

NORTH LINCOLNSHIRE COUNCIL

CABINET

**REVIEW OF DOMESTIC VIOLENCE SERVICE PROVISION
AND AREAS OF VULNERABILITY**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider the recommendations of the Safer and Stronger Communities Scrutiny Panel in relation to a review of domestic violence service provision and areas of vulnerability.

2. BACKGROUND INFORMATION

- 2.1 At its meeting held on 24 September 2008, council considered a report of the Safer and Stronger Communities Scrutiny Panel in relation to a review of domestic violence service provision and areas of vulnerability.
- 2.2 The report was approved by Council and referred to cabinet for consideration of the recommendations with a view to the preparation of an action plan.
- 2.3 The panel completed its review in September 2008. It was carried out with a brief -
- To establish the extent of the council's role and responsibilities, to evaluate how effectively and appropriately the council fulfils the role and responsibilities, and to determine what else (if anything) should be done.
 - To clarify what policies or strategies the council has and whether any new policies are required.
 - To uncover the degree to which other agencies are involved and how effectively co-ordinated they are.
 - To establish what can be done to improve public recognition of the problem of domestic violence and its consequences.
 - To ensure that sufficient and appropriate provision is provided to meet the needs of all sections of the community regardless of their place of living, ethnic origins and sex.
 - To make conclusions and recommendations.

2.4 This was a very in depth, detailed review and the panel made 51 recommendations. A copy of these are attached as an appendix to this report together with the conclusions.

3. OPTIONS FOR CONSIDERATION

3.1 There are no options associated with this report.

4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

4.1 There may be some resource implications associated with the recommendations when they are implemented.

5. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

5.1 There may be other implications associated with the implementation of the recommendations which will be highlighted in any action plan.

6. OUTCOMES OF CONSULTATION

6.1 The panel consulted widely with other scrutiny members and officers and other relevant organisations in relation to the preparation of the original report.

7. RECOMMENDATIONS

7.1 That the report and recommendations be approved and adopted.

7.2 That the relevant officers prepare an action plan in response to the recommendations of the report.

SERVICE DIRECTOR LEGAL AND DEMOCRATIC

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Background Papers used in the preparation of this report - Report of the Safer and Stronger Communities Scrutiny Panel - Review of domestic violence service provision and areas of vulnerability.

4 THE PANEL'S CONCLUSIONS AND RECOMMENDATIONS

Based upon the evidence presented and evaluated during this investigation, as detailed in the panel's findings and considerations, the conclusions and recommendations of the Safer and Stronger Communities Scrutiny Panel are as follows: -

4.1 Homicide Reviews

The panel learnt (page 15) that as part of the National Delivery Plan the number of women who are killed as a result of domestic violence has fallen by 14 per cent over the last two years (2004 – 2006). Currently 103 women and 36 men are killed as a result of domestic violence³. A systematic review in the case of a domestic violence homicide is one way that agencies can learn lessons to prevent assault, significant injury and, ultimately, murder.

Section 9 of the Domestic Violence, Crime and Victims Act 2004 introduces a statutory basis for local bodies to establish homicide reviews for victims of domestic violence. This will bring the procedure into line with current practice for serious case reviews following the serious injury or death of a child.

The panel would like to see a mock homicide review acted out. Whilst many may see this as irresponsible or a waste of partner's valuable time and resources, the panel believes that holding a mock homicide review would enable partners to critique their own practices and procedures when handling a disclosure of domestic violence. However, the panel does acknowledge that participating agencies would have to resolve all issues surrounding accountability prior to the mock homicide review.

A homicide review will have implications for all professionals in that they will be accountable for their actions, or lack of action.

Recommendation 1 That the Safer Neighbourhoods Officer (Domestic Violence) facilitate a mock homicide review. The results of the mock review to be shared with all participating partners and this scrutiny panel.

4.2 North Lincolnshire Council

Local authorities play a vital and central role in tackling domestic violence. As well as providing services and raising awareness, A council's role at the heart of local communities means they are well placed to facilitate local partnerships – bringing all the agencies together to tackle issues.

Under the Crime and Disorder Act 1998, local authorities have a statutory responsibility to work with other agencies to reduce crime and disorder in their local area. As domestic violence accounts for almost a fifth of all recorded violent crime, the panel was reassured that there was a Domestic Violence strategy and action plan in place for North Lincolnshire delivered by the Domestic Violence Implementation Group.

However, complex issues such as domestic violence cannot be tackled by agencies working in isolation. A multi-agency approach is essential. Being a member of a partnership can take lots of time and effort, but on its own achieves little. To be of use, partnerships need to take action collectively and individually.

For the partnership to succeed, it needs to be spearheaded by a Domestic Violence Co-ordinator. Whilst the Safer Neighbourhoods Partnership does employ a Safer Neighbourhoods Officer (Domestic Violence), BVPI 225 (prior to it being replaced by National Indicator Sets as part of the second generation of LAAs) placed a requirement on the local authority to fund a co-ordinator post (page 17) if there are more than 35,000 households in the district. The number of households in North Lincolnshire at 14 July 2008 was 71,621. This means the requirement cannot be met through including the role in the job description of an existing senior officer. Whilst the BVPI is no longer in existence, the panel requests that the council uses the former requirement to employ a Domestic Violence Co-ordinator as an opportunity to drive domestic violence services forward.

Recommendation 2 That a dedicated Domestic Violence Co-ordinator post be established to lead and manage tackling domestic violence in North Lincolnshire.

The one overwhelming piece of information the panel learnt from each one of its witness interviews was the dedication, commitment and enthusiasm shown by the council's Safer Neighbourhoods Officer (Domestic Violence). Every witness interviewed held the postholder in the highest regard. Without the postholder, many activities would not have been undertaken, for example training and the launch of the Domestic Violence Web-Based Directory.

However, the postholder does not have the resources, both financial and staffing to fulfil the expectations of North Lincolnshire residents. Quite simply the resources allocated towards tackling domestic violence in North Lincolnshire are inadequate.

What is especially disappointing to the panel is that tackling domestic violence was ranked at number eighteen in North Lincolnshire residents' priorities as part of the consultation exercise to set the council's financial strategy for 2008-11 (page 18). The members learnt that an additional £30,000 had been allocated towards tackling domestic violence via an additional LAA grant. However, members were unable to ascertain exactly what activities the grant would be used to finance.

In addition, there is currently no budget provision for the creation, printing and distribution of domestic violence material. This too is clearly unacceptable.

Recommendation 3 That a special meeting of the Safer Neighbourhoods Strategy Board be convened in order to 'plug' the gaps in budget provision, particularly the following –

- (i) A dedicated budget for the creation, printing and distribution of domestic violence material.**

- (ii) **Updating and re-structuring the out-dated Safer Neighbourhoods Partnership web site to include more information on domestic violence.**
- (iii) **The IT support and maintenance of the Domestic Violence Web-Based Directory.**
- (iv) **The implementation of recommendations 2, 4, 21, 27, 28, 34, 35 and 36.**

4.3 Training

What was noticeable to the panel was the over-reliance on the Safer Neighbourhoods Officer (Domestic Violence) to deliver the training to all the agencies involved in the Safer Neighbourhoods Partnership. More often than not it was down to the goodwill and dedication of the postholder that resulted in the training being delivered.

Funding for the training was provided via a grant from Government Office for Yorkshire and the Humber (GOYH) (page 18). However, the ring fence protection for the training grant has been removed. Consequently, the £9,000 could now be used for other activities. This greatly concerned the panel as members heard that the £9,000 was insufficient as a training budget. Therefore, any reduction in the budget would have a detrimental effect on any future training provision. Members were informed that a budget of £15,000 would be necessary to ensure that individuals received appropriate training.

Recommendation 4 That the Safer Neighbourhoods Officer (Domestic Violence) be allocated a specific budget to provide domestic violence training. In addition, a training programme be prepared and circulated to all partners for each council year.

Recommendation 5 That domestic violence awareness training be included in the council's corporate induction programme.

In addition, the government has recognised the importance of having knowledgeable and well trained staff in this field and has supported the rolling out of a training programme via CAADA (Co-ordinated Action Against Domestic Abuse) particularly focussing on support and advice, advocacy, risk assessment and safety planning ensuring that domestic violence staff are trained to a recognised and accredited standard.

Recommendation 6 That the Safer Neighbourhoods Officer (Domestic Violence) identify and arrange for relevant partners to receive training from CAADA.

4.4 Children

The panel was greatly impressed with how agencies are working together to safeguard children. Many partners, including Children's Centres, Practical Family Support Service, Youth Counselling Service, Education Welfare Service from Children and Family Services and Health Visitors to name but a few have an

excellent working relationship. This is even more impressive given that domestic violence is not their core business, although 70% of all incidents occur where there is a child within the family unit.

Recommendation 7 That all staff who come into direct contact with children receive basic awareness training from the Local Safeguarding Children's Board on domestic violence as a minimum, in order that appropriate resources and decisions are targeted at the family.

However, complacency should never be allowed to creep into the working practices of the council or its partners. An audit sweep of partners' involvement in tackling domestic violence would address this issue.

Recommendation 8 That the Service Director Children, Strategy and Partnerships ensure that all services commissioned locally by the Children's Trust are consistent with the National Service Framework for Children, Young People and Maternity Services and the principles set out in the Statutory Guidance on making arrangements to safeguard and promote the welfare of children under Section 11 of the Children Act 2004.

The 2007-08 Adolescent Lifestyle Survey identified that on average 1 in 5 (20 % across both sexes) had witnessed domestic violence (page 42). However, the panel has no way of knowing how typical this result is. It may be that children have different understandings of what domestic violence is. For example, older girls were more likely than younger girls to say they had witnessed domestic violence. In contrast there was little difference amongst boys. Pupils who said they had been bullied a lot at school, were also more likely to report that they had witnessed domestic violence.

Recommendation 9 That the Safer Neighbourhoods Officer (Domestic Violence) commission a piece of research with young people to gain a better understanding of how domestic violence is understood by them, and to ensure that they are confident about discussing any concerns they may have with appropriate adults.

The panel was informed that the Safer Neighbourhoods Officer (Domestic Violence) had issued schools with various promotional materials to display in schools to advise pupils of where and when they could access help or information on domestic violence. However, after contacting various primary and secondary schools, none of them had displayed the information.

Recommendation 10 That to raise awareness of the seriousness of domestic violence and help children/young people and their families access appropriate support schools, the Service Director Learning, Schools and Communities encourage all schools in North Lincolnshire to:

- Ensure relevant help line stickers are displayed inside every toilet cubicle, where appropriate.
- Display leaflets and posters, with telephone numbers, in

- **Changing rooms**
 - **School youth clubs**
 - **Reception areas, and along**
 - **Corridors, and on**
 - **Notice boards.**
- **Display posters and leaflets when there are parent evenings and open days.**

The panel was pleased to hear that many schools now include domestic violence awareness as part of pupils Personal, Social and Health Education lessons. However, only 40% of pupils in the recent 2007-08 Adolescent Lifestyle Survey recalled being given any information or advice on domestic violence in a school lesson. Of those that did, most reported that it had been useful. 10% said they would welcome more advice and information.

Recommendation 11 That the Healthy Schools Co-ordinator devise an action plan to ensure that all pupils are taught respectful relationships and communication life-skills in all North Lincolnshire schools.

Enshrined in this approach is the rationale that the most effective intervention for ensuring safe and positive outcomes for children experiencing domestic violence, is to provide a package of support for the non-abusing parent and their child that incorporates a robust risk assessment and holds the perpetrator accountable for their actions.

Recommendation 12 That a teachers' handbook be drafted and fresh guidance be issued to all schools about the importance of providing better support to meet the needs of children affected by domestic violence.

The Common Assessment Framework (CAF) is a key part of delivering frontline services that are integrated and focused around the needs of children and young people. The CAF is a standardised approach to conducting an assessment of a child's additional needs and deciding how those needs should be met. The CAF will promote more effective, earlier identification of additional needs, particularly in universal services.

It is intended to provide a simple process for a holistic assessment of a child's needs and strengths, taking account of the role of parents, carers and environmental factors on their development. Practitioners will then be better placed to agree, with the child and family, about what support is appropriate. The CAF will also help to improve integrated working by promoting co-ordinated service provision.

Recommendation 13 That the Service Director Learning, Schools and Communities continue to encourage all schools to complete the Common Assessment Framework to identify at any early stage any signs or symptoms that domestic violence may be present in a family.

NB However, the panel does acknowledge that any actual disclosure of domestic violence should be referred through the normal child protection procedures.

4.5 Emergency Accommodation

The dynamics of domestic violence means that safe, secure and supported accommodation can play a vital role in the reduction of domestic violence and the protection of victims. It is the foundation to ensuring that adult and child victims are afforded safety and security. Local authority housing departments and local housing policies will often determine whether a victim can secure an immediate place of safety.

A refuge is just one of the options that should be available in a local area. Dispersed housing or 'safe' houses are also options that have been developed and used with significant success (page 19). By providing dispersed housing or individual safe houses which have been target hardened and furnished, any victim, male or female can be safely and immediately housed in the short term, as they would be in a refuge, whilst a homeless interview and permanent tenancy is arranged. By providing a combination of options – refuge, dispersed housing, outreach and tenancy support the victim is being given choices.

The Supporting People programme recently tendered for a housing support service for victims of domestic violence. Carr-Gomm was successful at the end of the process and has resulted in the council obtaining improved value for money for the service.

Bearing in mind the panel's concerns over the value for money and the level of provision being provided by the refuge, members would have liked to have seen both the tenancy support service and refuge provision put out for tender. However, the contract for the refuge provision was extended for a further year.

Recommendation 14 That by no later than September 2009, the contract for the refuge provision be put out to tender.

4.6 Refuge

North Lincolnshire's current service provider for refuge provision is Stonham Housing Association (page 23). The freehold transfer of the current refuge building is owned by the service provider and has recently been refurbished with funding from the Housing Corporation.

The Supporting People review identified that the service was costly compared with the benchmarking figures available in 2005. The overheads were seen to be higher than the 10-15% suggested by the Department of Communities and Local Government.

This is disappointing bearing in mind that the current refuge can only accommodate seven women at any one time. Anecdotal and statistical evidence would indicate that this provision is inadequate.

Recommendation 15 That the Supporting People programme undertake a cost-benefit analysis of the refuge to determine if the provider is providing value for money.

The current level of refuge provision is clearly not meeting the former BVPI requirement of 1 bed space per 10,000 population. With a population of c153,500, North Lincolnshire is eight places short of the target.

The staff to resident ratio in North Lincolnshire's refuge is also high as the refuge can only accommodate 7 women at anyone time. Similar refuge staffing levels, (e.g. in North East Lincolnshire), support 12 women at anyone time and other refuges in Hull, York and Doncaster tell a similar story.

Recommendation 16 That whilst it is noted that the layout of the refuge cannot be changed, the Supporting People programme explore the feasibility of support activities being undertaken by the staff to achieve 'stretch' elsewhere.

The statistics provided at Appendix 5 to this report clearly demonstrate that there is a need for the refuge service. However, of particular concern to the panel is that the number of referrals to the refuge has dropped markedly compared to the previous year.

It is important to consider, not only how many bed spaces are actually provided, but also how 'available' they are. The number of rejections and the reasons given are important. There were 27 acceptances but no vacancies in 2006/7 compared to 66 acceptances but no vacancies in 2005/6.

Agencies and victims are no longer approaching the refuge as the key provider but looking elsewhere. Most refuge spaces are provided on an emergency basis. How soon women can move on is dependent on the availability of suitable alternative housing and whether move on property is available. There may also be other reasons such as safety.

Anecdotally, it would appear that refuge residents have to wait approximately 4 months to be rehoused but this is not the whole story as not every women stays for a set amount of time. Some stay a week, some much longer depending on individual needs.

Recommendation 17 That the Supporting People programme explore the reasons for the dramatic reduction in the number of referrals to and accepted by the refuge.

Members were also concerned about the lack of availability of Stonham Housing Association employees post 16:30 on a Friday until 08:30 Monday morning.

Recommendation 18 That as part of the re-commissioning of the refuge service (recommendation 14), the council's Supporting People Commissioning Body undertake a business case analysis to ascertain whether there is a need

in North Lincolnshire for a 24 hour referral system for refuge accommodation and to have more staff on call.

As described on page 23 and contained within Appendix 5, the refuge will continue to accept women and children under the age of 13. Whilst any form of safe accommodation has to be welcomed, the refuge environment does not suit everyone, nor does it accept men or male children above the age of 13. This shortfall in service provision is perceived by the panel as a barrier towards victims of domestic violence seeking help.

Recommendation 19 That in line with recommendation 14, when the refuge service is re-commissioned by the Supporting People programme, the specification for tender includes emergency provision for men, women, and those victims with male children above the age of 13.

4.7 Tenancy Support

From the outset, the panel was concerned that the number of supported places provided by the former tenancy support contract was considerably less than that of the region and our immediate neighbours (page 25). The East Riding, Hull and North East Lincolnshire domestic violence projects have confirmed that their full time equivalent support staff support 12-15 women at any one time. Previously, in North Lincolnshire we had 2 full time equivalent staff supporting 18 places on tenancy support at anyone time. If North Lincolnshire operated as our neighbours, Stonham Housing Association should have been supporting 24 – 30 places.

Assuming an average stay of 4-8 months as referred to by the previous provider, North Lincolnshire should have been in a position to support between 60 – 90 women during a year. The average weekly unit cost (2005) was £103.66.

It is worth noting that a comparable local domestic service, It's My Right, has 1 full time equivalent supporting 10-12 high risk cases at any one time at a weekly unit cost of £52.89.

Consequently, the panel was greatly encouraged to hear that as a result of a successful tendering exercise, Carr-Gomm (a national charity providing high quality support and housing services that place individuals at the centre of planning and decision making) was awarded the contract to provide North Lincolnshire's tenancy support service.

Recommendation 20 That the Supporting People programme undertake a review of the new tenancy support contract after one calendar year to ensure that value for money is being provided with regard to tenancy support.

4.8 Target Hardening

'Target hardening' of properties used to be funded through the One Community Project. The One Community Project had been funded from a variety of sources, including a contribution from Safer Neighbourhoods (page 20). In real terms, the target hardening was heavily subsidised by external funding. However, over the

years these funding sources have dried up one by one and Safer Neighbourhoods must now meet the full cost of target hardening.

During 2007, the One Community Project target hardened the following properties –

- A total of 94 properties following domestic violence at a cost of £18,800
- A total of 1,600 properties following domestic burglary at a cost of £60,840

During The budget setting cycle for 2008 it was recognised that Safer Neighbourhoods budget pressures would not allow the continuation of all previous activity. A budget was presented to (and accepted by) the Safer Neighbourhoods Strategy Board at its meeting in April 2008 which outlined that a number of work streams would cease or be significantly reduced. Even with this severely 'pruned' activity, the Safer Neighbourhoods Partnership begins the year with a deficit budget.

At its meeting, the Safer Neighbourhoods Strategy Board agreed that a sum of £20,000 would be made available for target hardening activity relating to the properties of domestic violence cases only.

It was recognised that there was insufficient funding available to target harden other types of property (unless funding were available from other sources).

Assuming that each 'sanctuary room' cost £2,200, Safer Neighbourhoods would only be able to target harden nine properties per financial year. Obviously not every property requires a 'sanctuary room'.

However, only high-risk cases through the MARAC are able to access target hardening funding. The MARAC considered 29 high-risk cases between April 2007 and March 2008. That equates to only £690 available per case which is a wholly inadequate figure.

In addition, no budget provision has been made available to target harden the new eight dispersed properties. The panel can only conclude that the funding for target hardening is wholly inadequate.

Recommendation 21 That the target hardening of properties budget be increased to a more realistic sum. This budget to be made available to target harden all high-risk cases as well as the new eight dispersed properties.

4.9 Housing Advice Team

The creation of a dedicated Housing Advice Team has enabled the council to tackle homelessness effectively. Members are only too aware of the excellent and compassionate way the Housing Advice Team handle homeless victims of domestic violence. A 70% reduction over four years in the number of homeless households is a remarkable achievement.

When faced with a victim of domestic violence, the Housing Advice Team can assist the victim in one of four ways. Namely, they can either stay in their own home and the team will assist in target hardening the property; they will be referred to North

Lincolnshire Homes and/or a housing association according to priority; the team has the use of properties within the private sector (private landlords); or there is the option of relocation.

However, there are problems associated with assisting the victim. Many victims do not want to stay in their own home for fear of reprisal. Secondly, north Lincolnshire homes have a right to refuse any referral if they deem the victim/children as having a history of antisocial behaviour, or if they have been in arrears previously with north Lincolnshire homes. It is then that the interpretation of legislation has to prevail, and the housing advice team would argue the case if they felt there were grounds to do so. Private landlords often request high rent charges and relocation to another area is often hampered by the lack of available information nationally. There is no adequate mechanism in place to assist relocations, many often take weeks/months to negotiate. Meanwhile the victim is housed in bed and breakfast or similar temporary accommodation.

Recommendation 22 That the council lobby for the creation of a national directory of housing advice teams/contacts who would be able to prompt immediate priority moves. This would involve monitoring of transfers between areas, the number of voids available within an area. One suggestion is that each authority ensure that 1% of its voids is left vacant to accommodate urgent cases. This would assist housing advice teams to look where was available, areas that had not been saturated with domestic violence victims and make a request.

The Housing and Strategic Planning Cabinet Member recently agreed the council's Homelessness Strategy 2008-2013.

As part of the detailed action plan which sets out how the strategy will be implemented, members were therefore encouraged to note the positive recommendations contained in the action plan that relate to improving the service available to victims of domestic violence.

Recommendation 23 That the Scrutiny Panel monitor the implementation of the Homelessness Strategy 2008-2013, specifically the tasks relating to domestic violence.

The Scrutiny Panel was greatly encouraged by the excellent relationships that exist between the council and partner agencies in tackling homelessness. Continuation of these relationships can only benefit the residents of North Lincolnshire who unfortunately find themselves homeless.

Recommendation 24 That the council ensure that in order to deliver on the challenging targets set in its Homelessness Strategy action plan, it must provide the appropriate resources to enable the Housing Advice Team to continue to address the number of households accepted as homeless as a result of domestic violence in North Lincolnshire.

4.10 North Lincolnshire Homes

The panel was greatly encouraged that North Lincolnshire Homes were providing eight dispersed properties to be used as safe accommodation for victims of domestic violence (page 21). However, due to North Lincolnshire having a deficit of 45% of available bed spaces for victims of domestic violence, it is imperative that the dispersed properties are made available and habitable as soon as possible.

Recommendation 25 That the Supporting People programme encourage North Lincolnshire Homes to provide and make habitable the eight dispersed properties by the end of 2008.

The panel was disappointed to note that no perpetrators of domestic violence had been evicted from North Lincolnshire Homes properties. However, there are three current investigations involving allegations of domestic violence. One case is a sole tenant, two other cases relate to families. As North Lincolnshire's largest registered social landlord, the members would like to see North Lincolnshire Homes adopt a zero tolerance attitude to perpetrators of domestic violence.

The panel is concerned that failure of the landlord to evict results in the victim having to take action – which usually means that they leave the home.

Recommendation 26 That North Lincolnshire Homes be asked to amend its allocations policy as a matter of urgency to incorporate a clause preventing convicted perpetrators of domestic violence from entering into a tenancy agreement.

4.11 Multi Agency Risk Assessment Conference (MARAC)

The panel was greatly impressed with the multi-agency approach to the development of the MARAC. This is an information sharing and risk identification and assessment protocol where victims are identified as high risk.

High-risk cases are referred to the MARAC to ensure that all reasonable measures have been undertaken to protect the victim and that there is multi agency responsibility for the decision-making.

Page 40 and Appendix 18 (page 107) demonstrate the excellent work carried out by North Lincolnshire in view of the lack of resources allocated to administering the process. Appendix 18 also demonstrates the spread of referrals to the MARAC, which indicates a good knowledge, and understanding of the process by all agencies that attend.

Humbleside Police co-ordinate all paperwork for the MARAC. This includes invites for meetings, all paperwork for consideration and the minutes/actions. This is a very time consuming activity.

The panel learnt that there is currently no budget provision for the MARAC. Safer Neighbourhoods subsidise the MARAC process. This entails accommodation, refreshments, circulation of paperwork etc.

Recommendation 27 That a budget be allocated to administering the entire MARAC process.

In view of the lack of resources allocated to administering the MARAC process, the panel would like to see an appointment made to co-ordinate the North Lincolnshire MARAC that take place to support those who are deemed to be at risk, or very high risk, of domestic violence.

The role of the MARAC Co-ordinator is to receive and risk assess referrals, co-ordinate and support the MARAC process and follow-up progress on actions that emerge from MARAC meetings.

Recommendation 28 That funding be identified by Humberside Police, Safer Neighbourhoods and other partners to appoint a MARAC Co-ordinator as a matter of urgency.

4.12 Magistrates Court and the Legal System

From 1 July 2007 a breach of a Non-Molestation Injunction (or order) is a criminal offence. Previously a breach of such an order has been punishable only as a civil contempt of court.

Effective enforcement was dependent on whether the court attached a power of arrest to the order. If no power of arrest was attached, the victim was required to apply to the Civil Court to obtain an arrest warrant.

For a Non-Molestation Order made after 1 July 2007 there is a power of arrest available under Section 24 of the Police and Criminal Evidence Act since any breach now constitutes a criminal offence.

With the implementation of the Domestic Violence Crime and Victims Act 2004, Courts are no longer able to attach a power of arrest to a non-molestation order, as the breach of such an order became an arrestable offence.

Recommendation 29 That Humberside Police checks that this (now criminal) breach of a Non-Molestation Order is investigated as would any criminal offence, witness statements will be required in respect of the breach and the offender interviewed.

The panel heard evidence that obtaining a Non-Molestation Order could cost the victim £8,000. Clearly many victims will be unable to afford this expenditure without assistance from police officers or an Independent Domestic Violence Advocate.

Recommendation 30 That Humberside Police considers assigning a Police Officer to advise victims of how to obtain a Non-Molestation Order, or at the very least place a referral for the victim to Its My Right.

The panel heard how an application for Specialist Domestic Violence Court status in North Lincolnshire was made in 2007, which was subsequently rejected.

The intention of a Specialist Domestic Violence Court is that bringing together all the expertise in one place and training the professionals involved in how to handle domestic violence cases, and the difficulty of prosecuting them, really helps the victim (page 38). The courts give the message to perpetrators that domestic violence will be taken seriously and dealt with accordingly by police and magistrates

Since the application for specialist domestic violence court status was submitted, the Magistrates Court now fast-track all domestic violence cases, using the Criminal justice: simple, speedy and summary (CJSSS) system. This is a new way of working to encompass a simpler set of processes and procedures. CJSSS aims to improve the way cases are managed and dealt with, focusing on the methods that make the justice system work well.

However, the number of prosecutions for domestic violence cases is low as many victims are unwilling to report incidents to the police, let alone go to court. Page 37 of the report identifies the benefits of obtaining Specialist Domestic Violence Court status.

Recommendation 31 That local agencies including the Magistrates Court, North Lincolnshire Council, the Police, the Probation Service and specialist domestic abuse advice services be encouraged to work together to reapply for Specialist Domestic Violence Court status.

Respondents to the panel's questionnaire (Appendix 19 page 109) identified concerns with the existing Magistrates Court, namely the location of the entrance, exits and waiting areas to be used by victims of domestic violence.

This concerned the panel as giving evidence at court is a hugely traumatic experience for the victim. Exacerbating the situation by the victim and alleged perpetrator sitting within close proximity to each other in a waiting room for example is clearly unacceptable.

Recommendation 32 That regardless of the application for Specialist Domestic Violence Court status, Scunthorpe Magistrates Court be asked to ensure that all victims of domestic violence are made aware of the availability of separate entrances, exits and waiting areas so that victims don't come into contact with their attackers.

Recommendation 33 That the Judicial Studies Board be encouraged to provide specialist training for Magistrates on an annual basis on domestic violence issues to assist them with developing a better understanding of the range of emotions and dilemmas faced by victims of domestic violence.

4.13 A Co-located team for North Lincolnshire

Members heard from a variety of witnesses, as well as those members of the Domestic Violence Forum who completed the panel's questionnaire, that co-location of domestic violence services is a must for North Lincolnshire (page 35).

As part of the review, the panel heard from Humberside Police, who indicated that they would only support a move to co-location of domestic violence services were the location to be either Humberside Police Station on Corporation Road or Shelford House on Shelford Street, both in Scunthorpe. This was principally due to the perceived lack of operation efficiency from co-location existing away from the 'corporate centre' of police activity.

Informal discussions have also taken place with Humberside Police as to who they would like co-located, namely the Probation Service, Children and Family Services, Adult Social Care and North Lincolnshire Primary Care Trust about co-locating staff members, for at least part of their working week. Discussions have been positive to date and agencies are awaiting a formal proposal to be made on the move to a co-located team to further discuss their possible contribution and involvement. In addition to these agencies and organisations, the panel would also seek to encourage third sector involvement (such as Women's Aid) at the site.

It is envisaged that the co-located unit would provide a strategic and operational capability to help improve domestic abuse in North Lincolnshire.

Public access may be considered in the future but in the short to medium term, this will be limited to meetings between professionals and those victims of domestic abuse that are attending the nearby Specialist Domestic Violence Court (where appropriate). The possibility of extending the remit of the centre to also cover sexual violence could also be re-visited in the medium-long term.

The success of the project is dependent upon effective partnership working with North Lincolnshire Council, Safer Neighbourhoods, Humberside Police and other key partners.

Numerous agencies have a role in supporting victims of domestic abuse and their families (particularly children) from those with a law enforcement role (police, probation etc) to those providing support with physical, financial and emotional needs (health, Children and Family Services, housing providers, etc). The development of a co-located team, which would consist of key workers from a range of agencies working together, would help to underpin the MARAC process and work of the IDVA.

It would also help to increase the on-going communication between workers, provide a more joined-up approach for victims and allow a greater co-ordination of resources.

Recommendation 34 That the Safer Neighbourhoods Officer (Domestic Violence) conduct a formal consultation exercise with the view to obtaining a written commitment from all key partners to base staff within the team; sufficient funding being identified to cover building, equipment and staffing costs; and clear arrangements for managing the team and building being put in place.

4.14 Independent Domestic Violence Advocates and Independent Sexual Violence Advocates service

Independent Domestic Violence Advocates (IDVA) and Independent Sexual Violence Advocates (ISVA) are trained specialists whose goal is the safety of domestic violence victims (page 28). While IDVAs will accept all referrals, their focus is on providing a service to victims at medium to high risk of harm to address their safety needs and help manage the risks that they face. Their medium to high-risk remit means that the majority (if not all) of their cases are women victims. IDVAs tend to come in at the point of crisis for a victim i.e. just after a police call out or Accident and Emergency attendance.

Research shows that abused women consistently cite the need for there to be one point of contact they can approach for help. The confusion of different policies and practices is a minefield for most professionals in this field to negotiate successfully, let alone for abused women.

Having one point of contact who can provide information and support, who maintains an overview of their progress within various systems and agencies and who can act as advocates on their behalf where necessary to ensure policies are being adhered to properly, can make all the difference.

An IDVA Service is possibly the single most efficient, effective and economic intervention that could be provided.¹⁷

However, there is a gap locally in service provision in that there is no support for those victims of domestic violence who, for whatever reason, choose not to leave the perpetrator. There is also no support for male victims of domestic violence.

In North Lincolnshire, Rape Crisis employs the two IDVAs and ISVA (page 29). However, they are only employed on a fixed term basis. Every year Rape Crisis has to bid to fund the three posts for the following financial year.

The ISVA is funded via grants from the Victims Fund and the Office for Criminal Justice Reform.

One IDVA is part funded by Safer Neighbourhoods and the Henry Smith Foundation. The second IDVA is part funded by the Home Office and Safer Neighbourhoods.

The three posts, including on-costs, telephone landline, mobile telephone, travel and training costs £96,000 per year to fund.

Recommendation 35 That partners monitor and review the current funding streams for the IDVA and ISVA posts.

Recommendation 36 That partners explore the possibility of funding an additional IDVA post to “plug the gap” that currently exists for support services to men and all victims who are perceived to be a low or medium risk case.

4.15 Humberside Police B Division

Normally, the first contact a victim of domestic violence will have with the police will be with control room staff, either a police officer or a member of support staff (page 32). In dealing with calls, call handlers have to obtain sufficient initial information to prioritise the call correctly and ensure that an appropriate police response is despatched.

Humberside Police has introduced a system to identify or 'flag' domestic violence incidents, with 'flags' subsequently being used by domestic violence officers or other nominated members of staff to retrieve incidents for follow-up contact with victims and to update domestic violence records and databases.

In all cases, however, search and retrieval of incidents are reliant on 'flags' being correctly applied at the outset.

The importance of 'flags' and their correct application in ensuring that, at the very least, domestic violence records can be updated, cannot be overstated. It is essential, therefore, that ownership of this task is clearly identified and that staff are clear on the procedures to be followed.

Recommendation 37 The panel asks that Humberside Police ensures that systems are in place to 'flag' domestic violence incidents accurately, that responsibility for the correct application of domestic violence 'flags' is clearly identified within force policies and that staff with that responsibility are clear on the procedures to be followed.

As already indicated on page 33, Home Office Circular 19/2000 created a presumption of arrest where such a power exists. Police officers were clear that, where a power of arrest exists, it should normally be exercised to protect the victim and any children from the risk of further violence. Equally important, however, is the need to ensure that officers are equipped prior to attending an incident so as not to impact on the quality of first response. Humberside Police has in place systems for providing front line officers with previous history information prior to attending an incident. However, there was an inconsistency in whether this information was passed to officers as a matter of routine.

Recommendation 38 The panel asks that Humberside Police review their existing system for providing front line officers with previous history information to ensure that it can be easily accessed, retrieved and communicated prior to scene attendance.

Humberside Police has in place validation processes, with clear lines of accountability through supervisors, to ensure that incidents are completed in line with force policy. In general, these were found to be followed. However, the panel was concerned over the inconsistent completion of 913 forms (police domestic violence logs). Whilst all 913 forms are completed eventually, any delay in completion of the 913 forms requires the domestic violence co-ordinators to either 'chase up' the missing information or proceed without all the relevant information. Neither scenario is particularly acceptable.

Members were greatly encouraged to learn that all domestic violence incidents are discussed at a daily management meeting. This involved discussing the police response to the incident and whether or not an arrest was made.

Recommendation 39 The panel would ask that the Chief Superintendent of Humberside Police (B Division) ensures that all the information recorded on domestic violence incident logs (913 forms) is sufficient to allow for effective investigation of scene attendance and investigation.

Recommendation 40 The panel would like to see the continuation of the proactive monitoring of domestic violence incidents at daily management meetings, particularly in reviewing decisions not to arrest.

Domestic violence units and specialist officers were first recommended in the Home Office Circular of 1990 and over 90% of forces now have Domestic Violence Officers/Co-ordinators within established units.

Humberside Police is no exception. However, resourcing of the unit is determined at the Basic Command Unit, resulting in varying staffing levels across the force and, consequently, varying workload and levels of service delivery.

Research suggests that domestic violence work tends to be marginalised from mainstream policing and has low status. However, Humberside Police B Division has greatly raised the profile of domestic violence, both at an operational and strategic level. But domestic violence officers do face considerable pressure in trying to balance a growing administrative commitment with the requirement to deliver an effective service to victims.

Recommendation 41 The panel asks that Humberside Police review Domestic Violence Officers' roles and job descriptions to ensure that the role is meeting the public's needs and expectations and that job descriptions accurately reflect work undertaken; and

- (i) As part of the process, assess workload and responsibilities to ensure that staffing levels are realistic and levels of responsibility are appropriate; and
- (ii) Review administrative functions with a view to providing adequate administrative support.

4.16 Health

In the last few years it has been increasingly recognised by health professionals and the Department of Health that health services have a critical role on providing access to help and protection for abused women and children, as a front-line point of contact for many women who are experiencing domestic violence (page 30).

The need for the involvement of health care professionals in identifying and referring domestic violence victims has been highlighted in many reports. The NHS is the one

service that almost all victims of domestic violence come into contact with regularly in their lives.

In 2000, the Department of Health issued a Domestic Violence Resource manual recommending that steps should be taken to ensure that the NHS play a full role. The manual has recently been updated as part of a central Department of Health project tackling violence.

Recommendation 42 That the North Lincolnshire Primary Care Trust ensure that the updated Department of Health resource manual is available for use in all departments.

The panel was surprised to hear that accident and emergency staff did not receive domestic violence awareness training. Whilst doctors and nurses do have access to specialist domestic violence trained nurses, the delay in accessing this support could be to the detriment of the victim.

Appropriate training can overcome health professionals' concerns about raising the subject and enable them to provide more appropriate care for their patients.

Recommendation 43 That the North Lincolnshire Primary Care Trust explore the possibility of mainstreaming training on domestic violence in order that it is regular and ongoing for all staff.

Members were concerned that injured victims of domestic violence may not receive treatment they clearly need if issues/exploration of child concern are raised by health staff with the victims on attendance at accident and emergency. Whilst members recognise the duty to safeguard children it was felt that the victim needed to be treated with respect and given treatment prior to the exploration of wider factors and any possible child concern issues.

Safety of children needs to be an ongoing consideration throughout accident and emergency involvement, however not one that is undertaken in such a way to drive victims away from the hospital without treatment.

Recommendation 44 That Northern Lincolnshire and Goole NHS Foundation Trust review its current training processes and procedures for assessing victims of domestic violence presenting at the accident and emergency department. At the initial point of contact, the panel asks that the needs of the victim be of equal priority as contacting partner agencies if children are involved.

Research shows that domestic violence increases during pregnancy. Consequently, training and questioning in maternity services has been undertaken. However, in view of the advantages of asking all women, efforts need to be made to ensure that in each locality there is a mechanism and setting whereby all women can be reached.

Routine and selective enquiry form the basis for providing women who are experiencing abuse with information about the local specialised services available to them.

Recommendation 45 That all health professionals practise selective enquiry.

Recommendation 46 That routine enquiry be considered in a number of different settings, in particular in primary health care and when case-taking.

The panel learnt that the quality of medical statements obtained from hospital staff was not particularly high reflecting a possible need for medical staff who are routinely called upon to provide such evidence to receive appropriate guidance.

Recommendation 47 That Humberside Police conduct an audit sweep of the health professionals who are routinely called upon to provide evidence. Once identified, those professionals to receive guidance on the necessary ingredients required to complete a medical statement.

4.17 Humberside Probation Trust

The panel was disappointed to hear that there was a waiting list to access the Integrated Domestic Abuse Programme in Scunthorpe. This is in stark contrast to Hull and Grimsby. In Scunthorpe there is a high need for the Programme. However, Humberside Probation Trust informed the panel that although a waiting list was in existence, the numbers do not merit additional Programmes being run as the waiting list is not excessive and the current provision is acceptable.

Victims in North Lincolnshire become frustrated as the system is not as simple and is over subscribed (page 43). Consequently, a perpetrator of domestic violence who was genuinely seeking help may not be able to access the programme which is unacceptable.

Recommendation 48 The panel asks that Humberside Probation Trust reconsider its resource provision to North Lincolnshire to ensure that perpetrators of domestic violence are able to access the Integrated Domestic Abuse Programme.

The Integrated Domestic Abuse Programme can only be accessed by heterosexual males. There is currently no provision for gay men.

Recommendation 49 That Safer Neighbourhoods assess the need for perpetrator provision for individuals in same sex relationships in order to ascertain whether Humberside Probation Trust should allocate resourcing for this specified social group.

At present in North Lincolnshire there are 25 high-risk domestic violence cases being managed through the MARAC process. Of the 25 cases, only 2 involve the perpetrator attending the IDAP. The outcome is that things are moving in the right direction, but there are uncertainties over the results of the programme.

Recommendation 50 That Humberside Probation Trust be asked to analyse the psychometric tests from the programme to ensure that the treatment is cost effective.

The panel heard how in some parts of the country, a voluntary perpetrator programme had been implemented. This is a programme that is available for men who have harmed their partners (but not been prosecuted) or who fear they may do so. However, the programme needs extreme care and caution to implement effectively.

The panel heard how Humberside Probation Trust wrote to all of the Local Safeguarding Children Boards (LSCB) in the former Humberside region offering to develop a Voluntary Perpetrator Programme on 29 November 2007.

However, there was no response from the North Lincolnshire LSCB about this proposal. This differs from the other LSCB's. Should North Lincolnshire wish IDAP to be offered to non-convicted perpetrators, this is work that Humberside Probation Trust would be willing to develop and deliver provided that the costs can be met by relevant partner agencies.

Recommendation 51 That the North Lincolnshire Local Safeguarding Children Board investigate the validity of a voluntary perpetrator programme for North Lincolnshire perpetrators of domestic violence.