



North Yorkshire Safeguarding Children Partnership

# Domestic Abuse

Practice Guidance

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## Purpose of the Domestic Abuse Practice Guidance

This practice guidance is written to assist all staff working with children and young people to recognise and respond appropriately to situations of Domestic Abuse. For the purpose of this document we will use the word children or child to denote a person under the age of 18 years.

It is of note that NYSCP will no longer refer to Domestic Violence as not all Domestic Abuse involves physical violence; indeed this has recently been recognised in law regarding the coercive control elements of Domestic Abuse which can be just as damaging, if not more so, than physical violence.

Significant research has been undertaken over the past few years into the impact on children living within domestically abusive households. We now know that over 90% of children living within such households are aware of the abuse of their parent/carer, and that the impact on those children is very significant, even when they only know about the abuse by hearing it, rather than seeing it happen.

## The cross government definition of domestic abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional<sup>1</sup>

### Controlling behavior

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

### Coercive behavior

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.<sup>2</sup>

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<sup>1</sup> <https://www.gov.uk/guidance/domestic-violence-and-abuse>

<sup>2</sup> Controlling or Coercive Behaviour in an Intimate or Family Relationship, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/482528/Controlling\\_or\\_coercive\\_behaviour\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/482528/Controlling_or_coercive_behaviour_-_statutory_guidance.pdf)

Domestic abuse occurs within all age ranges, ethnic backgrounds, sexualities, and economic and educational levels.

Domestic abuse:

- will affect 1 in 4 women, and 1 in 6 men, during their lifetime;
- leads to, on average, two women being murdered each week, and 30 men per year;
- accounts for 16% of all violent crime, however it is still the violent crime least likely to be reported to the police;
- has more repeat victims than any other crime (average on there will have been 35 domestic abuse assaults before a victim calls the police) and women will approach 9 different agencies for help before effective help is offered; and
- is the single most quoted reason for becoming homeless.

During 2014/15 over 10,000 domestic abuse incidents occurred across North Yorkshire and the City of York were reported to North Yorkshire Police.

Data in relation to children, taken from Getting it Right First Time by Safe Lives found that:

- a quarter of the children living with high risk domestic abuse are under 3 years old, and
- 62% of children are directly harmed

Additionally we know that in the majority of Serious Case Reviews (i.e. a review of multi-agency working where a child has died, or been seriously harmed, and abuse or neglect are believed to be a factor) domestic abuse is an issue within that household.

### **Situational couple violence (SCV) (Situationally-provoked violence)**

- Violence that occurs because the couple has conflict which turns into arguments that can escalate into emotional and possibly physical violence.
- SCV often involves both partners.
- Women as likely as men to engage in SCV but impact on women (when committed by men) is much larger (due to physical size etc.) in terms of physical injury as well as fear and psychological consequences (in about a quarter of cases it is only the man who is violent; in about a quarter of cases it is only the woman who is violent, and in the other half of cases both the man and the woman have been violent at some point in the relationship).
- Violence can on occasions escalate to become chronic and severe.
- SCV follows a socio-economic gradient and is more prevalent in poorer families. Substance misuse, anger management issues and communication issues are deeply

implicated. SCV is more common than intimate terrorism in co-habiting relationships than in marriages.

- Alcohol plays a significant role in SCV as a source of conflict in itself and as a factor which leads to escalation of violence.
- In 40% of couples characterised by this type of violence, the SCV comprises one incident (such as a slap, or a push). The couple is horrified by what has happened, deals with it, and there is no further violence within the relationship. For the remainder, there is chronic violence (ranging from a few incidents per year to chronic arguing that frequently turns to violence).<sup>3</sup>

## What are the factors?

### Isolation

Isolation of an individual in an abusive relationship is an emotional and psychologically harmful and distressing time. Isolation occurs when the abusive partner creates a dependency on himself or herself, for example preventing the abused partner from seeing friends and family by making threats about harming themselves, children, pets etc.

Preventing the abused partner from communication with anyone apart from the abuser themselves means the abused partner becomes solely reliant on them for everything and as a result, this creates fear and further isolation for the victim.

### Identifying Isolation

Isolation can be hard to identify, however clear indicators can be seen e.g. when the suspected abused partner is looking to their partner for approval before they speak or answer questions, or when the abused partner is never seen by professionals without the abusing partner being present, or when the abusing partner prevents family or friends support. The abused individual is also likely to be withdrawn depending on the reasons the abusive partner may have offered as to why they only have each other. For example if the abusive partner has told the other partner that no one likes them, severe self-doubt and low self-esteem may have been created.

Significant changes in weight and physical appearance may also be visible in the abused individual, although this is not always the case.

### What is Stalking and Harassment?

Stalking is a pattern of repeated (two or more occasions) and unwanted behaviour that may cause an individual to feel distressed, scared or intimidated. Both males and females can commit this offence. Stalking can happen with or without a fear of physical violence. This

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<sup>3</sup> Working relationally with couples where there is situational violence

means if an individual is receiving unwanted contact (in person, by letter, email or phone), but the person has never threatened the individual, this is still stalking and is not acceptable.

Stalking can, and often does have a huge emotional impact on those it affects. It can lead to feelings of depression, anxiety and even post-traumatic stress disorder. It is a psychological as well as a physical crime. What can make the problem particularly hard to cope with is that it can go on over a long period of time, making victims constantly anxious and afraid. Sometimes the problem can build up slowly and it can take a while for the victim to realise that they are caught up in an on-going campaign of abuse. The problem isn't always 'physical' because of the internet and phone access, and 'cyber-stalking' or online threats or repeated unwanted phone calls can be just as intimidating for the victim.

- Stalking is one of the most common types of intimate violence
- The most common perpetrator in incidents of stalking is a partner or ex-partner
- 18.1% of women aged 16-59 and 9.4% of men aged 16-59 say they have experienced stalking since the age of 16.

There are many forms of harassment ranging from unwanted attention from somebody seeking a romantic relationship to violent predatory behaviour.

#### Types of stalker

- The rejected – who pursue ex-partners, in the hope of reconciliation, for vengeance or both.
- Intimacy seekers – who stalk someone they believe that they love and who they think will reciprocate.
- Incompetent suitors – who inappropriately intrude on someone, usually seeking a date or brief sexual encounter.
- The resentful – who pursue victims to take out revenge.
- The predatory – whose stalking forms part of sexual offending.

It is of note that professionals working with children can also experience 'resentful' stalking following a child being referred to Children's Social Care, becoming subject to a Child Protection Plan, becoming Looked After, or following information being shared with another agency, e.g. Police, Children's Social Care. In such cases, the professional's Human Resources department & the Police must always be informed.

#### The Law:

Everyone has the right to go about their daily business in safety and without fear. The constant worry of being stalked can affect physical & emotional health. Harassment and stalking are offences. As of 25th November 2012 amendments to the Protection from Harassment Act were made which established stalking as a specific offence in England and Wales.

There are two amendments –

- Section 2A stalking and Section 4A stalking: To prove a section 2A it needs to be shown that a perpetrator pursued a course of conduct which amounts to harassment and that the particular harassment can be described as stalking behaviour. A 'course of conduct' is two or more incidents.
- Section 4A is stalking involving fear of violence or serious alarm or distress: Serious alarm and distress is not defined but can include behaviour which causes the victim to suffer emotional or psychological trauma or have to change the way they live their life.

If you are concerned a person may be a victim of stalking or harassment then you should contact the Police on 101 for non-emergencies or 999 in an emergency, i.e. where there is an immediate threat or danger to someone.

### **Honour Based Violence (HBV)**

HBV is a crime or incident, which has or may have been committed, to 'protect or defend the honour of the family and/or community'. HBV has the potential to be both a domestic abuse incident and a child abuse incident or concern. HBV is sometimes referred to as "Izzat" which means dignity, honour, reputation, or social rank.

Individuals, families and even communities may take drastic steps to preserve, protect or avenge their 'honour'; this can lead to a substantial breach of human rights and can include the following abuse:

- All forms of domestic abuse
- Assaults
- Disfigurement
- Versions of sati (burning)
- Sexual assault and rape
- Forced Marriage

Attitudes, behaviour and actions that may constitute 'dishonour' are wide ranging and can include:

- Reporting domestic abuse to a third person
- Smoking
- 'Inappropriate' make up or dress
- Running away from home
- 'Allowing' rape
- Having a boyfriend
- Pregnancy outside marriage
- Interfaith relationships
- Rejecting a forced or arranged marriage
- Leaving a spouse
- Requesting a divorce

- Intimacy in a public place
- Declaring being gay or lesbian

**DO NOT UNDERESTIMATE THE FACT THAT PERPETRATORS OF HBV REALLY DO AND WILL KILL THEIR CLOSEST RELATIVES AND/OR OTHERS FOR WHAT MAY APPEAR TO BE A MINOR OR TRIVIAL TRANSGRESSION.**

Consider the family and the information you have to share; is it possible you could be putting someone in the family at risk of HBV? If so you should seek further guidance from your manager regarding next steps to safeguard the person.

### **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 abuse against women and men, domestic/child abuse and a serious abuse of human rights. A marriage must be entered into with free will and consent. The pressure put on people to marry against their will can be physical or sexual, including threats, emotional, psychological or financial.

NB: Forced Marriage is NOT the same as arranged marriage, which is one where parents or elders may identify a 'suitable' marriage partner, but where the prospective spouses may choose whether or not they wish to accept the partnership and no pressure is brought on this decision.

From June 2014, forcing someone to marry against their will is a crime and anyone found guilty can face up to seven years in prison.

Key Motivations of a Forced Marriage:

- Controlling unwanted behaviour and sexuality (including perceived promiscuity, gay, lesbian, bisexual or transsexual), in particular the behaviour and sexuality of women.
- Protecting "family honour".
- Peer group and family pressure.
- Attempting to strengthen family links.
- Ensuring land, property and wealth remains within the family.
- Protecting perceived cultural ideals.
- Protecting perceived religious ideals, which maybe misguided.
- Preventing "unsuitable" relationships, e.g. those outside ethnic, cultural, religious or caste group.
- Assisting claims for residence and citizenship.
- Fulfilling long-standing family commitments.

## **Adolescent to Parent Abuse**

Child on parent abuse is often referred to as adolescent to parent abuse. Whilst the definition of domestic abuse applies to those aged 16 or over, it is recognised that child on parent abuse does occur and needs to be addressed, and can be perpetrated by those under 16 years old.

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

It is more likely to involve a pattern of behaviour. This can include physical violence from an adolescent towards a parent and/or a number of different types of abusive behaviours, including

- damage to property,
- emotional abuse,
- economic/financial abuse
- sexual abuse
- coercive control

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.

Patterns of coercive control are often seen in cases of child on parent abuse, but 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 abuse, 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/carers of the young person. It is important to recognise the effects child to parent's abuse may have on both the parent/carer and the young person and to establish trust and support for both.

### Impact on Children

Children who witness domestic abuse suffer emotional and psychological abuse. They tend to have low self-esteem and experience increased levels of anxiety, depression, anger and fear, aggressive and violent behaviours, including bullying, lack of conflict resolution skills, lack of empathy for others, poor peer relationships, poor school performance, anti-social behaviour, pregnancy, alcohol and substance misuse, self-blame, hopelessness, shame and apathy, post-traumatic stress disorder – symptoms such as hyper-vigilance, nightmares and intrusive thoughts – images of violence & abuse, insomnia, enuresis (bed wetting) and over protectiveness of the victim and/or siblings.

The impact of domestic abuse on children is similar to the effects of any other abuse or trauma and will depend upon such factors as:

- The severity and nature of the domestic abuse;
- The length of time the child is exposed to the domestic abuse;
- Characteristics of the child's gender, ethnic origin, age, disability, socio economic and cultural background;
- The warmth and support the child receives in their relationship with their abused and abusive parents/carers, siblings and other family members;
- The nature and length of the child's wider relationships and social networks; and
- The child's capacity for and actual level of self-protection.

### Factors which increased vulnerability / risk and appropriate interventions

- Babies under 12 months old are particularly vulnerable to physical abuse. Where there is domestic abuse in families with a child under 12 months old (including an unborn child), even if the child was not present, any single incident of domestic abuse can negatively affect the baby's well-being.
- If there are children under the age of seven in the family, this could raise the level of risk as young children are more vulnerable because they do not have the ability to implement safety strategies and are dependent on their care givers to protect them. In cases such as this, the characteristics of the child and any 'protective' factors need to be carefully considered.
- If there is a child or a parent who has special needs, the risk of harm to the child, the parent and other children in the family is increased because the child or parent may not have the ability to implement an effective safety strategy.

- If there is a vulnerable adult, professionals should follow their local Safeguarding Adults procedures. These can be found by visiting: [www.safeguardingadults.co.uk](http://www.safeguardingadults.co.uk)
- Domestic Abuse directed towards a care giver may draw attention away from the fact that a child in the family may be being sexually or physically abused or targeted in some other way.

Professionals should also assure themselves that a child is not perpetrating abuse towards other family members.

Early-intervention is key to addressing domestic abuse and preventing an escalation and increase in risk. It is not always easy to know what to do when you are concerned about the impact of Domestic Abuse on a child or young person, but following the guidance below will help:

- Assess the risk according to the NYSCP Vulnerability Checklist: <https://www.safeguardingchildren.co.uk/professionals/practice-guidance/>
- Children and Families Assessment can help you work with the child or young person and their family to identify and address the needs where there are not child safeguarding concerns. It provides a structure for recording information that you gather by having a conversation with the family, and for identifying what actions need to be taken to address the identified needs. It will also help you secure the involvement and assistance of other services and agencies, who are committed to the Children and Families process.
- Where analysis of the information that you are aware of about the domestic abuse gives rise to concerns about a child's safety and welfare, then a referral should be made to Children and Families Service via the Multi Agency Screening Team (MAST) immediately. Details about how to make a referral can be found <https://www.safeguardingchildren.co.uk/about-us/worried-about-a-child/>
- Safeguarding guidance stresses that practitioners should be particularly concerned regarding children whose parents or carers are experiencing difficulties in meeting their needs as a result of domestic abuse, substance misuse, mental illness and/or learning disability.

## Contact

Many abused partners, despite a decision to separate, believe that it is in the children's interest to see their other parent/ carer. In other circumstances parents may be compelled by the courts to allow contact.

Victims of abuse can be most vulnerable to serious violent assault in the period just before and after separation. Contact can be a mechanism for the abusive partner to locate the other partner and child.

Abusive partners may use contact with the child to hurt the other partner, for example, verbally abusing the partner to the child, belittling the other parent or blaming them for the separation. Thus, through contact the child/ren can be exposed to further physical and/or emotional and psychological harm, and professionals with ongoing contact with the non-abusing parent or the children of the relationship need to be vigilant regarding this potential issue.

Professionals supporting separation plans should consider at an early point the victim of abuse's views regarding post-separation contact. The professional should clearly outline for the partner facing abuse the factors which need to be considered to judge that contact is in the child's best interests.

Professionals should also speak with and listen to each child regarding post-separation contact.

Where the assessment concludes that there is a risk of harm, the professional must recommend that unsupervised contact should not occur until a fuller risk assessment has been undertaken by an agency with expertise in working with abusers.

Professionals should advise victims of abuse of their legal rights if an abusive partner makes a private law application for contact. This should include the option of asking for a referral to the Children and Family Court Advisory and Support Service (CAFCASS) Safe Contact Project.

If there is an assessment that unsupervised contact or contact of any kind should not occur, professionals should ensure that this opinion is brought to the attention of any court hearing applications for contact. Professionals should ensure that any supervised contact is safe for the parent/carer and the child, and reviewed regularly. The child's views should be sought as part of this review process.

## **Domestic Abuse in Young People's Relationships**

Young women in the 16 to 24 age group are most at risk of being victims of domestic abuse. Whilst they are under the age of 18 years, these young women (in some cases teenage mothers) should receive support and safeguarding in line with the Children Act 1989 and Children Act 2004.

For young women aged 18 to 24 years, professionals should follow their local Safeguarding Adults procedure.

Professionals who come into contact with young people should be aware of the possibility that the young person could be experiencing violence within their relationship.

Young people Identified as Being Abusive to Others

Young people of both genders may be identified as being abusive by directing physical, sexual or emotional abuse towards their parents, siblings and/or partner. Young people can be abusive for a number of complex reasons and may have considerable needs themselves. The needs of the young person identified as being abusive to others should be considered separately from those of the person being abused.

A referral should be made to Children's and Families service in any instance where a young person:

- Is likely to seriously physically abuse another child or an adult;
- Is likely to seriously emotionally abuse another child or an adult;
- Is likely to sexually abuse another child or an adult; or
- Has already significantly harmed another child or an adult

Please refer to The North Yorkshire Safeguarding Children Partnership Website, Procedures: <https://www.safeguardingchildren.co.uk/professionals/nyscb-procedures/>

### Child to Parent/ Carers Abuse

A report in January 2014 by BBC newsbeat raised the growing issue of parents being abused by their children. A group called Family Lives stated that a third of recent calls to its helpline had been regarding children being physically aggressive.

A Home Office minister recognised it as "a serious and often hidden issue".

The advice from the charity Young Minds is to firstly try and understand why the young person might be feeling so angry, and acknowledge the issue whilst putting strong boundaries in place of what behaviour is and isn't acceptable. If the situation continues or gets worse a local GP could be a good starting point for referral to services such as the IDAS Respect Programme where there is clear evidence of child to parent abuse, or abusive behaviour by a child to any member of their family.

IDAS can also offer support to young 'abusers' and their parents/carers through the RESPECT Young People's Programme. The Programme is available to any young people aged between 10 and 16 years who are who are demonstrating abusive behaviour within the family setting; this can be directed towards parents, carers, siblings and other family members.

To make a referral to the IDAS Respect programme complete the referral form below and send it to [respect@idas.org.uk](mailto:respect@idas.org.uk)

## IDAS Respect Programme Referral Form



Respect YPP Referral  
Form.doc

## Helping Young People define the difference between Bullying and Domestic Abuse

The definition of bullying that North Yorkshire usually refers to in its work with schools/settings is the one developed by the Anti-bullying Alliance,

“The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face to face or through cyber space”.<sup>4</sup>

When this is cross-referenced with the definition of domestic abuse, it is easy to begin to draw parallels between areas such as psychological and emotional attack and behaviour that deliberately causes hurt. For a young person it could be very difficult to define the difference between the two. To aid them it is useful if they recognise bullying as an act by a peer/ peer group and domestic abuse as an act by someone they hold an emotional bond with, such as a parent/ guardian or someone they are in a physical or emotional relationship with.

## Young People in same Sex Relationships

A report published by the NSPCC regarding relationship abuse between young people: information for schools provides valuable information that services working with young should be aware of. Abuse in lesbian, gay, bisexual and transgender (LGBT) relationships have been identified as being just as common as in heterosexual relationships. A project in Scotland revealed that 52% of respondents had been victims of some form of abusive behaviour from a partner or ex-partner, but only 37% of these victims recognised that the abuse had occurred.

The information pack Another Closet contains the following list of unique aspects of same sex domestic abuse:

- ‘Outing’ as a method of control – the perpetrator may use the threat of ‘outing’ the victim to their friends/family or cultural community if they have not already done so;
- Domestic abuse is not always very well understood in the community - Domestic Abuse may not be as well understood by the LGBT community as most advice and information relates to heterosexual couples. This could lead to the perception that LGBT couples can’t be a victim of domestic abuse;
- Confidentiality and Isolation issues- This is particularly likely in rural communities and in young people’s first same sex relationship. The victim may not feel like there is someone or somewhere safe for them to go. The perpetrator could prevent the victim from seeing community media and turn individuals in the community against them, which is particularly likely if the young person was previously not a familiar member of the community.

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<sup>4</sup> <https://www.anti-bullyingalliance.org.uk/tools-information/all-about-bullying/what-bullying>

## Issues Specific to Rural areas

Whilst many of the issues faced by LGBT groups in rural areas may also be faced by heterosexual victims of domestic abuse it is likely, given the facts stated in the previous section, that they would be less aware of available services. As a result young LGBT victims might face the following concerns:

- Support and legal services might be hard to access, as specialist services may not be present and where they are, it may be hard to do so discretely;
- Victims may be physically isolated from friends and family who are part of the LGBT community.

The NSPCC warns that young people who are in LGBT relationships may be at greater risk as they may feel they have to keep their relationships a secret. These young people may be unaware of specialist support available to them from various charity and community groups.

## Healthy Relationships

Teenager's experience at least as much relationship abuse as adults. Several independent studies have shown that 40% of teenagers are in abusive dating relationships, with young women who have older partners and young women from disadvantaged backgrounds at even higher risk.

Domestic abuse is still a 'hidden' issue in our society; and it is even more so for teenagers. This is exacerbated by the fact that adolescents can be more accepting of, and dismissive about, this form of behaviour than adults, often justifying their partner's abusive behaviour.

A survey by the NSPCC in 2009 also identified that the majority of young people either disclose information about physical partner violence to their friends or no one at all. 750,000 children witness domestic violence each year, one in four teenage girls has been hit by a boyfriend (with one in nine reporting severe physical violence) and 18% of boys reported some form of physical partner violence, whilst 50% of boys reported some form of emotional abuse. A study by the NSPCC and the University of Bristol found that emotional abuse is the most common form of abuse in teenage relationships, particularly 'being made fun of' and 'constantly being checked up on by a partner' Over 30% of young women sampled had experienced sexual assault or abuse from a partner.

Young people can have a lack of awareness as to what can be considered a healthy relationship due to a lack of experience and potential susceptibility to gender-role stereotypes. In addition, because of their peer group norms it can be difficult to judge their or their partner's behaviour objectively.

It is important to note that abuse can happen in any relationship. For some young people entering into same-sex relationships, there may be additional barriers to seeking help, as the young person may not be ready to discuss their sexuality with family and friends and may be

unaware of how to access specialist support. Similarly, young men may face additional barriers and fear stigmatisation when reporting abuse in their relationships – particularly with female perpetrators – as a result of dominant ideas of masculinity.

National Guidance and resources are available to support the promotion of healthy relationships when working with young people. The Expect Respect Toolkit for addressing Teenage Relationship Abuse provides guidance and resources for professionals to confidently discuss this issue. Locally North Yorkshire County Council have supported the development of a Healthy Relationship webpage on the Independent Domestic Abuse Services (IDAS) website at [www.idas.org.uk/healthyrelationships](http://www.idas.org.uk/healthyrelationships).

This contains guidance on What's Healthy? What's not Healthy? A Healthy Relationship Checklist and advice on How to End a Relationship.

### Domestic Violence Disclosure Scheme (DVDS)

In 2009, Clare Wood was brutally murdered by her ex-boyfriend, who she had met through the internet. He was abusive towards her and she was unaware of his history of violence against women. Her family believed that had they known about his past they may have been able to stop him from killing Clare.

DVDS also referred to as “Clare’s Law”, commenced across England and Wales from 8 March 2014.

The scheme has two functions:

1. **Right to Ask** – this gives members of the public a formal mechanism to make enquiries about an individual who they are in a relationship with, or who is in a relationship with someone they know, and there is a concern that the person may be violent towards their partner. They have the right to ask the police about that partner’s previous history of domestic violence or violent acts. A precedent for such a scheme exists with the Child Sex Offender Disclosure Scheme.

2. **Right to Know** - If police checks show that the person has a record of violent offences, or there is other information to indicate a person is at risk, the police will consider sharing this information with the person(s) best placed to protect the potential victim i.e. the police can proactively disclose information in certain circumstances - without the victim asking.

Professionals can refer concerns into the DVDS by contact North Yorkshire Police on the 101 number. The call take will complete the DVDS 1 form which includes details on the perpetrator, person at risk and any connected children.

### Domestic Violence Protection Notice / Orders (DVPN/DVPO):

A Domestic Violence Protection Notice and Order is aimed at perpetrators who present an on-going risk of violence to the victim with the objective of securing a co-ordinated approach

across agencies for the protection of victims and the management of perpetrators. The DVPN / DVPO process builds on existing procedures and bridges the current protective gap, providing immediate emergency protection for the victim and allowing them protected space to explore the options available to them and make informed decisions regarding their safety and the safety of their children.

Although the power to issue a DVPN and subsequent application for a DVPO lies with the Police and ultimately the Criminal Justice Service (CJS), the success of any such process will be reliant on the partnership work with other agencies and organisations including those that contribute to Multi-Agency Risk Assessment Conferences (MARACs) and service providers for Independent Domestic Violence Advocates (IDVA's) Engagement of these agencies with the victim, at the earliest opportunity, is crucial to the success of the DVPN/ DVPO process.

Maximum Sentence for breaching a DVPO is £5000.00 Fine or 2 months imprisonment.

### **Multi- agency Risk Assessment Conferencing (MARAC)**

Multi Agency Risk Assessment Conferences (MARACs) are recognised nationally as best practice for identifying and managing high risk cases of domestic abuse.

A MARAC is a meeting for agencies to share information about the risk of serious harm or homicide for people experiencing domestic abuse in their area. Multi-agency safety plans are developed to support those most at risk. The aim is to increase the safety and well-being of the adults and children involved, and reduce the likelihood of repeat victimisation. However, only cases identified as 'high risk' are discussed at a MARAC.

Where agencies need to respond immediately to ensure the safety of the victim and their children, actions should not be delayed until the case is discussed at the MARAC, and all agencies should refer to their individual agency procedures and North Yorkshire Local Safeguarding Partnership procedures to ensure the protection of victims of domestic abuse and child abuse.

#### **MARAC Referrals:**

Any agency can refer a case into a MARAC. Where possible the referring agency should undertake an initial assessment and complete the Risk Indicator Checklist (also referred to as SafeLives, formally CAADA DASH risk assessment) with the victim. The checklist is used by all agencies signed up to the MARAC and establishes a starting point for the risk assessment process

To establish the conclusive level of risk agencies may use the following;

- Professional judgement: if a professional has a serious concern about a victim's situation, they should refer the case to a 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 of

language barriers, particularly in the case of so-called honour based violence. This judgement would be based on the professional's experience and/or the victim's perception of risk

- Visible high risk: 14 ticks in the 'yes' boxes
- Potential Escalation: the number of police callouts to the victim as a result of domestic violence in the past 12 months. This can be used to identify cases where there is not a positive indicator of a majority of risk factors on the risk assessment.

Pay particular attention to a practitioner's professional judgement in all cases. The results from checklist are not definitive assessment of risk. They provide a structure to inform judgement and act as prompts to further questioning, analysis and risk management whether via MARAC or in another way.

### **A MARAC Referral Form should be completed and sent to the MARAC Coordinator**

The referring agency should also provide background information regarding the risk factors and any professional information in support of the referral to ensure full concerns are identified and discussed at the MARAC.

The referral will be identified by the MARAC Coordinator as an 'initial' referral if new to the MARAC process, or a 'repeat' case, if the victim has been discussed within the past 12 months.

The referring agency should where appropriate, discuss their concerns with the victim and seek to obtain their consent to share information with other agencies represented on the MARAC.

Referrals must be received at least 8 days prior to the next scheduled meeting in order that the MARAC Coordinator can prepare the relevant documentation to send out to all agencies

The MARAC Coordinator will collate all referrals for each respective area and complete a case summary sheet. This will be sent to core attendees of the relevant MARAC seven days prior to the meeting. Other agencies will be invited on a case by case basis as appropriate and will be required to sign a confidentiality agreement.

### **Domestic Abuse Coordinators (DACs)**

DACs work in partnership with multi agencies to promote an integrated and coordinated inter agency approach in all aspects of work with domestic abuse in York and North Yorkshire, supporting the Joint Co-ordinating Group (JCG) and the North Yorkshire Police Action Plan in the development, implementation and monitoring of the multi-agency county wide strategy and local action plans.

Domestic Abuse Coordinators cover four geographical areas, Scarborough and Ryedale, Harrogate and Craven, Hambleton and Richmondshire, Selby and York.

To contact your local DAC contact North Yorkshire Police on 101.

## Barriers to Disclosure

### Barriers to disclosure for parents/ carers

Domestic abuse is still largely a hidden crime: those who have experienced abuse from a partner or ex-partner will often try to keep it from families, friends, or authorities

- They may be ashamed of what has happened
- They may feel they were to some extent to blame
- They may love their partner and not want him/her to be criticised or punished for what he did
- They may believe it was a one-off event and won't happen again
- They may be frightened that if they tell anyone about it, their partner will find out and they will be in danger of further and perhaps more severe abuse from him/her.
- They may fear that their child/ren will be taken into care;
- They may fear death;
- They may believe their abusive partner's promise that it will not happen again (many partners do not necessarily want to leave the relationship, they just want the violence to stop);
- They may feel that they would have to leave the family home if they disclosed the abuse

For all these reasons, and others, victims of abuse are likely to experience repeated attacks before they report the abuse to anyone – and statistics can only be based on known data. On average, 35 assaults happen before the police are called, and for female victims, women will approach 9 different agencies before they get any effective help.<sup>5</sup>

## Safety planning with children and young people

As soon as a professional becomes aware of domestic abuse within a family, if s/he is not a professional working with the family and in a position to provide support they should refer the child to NYCC Children and Families using the universal referral form <https://www.safeguardingchildren.co.uk/about-us/worried-about-a-child/>

Safety planning with children and young people means to work with the victim of abuse and each child, according to their age and understanding, to develop a safety plan. If a safety plan already exists, it should be reviewed. This is the role of the relevant professional working with the young person and their family, however if you are concerned about the welfare of the child/young person then a referral to Children and Families should be made.

The plan should emphasise that the best thing a child can do for themselves and their parent/ carer is not to try to intervene but to keep safe and, where appropriate, to get away and contact the police.

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<sup>5</sup> Jaffe, (1982) An integrated response to wife assault: a community model.

The child should be given several telephone numbers, including local police community safety units, local domestic abuse advocacy services, Children and Families, Childline 0800 1111 and NSPCC 0808 800 5000.

When the victim of abuse's safety plan involves separation from the abusive partner, the disruption and difficulties for the child need to be considered. It must be remembered that, statistically, the victim is at most risk at or around the point of leaving the abusive partner.

Maintaining and strengthening the victim / child relationship is in most cases key to helping the child to survive and recover from the impact of the violence and abuse. Children may need a long term support plan, with the support ranging from mentoring and support to integrate into a new locality and school / nursery school or attend clubs and other leisure / play activities, through to therapeutic services and group work to enable the child to share their experiences & move on from them.

Professionals should ensure that in planning for the longer term support needs of the children at all levels, input is received from the full range of key agencies (e.g. the school, health professionals such as the GP & School Nurse, LA housing, an advocacy service, the police community safety unit, Women's Aid or Refuge, relevant local activity groups and/or therapeutic services).

### What to do if you have concerns

Professionals' responsibilities where a disclosure of domestic abuse is made:

- Offer to speak to the parent/carer or child alone,
- Choose somewhere quiet with no distractions
- Ask open questions
- Take them seriously
- Take and date notes
- Give reassurance and support – they are not alone and you will do whatever you can to stop this happening again
- Explain what services are available
- Explain what you are going to do to help
- Consider safety planning

Establish:

- The nature of the domestic abuse
- Children in the home - ages, special needs etc.
- What the victims immediate fears/risks are
- Somewhere safe to go
- Do they need immediate protection

- Do they need medical attention

**North Yorkshire County Council, Children and Families**  
T: 01609 780780 E: [children&families@northyorks.gov.uk](mailto:children&families@northyorks.gov.uk)  
W: <https://www.northyorks.gov.uk/children-and-families>

**If abuse is severe or violent then the police should be contacted:**

**Police:**

101, dial 999 in an emergency

**Additional support can be gained from:**

**IDAS:** 03000 110 110

**Young Minds Parent Helpline:** 0808 802 5544

**Family Lives Helpline:** 0808 800 2222

## Services and contacts available

**IDAS:** 03000 110 110 <https://www.idas.org.uk/>

**Young Minds Parent Helpline:** 0808 802 5544

**Family Lives Helpline:** 0808 800 2222

**National Stalking Helpline:** 0808 2020 300 [www.stalkinghelpline.org](http://www.stalkinghelpline.org)  
[advice@stalkinghelpline.org](mailto:advice@stalkinghelpline.org)

**Paladin: Stalking Advocacy Service** 0207 8408960

**Protection against Stalking (PAS):** [info@protectionagainststalking.org](mailto:info@protectionagainststalking.org)  
[www.protectionagainststalking.org](http://www.protectionagainststalking.org)

**Network for Surviving stalking (NSS):** [www.nss.org.uk](http://www.nss.org.uk)

**Stonewall** [www.youngstonewall.org.uk/](http://www.youngstonewall.org.uk/)

**Respect not fear:** [www.respectnotfear.co.uk/youngpeople/162-young-people-lgbt.html](http://www.respectnotfear.co.uk/youngpeople/162-young-people-lgbt.html)

**LGBT Youth:** <https://www.lgbtyouth.org.uk/domestic-abuse>

**Think U Know:** <http://www.thinkuknow.co.uk>

For further guidance and information visit the North Yorkshire Safeguarding Children Partnership website at: [www.safeguardingchildren.co.uk](http://www.safeguardingchildren.co.uk)