response needed from police and multi-agency partners to identify and respond to this type of abuse, and the available support for children who are victims of CCB.

## **Do you think this guidance is: too short, too long, correct length, no comment on the length?**

Please see our 'overarching comments' for feedback on the length. In summary, we recommend that the document is accompanied by a comprehensive communications campaign and training programme.

### **For further information, please contact:**

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- <sup>3</sup> SafeLives (2019) Psychological Violence  
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