

# Sefton Multi-Agency Domestic Abuse Protocol

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**Protocol owner:** Sefton Safer Communities Partnership

## 1. Foreword

This protocol has been developed by Sefton's Domestic Abuse Operational Group on behalf of Sefton Safer Communities Partnership (SSCP) as part of Sefton's Domestic and Sexual Abuse Strategy. It incorporates learning from Domestic Homicide Reviews and Sefton Local Safeguarding Children's Board's (LSCB) multi-agency audit on domestic abuse. It has been approved by Sefton's Domestic Abuse Executive Group and accepted as a partnership document by the SSCP and LSCB.

Our collective ambition is to reduce domestic abuse and violence and its effects on children and adults in Sefton. One in 4 women experience some form of domestic abuse in their lifetime and 1 in 7 children under the age of 18 have lived with domestic abuse at some point in their childhood. Domestic abuse is the most widely underreported crime and can have far reaching and sometimes disastrous consequences. The Home Office estimates that the true prevalence of victims suffering domestic abuse is closer to 8 times this amount.

Sefton is committed to reducing the impact of domestic abuse; a crime that can ruin childhoods, destroy families and threaten lives.

In April 2011, the government made Domestic Homicide Reviews a statutory requirement for community safety partnerships. Since then Sefton has conducted 7 reviews with 9 victims. The purpose of these reviews is to learn from these fatalities and implement actions to try and prevent similar cases happening again.

The aim of this protocol is to provide all professionals, irrespective of their work role, with a practical resource manual to support work with individuals, children and families where domestic abuse is suspected or is present. It is a comprehensive and detailed guide. Some of this may be more relevant to some professionals than others, however, its aim is to provide information and resources on domestic abuse in one place to provide a consistent response to victims of domestic abuse and their families.

I would like to extend my thanks to everyone who has participated and contributed to its development. This is a dynamic document and will be regularly reviewed and updated to ensure it remains current and responsive to local and national need.

**Cllr Trish Hardy**  
**Chair of Sefton Safer Communities Partnership**



## Section 2 - Definition and underpinning principles

### 2.1 Definition of Domestic Abuse

Sefton has adopted the national definition of domestic abuse which covers:

‘Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse; psychological, physical, sexual, financial, and emotional. This also includes so called honour based violence, female genital mutilation and forced marriage.’

‘Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent on the perpetrator – isolating them from others, those that can support them, monitoring and controlling their movements and behaviours, stripping them of their independence.’

‘Coercive behaviour is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.’

Section 76 of the Serious Crime Act 2015 created a new offence of controlling or coercive behaviour in an intimate or family relationship. This came into force in December 2015.

### 2.2 Principles

The following principles underpin the responsibility of partner agencies and how this protocol should be used, and reflect the priorities within Sefton’s Domestic and Sexual Abuse Strategy.

- Safeguarding and promoting the welfare of victims and their families is everyone’s responsibility, and practitioners should understand their role and responsibility in responding to domestic abuse and violence.
- Practitioners work together to prevent, intervene and reduce the impact of domestic abuse, increase the safety and well-being of those living with its effects. This includes avoiding duplication of assessment and activity, and promoting effective support to families.
- Agencies have appropriate training on domestic abuse in place for staff.
- Practitioners provide a client-centred approach to supporting victims of domestic abuse, within which the safety of the victim and their family is the paramount consideration
- Agencies have appropriate tools to screen and identify the level of domestic abuse. Staff should be familiar with these and any multi-agency risk assessment and referral processes.

- Agencies ensure staff are aware of the lifetime impact on children witnessing domestic abuse and violence. The LSCB Level of Need guidance should be used for children to ensure a consistent and coordinated response is offered. Agencies also need to be aware of ACE's (Adverse Childhood Experiences) and the impacts that these may have on adults.
- The partnership acknowledges that victims of domestic abuse do not need to have been physically hurt to be in need of protection and provision
- There are evidence led interventions that support children and adults through this traumatic experience. Practitioners are aware of what support is available locally and understand the referral pathways. Practitioners only promote or refer to quality assured services.
- There are evidence led interventions for perpetrators of domestic abuse that help them to understand their behaviour, provide support to change this behaviour, and ensure they are held accountable. Practitioners are aware of what is available locally and understand the referral pathways. Practitioners only promote or refer to quality assured services.
- There is a commitment to improve joint working between agencies following learning from Domestic Homicide Reviews and Child or Adult Serious Case Reviews, including information sharing and establishing robust structures to enable a coordinated approach.

In implementing the above principles professionals should ensure that they:

- Help prevent domestic abuse before it happens and prevent repeat victimisation.
- Offer and provide appropriate information, support, advice and care to those affected in a professional, prompt and appropriate manner.

## Section 3 - Coordinated community response

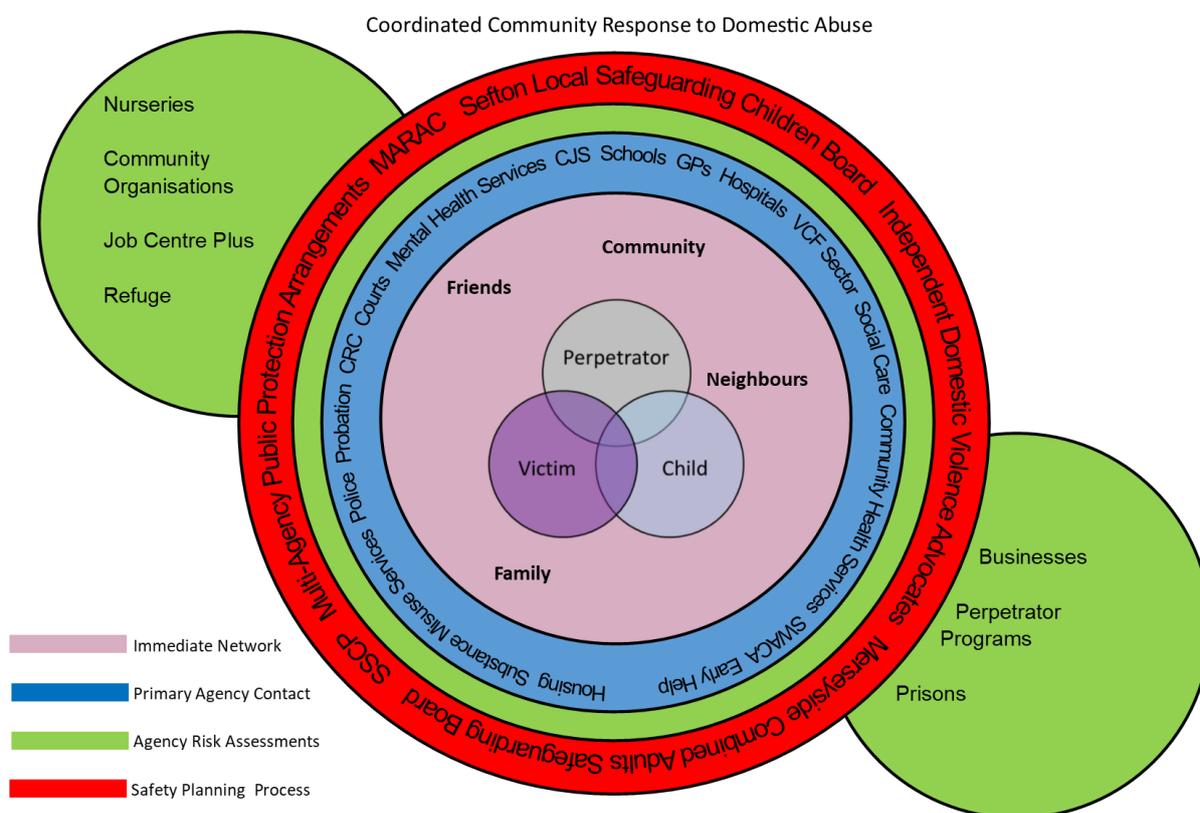
### 3.1 Co-ordinated Community Response

The Co-ordinated Community Response (CCR) model has been identified nationally and internationally as effective practice in tackling domestic abuse in a multi-agency setting (the Duluth model is a well-known example). The model acknowledges that no single agency can address domestic abuse and only by working together can agencies make a difference.

Every agency who has a responsibility for dealing with victims of domestic abuse, their children and perpetrators, must work effectively within their own agency and with all the other agencies that also have that responsibility to secure the safety of the victim and their children. Many victims present with multiple needs, for example, women experiencing domestic abuse are up to fifteen times more likely to misuse alcohol and up to nine times more likely to misuse substances than women who have not been victims of this type of abuse/violence.

Around one in five children have been exposed to domestic abuse. Children exposed are more likely to have behavioural and emotional problems.

The following diagram sets out the Coordinated Community Response for Sefton and illustrates how we all need to work together to tackle domestic abuse.



## Section 4 - Enabling disclosure and making an initial response

It is effective practice for professionals to create an environment that facilitates and enables disclosure of domestic abuse to take place. Understanding some of the barriers to disclosure will help professionals respond in a sensitive and appropriate manner.

### 4.1 Barriers to disclosure for victims of domestic abuse

There are many reasons why an individual will often be unwilling or unable to tell someone that they are experiencing domestic abuse or to approach an agency for help to deal with it. Reasons include:

- Not recognising or identifying the behaviour as abuse or as being illegal.
- Not being asked directly by a professional – most victims of domestic abuse want to tell someone. Professionals should have a professional curiosity to find out more about a person's/family's situation.
- Past experience of poor responses from agencies or professionals.
- Fear that the situation will become worse as a result, including more serious assaults or being killed.
- A survival strategy of minimising the nature and effects of domestic abuse to themselves or to others, in order not to be seen as a victim or out of fear of the consequences of identifying it clearly, or because they feel that they are in some way to blame.
- Fear that the children will be removed by the Local Authority or the abusive partner.
- Shame, embarrassment, self-blame.
- Fear of not being believed or past experience of not being believed.
- Fear that the abuser will make allegations and that these could result in being detained under the mental health act or having children removed or drug use exposed.
- Fear of being deported.
- Isolation from friends, family, agencies and other sources of information about how to get help.
- Feeling that the only option that will be offered is to leave the abusive relationship and not wanting to do that for one or more of the reasons listed later in this section.

- Perception that the situation will be worse after seeking help, e.g. because the effects of homelessness or moving area will be worse for the children than the effects of living with the abuse and violence, particularly as the risk of violence continuing may be high.

#### **4.2 Reasons why it may be difficult for some individuals to leave an abusive relationship or end the relationship**

Domestic abuse victims, particularly female victims, may find it difficult or even impossible to consider leaving the family home or ending an abusive relationship. This can be assumed by professionals, friends and family, that the victim is 'choosing' the abuse or 'choosing' to stay in an abusive relationship.

Women in these circumstances are often treated by professionals as being responsible for the effects of the abuse on their children, or described as being unaware or uncaring of the effects on their children. In fact, children are usually the most common reason for a woman remaining with an abusive partner.

These attitudes lead to dangerous assumptions and unsafe and unhelpful practices. It is more useful for protecting children as well as the victim to see this as a decision based on a lack of perceived or actual safe alternatives. They will often have come to this decision reluctantly, or under severe threat or pressure from the abuser or others. This is particularly true where there is coercive and controlling behaviour from the abuser. The Power and Control Wheel (Domestic Abuse Intervention Program, Duluth Model) in [Appendix A](#) shows the common themes and experiences of victims who have lived in an abusive relationship, including non-physical violence.

Working with an understanding of why someone may have made this decision will help professionals and others to protect victims and children.

The reasons why someone may have not been able to identify the possibility of ending an abusive relationship or leaving the family home include one or more of the following:

- Not wanting to take the children away from their other parent or extended family.
- Fear of being killed or of the children being killed, which is likely to be based on actual threats from the abuser or past experience of trying to leave.
- Fear of the children being removed by the Local Authority, particularly if the abuser has threatened to tell Children's Services that the woman/man is a bad mother/father if she/he tries to leave.
- Fear that the other parent will gain residence of the children, which may lead to them having only limited contact with their children or to the abusive parent providing unsafe care.
- Experience of or fear that if they separate, the abuser will in any case be granted

unsupervised contact and provide neglectful, unsafe or abusive care to the children and continue to abuse and harass the victim in front of the children on contact handover or as a result of contact orders.

- Not wanting to take the children away from the family home, school, friends, pets, possessions, hobbies, activities, etc.
- Not wanting to leave their own home.
- Not knowing that they are entitled to leave, or how. Coercive and controlling behaviour by the perpetrator can lead to ultimate control of how a victim lives their life with little or no choice.
- Not knowing about the range of legal and financial help they are entitled to and fearing that they will be unable to support themselves and their children adequately or at all. Many victims report being told by professionals that they could leave if they wanted to, without being given any information about how.
- Being unwilling to spend time in inappropriate temporary accommodation, which may be based on past experience or knowledge of others' experience.
- Concern that they may spend a long time waiting for permanent accommodation.
- Experience of having tried to leave but finding that they are still experiencing abuse and violence from the ex-partner and feeling that they might as well live in their own home and be abused as live in temporary accommodation and face abuse on child contact handover or other contact with the abuser, particularly if the abuser has stalked or harassed them.
- Perceived or actual family, community or professional pressure to stay with the father of the children, for the sake of the child's welfare.
- Strong values about the importance of marriage being for life.
- Lack of knowledge of how they might end the relationship and still remain in the family home, by having the perpetrator removed and safety strategies put in place.
- Fear of losing their status within the community.
- Fear of losing their job or their work colleagues finding out.

Professionals should bear in mind that these may be the reasons why a victim has not considered leaving or ending the relationship and should find out from them if these or other reasons are the case. Doing this will help to inform safety strategies and other interventions considered and put in place for protecting the children and victim.

### **4.3 Barriers to disclosure for children**

Children may also find it difficult to tell anyone about what is happening to their parent and to them. They may also go to great lengths to hide it. The reasons include:

- Wanting to protect the victim from further abuse or from exposure.
- Wanting to protect the perpetrator from exposure or from the consequences of exposure, such as police action or imprisonment.
- They may love the abuser and feel the victim is to blame.
- Not wanting to share family secrets with outsiders.
- Being threatened directly or indirectly by the abuser about the consequences for them or the non-abusing parent if they tell anyone.
- Fear of being taken into care.
- Fear of having to move area, lose their home, school, friends, pets, possessions if they tell someone.
- Fear they or the victim or perpetrator may be deported.
- Fear of exposing the family to shame and dishonour.

In responding to the needs of children where domestic abuse and violence is present frontline practitioners should apply the processes outlined in Sefton's Level of Need guidance. This resource provides guidance on; how to identify, assess and respond to different levels of need, how to access additional services to address children's needs, how to seek advice and guidance, and what to do when there are child protection concerns.

### **4.4 Enabling disclosure for victims of domestic abuse**

Many victims want to tell someone about the abuse or want to be asked. Enabling them to tell or knowing when to ask is something professionals can do to make a disclosure easier for victims. Consider doing some or all of the following:

- Ensure your agency has posters, leaflets or other signs on domestic abuse on display in public areas. These could help someone who is experiencing domestic abuse or a friend or family member to recognise the issue and provide them with some key contact information. Information is freely available to any organisation or member of the public to access on the Council's Behind Closed Doors webpage here [www.sefton.gov.uk/behindcloseddoors](http://www.sefton.gov.uk/behindcloseddoors)
- Be alert to any possible signals that the victim is giving and not ignoring them – many victims say that they didn't want to be the first one to say something or didn't know how, but tried to get professionals to ask by giving clues or presenting at particular times.

- Consider the possibility of domestic abuse when supporting families whose children have additional needs (such as behaviour difficulties or other development needs)
- If a suspected victim is accompanied by someone else, particularly if this is the suspected perpetrator, offering them the opportunity to talk to someone alone, presenting this to both adults as standard and routine practice for all clients.
- Offer all adults the chance to talk to someone alone even if there are no obvious signs of domestic abuse – some of the most vulnerable victims will be under threat and may be trying very hard to appear as if everything is fine when they are with the perpetrator.
- Respond positively to any disclosure of domestic abuse and offer information, support or other services which shows the victim a benefit from disclosing – victims will put off asking for help again if the first response they get is unhelpful or does not seem to offer anything to protect them and their children.
- Show you are not scared or embarrassed to hear personal information – victims will not want to tell someone who looks as though they don't want to hear.
- Maintain up to date contact and other information so that all practitioners in your agency can provide at least a basic first response. This should include copies of this protocol.
- Whenever possible ask routine questions of all clients about domestic abuse.

Some agencies or services have a routine enquiry regarding domestic abuse as a standard question in their assessment, for example health and maternity services. This may be something your organisations wishes to consider. In any case, professionals who suspect that a particular adult is being abused can ask the same questions to clarify the situation and help the suspected victim to have confidence that telling them is an appropriate and safe thing to do.

It is not reasonable to expect a victim to want to tell someone if she or he feels that nothing will be gained as a result or that the situation will get worse. Professionals should therefore bear in mind all the barriers to disclosure listed above and the additional reasons victims may have for not wanting to end the relationship. They should also be able to explain to the victim what can be the positive result of disclosing as the victims will have many genuine fears about the possible negative results.

Before you begin to discuss domestic abuse, it is important to consider the following:

- Where possible any discussion about domestic abuse should be undertaken in a private environment. Think about safety before asking about domestic abuse – can anyone over hear you?

- You should never ask about possible abuse in the presence of the perpetrator and be aware that it may also not be suitable to discuss this in the presence of children or other family members.
- Where the victim does not speak English, it is essential that an interpreter is used to obtain a direct history from the victim. It is not suitable for a family member be asked to interpret without establishing whether this is acceptable to the victim or will increase risk.
- It is important when asking the client direct questions about their experience to do this sensitively and in a manner, that is empathetic and supportive. Be sensitive to the emotional distress or fear that the victim may be experiencing.
- Ask direct questions rather than letting an improbable explanation pass without saying anything.
- Listen carefully. The person may talk around the subject before disclosing to you. Requests for help are often veiled and may 'hide' behind other things. Think about ways in which you could draw out further information.
- Respect confidentiality and privacy – also understand the need to share information if immediate protection is required for either the adult or the children. Whenever possible, you should inform the person if you are planning to pass information on for safeguarding reasons.
- Respect and validate what they tell you and remember that you may be the first person who has listened to them and taken them seriously. Acknowledge what has been disclosed “that must have been frightening for you”.
- Emphasise the unacceptability of violence and abuse and that this is a crime.
- Do not suggest that they are responsible for the violence or abuse– the responsibility lies with the perpetrator.
- Ensure the safety of the victim and any dependent children/vulnerable adults.
- Seek to empower - do not try to make decisions on behalf of the victim.

#### **4.5 Key Questions - How to ask – direct and indirect questions**

People experiencing abuse say they need to be asked – this can be done carefully and sensitively. If you have any difficulties with asking any of these questions, please seek guidance from your line manager, your organisation’s safeguarding lead and/or specialist services.

Start by asking a framing question to explain the reason behind the enquiry for example:

- “As domestic abuse is a feature in many families we now always/often ask about it”. You may refer to information within your setting –a poster or leaflet to introduce your questions.
- Written questions may be useful in some situations however if the answer is “no” the worker may add: “I see that you have checked “no” about questions relating to feeling safe with your partner. Do you have any other questions about this issue? I just want you to know that if anything like this ever does come up, there are safe place to talk about it and get help.”

Adding this last sentence above can have a dramatic, positive effect and encourage future disclosure or contact with services. An explanatory statement can be made to set the context such as:

- “I am concerned about you because of... (list indicators that are present) and would like to ask you some questions about how things are at home. Is that OK with you?”

If there are disclosures about or concerns about historical domestic abuse it is useful to determine when the last incident of violence or abuse occurred and details of the incident.

Questions may be part of your routine history taking, or may come up in response to a suspicious sign or symptom, examples of some approaches include:

- Is everything alright at home? What about stress levels? How are things going at work? How are relationships in the family? Do you have supportive relationships in your life? Do you feel safe? Are you experiencing domestic abuse?”, “Has your partner ever hit you?”, “Are you afraid at home?”, “How does you partner react when they are angry/under the influence of alcohol?”, “You seem quiet?”, “How are things with your partner?”, “Are you feeling supported?”, “How is your partner coping?”
- Do you need support?
- That’s a nasty scratch/bruise. How did that happen? Can you talk about it? I am wondering if someone has hurt you or frightened you?
- How did your injury happen? Is everything OK? / Are you safe to return home?
- “I have seen injuries / behaviours like this before, and that time the person had been hurt by someone – are you sure everything is OK?”
- “I don’t know if this is a problem for you, but many of the people I see are dealing with abusive relationships. Some are too afraid or uncomfortable to bring it up themselves, so I’ve started asking about it routinely”

**If no disclosure is made but you remain concerned:** Provide information about domestic abuse i.e. a card or leaflet. If the response is “I don’t need that” reply with “That’s OK, but because domestic abuse is an issue in many families, perhaps you could hold onto it so that if anyone in your family, a neighbour or friend talks to you about this you could use it then.” If

this is likely to compromise the person's safety with the perpetrator finding the card, then say "Do you know where you can find information should you or someone you know be affected by abuse."

Offer some options about who to speak to in the future and plan to discuss again.

**Ask if they are working with any other service - can you work in partnership?:** Where possible, clients suspected of being victim of domestic abuse should be given frequent opportunities to discuss stress, relationships and home life. For instance, pregnancy offers an ideal opportunity for women to be asked at different times when they attend for antenatal appointments.

#### **4.6 Children living in households where there is domestic abuse**

Whilst children will respond differently to the abuse they have witnessed or experienced depending on their age, their personal resilience and support mechanisms, there is evidence that children suffer long term damage through living in a household where domestic abuse is taking place even though they themselves may not be directly physically harmed. Their emotional, physical and psychological development may be impaired.

Many victims remain in an abusive situation in the belief that keeping the family together is in the best interests of the children. It is helpful for adults to be made aware of the impact of violence on children and to be encouraged to discuss this. There may be concerns about ability to protect a child if domestic abuse is suspected but is not acknowledged as a problem.

The impact on children living in households where there is domestic abuse can include:

- Being denied a safe and supportive environment in which to grow and develop.
- Hearing on-going verbal and/or emotional abuse and witnessing the degradation and isolation of the non-abusing parent.
- Being physically, verbally or emotionally abused when they attempt to intervene in the violence.
- Being denied extended family, peer and broader social support and connection as a result of social isolation imposed on them by the perpetrator.
- Being denied the physical care and emotional support necessary for their wellbeing when the non-abusing parent is neither physically nor emotionally able to care for them.
- Assuming a parental role over younger siblings when the non-abusing parent is neither physically nor emotionally able to care for them.
- Protecting siblings from harm during explosive outbursts.
- Feeling responsible for the violence or blaming siblings or the non-abusing parent.

- Being pressured to maintain a family secret.
- Being subjected to death threats towards themselves, their siblings or the non-abusing parent.
- High levels of anxiety and fear about their own and/or the non-abusing parent's safety
- Feelings of shame, guilt, self-blame, anger about what is happening in the family
- Behaviours of withdrawal and hostility towards parents or others for the on-going violence.
- A sense of loss and grief in losing the family or their father/mother at separation.
- High levels of compliance.
- Feelings of hopelessness and despair that the violence will not end.
- Risks of forming similar personal relationships.

#### **4.7 Immediate action following disclosure or indicators of potential domestic abuse**

Following disclosure or identification of domestic abuse the victim may be open to support or advice or alternatively may refuse to discuss the situation. Regardless of their response professionals need to do the following:

- Take the disclosure seriously and explain that you want to do and who will help.
- Tell them that the abuse is unacceptable and that they are not to blame.
- Find out if they want/need immediate help and need somewhere safe to go right now. If the victim is in immediate danger contact the police (999).
- Find out if they need medical treatment and an immediate response to physical injuries may be required, and referral for further assessment, treatment, specialist advice.
- Find out what their immediate fears are and what they would like to happen.
- In order to fully assess the risk the perpetrator poses aim to complete a domestic abuse risk assessment - see [section 5](#).
- Consider immediate staff risks - Workers need to take into account their own safety and that of their colleagues, and must minimise the risks that they may face from the perpetrator of domestic abuse.

#### **4.8 Supporting staff and colleagues affected by domestic abuse**

Remember, domestic abuse doesn't just happen 'out there' to other people. You may have family members, friends or members of staff or colleagues living in a domestic abuse situation. The same information outlined above still applies. The key thing is to be ready to listen and prepared to find out who else you can get support from.

Your organisation should have procedures on how to support staff and colleagues in work. Further information can also be found on Safelives website [here](#).

If you are unsure on any of the above please contact your line manager, your organisation's safeguarding lead and/or specialist services.

## Section 5 - Domestic abuse risk assessment tools

Once you have received a disclosure, you should also try where possible to complete a domestic abuse risk assessment. There are a number of tools available; make yourself familiar with the tool your organisation uses and the multi-agency partnership tools in operation in Sefton.

The purpose of a risk assessment is to:

- Help front line practitioners identify the level of risk associated with domestic abuse, stalking and 'honour'-based violence in a particular case, particularly those that are high risk.
- Help identify which support services are suitable for a particular case.
- Decide which cases should be referred to MARAC (see next section for further details) and what other support might be required. A completed form becomes an active record that can be referred to in future for case management.
- To offer a common tool to agencies that are part of the MARAC process and provide a shared understanding of risk in relation to domestic abuse, stalking and 'honour'-based violence.
- To enable agencies to make defensible decisions based on the evidence from extensive research of cases, including domestic homicides and 'near misses', which underpins most recognised models of risk assessment.

### 5.1 Adults

#### **MERIT**

Merseyside Police use their own force-wide risk assessment and risk identification tool called MERIT which identifies the risk as Gold, Silver or Bronze. This is completed by a Police officer following an incident, which is then transferred to the Police MASH team in Sefton for quality assurance and risk grading.

#### **DASH**

Safe Lives (previously CAADA (Coordinated Action against Domestic Abuse)) is a national charity working within the field of domestic abuse. Safe Lives has developed a comprehensive risk identification checklist for any victim of domestic abuse and violence. Sefton has adopted a variation of the national Safe Lives-DASH Risk Identification Checklist.

All services in Sefton, with the exception of Merseyside Police, should use this tool when identifying the level of risk for a victim of domestic abuse. The Sefton Domestic Abuse Risk Tool can be found [here](#). A copy is attached in [Appendix B](#) for information.

**How to use the DASH Risk Identification Checklist:** The checklist should be used in every case where disclosure is made to a professional about **current** domestic abuse and violence. This will help to inform whether the victim is in imminent threat of serious harm.

Risk is dynamic and can change very quickly. It is good practice to review the checklist after a new incident. Before you begin to ask the questions in the checklist:

- Establish how much time the victim has to talk to you? Is it safe to talk now? What are their safe contact details?
- Establish the whereabouts of the perpetrator and children
- Explain why you are asking these questions and how it relates to further support and the MARAC

Whilst you are asking the questions:

- Identify early on who the victim is frightened of – ex-partner, partner, and family member
- Use gender neutral terms such as partner. By creating a safe, accessible environment Lesbian, Gay, Bi-sexual and Transgender (LGBT) victims are more likely to feel able to disclose both domestic abuse and their sexual orientation or gender identity.

**Talking about the outcomes of the checklist:** Telling someone that they are high risk of serious harm or homicide may be frightening and overwhelming for them. It is important that you state what your concerns are by using the answers they gave to you and your professional judgement. If they meet the MARAC threshold then a referral must be made to MARAC (see Section 6 for more details on how to do this).

Identifying that someone is not currently high risk needs to be managed carefully to ensure that the person doesn't feel that their situation is being minimised and that they don't feel embarrassed about asking for help. Reassure them that you have taken them seriously and that there is support available for them.

The results from a checklist are not a definitive assessment of risk. They should provide you with a structure to inform your professional judgement and act as prompts to further questioning, analysis and risk management whether via MARAC or in another way. More information on the DASH checklist can be found here on the [Safelives website](#).

## **5.2 Young people**

In April 2013, the government changed the national definition of domestic abuse and violence to include young people over the age of 16 years.

Safe Lives has developed a new risk identification checklist tailored to the needs of young people. If you are a professional where a young person you know has disclosed current domestic abuse and violence then the young person risk identification checklist should be used and not the adult version.

You should aim to complete the Young Person's Risk Identification Checklist on your first contact with the young person. However, it may be best to first ensure an appropriate

relationship is established between yourself and the young person to enable them to confide in you more readily. In such cases, be sure to complete the form at the earliest opportunity.

**Who should you use the checklist with?:** Normally the checklist will be completed with a young person who is experiencing relationship abuse, including stalking and 'honour based' violence. However, you may receive additional information from other professionals such as the police. If you do, please note this on the checklist form. Consider that, in certain situations such as 'honour-based' violence, family members may also pose a threat.

A copy of the Young Person Risk Assessment along with guidance notes can be found here <http://www.safelives.org.uk/practice-support/resources-identifying-risk-victims-face> .

### **5.3 Children**

There are a range of tools that practitioners can use to assess the level of risks to children from domestic abuse.

The Barnardo's Domestic Violence Risk Assessment Matrix, and the recently updated version the Domestic Violence Risk Assessment for Children contains a list of risk factors, vulnerabilities and protective factors which helps practitioners recognise whether a child is at moderate, serious or severe risk. Further information about this tool can be found on the [Barnardo's resource pages](#).

## Section 6 - Multi-Agency Risk Assessment Conference (MARAC)

MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of the local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sector. After sharing all relevant information they have about a victim/children, the representatives discuss options for increasing the safety of the victim and turn these into a coordinated action plan. The primary focus of the MARAC is to safeguard the adult victim, although safeguarding implications for any children will also be considered.

The MARAC will therefore liaise directly with children safeguarding representatives and where possible manage the behaviour of the perpetrator. At the heart of the MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety.

Each agency/department should have at least one identified MARAC representative who has received appropriate training on referring into the MARAC, and who understands their agency's role at the meetings.

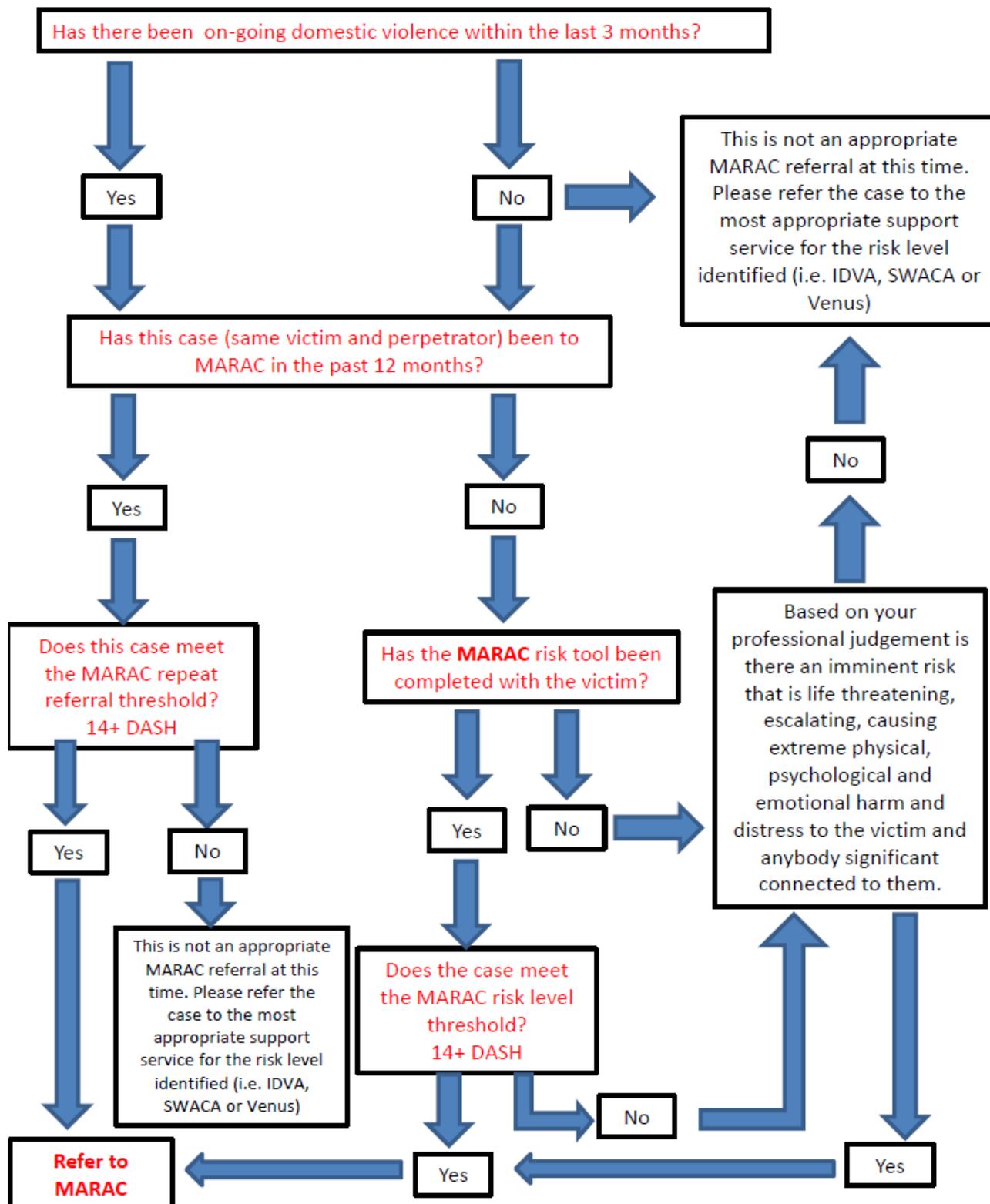
It is important that each agency / department has a way of flagging cases, particularly those that are referred to MARAC so that they understand when a referral is a repeat.

The process for making a referral to Sefton's MARAC is outlined below. The **Sefton Domestic Abuse Risk Assessment tool and MARAC referral forms** are attached in [Appendix B](#) and [Appendix C](#) respectively. Some **Frequently Asked Questions** are attached in [Appendix D](#).

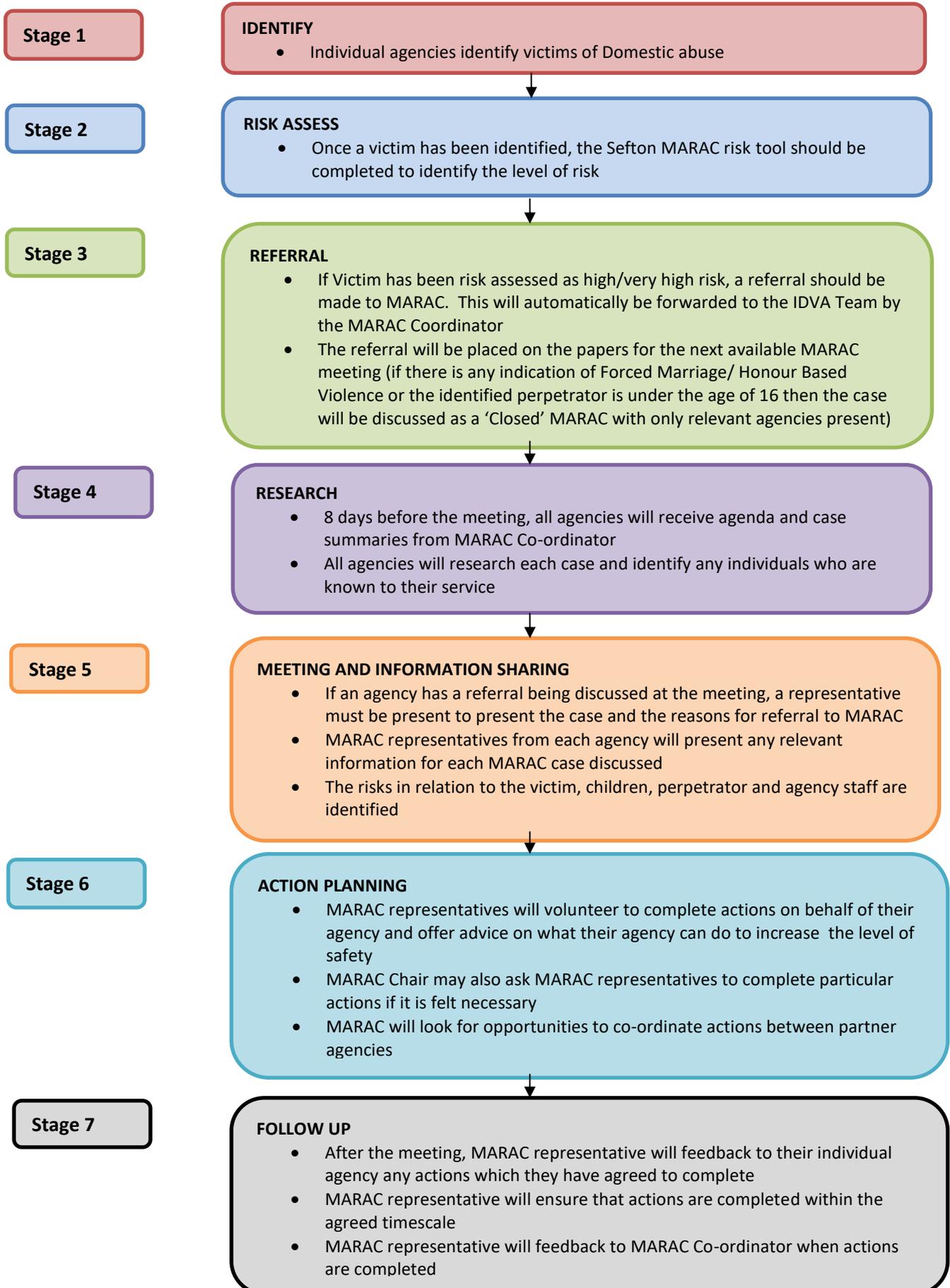
Further information can be found in the MARAC Operating Procedures available [here](#) or from the MARAC Coordinator ([see Appendix D](#))

The [MARAC section of the SafeLives](#) website [www.safelives.org.uk](http://www.safelives.org.uk) contains a plethora of resources available to professionals. In particular there are a full set of agency specific toolkits that sets out the role of each agency in the MARAC process.

## MARAC Decision Making – When to make a MARAC Referral



## Sefton MARAC Process Flowchart



## Section 7 - Safeguarding children, young people and vulnerable adults

A key part of risk assessing a domestic abuse case is to ensure any children, young people or vulnerable adults are appropriately safeguarded.

### 7.1 Sefton Local Safeguarding Children's Board Level of Need Guidance

Safeguarding children and young people is an integral part in tackling domestic abuse. Children, young people and their families have different levels of need and these may change over time. The Level of Need guidance has been compiled by Sefton's Local Safeguarding Children Board (LSCB) to help identify when a child, young person or family might need support and then to identify where best to get this support from. It should be remembered that some children will have additional vulnerability because of their disability or complex needs and the parental response to the vulnerability of the child must be considered when assessing needs and risks. The diagram below provides an overview of the levels of need.

There will be times when a family has a combination of levels; for example, an adult victim could be at Level 4 (referral into the MARAC) but the child could be at Level 2 (Early Help). It is important that professionals consider and understand these levels and take up the multi-agency training that is available.

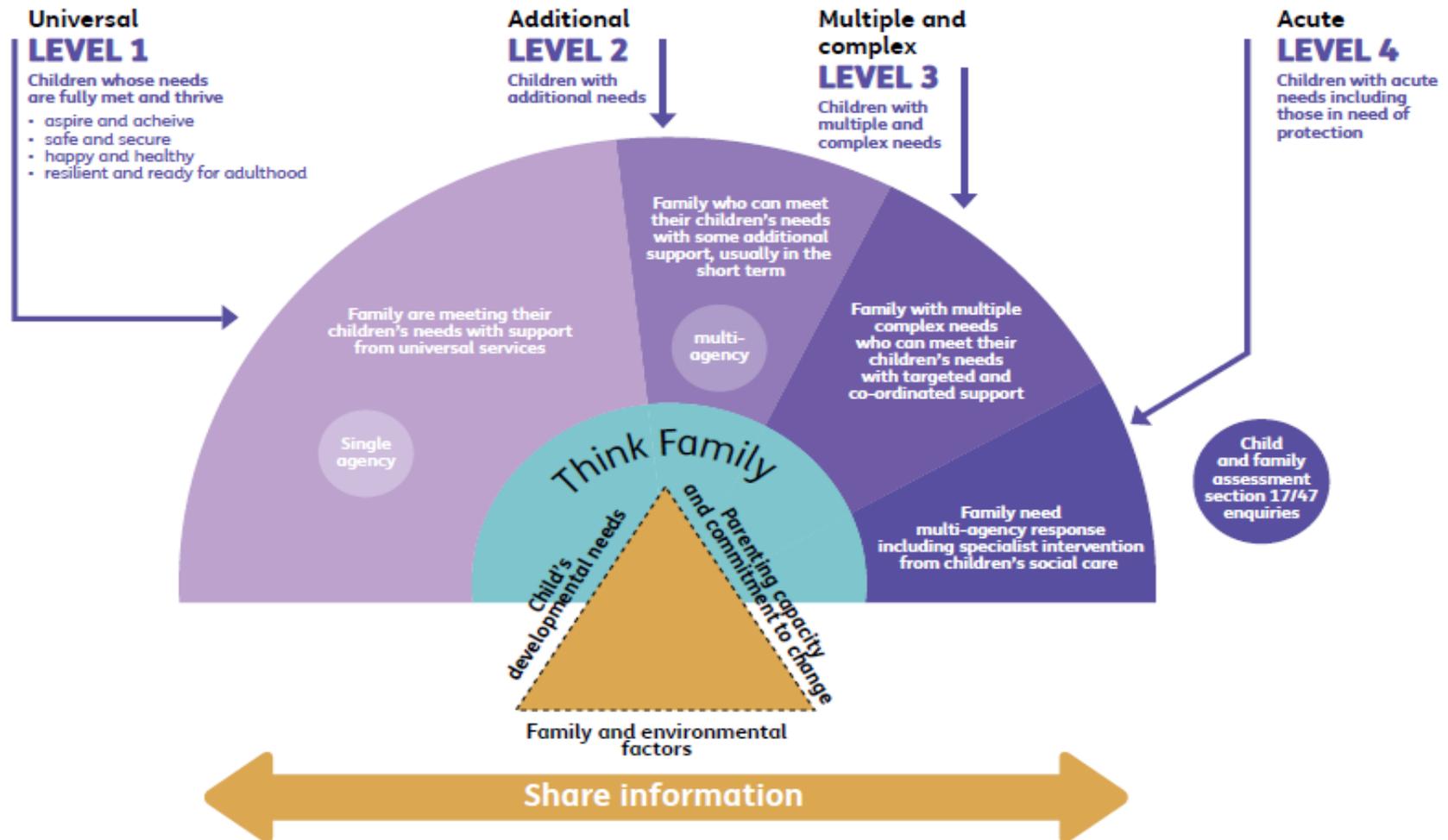
If you are worried about a child or young person in Sefton or think they would benefit from additional support, you should follow your organisation's safeguarding procedures and use the Levels of Need Guidance which can be found here:

<https://seftonlscb.safeguardingpolicies.org.uk>.

Information on how to make a referral to Children's Social Care can be found on the council website [here](#)

**Remember – where there is an urgent and immediate need to protect a child, dial 999 to contact the Police. Otherwise for all other children who may be at risk of significant harm, contact Children's Social Care as soon as possible (telephone 0345 140 0845) or visit [www.sefton.gov.uk](http://www.sefton.gov.uk) for further information.**

## Sefton LSCB Level of Need Guidance



## **7.2 Merseyside Safeguarding Adults Board**

The Care Act 2014 has placed safeguarding adults on a statutory footing. Links between adult safeguarding and domestic abuse are being established to help staff to give better informed and more effective support to people who need an adult safeguarding service because of domestic abuse.

It addresses situations where an adult who has care and support needs is being harmed or abused by an intimate partner or close family member in a way which could also be defined as domestic abuse.

The complexity of work in safeguarding adults relates to safeguarding people's right to life, and to a life free from inhuman or degrading treatment, together with safeguarding people's rights to privacy, a family life and to make their own decisions, free from coercion or undue influence.

The Statutory Guidance issued under the Care Act, published in October 2014, states that adult safeguarding 'means protecting an adult's right to live in safety, free from abuse and neglect' (Section 14.7). Safeguarding duties apply to an adult who:

- has needs for care and support (whether or the not the authority is meeting any of those needs)
- is experiencing, or is at risk of, abuse or neglect.
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect'. (Section 14.2)

If you have a safeguarding concern about a vulnerable adult in Sefton you can use the referral pathway below. More detail on adult safeguarding can be found at <https://www.sefton.gov.uk/social-care/adults.aspx>.



## **ADULT SOCIAL CARE SAFEGUARDING ADULTS REFERRAL PATHWAYS**

### **Criteria for use when a concern around an adult at risk is raised**

Any referral into Adult Social Care will trigger a brief initial assessment to identify the appropriate level.

<b>LEVEL 1</b>	Concern raised for an adult at risk that may not meet the criteria for a full enquiry
<b>LEVEL 2</b>	Concern detail indicates need for further action including progression to a full section 42 enquiry
<b>LEVEL 3</b>	Safeguarding Adults Review Process (SAR) as per section 44 criteria

### **CONTACT NUMBERS – ALL CONCERNS SHOULD BE RAISED WITH SEFTON COUNCIL**

Sefton Call Centre **0345 140 0845** – Normal office hours  
Emergency Duty Team **0151 934 3555** – Outside of normal office hours when immediate action is required by Local Authority to make an adult at risk safe

**If you need to contact the police: EMERGENCY 999 or Merseyside Police 101**

## Section 8 - Safety planning – specialist services

### 8.1 What is a safety plan?

A personal safety plan helps individuals to plan in advance what action they can take to reduce risk and impact from domestic abuse and violence. Developing a safety plan with adults and children in a family also helps to identify how you can support individuals and families to increase their safety either within the relationship or when deciding to leave. Any safety plans developed with the service user should take into account any safeguarding plans already in place and complement them rather than replace them.

Every person will have a safety plan based on the assessed level of risk and their own individual circumstances. One size does not fit all and as risk is fluid and changes safety plans should be regularly reviewed and updated.

Immediate safety for the victim and any children or vulnerable adults will always be paramount and would include measures to address the risk, such as address markers, target hardening, fire safety checks, safety devices, information sharing with other agencies and consideration to child abduction.

Safety planning within the context of domestic abuse, particularly for high risk victims, is mostly done by specialist domestic abuse workers e.g. IDVAs (Independent Domestic Abuse Advisors). However, there are a number of generic strategies for safety planning which include things like:

- Ensuring any safety plan developed and any relevant and proportionate information is shared with other agencies supporting the service user.
- Reporting incidents to the police –discuss 999 and 101.
- Keeping phones charged and accessible.
- Having a personal panic alarms.
- Avoiding isolated places.
- If the victim is not ready to leave the relationship – measures need to be in place to keep the victim as safe as possible under those circumstances.
- Identify safe parts of the house.
- Speaking to trusted individuals to call police- and agree a code word to alert them to any dangerous situations.
- Does this include the children – have they been given permission to contact police or identified person, do they know what to do?

- Leave keys, car keys, important documents in a bag in a safe accessible place.

**8.2 If victim is preparing to leave the relationship:** plan leaving carefully trying to avoid confrontation with perpetrator. Preparation is key where possible, however be prepared to leave with nothing if necessary. The plan will often include:

- Plan to leave when perpetrator is not around and unlikely to turn up
- Think about where you are going, who you can safely stay with – family, friend, emergency accommodation – refuge
- Seek legal advice
- Seek housing advice
- Leave spare clothing with a trusted person
- Move documents to a safe place prior to leaving
- Ensure you take any necessary medication and prescriptions

**This can be the riskiest time for a victim of domestic abuse and their family so careful thought should be given to actions around this time.**

**8.3 If victim is no longer living with the perpetrator:** separation can be a time when the risk level increases. It is a time when risk assessing and safety planning with a specialist service will look at all aspects of the victim's life and try to assist them to protect themselves, children and vulnerable people connected to them. The plan will often include:

- MARAC referral
- Target Hardening
- Emergency accommodation
- Orders – reporting any breaches
- Contact arrangements
- Making schools, nurseries and workplace aware of situation
- Discussing routes to home, school, work social settings
- Referrals to children's workers
- Safeguarding referrals
- Referrals to financial support services
- All aspects of social media, privacy settings, tracking by use of GPS would be discussed as part of the safety plan

Any additional barriers to accessing support would also be considered as part of a safety plan, for example the health and wellbeing of victims would be included and any referrals to substance misuse or mental health support teams would be made or victims would be asked to consider seeking help themselves.

Anyone with language barriers, uncertain immigration status, or no recourse to public funds would be supported as part of the safety plan and measures made to ensure safe translation and other appropriate measures are in place.

**If you need any advice or guidance on safety planning or potential actions please contact Sefton IDVA team or SWACA on the contact details below.**

## 8.4 Sefton specialist domestic abuse support

### Sefton IDVA (Independent Domestic Violence Advocates)

IDVAs provides crisis support to male and female adult victims of domestic abuse. This includes practical advice and guidance on staying safe. A referral can be made to the team at any time. There does not need to be any involvement with the Police or any other agency to do this. Ideally a risk assessment (DASH or MERIT) should be completed to identify the level of risk. However, if you are unable to do this you can contact the IDVA team for further advice on **0151 934 5142**. The **Sefton Domestic Abuse Risk Assessment and MARAC/IDVA referral form** can be found [here](#), a copy is also attached in [Appendix B](#) and [Appendix C](#) for information.

### Sefton Women's and Children's Aid (SWACA)

This organisation helps women, young people and children survive domestic abuse by giving free practical and emotional support. A referral can be made to the team at any time. There does not need to be any involvement with the Police or any other agency to do this. Ideally a risk assessment (DASH or MERIT) should be completed to identify the level of risk. However, if you are unable to do this you can contact SWACA for further advice on **0151 922 8606**. They can also advise on how to make a referral to the service.

**Further details on these services can be found in the [Resources section](#).** The diagram below shows when a referral should be made to these agencies.

### The No Xcuses Lifeline programme

This is a voluntary behaviour change programme for men, designed to address abusive behaviour in relationships. The programme format is modelled on the long-standing highly successful *Domestic Violence Intervention Project*, Hammersmith-London, 2000.

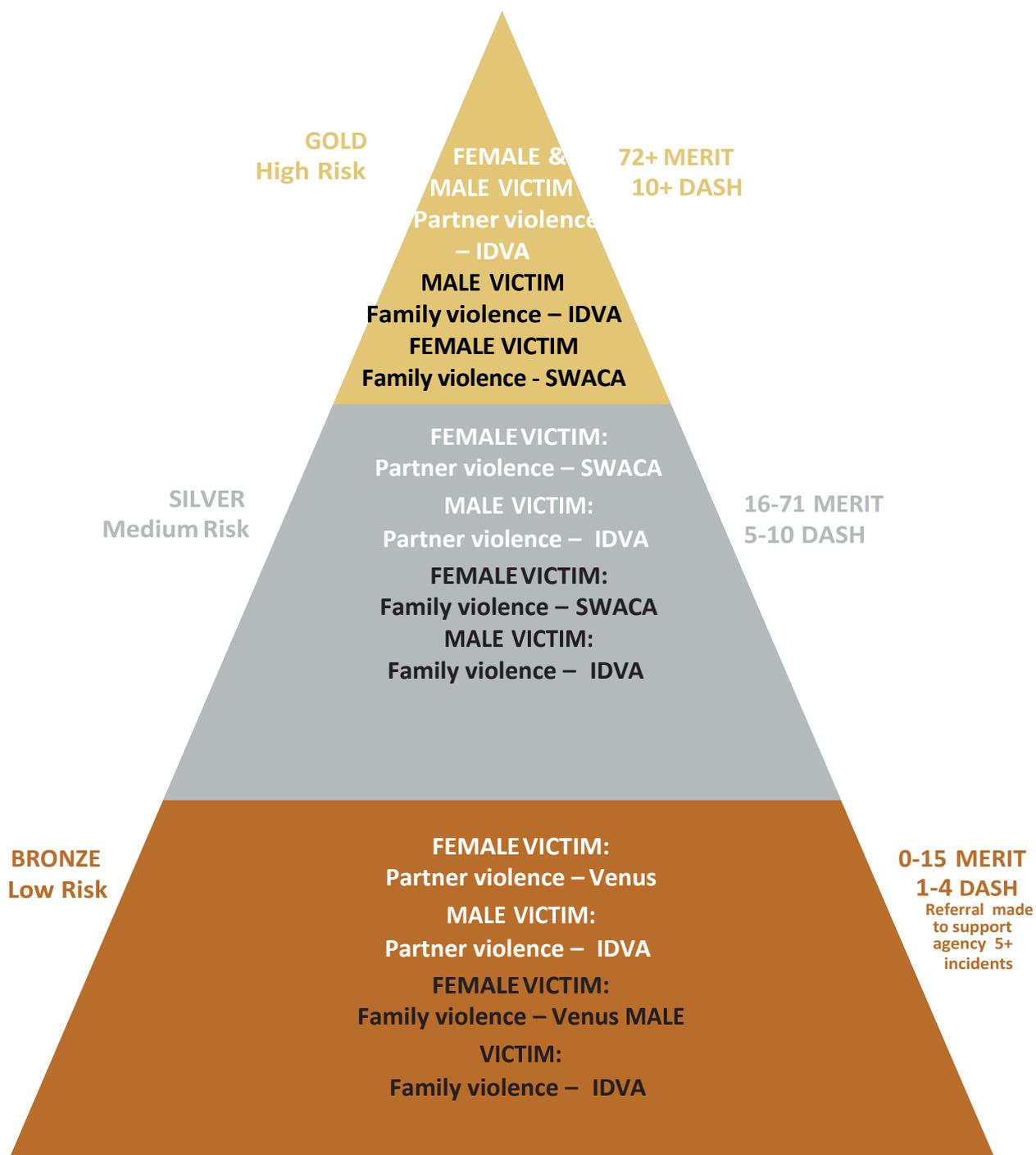
It is a structured group work programme delivered by trained facilitators in three phases over 8-12 months. The diagram on next page shows how the programme is broken down and outlines the eligibility criteria.

Support for partners/ex partners is an integral part of the programme to ensure risks are appropriate understood and managed. This support is provided by Sefton IDVA Team and Sefton Women's and Children's Aid.

For more information contact **Michelle Gillespie** in Sefton Council on **0151 282 1416**

Victim support services

# Sefton Domestic Abuse Referral Pathway



THIS PATHWAY IS FOR VICTIMS 16+

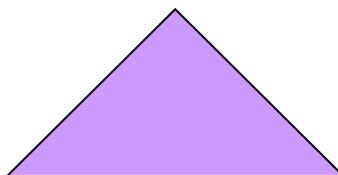
MARAC Threshold:

- All New GOLDs 14+
- DASH Professional Judgement (for cases below 14+)
- Any repeat cases where there has been a further significant incident.



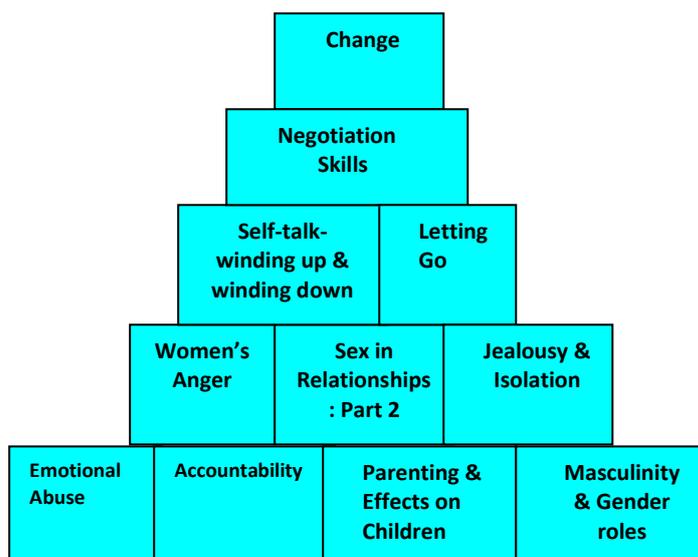
## **LifeLine Programme Outline**

### **Stage Three: Keeping at It**



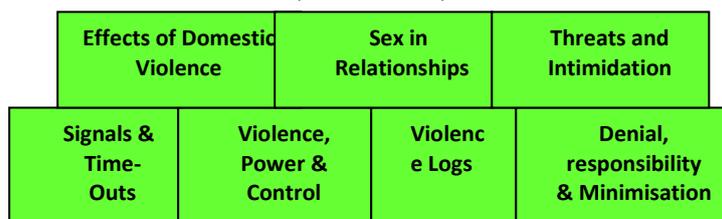
### **Stage Two: Progress to Change**

(16-20 weeks)



### **Stage One: Assessment & Safety**

(8-12 weeks)



### **Programme Eligibility**

- The programme is only open to men who:
- Have a child/ren involved with Sefton Children's Social Care
- complete an assessment with a trained programme facilitator
- are prepared to admit that violence and abusive behaviour is a problem in their relationship
- accept that they can stop their use of violent or abusive behaviour
- are prepared to make a serious commitment to having a positive, healthy relationship with their partner and children

## Section 9 – Legal options and sanctions

This section is intended to give professionals a broad understanding of the legal options available to victims of domestic abuse.

When discussing options and giving information to victims, practitioners will need to exercise professional judgement in the language they use, how they introduce options, and how to involve the individual in getting good legal advice. The aim of this should be to meet the needs of the individual for information and support, at a pace and level of detail which suits them, and in ways that are understandable and accessible.

The key consideration is for practitioners to:

- To be aware of the range of legal remedies and sanctions which may be available
- To know where to get expert advice, from the police or legal services with knowledge of safeguarding and domestic abuse

### 9.1 Criminal and civil law

Legal remedies and sanctions can be pursued either through criminal or civil law. There is no specific offence of 'domestic violence' under criminal law, but many forms of domestic violence and abuse are crimes, for example:

- Assault
- False Imprisonment
- Criminal Damage
- Harassment
- Attempted murder
- Rape
- Coercive and Controlling Behaviour

Crimes are reported and dealt with through the criminal justice system which is made up of a number of key agencies: the police; the Crown Prosecution Service (CPS); the courts (Magistrates court and Crown court); and the probation service. Criminal law is primarily aimed at punishing the offender. The police together with CPS initiate the process.

Civil law is primarily aimed at protection (or in some cases compensation). A survivor of domestic abuse can make an application for an injunction (a Court order) either to the Family Proceedings Court or the County Court (usually through a solicitor). Other family proceedings (such as child contact or divorce) also take place in the County Court.

### 9.2 Options available

There are a number of different remedies and sanctions available. Some of these can be applied for directly by the individual, others must be requested via an agency professional, such as the police. These include:

- Domestic Violence Protection Notices (DVPNs) and Domestic Violence Protection Orders (DVPOs)

- Family law injunctions: non-molestation orders and occupation orders
- Restraining orders
- Common law injunctions
- Anti-harassment injunctions
- Criminal prosecution
- Domestic Violence Disclosure Scheme (DVDS) (also known as Clare's Law)

For more detail on these options and links to further information go to [Appendix E](#).

### **9.3 Obtaining good legal advice**

It is possible for victims to make an application for an injunction themselves, but most people prefer to do this through a solicitor who has experience of dealing with domestic violence cases, to ensure the best representation and outcome. The Law Society or the local Citizens Advice Bureau has a list of family solicitors in each area.

Victims on low incomes may be eligible for public funding (Community Legal Services funding, or legal aid) to pay for legal costs ([see Section 10](#) for more information). The income of the perpetrator is not taken into account if the victim is taking legal action against them.

Victims can apply for an injunction but in most cases this is done via a solicitor. The Independent Domestic Violence Advocate (IDVA) service will be able to advise victims about seeking legal advice.

### **9.4 Going to court**

Applications for injunctions under the Family Law Act are held at the Magistrates' Family Proceedings Court or the County Court, or in some cases the High Court. The application will be in a closed court ('in chambers') and no one who is not directly concerned with the case will be allowed in. Local advocacy services for vulnerable victims of crimes can work with the court and other agencies to ensure that safety is considered throughout.

Independent Domestic Violence Advocates (IDVAs) often provide support with victims going through the legal processes. Victim Support also offers support to victims involved in the Criminal Justice System.

**Specialist Domestic Violence Court:** Sefton has a Specialist Domestic Violence Court, a dedicated programme that has been running nationally since 2005. Domestic violence cases are heard at the same court session, normally every Monday. Specialist training has been provided to Magistrates and Crown Prosecutors so that they are better informed about the special issues relevant to these cases. The specialist courts also enhance the provision for victims and witnesses through greater access by support services, e.g. Victim Support and IDVAs. Solicitors can also apply for special measures, e.g. if the victim is vulnerable the court can upon application give permission for the victim to give evidence via video link.

## Section 10 – Legal Aid

### 10.1 Legal Aid

Legal Aid is available for people who need legal advice or assistance but are unable to pay for a lawyer themselves. In April 2013 eligibility changes were made to the legal aid system under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

However, there are some family cases, including those involving domestic abuse, where Legal Aid funding might be available. An individual needs to be able to evidence they or their children are at risk of harm from an partner and cannot afford to pay for legal costs

A guide to legal aid in relation to domestic abuse can be found here <http://rightsofwomen.org.uk> or call the **Rights of Women’s Helpline** on **020 7251 6575**. Information can also be found on the **Government’s website** here <https://www.gov.uk/legal-aid>.

Victims of domestic abuse might also be able to get free and confidential advice from Civil Legal Advice (CLA) as part of legal aid. More information can be found here <https://www.gov.uk/civil-legal-advice>

### 10.2 No recourse to public funds for victims of domestic abuse

Individuals who are subject to immigration control are also unable to claim most forms of state benefit – including income support, jobseeker’s allowance, housing benefit, homelessness assistance, child benefit, disability allowance or working families tax credit. This is known as having ‘no recourse to public funds’. Often cases involving individuals with no recourse to public funds are complex and individuals would be best advised seeking professional help.

Rights of Women ([www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)) have produced useful legal guides explaining immigration law within the context of domestic abuse.

[http://rightsofwomen.org.uk/wp-content/uploads/2014/09/ROW\\_Domestic-Violence-A4-DIGITAL.pdf](http://rightsofwomen.org.uk/wp-content/uploads/2014/09/ROW_Domestic-Violence-A4-DIGITAL.pdf)

<http://rightsofwomen.org.uk/wp-content/uploads/2014/10/Update-The-destitute-domestic-violence-concession-changes-and-challenges.pdf>

Other useful contacts include:

- Asylum Aid [www.asylumaid.org.uk](http://www.asylumaid.org.uk) advice line **0207 3549264** Tues 1pm-4pm
- Refugee Council [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)
- Law Centre [www.lawcentres.org.uk](http://www.lawcentres.org.uk) for access to immigration solicitors

## **Section 11 - Adolescent to parent violence and abuse**

### **11.1 What is adolescent to parent violence and abuse (APVA)?**

There is currently no legal definition of adolescent to parent violence and abuse. However, it is increasingly recognised as a form of domestic violence and abuse and, depending on the age of the child, it may fall under the government's official definition of domestic and abuse.

APVA is likely to involve a pattern of behaviour. This can include physical violence from an adolescent towards a parent and a number of different types of abusive behaviours, including damage to property, emotional abuse, and economic/financial abuse. Violence and abuse can occur together or separately. Abusive behaviours can encompass, but are not limited to, humiliating language and threats, belittling a parent, damage to property, stealing from a parent, and heightened sexualised behaviours.

Some families might experience episodes of explosive physical violence from their adolescent with fewer controlling, abusive behaviours. Although practitioners may be required to respond to a single incident of APVA, it is important to gain an understanding of the pattern of behaviour behind an incident and the history of the relationship between the young person and the parent.

It is also important to understand the pattern of behaviour in the family unit; siblings may also be abused or be abusive. There may also be a history of domestic abuse, or current domestic abuse occurring between the parents of the young person. It is important to recognise the effects APVA may have on both the parent and the young person and to establish trust and support for both.

### **11.2 Reporting/disclosing APVA**

Incidents of APVA reported to the police are likely to represent only a small percentage of actual incidents and actual levels are likely to be much higher. All forms of domestic violence and abuse are under-reported and parents are, understandably, particularly reluctant to disclose or report violence from their child.

Parents report feelings of isolation, guilt and shame surrounding their child's violence towards them, and fear that their parenting skills may be questioned; they will be blamed or disbelieved by those to whom they disclose the violence. Many parents worry that their victimisation will not be taken seriously or, if they are taken seriously, that they will be held to account and that their child may be taken away from them and/or criminalised.

Adolescents may also choose not to disclose due to guilt or fear of the social care and justice system. Young people may not understand the impact of their actions and be concerned about the consequences so they may not seek help, allowing the situation to escalate to crisis.

### **11.3 Responses to APVA**

Professionals working with children and parents should seek to identify risk factors early and work together with the family to provide early support to avoid crisis situations using the Early

Help processes outlined in Sefton Framework for Action. Typical domestic violence and abuse responses may not always be appropriate when working with APVA and it is recommended that before any intervention is attempted by practitioners, there needs to be a considered approach reflecting the whole family's dynamics.

**There are specific factors to consider when working with young people who are involved in adolescent to parent abuse:**

Environmental factors

- Is there a history of domestic abuse within the family unit?
- Is the young person in an abusive intimate relationship?
- Is there a need for adult services' involvement in the family?
- Is the young person being coerced into abusive behaviours?
- Is the young person displaying heightened sexualised behaviours?
- Is the young person associating with peer groups who are involved in offending or older peers?
- Are Children's Services currently involved with the family?
- Should a risk assessment be conducted on the siblings to see if they are at risk of violence and/or contributing to the violence?
- Is the young person isolated from people and services that could support them?
- Is there a risk that the young person is being bullied?
- Are there BAME issues that need to be considered or that may affect a victim's disclosure?

Emotional self-regulation factors

- Does the young person have difficulties in forming relationships?
- Does the young person have mental health issues, self-harm or suicidal tendencies?
- Is the young person disengaged from education?
- Is the young person misusing substances?
- Does the young person display an obsessive use of violent games or pornography?
- Does the young person have poor coping skills or engage in risk taking behaviours?
- Does the young person identify their behaviour as abuse?

**11.4 Encouraging disclosure from parents**

Encouraging disclosure of APVA is essential. Parents affected by the issue may have taken a long time to come to acknowledge the problem they are facing, thus making the challenge of verbalising this behaviour to others even greater. Parents need to be encouraged to understand that the services they access are safe places where they can disclose APVA.

Avoid making assumptions, for instance assuming that because someone is a parent they always have control over their child's behaviour or that the behaviour is always a direct result of parenting style.

Make asking about APVA part of your routine screening. Bear in mind, though, that many parents will not conceptualise what they are going through as domestic violence and abuse. They may think about APVA in completely different terms and you might need to use different language when asking about it

**Questions you could ask to start a discussion:** Does your child ever frighten you? What happens when your child is angry?

Parents can be supported by discussing with them how they can manage the situation, this could include helping them to:

- Recognise situations, triggers or events that are likely to escalate into violence and how these can be tackled differently.
- Stop whatever they're doing and count to 10 backward. This will help them think about their feelings before they get out of control.
- If they can't control their anger encourage them to get away; take a time out.
- Think about the options and consequences of their actions for them and the child.
- If necessary, get help from a third party to solve differences.
- Cool off – calm down and then talk to their child.
- Listen carefully to the child's opinion and views.
- Be assertive, not aggressive; parents should stand by their views/boundaries but talk to their child about them using statements such as "I feel this way when..." or "I don't like it when..." placing the focus on the child's behaviour rather than the child themselves.
- Be willing to admit and be responsible for something they may have done wrong and to discuss this with their child.

### **11.5 Further information**

Specific advice and guidance for practitioners can be found here

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420963/APVA.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/420963/APVA.pdf) Information guide: adolescent to parent violence and abuse (APVA)

Support for parents can be found at

[www.familylives.org.uk/advice/teenagers/behaviour/teenviolence-at-home/](http://www.familylives.org.uk/advice/teenagers/behaviour/teenviolence-at-home/) or call **Family Lives Parentline: 0808 800 2222**

## Section 12 – Harmful practices

Harmful Practices are broadly considered to incorporate honour-based abuse (HBA), forced marriage (FM) and female genital mutilation (FGM). These practices are illegal and can be found in domestic abuse cases.

They are by their nature largely hidden crimes, and it is important for all of us to appreciate the uniquely difficult position of victims regarding their relationships with perpetrators. Many victims do not want to criminalise their parents, families or culture. Many are told that speaking out or going against the perpetrators' wishes will result in them being ostracised - and a significant proportion of victims are led to believe that they are the perpetrators, bringing shame on those around them.

Another reason for harmful practices being hidden is that a significant proportion of both victims and perpetrators do not recognise harmful practices as illegal, but as either a 'normal' feature of a particular culture or an acceptable response to the circumstances present at the time.

Sefton has signed up to the Pan Merseyside Harmful Practice Strategy (2018-20) which takes a collaborative multi-agency approach to tackling this issue.

More information on harmful practices can be found in [Appendix F](#)

## Section 13- Training for professionals

Organisations have a responsibility for ensuring relevant staff have domestic abuse training and that this training has been appropriately quality assured. Each agency will have its own policies and procedures for accessing this training.

In addition to this, a range of multi-agency information and training is also available to professionals working in Sefton.

A range of information and guidance on domestic abuse can be found at:  
[www.sefton.gov.uk/behindcloseddoors](http://www.sefton.gov.uk/behindcloseddoors) and [www.escapethecontrol.co.uk](http://www.escapethecontrol.co.uk)

The **Sefton Local Safeguarding Children Board (LSCB)** coordinates and manages a comprehensive multi-agency training programme for professionals. Included within the programme are specific training courses on Domestic Abuse Awareness and more recently Level 2 Domestic Abuse, Toxic Trio and other training that is linked to providing an effective response. Full details about courses and how to book are available via the Sefton LSCB website <https://seftonlscb.org.uk/lscb/training/sefton-lscb-multi-agency-training>

The **Merseyside Safeguarding Adults Board** coordinates and manages training programmes for professionals in relation to adult safeguarding. Full details about courses are available

via the Merseyside Safeguarding Adults Board website

<https://www.merseysidesafeguardingadultsboard.co.uk/sefton-safeguarding-training/>

## Section 14- Resources

### Local victim support services

#### Sefton Independent Domestic Violence Advocates (IDVA)

IDVAs offer 1:1 crisis intervention support for high risk/Gold victims of domestic abuse aged 16+, even if they choose to remain in the relationship. Support is free and includes practical advice and guidance, advocacy with other professionals and agencies, whole family safety planning, support through the criminal justice system, and home security improvements.

**Phone:** 0151 934 5142 Monday to Friday 9am – 5pm  
**Email:** [IDVA.Team@sefton.gov.uk](mailto:IDVA.Team@sefton.gov.uk)  
**Website:** [www.sefton.gov.uk/behindcloseddoors](http://www.sefton.gov.uk/behindcloseddoors)

#### Sefton Women and Children's Aid (SWACA)

SWACA's team help women, young people and children survive the impact of domestic violence and abuse by giving free practical and emotional support. They work with women, young people and children to survive the impact of domestic abuse by providing emotional and practical support. This can take place in a number of settings and can be 1:1 work or group sessions.

**Mirror project:** For women whose families are involved with social care, a 7 week programme with peer group sessions

**Support groups:** held in Southport and Bootle weekly. The groups are for female adults known to SWACA, and are facilitated by a SWACA worker.

**Drop in Sessions:** The drop in is open in Bootle Monday & Tuesday 9.30am- 1.00pm and Tuesday 1.30pm- 4.00pm. The drop in in Southport is open Thursday 9.30am – 12noon  
The team can be contacted: Monday Tuesday & Thursday 9.30am – 5.00pm  
Wednesday 9.30am – 7.00pm  
Friday 9.30am – 3.00pm

**Phone:** 0151 922 8606  
**Email:** [help@swaca.com](mailto:help@swaca.com)  
**Website:** [www.swaca.com](http://www.swaca.com)  
**Text helpline:** 07779 745594

#### Venus

Venus is a charity that provides support for women, families, children and young people, homeless people with multiple and complex needs, looked after children and care leavers. They support people through difficulties to build confidence, understand their rights, access

new opportunities and create support networks. They offer support, advice, information and a range of activities such as:

- Emotional and physical health and wellbeing support
- Parenting courses like Youth Connect 5 and Incredible Years
- Step Together – support for women who have had children removed from their care
- One to one counselling, therapeutic groups and sessions at The Star Centre
- Supported accommodation as part of Sefton Supported Housing Group
- Money management and debt advice, support for financial resilience
- Housing, benefits and general advice
- Drop in and open advice sessions
- Volunteering training and opportunities
- Training, education and taster courses like SHE course, Smart Moves

As part of the Sefton Behind Closed Doors consortium they can offer advice, information and support women through domestic abuse.

Individuals may self-refer to any of the services or referrals may be made on their behalf. For more information about courses and sessions, visit Venus' website.

**Phone:** 0151 474 4744  
**Email:** [jo.kenyon@venuscharity.org](mailto:jo.kenyon@venuscharity.org)  
**Website:** [www.venuscharity.org](http://www.venuscharity.org)

#### **RASA Merseyside Rape and Sexual Abuse Centre**

RASA Merseyside provides specialist support to victims of sexual violence and abuse. They offer:

- Essential crisis and therapeutic support to individuals of all ages who have been affected by sexual violence at any time in their lives.
- Specialised counselling, support and an Independent Sexual Violence Advocacy (ISVA) service, which includes support through the Criminal Justice process.
- The opportunity to give anonymous intelligence in relation to sexual violence if an individual does not want to make a formal complaint.

Helpline support is available: Tuesdays & Thursdays 6.00pm – 8.00pm  
Friday 12.00noon – 2.00pm

**Phone:** 0151 558 1801  
**Email:** [referrals@rasamerseyside.org](mailto:referrals@rasamerseyside.org)  
**Website:** [www.rasamerseyside.org](http://www.rasamerseyside.org)

#### **Safe Place Merseyside**

SAFE Place Merseyside is the Sexual Assault Referral Centre (SARC) for the Merseyside area. The service offers support to both males and females who have been sexually assaulted recently or at any time in the past. As well as emergency treatment, emergency contraception and advice they can offer referrals to counsellors and help if a victim wants to contact the police.

**Phone:** 0151 295 3550  
**Website:** [www.safelacemerseyside.org.uk](http://www.safelacemerseyside.org.uk)

#### **Worst Kept Secret**

The Worst Kept Secret helpline, provided by Local Solutions, provides a listening ear to anybody who is affected by domestic violence including family and friends.

Advisors are available to speak to 3pm to 6pm Monday to Friday, phone calls will not show up on landline phone bills. They can talk through options and put individuals in touch with the most appropriate agencies.

**Phone:** 0800 028 3398 free phone  
**Email:** [W@localsolutions.org.uk](mailto:W@localsolutions.org.uk)  
**Website:** [www.localsolutions.org.uk](http://www.localsolutions.org.uk)

#### **Merseyside Victim Support**

Victim Support is available to anybody affected by crime in Merseyside.

**Phone:** 0151 353 4003 Monday to Friday 9am – 6pm  
0808 1689 111 free phone outside of the hours above  
**Website:** [www.victimsupport.org.uk/help-and-support/get-help/request-support](http://www.victimsupport.org.uk/help-and-support/get-help/request-support)

#### **Merseyside Police**

Report incidents of domestic abuse directly to the Police; the information is invaluable and can provide considerable insight into a case which could lead to a prosecution of the offender. Information about domestic abuse can be found on their website under Advice and protection – crimes against people.

**Phone:** Contact: 999 (emergency only) or 101  
**Website:** [www.merseyside.police.uk](http://www.merseyside.police.uk)

#### **Merseyside Fire Service**

Merseyside Fire and Rescue Service respond to incidents where fire has been used or threatened against a person or a property, including victims of domestic abuse. The aim is to offer advice and appropriate services in order to make the property or person more resistant to the potential of fire.

Each property is risk assessed based upon a number of factors, and properties are offered specific advice and guidance based upon the potential risks encountered. Merseyside Fire and Rescue use the term Target Hardening for an assessment where there is a risk or threat of arson and should be referred to by that name when referring

**Phone:** 0800 731 5958 Call Centre number  
**Website:** [www.merseyfire.gov.uk](http://www.merseyfire.gov.uk)

## National victim support organisations

### National Domestic Abuse Helpline

The Freephone 24 Hour National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf

**Phone:** 0808 2000 247

**Website:** [www.nationaldomesticviolencehelpline.org.uk](http://www.nationaldomesticviolencehelpline.org.uk)

### Safelives - Co-ordinated Response Against Domestic Abuse

Safelives provides practical help to support professionals and organisations working with domestic abuse victims. They support and develop the work of Multi-Agency Risk Assessment Conferences (MARACs) and IDVAs (Independent Domestic Violence Workers)

**Phone:** 0117 317 8750

**Email:** [queries@safelives.org.uk](mailto:queries@safelives.org.uk)

**Website:** [Safelives.org.uk](http://Safelives.org.uk)

### Refuge

Refuge provides a range of services for abused women and children to regain control of their lives and move forwards in a positive way. It advocates for improvements to domestic abuse policy and practice so that they best meet the needs of abused women and children. It helps to prevent domestic abuse through campaigning, education, training and research. It works in partnership with other agencies to raise awareness of domestic abuse; its causes and solutions.

**Website:** [www.refuge.org.uk](http://www.refuge.org.uk)

### Women's Aid

The national Women's Aid website has a wealth of information for people experiencing domestic abuse, for friends and family seeking information and support and for professionals looking for information and advice. Women's Aid has a range of services for survivors and for young people and children and runs the national 24 hour helpline in conjunction with Refuge.

Women's Aid also has a 'Survivor's Handbook' which provides practical support and information for women experiencing domestic abuse, with simple guidance on every aspect of seeking support.

**Website:** [www.womensaid.org.uk](http://www.womensaid.org.uk)

### National Centre for Domestic Violence (NCDV)

The National Centre for Domestic Violence (NCDV) provides a fast emergency injunction service to survivors of domestic abuse regardless of their financial circumstances, race, gender or sexual orientation. Their service allows anyone to apply for an injunction within 24 hours of first contact (in most circumstances). It works in close partnership with the police,

local firms of solicitors and other support agencies (Refuge, Women's Aid etc) to help survivors obtain speedy protection.

**Phone:** 0207 186 8270 or 0800 970 2070  
**Email:** office@ncdv.org.uk  
**Website:** www.ncdv.org.uk

#### **Rights of Women**

Rights of Women can advise you on domestic violence and abuse, divorce, finances and property, relationship breakdown, cohabitation, parental responsibility and arrangements for children.

**Phone:** 020 7251 6577 Monday – Thursday 7pm – 9pm, Friday 12pm – 2pm  
**Email:** info@row.org.uk  
**Website:** rightsofwomen.org.uk

#### **Children and young people services**

##### **The Hide Out – for Children and Young People**

This is a Women's Aid online resource for children and young people living with domestic abuse.

**Website:** www.thehideout.org.uk

##### **NSPCC**

NSPCC's vision is to end cruelty to children. Domestic abuse affects not only the adults involved, but also any children living with them. The law recognises that witnessing domestic abuse can cause children significant harm which can have lifetime consequences. The NSPCC's work is focused on helping those children who are in greatest danger and distress.

NSPCC's Childline is the UK's free, confidential helpline for children and young people. Trained volunteers provide advice and support, by phone and online, 24 hours a day.

Children can also receive advice by text.

**Phone:** 0800 1111 Childline  
0808 800 5000 for advice for adults and professionals  
**Website:** www.nspcc.org.uk

##### **Barnardo's**

Barnardo's aim to alleviate the long-term effects of domestic violence on children through counselling and family support services.

**Phone:** 0151 488 1100  
**Website:** www.barnardos.org.uk

##### **SMASH**

SMASH is a service specifically designed to meet the alcohol and drug needs of young people in Sefton. The team are based in Netherton and Southport although young people can be seen in all areas of Sefton, including at their home. Young people can access the

service by calling Brighter Living themselves or by requesting a referral from any professional they are working with.

**Phone:** 0151 284 6524

**Website:** [www.brighterliving.org.uk](http://www.brighterliving.org.uk)

## Male Services

### CALM

The Campaign Against Living Miserably (CALM) is a charity dedicated to preventing male suicide, the single biggest killer of men under the age of 45 in the UK.

**Phone:** 0800 58 58 58 5pm - midnight.

**Email:** [info@thecalmzone.net](mailto:info@thecalmzone.net)

**Website:** [www.thecalmzone.net](http://www.thecalmzone.net)

### Mankind Initiatives

A confidential helpline is available for all men across the UK suffering from domestic abuse by their current or former partner (including same-sex partner). They welcome calls from mothers, sisters and friends of male victims seeking information.

**Phone:** 01823 334244 10am – 4pm

**Website:** [www.mankind.org.uk](http://www.mankind.org.uk)

### Men's Advice Line

A confidential helpline for any man experiencing domestic violence and abuse from a partner (or ex-partner). They are a team of skilled professionals offering practical advice, information and emotional support to male victims of domestic violence, as well as to concerned friends and family and frontline workers. The service is run and managed by Respect.

**Phone:** 0808 801 0327 (Calls will not appear on BT landline phone bills.)

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

**Website:** [www.mensadviceline.org.uk](http://www.mensadviceline.org.uk)

## Black and minority ethnic services

### Aanchal

Helpline for Asian women experiencing domestic violence, languages spoken include Bengali, Hindi, Punjabi, Gujarati, Tamil and Urdu.

**Phone:** 08454 512 547

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

**Website:** [aanchal.org.uk](http://aanchal.org.uk)

#### **Savera UK**

Savera provides support to black and minority individuals at risk of domestic abuse, and harmful practices such as honour-based violence (HBV), female genital mutilation (FGM) and forced marriage.

**Phone:** 0800 107 0726  
**Email:** [info@saverauk.co.uk](mailto:info@saverauk.co.uk)  
**Website:** [www.saverauk.co.uk](http://www.saverauk.co.uk)

#### **Asylum Link Liverpool**

Asylum Link is an organisation dedicated to assisting asylum seekers and refugees in Liverpool and to raising public awareness around refugee issues.

**Phone:** 0151 709 1713  
**Email:** [info@asylumlink.org.uk](mailto:info@asylumlink.org.uk)  
**Website:** [www.asylumlink.org.uk](http://www.asylumlink.org.uk)

#### **Southall Black Sisters**

This is a resource centre mainly for Asian, African and Afro-Caribbean women. It provides advice and information on domestic violence, racial harassment, welfare and immigration rights, and matrimonial rights. They provide face-to-face support and case work for women in the London Borough of Ealing, but also deal with enquiries on a national basis.

**Phone:** 0208 571 9595  
**Helpline:** 0208 571 0800  
**Website:** [www.southallblacksisters.org.uk](http://www.southallblacksisters.org.uk)

#### **Karma Nirvana**

A national charity supporting victims of honour-based abuse and forced marriage. They offer confidential support to both victims and professionals.

**Phone:** 0800 5999 247  
**Website:** [www.karmanirvana.org.uk](http://www.karmanirvana.org.uk)

#### **Asylum Aid**

Gives free legal advice to asylum seekers and runs the Women's Resource Project.

**Phone:** 0207 3549 631  
**Website:** [www.asylumaid.org.uk](http://www.asylumaid.org.uk)

#### **The Refugee Council**

The Refugee Council provides advice and assistance to asylum seekers and refugees. The Refugee Council website gives up to date information on legislation relating to asylum.

**Phone:** 020 7346 6777

**Email:** [info@refugeecouncil.org.uk](mailto:info@refugeecouncil.org.uk)  
**Website:** [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)

#### **Immigration Advisory Service**

An independent non-governmental organisation giving free and confidential legal advice and representation on immigration issues.

**Phone:** 0333 305 9272  
**Email:** [info@iasservices.org.uk](mailto:info@iasservices.org.uk)  
**Website:** [www.iasservices.org.uk](http://www.iasservices.org.uk)

#### **Forced Marriage Unit**

Forced Marriage Unit offers specialist advice and guidance on this issue.

**Phone:** 020 7008 0151  
**Website:** [www.gov.uk/guidance/forcedmarriage](http://www.gov.uk/guidance/forcedmarriage)

### **Lesbian, gay, bisexual and trans (LGBT) services**

#### **Broken Rainbow**

Offering advice, support and referral services to LGBT people experiencing homophobic, transphobic and same sex domestic violence.

**Phone:** 0300 999 5428 National Helpline (LGBT = 5428 on telephone keypad)  
08452 60 55 60 office  
**Email:** [mail@broken-rainbow.org.uk](mailto:mail@broken-rainbow.org.uk) for agency information  
[help@broken-rainbow.org.uk](mailto:help@broken-rainbow.org.uk) For general Helpline advice  
**Website:** [www.broken-rainbow.co.uk](http://www.broken-rainbow.co.uk)

#### **Galop**

Galop is an LGBT+ anti-violence charity and supports individuals who have experienced hate crime, sexual violence or domestic abuse.

**Phone:** 0800 999 5428 National LGBT+ Domestic Abuse Helpline  
**Email:** [help@galop.org.uk](mailto:help@galop.org.uk)  
**Website:** [www.galop.org.uk](http://www.galop.org.uk)

### **Health support services**

#### **Ambition Sefton**

Ambition Sefton, provided by Mersey Care NHS Foundation Trust, provides help and support to Sefton residents who have a drug and/or alcohol problem. Services include:

- Open access: just walk in to self-refer

- Access to community detox
- Specialist prescribing services
- Specialist alcohol services
- Harm reduction advice/service including needle syringe exchange
- Blood borne virus screening and vaccination
- Brief interventions: one to one support
- Access to inpatient detoxification pathways
- Access to Intuitive Thinking courses
- Peer support mentoring and access to mutual aid groups
- Psychosocial support and services

**Phone:**           **01704 534 759** for services in Southport  
                          **0151 944 5334** for services in Bootle

**Website:**        [www.merseycare.nhs.uk](http://www.merseycare.nhs.uk)

### **SWAN Centre**

The centre promotes women's mental well-being and supports women affected by anxiety, depression, stress or other mental health conditions. Services include

- Counselling
- Outreach service - for women who can't access services in the centre
- Befriending
- Young women's project - for 14 -18 yr olds, who are based in Sefton. The service runs every Tuesday for 12 weeks between 5pm-7pm
- Emotional wellbeing support group
- Various courses

**Phone:**           **0151 933 3292**  
**Email:**           **contact@swanwomenscentre.org**  
**Website:**        **www.swanwomenscentre.org**

### **Sahir House**

Sahir House offers HIV support, prevention, information and training across Merseyside.

**Phone:**           **0151 237 3989**  
**Email:**           **info@sahir.uk.com**  
**Website:**        **www.sahir.org.uk**

### **Perpetrator services**

#### **No Xcuses Lifeline programme**

This is a voluntary behaviour change programme for men, designed to address abusive behaviour in relationships. Referrals are made via Sefton children's social care and early help services.

Support for partners/ex partners is an integral part of the programme to ensure risks are appropriate understood and managed. This support is provided by Sefton IDVAs and Sefton Women's and Children's Aid.

**Phone: 0151 282 1416**

#### **Merseyside Community Rehabilitation Company**

Building Better Relationships (BBR) is an accredited programme for perpetrators of domestic abuse. Individuals can be referred via a community order, suspended sentence or licence. They also have a Partner Link Worker who works with the female victims of domestic abuse, which works alongside the perpetrator work.

**Website: [www.merseysidecrc.co.uk](http://www.merseysidecrc.co.uk)**

#### **Respect**

Respect offers a confidential helpline offering advice, information and support to help perpetrators stop being violent and abusive to their partner. Respect works with male or female domestic violence perpetrators in heterosexual or same-sex relationships. Concerned friends and families of perpetrators can also seek support. Respect also provides information on domestic violence perpetrator programmes as well as advice on working safely with perpetrators.

**Phone: 0808 802 4040**

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

**Website: [www.respect.uk.net](http://www.respect.uk.net)**

Support for Young People who use violence in relationships

The Young Peoples Services is a sub-site of which offers regular conferences and training for practitioners who are working with young people who use violence in close relationships (including against parents).

**Phone: 020 7549 0578**

**Website: [www.respect.uk.net/parentviolenceabuse](http://www.respect.uk.net/parentviolenceabuse)**

## Section 15 –Further reading

This section includes links to further guidance and reading on domestic abuse and associated topics.

### Information and guidance

- Website with information fact sheets on domestic abuse, MARAC and local support services.  
[www.sefton.gov.uk/behindcloseddoors](http://www.sefton.gov.uk/behindcloseddoors)
- Website with information on domestic abuse, focusing on coercive control and what this looks like in practice  
[www.escapethecontrol.co.uk](http://www.escapethecontrol.co.uk)

### Policy and Strategy links

- Sefton Domestic and Sexual Abuse Strategy 2015-18  
[www.sefton.gov.uk/behindcloseddoors](http://www.sefton.gov.uk/behindcloseddoors)
- Pan Merseyside Harmful Practices Strategy 2018-20.  
<https://www.merseysidesafeguardingadultsboard.co.uk/wp-content/uploads/2018/07/Pan-Merseyside-Harmful-Practices-Strategy-1.pdf>
- NICE Guidance (2016). Quality Standard QS116: Domestic violence and abuse  
<https://www.nice.org.uk/guidance/qs116>
- NICE Guidance (2014). Public Health Guidance PH50: Domestic violence and abuse: multi-agency working. <https://www.nice.org.uk/guidance/ph50>
- HM Government (2018). Working together to safeguarding children. Statutory guidance  
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- Home Office (2016) Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews <https://www.gov.uk/government/publications/reviced-statutory-guidance-for-the-conduct-of-domestic-homicide-reviews>

### Further reading

- The multi-agency response to children living with domestic abuse: Prevent, protect and repair (2017)  
<https://www.gov.uk/government/publications/joint-inspections-of-the-response-to-children-living-with-domestic-abuse-september-2016-to-march-2017>

- Home Office (2016) Domestic Homicide Reviews. Key findings from analysis of domestic homicide reviews.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575273/DHR-Statutory-Guidance-161206.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575273/DHR-Statutory-Guidance-161206.pdf)
- Hardy, R (2017). How to identify perpetrators of domestic abuse and coercive control.  
<http://www.communitycare.co.uk/2017/10/02/identify-perpetrators-domestic-abuse-coercive-control/>
- Kelly,L and Westmarland, N (2005). Project Mirabel Final Report. Domestic Violence Perpetrator Programmes; Steps towards change.  
[https://www.nrfoundation.org.uk/downloads/Project\\_Mirabal-Final\\_report.pdf](https://www.nrfoundation.org.uk/downloads/Project_Mirabal-Final_report.pdf)
- Safelives (2015) Getting it right first time  
<http://www.safelives.org.uk/sites/default/files/resources/Getting%20it%20right%20first%20time%20-%20complete%20report.pdf>
- Safelives and Gentoo. Safe at Home: the case for a response to domestic abuse by housing providers.  
<http://www.safelives.org.uk/sites/default/files/resources/Safe%20at%20Home%20Report.pdf>
- Power and control wheel: understanding the power and control wheel, Duluth model  
<https://www.youtube.com/watch?v=5OrAdC6ySiY>
- Power and control wheel: understanding the wheel: using children (Duluth model) <https://www.youtube.com/watch?v=PxOAqduCP4c>
- Professor Evan Stark (2017). Coercive Control & Children  
<https://www.youtube.com/watch?v=kvHbVzTzpX0>
- HM Government. The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322310/HMG\\_Statutory\\_Guidance\\_publication\\_180614\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322310/HMG_Statutory_Guidance_publication_180614_Final.pdf)
- Safelives (2016) A cry for health: why we must invest in domestic abuse services in hospitals.  
[http://www.safelives.org.uk/sites/default/files/resources/SAFJ4993\\_Themis\\_report\\_WE\\_Bcorrect.pdf](http://www.safelives.org.uk/sites/default/files/resources/SAFJ4993_Themis_report_WE_Bcorrect.pdf)
- Stark, E (2009) Coercive control – How men entrap women in personal life. Oxford University Press ISBN: 9780195384048
- Doyle, R (1996) The woman who walked into doors. ISBN: 978-0749395995



## Appendix B

## Sefton DA Risk Tool 2018

### **Strictly Private and Confidential** **Sefton Domestic Abuse Risk Assessment Tool**

#### **Aim of the Form:**

- To help front line practitioners identify high risk cases of domestic abuse
- To identify which cases meet the Sefton MARAC Threshold criteria and should be referred into the MARAC process
- To identify cases which do not meet the Sefton MARAC Threshold but are still considered to be high risk and should be referred to the Sefton IDVA Service

**Unless specifically stated within the question (i.e. within the last 12 months, have they ever etc.) answers on this risk assessment tool should relate to incidents which have occurred within the last 3 months.**

#### **Referral Criteria for Sefton MARAC cases:**

Cases should be referred into MARAC if they meet any of the following criteria and have not previously been discussed at MARAC:

1. **'Visible High Risk'**: If there are 14 or more 'yes' boxes ticked then the case should automatically be referred to MARAC
2. **Professional judgement**: If there are serious concerns about a victim's situation, then the case should be referred to MARAC. There will be occasions where the particular context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. ***This could reflect extreme levels of fear, cultural barriers to disclosure, immigration issues or language barriers particularly in cases of 'honour'-based violence.*** This judgement should be based on your professional experience and/or the victim's perception of their risk even if they do not meet the other criteria

**Although cases which score 10-13 'yes' ticks do not meet the MARAC threshold, they are still recognised as being high risk. They can either be referred to MARAC using Professional Judgement or a referral can be made directly to Sefton's IDVA Service who will assess the case further and then make the referral to MARAC if necessary.**

**If a case does score less than 14, please clearly state your concerns and why you believe that the case should be referred to MARAC and/or IDVA.**

#### **Referral Criteria for repeat Sefton MARAC Cases:**

A repeat case is one which has previously been referred to MARAC and a further incident has then taken place within twelve months of the discussion. Any agency may identify a further incident regardless of whether or not it has been reported to the police.

A further incident includes any one of the following types of behaviour, which, if reported to the police, would constitute criminal behaviour:

- Significant violence or threats of violence to the victim (including significant threats against property)
- A pattern of stalking or harassment
- Rape or sexual abuse

There are also specific instances where a further referral may be made to MARAC where no repeat incident has occurred. For example, cases where a perpetrator is about to be released from prison and this causes significant concern, or where significant further risks have been identified but no specific threats have been made and the case is discussed in order to make sure that every agency is aware of the concerns to enable them to put in place any appropriate safety measures.

**All referrals should have a completed referral form and risk assessment –**  
**If a copy of the risk assessment is not sent then the referral will not be processed.**  
**Both forms should be sent to the Sefton MARAC Coordinator Louise O'Rourke via secure email to**  
louise.o'rourke@sefton.gcsx.gov.uk

**Name of Victim:** \_\_\_\_\_

Key Risks	Yes	No	Don't Know
1. Has the current incident resulted in injury?			
If Yes, please state what and whether this is the 1st injury:			
2. Is the victim very frightened?			
If Yes, please specify details, and where information was obtained from:			
3. What is the victim afraid of? Is it further injury or violence?			
If Yes, please specify including details of what the victim thinks that the perpetrator might do and to whom, including children:			
4. Does the victim feel isolated from family/friends? (E.g. does the perpetrator stop them from seeing friends/family/Doctor or others)?			
If Yes, please specify details, including if this is due to any particular personal, diversity or cultural issues, and where information was obtained from:			
5. Is the victim feeling depressed or having suicidal thoughts?			
If Yes, please specify details, and where information was obtained from:			
6. Has the victim separated or tried to separate from their partner within the past 12 months?			
If Yes, please specify details and where information was obtained from:			
7. Is there any conflict over child contact?			
If Yes, please specify details, and where information was obtained from:			
8. Does the perpetrator constantly text, call, contact, follow, stalk or harass the victim?			
If Yes, please specify details, including if the victim believes that this is done deliberately to intimidate or frighten them. Also consider the context and behaviour of what is being done:			
9. Is the victim pregnant, or do they have a baby under the age of 18 months?			
10. Is the abuse happening more often?			
If Yes, please specify details, and where information was obtained from:			

Key Risks	Yes	No	Don't Know
11. Is the abuse getting worse?			
If Yes, please specify details, and where information was obtained from:			
12. Does the perpetrator try to control everything the victim does and/or are they excessively jealous? <i>(E.g. do they control who the victim can see, is the victim being 'policed' at home or told what to wear?)</i>			
If Yes, please specify details <i>(please also consider any 'honour' based violence(HBV) and specify behaviour)</i> :			
13. Has the perpetrator ever used weapons or objects to hurt the victim?			
If Yes, please specify details and where information was obtained from:			
14. Has the perpetrator ever threatened to kill the victim or someone else and has the victim believed them?			
If Yes, please tick all that apply and state where the information was obtained from: Victim <input type="checkbox"/> Children <input type="checkbox"/> Other (please specify) <input type="checkbox"/>			
15. Has the perpetrator ever attempted to strangle, choke, suffocate or drown the victim?			
If Yes, please specify details, and where information was obtained from:			
16. Has the perpetrator said or done things of a sexual nature that have made the victim feel bad or that physically hurt the victim or someone else?			
If Yes, please specify details, and where information was obtained from:			
17. Is there any other person who has threatened the victim or who they are afraid of?			
If Yes, please specify who and where information was obtained from <i>(if HBV also consider extended family)</i> :			
18. Has the perpetrator ever hurt anyone else? <i>(Please tick all that apply)</i>			
Children <input type="checkbox"/> Another Family Member <input type="checkbox"/> Someone from a previous relationship <input type="checkbox"/> Other (Please specify) <input type="checkbox"/>			
If Yes, please specify who and where information was obtained from:			
19. Has the perpetrator ever mistreated an animal or the family pet?			

Key Risks	Yes	No	Don't Know
20. Are there any financial issues? (E.g. is the victim dependant on the perpetrator for money/ has the perpetrator recently lost their job / other financial issues)			
If Yes, please specify details, and where information was obtained from:			
21. Has the perpetrator had problems in the past 12 months with drugs, alcohol or mental health which have led to problems in leading a normal life? <i>(please tick all that apply)</i> Drugs <input type="checkbox"/> Alcohol <input type="checkbox"/> Mental Health <input type="checkbox"/>			
22. Has the perpetrator ever threatened or attempted suicide?			
23. Has the perpetrator ever broken bail/an Injunction and/or formal agreement for when they can have contact with the victim and/or the children?  Bail Conditions <input type="checkbox"/> Non-Molestation / Occupation Order <input type="checkbox"/> Child Contact Arrangements <input type="checkbox"/> Restraining Order <input type="checkbox"/> Forced Marriage Protection Order <input type="checkbox"/> Other Order <input type="checkbox"/>			
If Yes, please specify details, and where information was obtained from:			
24. Has the perpetrator ever been in trouble with the police or do they have a criminal record?			
If Yes, please tick all that apply and state where the information was obtained from: Domestic Violence <input type="checkbox"/> Sexual Violence <input type="checkbox"/> Other Violence <input type="checkbox"/> Other <input type="checkbox"/>			
Total number of Yes/No/Don't Know ticks			
Number of Police Callouts in last 12 months? <i>(If '3 or more' is selected then please specify number)</i>	None <input type="checkbox"/> Less Than 3 <input type="checkbox"/> <b>3 or More</b> <input type="checkbox"/> Don't Know <input type="checkbox"/>		

To conclude the risk assessment, please write a short case summary below including giving reasons as to why you are submitting the case to MARAC:

Is there any other relevant information (from victim or professional) which may increase the risk levels? Consider the victim's situation in relation to disability, substance misuse, mental health issues, cultural/language barriers, 'honour' based systems, geographical isolation and minimisation.

Is the victim willing to engage with your service, or any other support services?

Consider the perpetrator's occupation/interests – could this give them unique access to weapons?

Has the perpetrator got a history of lighting fires/arson, or made threats to use fire to abuse the victim/children/family/friends/others?

What are the service users/victim's greatest priorities in order to address their safety?

Do you believe that there are reasonable grounds for referring this case to MARAC? *(Please tick)*

Yes  No

Do you believe that there are risks facing the children in the family? *(Please tick)*

Yes  No

If yes, please confirm if you have made a Safeguarding Referral? *(Please tick)*

Yes  No

Date referral made to Safeguarding: \_\_\_\_\_

Name of person completing risk assessment: \_\_\_\_\_

Date risk assessment completed: \_\_\_\_\_

**Appendix C Sefton MARAC and IDVA Referral Form**

**(Please tick box as required)**

MARAC is a regular meeting for local agencies to share information about high risk victims of domestic abuse. **MARAC does not replace existing safeguarding arrangements – professionals must take immediate action to safeguard victims of domestic abuse and their children.**

MARAC Referral

IDVA Referral Only

**Referrer Details**

<b>Referring Agency:</b>	
<b>Contact Name:</b>	
<b>Contact details: Tel No / Email</b>	
<b>Date completed:</b>	

**Victim Details**

<b>Victims Name: (Including aliases)</b>		<b>DOB:</b>	
<b>Address:</b>			
<b>Telephone Number:</b>		<b>Safe to Call?</b>	<b>Yes / No</b>
<b>Housing Provider:</b>		<b>Does the perpetrator know where the victim is living?</b>	<b>Yes / No</b>
<b>Gender:</b>		<b>Ethnicity:</b>	
<b>Sexual Orientation:</b>		<b>Disabilities or limiting health conditions:</b>	
<b>Mental Health Issues:</b>		<b>Substance Misuse Issues:</b>	
<b>GP Details:</b>			
<b>Any additional needs (e.g. interpreter or appropriate adult):</b>			
<b>Does the victim pose a risk to professionals?</b>			

**Perpetrator Details**

<b>Perpetrator's Name: (Including aliases)</b>		<b>DOB:</b>	
<b>Address:</b>			
<b>Relationship to Victim:</b>		<b>Does the Perpetrator have an occupation which involves children or vulnerable adults? If Yes give details</b>	
<b>Gender:</b>		<b>Ethnicity:</b>	
<b>Sexual Orientation:</b>		<b>Disabilities or limiting health conditions:</b>	

<b>Mental Health Issues:</b>		<b>Substance Misuse Issues:</b>	
<b>Any additional Information: e.g. Bail Conditions / Non-Molestation Order/DVPO/OCG links</b>			
<b>Does the perpetrator pose a risk to professionals?</b>			

**Children's Details**

Children's Name (Including aliases & any unborn)	DOB / EDD	Relationship to Victim	Relationship to Perpetrator	School / Nursery

**Other adults living in household**

Name	DOB	Relationship to Victim	Relationship to Perpetrator	Are they vulnerable? (Y/N/DK)

**Safeguarding Children and Adults**

Are the family already known to Children and/or Adult Services?

If **yes** what is in place (e.g. CP Plan / CIN Plan / care or support for family)?

If **no** has a Safeguarding Referral been made to either:

Children's Services

Adult Services

Reason for Referral	Please choose one of the following:		
	Visible high risk	<input type="checkbox"/>	ticks on DASH (14+)
	Professional judgement	<input type="checkbox"/>	<b>Comment:</b>
	If risk assessment has not been completed, please state why:		<b>Comment:</b>

**Reasons for Referral**

Repeat Cases	Please choose one of the following:		
	Is this a repeat MARAC case (discussed within last 12 months)	<input type="checkbox"/>	<b>Comment:</b>
	Details of previous MARAC:		<b>Where and When:</b>

**Consent**

Has the victim been made <u>aware</u> that the referral is being made?	Yes / No
Has the victim given <u>consent</u> for the referral to be made? PLEASE NOTE: Consent is not needed for a referral to be made	Yes / No

<b>Background information</b>	
<b>Date of last incident:</b>	
<b>Length of relationship:</b>	
<b>Reasons for referral: Please provide a brief summary of incident(s), risks identified and any known previous DV history/partners</b>	
<b>Were children present during the incident or are they otherwise affected by the domestic abuse?</b>	
<b>Actions completed by referring agency to safeguard the victim:</b>	
<b>Actions completed by referring agency to address the perpetrator's behaviour:</b>	
<b>What will be the added value of the case being discussed by MARAC?</b>	
<b>Please list what you believe to be the most prominent risk factors which need to be addressed by MARAC:</b>	

**Please forward the completed referral form and Sefton Risk Tool to the MARAC Coordinator via secure email on [louise.o'rourke@sefton.gcsx.gov.uk](mailto:louise.o'rourke@sefton.gcsx.gov.uk)**

If you have any queries regarding this form, or the MARAC Process, please contact the MARAC Coordinator Louise O'Rourke on 0151 288 6117 or by secure email on [louise.o'rourke@sefton.gcsx.gov.uk](mailto:louise.o'rourke@sefton.gcsx.gov.uk)

## Appendix D MARAC Frequently Asked Questions

<b>How do I complete a risk assessment for domestic abuse?</b>
The Sefton MARAC Risk Tool is a simple tick box form. You should ask the victim each question and tick the appropriate answer. When the form is completed, you should count the number of 'yes' ticks given by the victim and this will provide you with the risk score. 14+ 'yes' ticks will be an automatic MARAC referral. 10-13 'yes' ticks are still considered to be high risk and can be referred to the meeting using professional judgement if there are specific/serious concerns.
<b>How do I find out if a case is already known to MARAC in Sefton?</b>
If you would like to find out if a case is already known to MARAC before you complete a referral, please contact the MARAC Coordinator on 0151 288 6117
<b>What do I do if the victim won't consent to the MARAC Referral?</b>
Victim consent is not required for a referral to be made to MARAC as you have identified them as being at 'high risk' of current or future harm as a result of domestic abuse on the Sefton MARAC Risk Tool and through your own professional judgement. If victim consent is not obtained then you should complete a copy of the 'MARAC Information Sharing Without Consent Form' and store this on your agencies casefile for the victim. Please see section 6(iii) of this protocol for further information.
<b>Is there further guidance available of 'flagging and tagging' MARAC cases?</b>
All agencies are encouraged to 'flag and tag' their individual case management systems in order to identify MARAC cases. This is to ensure that the process is as effective as possible and that repeat incidents can be identified. Not all agencies will be in a position to do so, and the 'flag or tag' will vary depending on the agency and the case management system used. Professionals should not assume that if there is not a flag it is not known to MARAC as this may be inaccurate – if in doubt please contact the MARAC Coordinator to confirm if a case is known. It is suggested that a tag should remain on a case for a minimum of 12 months from the date of discussion at MARAC, however, some agencies may feel it necessary to keep a MARAC flag on their records for more or less time than this depending on their own data storage and retention policies.
<b>What do I do if I know one of the individuals within the MARAC case personally or I have another conflict of interest?</b>
If you feel you have a conflict of interest because you are personally connected to an individual/s involved in a MARAC case or because of previous professional involvement you must declare it. It is advised that you contact the MARAC Coordinator as soon as you are aware of the conflict of interest so that it can be managed appropriately. Options for dealing with a conflict of interest can range from the conflict being noted but no further action being required, you being excused from the meeting whilst the case is discussed or if necessary, you arranging for a deputy to attend the meeting to discuss the case on your agencies behalf. In some exceptional circumstances (e.g. a MARAC Representative is the victim/perpetrator or closely related to the victim/perpetrator), the MARAC Chair may decide that a conflict of interest is of such a sensitive nature that it requires the case to be discussed within a Closed MARAC setting.
<b>What happens if there has just been a MARAC and my referral cannot wait until the next meeting?</b>
In the event that a referral is made, which is deemed too urgent to wait until the next MARAC meeting, an emergency MARAC may be held; however, this will always be <b><u>the exception rather than the rule.</u></b> An emergency MARAC will only be called when a victim is assessed as high risk and the risk of harm is so imminent that statutory agencies have a duty of care to act at once, rather than waiting for the next MARAC meeting. Please see <a href="#">section 6(xvi)</a> of this protocol for further information.

<b>What happens if a case keeps coming back to MARAC?</b>
There may be cases which continue to be referred back to the MARAC because of repeat incidents. Repeat cases will be identified on the MARAC case list by the MARAC Coordinator. If a case is continually re-referred into the MARAC process then it may be referred to the MARAC Executive Group for review. The case will be considered in detail by the Executive Group to ensure all possible actions have been taken and to explore whether there are any further options available to MARAC.
<b>What happens if a case moves to a different area?</b>
If a professional becomes aware that a victim has moved to a different area, they should inform the MARAC Coordinator to enable a MARAC to MARAC transfer to be completed. Please see <a href="#">section 6</a> (xiv) of this protocol for further information.
<b>How do you know that MARAC is working?</b>
Success of MARAC is recorded in a number of ways, including the repeat victimisation rate and the number of agencies participating in the process. If agencies require data information, or have specific data enquiries, they should contact the MARAC Coordinator to make any requests.
<b>Which agencies are involved with MARAC?</b>
Please see <a href="#">section 4</a> of this protocol for a list of current MARAC agencies. For a current contact list for the MARAC representatives please contact the MARAC Coordinator.
<b>Can I tell the perpetrator that the case is at MARAC?</b>
Under no circumstances should perpetrators be given any information on the details of the risk management plan, any information that agencies have shared or the views expressed by the victim. If any further clarification is required please contact the MARAC Coordinator.
<b>What happens in the event that the MARAC meeting needs to be cancelled?</b>
A scheduled MARAC will only be cancelled under exceptional circumstances. The decision to do so will be made by the MARAC Chair and MARAC Coordinator. An alternative MARAC meeting will be arranged as soon as possible and all other scheduled MARAC dates will remain unchanged. All MARAC agencies should be taking appropriate safety actions as soon as they receive the MARAC agenda and should not be waiting for the MARAC Meeting.
<b>What training is available on MARAC?</b>
Free MARAC training sessions are available for all practitioners which can be tailored to an individual agency's needs. Any requests of training should be made to the MARAC Coordinator.
<b>How do I access the MARAC forms and/or paperwork?</b>
Please contact the MARAC Coordinator in order to access the MARAC forms or other associated paperwork

## Appendix E

## Legal remedies and sanctions

### Domestic Violence Protection Notices and Orders

The aim of Domestic Violence Protection Notices (DVPN) and Domestic Violence Protection Orders (DVPO) is to provide victims with immediate protection following an incident of domestic violence or abuse and to give them time to consider what to do next.

A DVPN is the initial notice issued by the police which contains prohibitions that effectively bar the suspected perpetrator from returning to the victim's home or otherwise contacting the victim.

A DVPN may be issued to a person aged 18 years and over if the police have reasonable grounds for believing that the individual has been violent or threatened violence towards an associated victim and this person needs to be protected. The associated person does not have to consent to the issuing of a DVPN or DVPO.

If the DVPN is not adhered to, the police may arrest the individual and hold that person in custody pending an appearance at a Magistrates Court.

Once the police have served a DVPN, an application for a DVPO can be applied for by the Police. These orders are granted by the Magistrates Court and must be applied for within 48 hours of the DVPN being served.

A DVPO may be in force for between 14-28 days. The order may:

- Stop the perpetrator from entering and being within a certain distance of the victim's home
- Stop the perpetrator from making the victim leave or being excluded from their home
- Require the perpetrator to leave the victim's home.

It is imperative that any DVPN / DVPO served/secured is shared with relevant partners so that they can pursue further protection in the intervening period and prior to the DVPO expiring.

### Domestic Abuse Disclosure Scheme (Clare's Law)

The Domestic Violence Disclosure Scheme (DVDS), also known as Clare's Law, is designed to provide victims with information that may protect themselves from an abusive situation. Clare's Law is named after Clare Wood from Greater Manchester who was murdered brutally by her former partner in 2009. There are two parts to the Domestic Abuse Disclosure scheme; a) right to ask and b) right to know.

**Right to ask:** Anyone can request a disclosure about an individual they are in a relationship with or who is in a relationship with someone they know, and there is a concern that the individual may be abusive towards their partner. Third parties, such as friends, relatives, colleagues or neighbours can also make an enquiry about someone they are concerned about and the harm their partner may cause them.

If police records show that an individual may be at risk of domestic abuse from a partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

### **What is the process?**

**Step 1: Initial contact with police** – either visit a local police station or phone 101, the non-emergency number for the police. Details will be taken of what prompted the enquiry and the nature of your relationship with the potential victim and their partner. The police will run some initial checks based on the information you provided and conduct an initial risk assessment. This will determine whether there are any immediate concerns. If you disclose that a crime has taken place, e.g. if you witness someone hit their partner, then the police may investigate this as a crime and may arrest the partner. If the police believe that someone is at risk and in need of protection from harm, they will take immediate action. No disclosure of information will take place at this stage unless it is necessary for the immediate protection of the potential victim.

**Step 2: Face-to-face meeting to complete the application** – Depending on the outcome of Step 1, you may then be asked to participate in a face-to-face meeting with the police. This meeting will establish further details about your application in order to assess any risk. The police will run further checks and speak to other agencies including Prison Service, the Probation Service and Social Services. The police will act immediately if at any point they consider the potential victim to be at risk and in need of protection.

**Step 3: Multi-agency meeting to consider disclosure** – The police will meet with other agencies in a multi-agency forum to discuss the request. The multi-agency meeting will then decide whether any disclosure is lawful, necessary and proportionate to protect the person you are concerned about from their partner. If they decide to disclose information, they will decide who should receive the information disclosure and set up a safety plan tailored to the potential victim's needs to provide them with help and support.

**Step 4: Potential disclosure** – If the checks show that the individual you are enquiring about has a record for abusive offences or there is other information that indicates there is a pressing need to make a disclosure to prevent further crime, the police may disclose this to the person who is most able to protect the victim.

**Right to Know:** Applications can be generated by professionals where it has been identified that there is a potential victim of domestic abuse who may not be aware of their partner's previous DV offences i.e. if police find out that a known DV perpetrator has started a new relationship

The decision as to whether a disclosure should be made, should be agreed by a multi-agency decision making forum. Within Sefton, it has been decided that this forum will be made up of a core group of MARAC members. Applications will either be discussed at the end of the MARAC meetings once the main agenda has been completed or at separate standalone meetings as and when necessary. For more information about this process, please contact the **MARAC Coordinator** on **0151 288 6117**

## Family Law Injunctions

Injunctions are court orders which require someone to do, or not to do, a certain act. The common areas in which injunctions are applied for is when a relationship has broken down and one party is harassing, threatening or assaulting the other. There are two main types of injunctions available under Part IV of the Family Law Act 1996:

- A non-molestation order
- An occupation order

Police officers have direct access to the National Centre for Domestic Violence ASSIST database which provides immediate access to all Non-Molestation Orders, Occupation Orders and Domestic Violence Protection Orders. This service helps Police officers obtain original court papers.

**Non-Molestation Order:** This is an order to stop the person who is the abuser from molesting the victim or their children. Molesting means harassing, pestering or interfering with the victim or their children and also includes assault. 'Assault' can mean pushing, punching, slapping, throwing objects, spitting, etc. The order can also extend to cover anyone else who the abuser may tell to molest, harass, pester or be violent towards the victim or their children.

A breach of a non-molestation order is now a criminal offence; however, a victim can also take the case back to the civil court if the order is broken if they prefer to do so. Powers of arrest may also be attached to an occupation order. These powers come into effect if the abuser breaks the order (see below, Powers of arrest).

**Occupation Order:** An occupation order regulates who can live in the family home, and can also restrict an abuser from entering the surrounding area. Where a victim does not feel safe continuing to live with their abuser, or has had to leave home because of violence, but wants to return to their home and exclude their abuser then an occupation order can be used to help them to do this. The court will apply a 'balance of harm' test when deciding whether to make the order.

When making an occupation order, the court may make other related orders imposing obligations on the victim or the abuser (for example, relating to repair and maintenance of the home, or to payment of rent or mortgage).

An occupation order can include the following outcomes:

- Allow the victim to remain in the home if the abuser is trying to get them out
- Allow the victim back into the home if the abuser has already thrown them out or is preventing them from going back into the home
- Exclude the abuser from all or part of the home
- Impose a set of rules about living in the home
- State that the victim and abuser must live in separate parts of the home
- Exclude the abuser from coming within a certain distance of your home
- Order the abuser to leave the home or a part of it

- If the victim does not own the property and has not paid towards the cost of the property the victim can obtain an order which says that they are still entitled to live in the property because they have 'matrimonial rights'. There is also an order that this right will not end if the abusive partner dies or there is a divorce. However, the abuser can apply to the court to try and end the victim's 'matrimonial rights' or restrict them

**Length of Injunctions:** Injunctions are normally for a specified period of time but can be renewed; or they may be made 'until further order'. There is no limit on the length of time that non-molestation orders can be extended for. Occupation orders can only be extended beyond 12 months if the victim has a legal right to stay in the home (i.e. as owner or co-owner, or tenant/joint tenant, or because they are or have been married to the owner/tenant). Occupation orders are usually only for a short period of time therefore legal advice needs to be sought if a joint tenancy exists between the victim and the perpetrator.

**Eligibility for Injunctions:** In order for someone to apply for one of these orders they must be what is referred to as an 'associated person'. This means the victim and abuser must be related or associated with each other in one of the following ways:

- They are or have been married to each other
- They are or have been in a civil partnership with each other
- They are cohabitants or former cohabitants (including same sex couples)
- They live or have lived in the same household
- They are relatives
- They have formally agreed to marry each other (even if that agreement has now ended)
- They have a child together (this can include those who are parents of the same child, and those who have parental responsibility for the same child)
- Although not living together, they are in an 'intimate relationship of significant duration'
- They are both involved in the same family proceedings (e.g. divorce or child contact)

**Power of arrest:** This can be attached to an injunction and will give the police power to arrest the abuser if he or she breaks the order. To obtain a power of arrest you need to show that violence has been used against the victim or has been threatened and this is likely to happen again.

**The application process:** An application for either a non-molestation order and/or occupation order is made in the Family Proceedings Court (part of the Magistrates Court), the County Court or the High Court. Form FL401, available from the court or to download from the HM Courts Service website, must be completed along with a sworn statement giving details of the victim's relationship, any relevant children, past history of violence and the events which led up to making the application. If an injunction is required urgently as the victim is scared that the abuser will cause further harm if they find out the victim is going to court, an application can be made "without notice". This means that the court can consider the application without the abuser being present.

**Enforcing a non-molestation order:** If the abuser has breached a non-molestation order this can be enforced by either:

- Starting criminal proceedings by reporting the behaviour/breach to the police

**OR**

- Starting civil proceedings by applying to the court that made the order for the respondent to be arrested and/or punished. This will require the advice and support of a solicitor

Breaching a non-molestation order is a criminal offence that can be tried in the Magistrates Court or Crown Court. The criminal courts have a range of sentencing options available to them; however, the maximum sentence is five years imprisonment.

**Enforcing an occupation order:** If the abuser breaches any of the provisions of an occupation order that have a power of arrest attached to it the victim can call the police. The police can arrest the abuser and take them back to court. The court may then hear evidence about the breach and deal with the respondent immediately or the court may adjourn the hearing to another day. Where a power of arrest is not attached an application can still be made to the court to have the abuser arrested and/or punished. This will require the advice and support of a solicitor.

A respondent who is found by the court to have breached the order may be committed to prison, fined or be given a suspended sentence of imprisonment.

#### **Restraining orders**

Legislation also allows for a restraining order to be attached when criminal proceedings have been taken – even if the conviction has not been upheld – if the court believes that the victim is likely to be at risk. Restraining orders can provide the same protection as injunctions under the civil law but may be more effective as they carry stronger penalties. Taking action under the criminal law, coupled with restraining orders, may help the victim to avoid the cost of taking, what can be expensive, civil legal action if they do not also need to apply for an injunction to exclude the abuser from their home.

The Protection from Harassment Act (1997) makes harassment a criminal and civil offence and gives the police more powers to arrest and charge a person who is harassing someone, and can be used instead of 'Common Law Injunctions'.

Harassment includes, nuisance phone calls, stalking, threats, excessive noise etc. Basically, any behaviour which causes the victim 'alarm' or 'distress'. The harassment has to have happened more than once to use this Act. In the case of stalking the victim must show that the behaviour caused them to believe that the person was likely to use violence on them. The Act can also be used to prevent harassing behaviour by neighbours, protesters, family members, the media etc.

If there is evidence of harassment the police have powers to arrest suspected offenders, charge them and take them to either the Magistrates Court or the Crown Court. If they are found guilty in the Magistrates Court they can be sentenced to up to six months in prison and/or up to a £5,000 fine as well as an order preventing them from further harassment. In

the Crown Court, they can be sentenced to up to five years in prison or an unlimited fine as well as an order preventing them from further harassment.

### Common law injunction

Unmarried couples not living together, neighbours, relatives, friends or acquaintances – can also apply for a ‘Common Law Injunction’. These are sometimes called ‘Assault and Trespass Injunctions’.

These injunctions will stop somebody coming onto the victim’s property without their permission or assaulting them. Specifically, these orders can enable the victim to:

- Stop the person from assaulting or harassing them. The harassment must be serious to the point that it interferes with their mental or physical health. The harassment must also be intentional. Repeated phone calls can amount to harassment
- Stop the person from trespassing on their property. The victim must show they have an interest in the property, for example own it or be a tenant
- Stop the person from causing a nuisance
- Stop the person interfering with your possessions
- More recently the courts have also allowed orders to exclude abusers from coming within a certain distance of the applicant’s home or place of work

You cannot get a power of arrest with this type of injunction or an order to force somebody who is living in the home (such as a relative) to leave, if they have a right to be there. If the abuser breaks the injunction the victim will need to go back to court to get an order to send them to prison.

### Anti-harassment Injunctions

If the victim is not eligible to apply for an order under the Family Law Act, or if they are being continually harassed, threatened, pestered or stalked by a stranger, acquaintance, or after a relationship has ended, a civil injunction can be applied for under the Protection from Harassment Act (1997).

### Housing Injunctions – Registered Providers

Registered Providers (RPs) are able to support their tenants who are suffering from domestic abuse and violence via housing specific injunctions:

**Section 153A Injunction (non-tenant):** Behaviour capable of causing a nuisance or annoyance which directly or indirectly affects an RSL’s housing management function. Proceedings can be issued against persons aged 18 years or older and a power of arrest or exclusion order can be attached whereby the behaviour involves the use or threatened use of violence or there is a significant risk of harm

**Section 153D Injunction (breach of tenancy):** Any breach of tenancy agreement including acting, allowing, inciting, permitting visitors, children occupants or lodgers to act in a manner capable of causing a nuisance or annoyance. Also, any other breaches of tenancy agreement e.g. property condition, unkempt gardens etc. A power of arrest can be attached if the complaint involves the use or threatened use of violence or there is a significant risk of harm

**Criminal prosecution under the Mental Capacity Act 2005, Section 44**

The Mental Capacity Act introduced a new criminal offence of ill-treatment or wilful neglect of a person who lacks capacity.

**Criminal prosecution under the Domestic Violence, Crime and Victims (Amendment) Act 2012**

This act extends the offence of causing or allowing the death of a child or vulnerable adult, to causing or allowing serious physical harm, like inflicting brain damage or broken bones. See Ministry of Justice Circular No. 2012/03.

**Recognition of Coercive Control as a criminal offence: Section 76, Serious Crime Act 2015**

From 29 December 2015, coercive or controlling domestic abuse became a crime punishable by up to five years in prison, even if it stops short of physical violence. The new legislation will enable the Crown Prosecution Service to bring charges where there is evidence of repeated, or continuous, controlling or coercive behaviour within an intimate or family relationship.

This can include a pattern of threats, humiliation and intimidation, or behaviour such as stopping a partner socialising, controlling their social media accounts, surveillance through apps or dictating what they wear.

More detailed information about legal remedies for domestic abuse can be found here <https://www.womensaid.org.uk/> or here [www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk) and look at the sections on criminal law and civil law. More information on legal advice and support can be found here [www.ncdv.org.uk](http://www.ncdv.org.uk)

The National Centre for Domestic Violence (NCDV) provides a fast emergency injunction service to victims of domestic abuse regardless of their financial circumstances. Contact **0844 804 4999** / Freephone **0800 970 2070**.

## Appendix F Harmful Practices

### Female Genital Mutilation (FGM)

FGM, sometimes referred to as female circumcision, is when a girl's genitals are altered or removed. It can cause long-lasting damage as well as on-going emotional distress. It is illegal in the UK and is a clear and severe form of child abuse and violence against women. Professionals should intervene to safeguard girls and protect women who may be at risk of FGM or have been affected by it.

More information can be found on Sefton LSCB's website here <https://seftonlscb.org.uk/lscb/policy-and-guidance/female-genital-mutilation-fgm-1>

### Forced Marriage

A forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. It is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. The Anti-Social Behaviour, Crime and Policing Act 2014 makes it a criminal offence to force someone to marry.

The Forced Marriage Unit (FMU) is a joint Foreign and Commonwealth Office and Home Office unit which was set up in January 2005 to lead on the Government's forced marriage policy, outreach and casework. It operates both inside the UK, where support is provided to any individual, and overseas, where consular assistance is provided to British nationals, including dual nationals.

The Forced Marriage Unit operates a public helpline to provide advice and support to victims of forced marriage as well as to professionals dealing with cases. The assistance provided ranges from simple safety advice, through to aiding a victim to prevent their unwanted spouse moving to the UK ('reluctant sponsor' cases), and, in extreme circumstances, to rescues of victims held against their will overseas.

### Honour based violence /abuse

Honour based violence/abuse is a violent crime or incident which may have been committed to protect or defend the honour of the family or community.

It is often linked to family members or acquaintances who mistakenly believe someone has brought shame to their family or community by doing something that is not in keeping with the traditional beliefs of their culture.

Honour based violence might be committed against people who:

- Become involved with a boyfriend or girlfriend from a different culture or religion
- Want to get out of an arranged marriage
- Want to get out of a forced marriage

Women and girls are the most common victims of honour based violence however it can also affect men and boys. Crimes of 'honour' do not always include violence. Crimes committed in the name of 'honour' might include:

- Domestic abuse
- Sexual or psychological abuse
- Forced marriage
- Being taken and held against your will
- Assault

The perpetrators are usually:

- Male family members (father, brother, husband, uncles, cousins)
- Women family members (mother, sister, in laws, etc.)
- Bounty hunters
- Contract killers
- Members of the victims' communities
- People under the order of community leaders

Triggers of what is seen as dishonour include: Inappropriate" make-up or dress, going out; talking to a boy (or a girl), or to a stranger; expressions of sexual autonomy, public displays of affection; having a boyfriend; resisting a forced marriage; sex outside marriage, i.e. losing virginity, adultery, pregnancy and being a victim of rape.

The barriers to people seeking protection include: underestimating the threat, fear of dishonouring family, ostracised by friends and the community; fear of losing children, family and friends; feelings of guilt and shame; constant control by the family; fear of lack of confidentiality / sharing information with family.

Further information is available from [www.karmanirvana.org.uk](http://www.karmanirvana.org.uk) **0800 5999 247**. The Forced Marriage Multi-Agency Statutory Guidance also lists national services available to support victims of honour based violence as these two issues can often manifest themselves together.