



Staffordshire Police Equality Impact Assessment



The purpose of this EIA is to ensure you consider any equality issues as part of your decision making when developing / reviewing your policy / procedure.

Please complete the sections below and send to the Equality and Diversity unit to be quality assured. New / revised policies cannot be published on the policy database until the EIA has passed the quality assurance process.

Title of policy:	Domestic Abuse Policy
Department:	I Investigative Services
Date:	31 st October 2013

1. Identify the aims and purpose of the policy

Definition

“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
- emotional

“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 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.” *

* This definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that

victims are not confined to one gender or ethnic group.

“Honour based violence is a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.”

“ A forced marriage is a marriage conducted without the full and free consent of both parties.”

“FGM is a form of abuse committed against females of any age. It involves procedures that include partial or total removal of the external female genital organs for cultural or other non therapeutic reasons usually by people with no formal medical training”.

The policy also includes stalking and harassment.

“Stalking is where an individual is fixated/and or obsessed with another. This can be exhibited by a pattern of persistent and repeated contact with, or attempts to contact a particular victim.”

To achieve safeguarding of domestic violence and abuse victims and children by providing clear direction to all staff and enable effective work with partner agencies, including non-government bodies. Successful joint working to safeguard victims and their children requires the co-ordination of all agencies and professionals who have different roles, skills and expertise regarding domestic violence and abuse and who may also be located in different geographical areas.

2. Identify the individuals and organisations who are likely to have an interest in, or be affected by the policy.

All Staffordshire police officers and police staff.

Staffordshire Police and Crime Commissioner

Staffordshire Police Federation

UNISON Staffordshire

Crown Prosecution Service

Staffordshire County Council

Stoke on Trent City Council

8 District Councils of Staffordshire

Her Majesty’s Inspector of Constabulary (HMIC)

Home Office

Third Sector Specialist Domestic Violence and Abuse Services

Third Sector Specialist Sexual Violence and Abuse Services

Members of the Public.

3. Data

One incident of domestic violence and abuse is reported to the police every minute. At least 750,000 children a year witness domestic violence and abuse (DoH (2002) Women's Mental Health: Into the Mainstream).

Victims of domestic violence and abuse are more likely to experience repeat victimisation than victims of any other types of crime.(British Crime Survey Reports)

3.1 Age

It is recognised that intimate relationships are legally taking place in the U.K. at aged 16 years and that there are occasions when these relationships become abusive.

The Forced Marriage Unit of the Foreign & Commonwealth Office dealt with 1500 cases in 2012 with the age of victims being: age under 15 (13%), age 16-17 (22%), age 18-25 (49%).

It is estimated over 20,000 girls under the age of 15 are at high risk of FGM in the UK each year. (FORWARD 2007: A Statistical Study to Estimate the Prevalence of Female Genital Mutilation in England and Wales)

3.2 Disability

Disabled women are twice as likely to experience domestic violence and abuse than non-disabled women (1995 British Crime Survey, also confirmed by data from other countries). They are also likely to experience violence and abuse over a longer period of time and to suffer more severe injuries as a result of the violence.

Legislation recognises that there are different needs amongst people who may be the victims of crime or are a witness to a crime according to age, physical or mental ability and race or religion. Being a witness can be stressful. Additional support may be needed if the witness has a disability which must be recognised and taken into consideration if that person becomes part of a criminal investigation.

During a trial in any Court vulnerable witnesses may be eligible for "Special Measures" in order to achieve best evidence i.e. a video recorded interview, a televised link to the courtroom, screens to shield the witness from the defendant,

removal of wigs and gowns by judges and barristers.

There will also be access to intermediaries who are specialists who can help witnesses with communication difficulties, and aids to communication such as alphabet boards and Makaton symbols and signs. Makaton is a language programme using signs and symbols to help people who have little speech or whose speech is unclear to communicate. It is designed to support spoken language and the signs and symbols are used with speech, in spoken word order. See <http://www.makaton.org>

3.3 Race

Legislation recognises that there are different needs amongst people who may be the victims of crime or are a witness to a crime according to race or religion. Being a witness can be stressful. Additional support may be needed if the witness is vulnerable where the cultural or religious needs of that person must be recognised and taken into consideration if that person becomes part of a criminal investigation.

During a trial in any Court vulnerable witnesses will be eligible for a video recorded interview, a televised link to the courtroom, screens to shield the witness from the defendant, removal of wigs and gowns by judges and barristers.

There will also be access to intermediaries who are specialists who can help witnesses with communication difficulties, and aids to communication such as alphabet boards and Makaton symbols and signs. Makaton is a language programme using signs and symbols to help people who have little speech or whose speech is unclear to communicate. It is designed to support spoken language and the signs and symbols are used with speech, in spoken word order. See <http://www.makaton.org>

“Intimidated” witnesses are defined by Section 17 of the Youth Justice and Criminal Evidence Act 1999, as those whose quality of evidence is likely to be diminished by reason of fear or distress. In deciding whether a witness falls into this category, the court should consider:

- The nature and alleged circumstances of the offence to which the proceedings relate
- The age of the witness
- **The social and cultural background and ethnic origins of the witness**
- The domestic and employment circumstances of the witness, and
- Any religious beliefs or political options of the witness

Any behaviour towards the witness by :-

- The accused
- Members of the accused person's family or associates•
- Any other person who is likely to be either an accused person or a witness in the proceedings

Witnesses who might be regarded as intimidated include victims and witnesses in cases that involve:

- **domestic violence and abuse**
- **racially motivated crime**
- crime motivated by reasons relating to religion
- crime motivated by reasons related to disability
- homophobic and transphobic crime
- violent crime, particularly that involving guns or knives
- gang related violence
- Victims and witnesses who have experienced past or repeat harassment or bullying
- Victims and witnesses who are elderly and frail

The Forced Marriage Unit of the Foreign & Commonwealth Office dealt with 1500 cases in 2012 with the Country of origin being Pakistan 47.1%, Bangladesh 11%, India 8% and Afghanistan 2.1%.

FGM is widely practised mainly among specific ethnic populations in Africa and parts of the Middle East and Asia. (FORWARD 2007: A Statistical Study to Estimate the Prevalence of Female Genital Mutilation in England and Wales.)

3.4 Religion or Belief

There is no decisive data that members of a particular religious group or belief are more at risk than others of becoming the victim of domestic violence and abuse or being the perpetrators of child abuse. Religious beliefs may support and sustain victims in adversity and enable them to come to terms with what has happened to them. Support and assistance from religious figures who are important to the victim and their family must not be overlooked to assist the victim and family through the investigation process.

3.5 Sex

The policy recognises that domestic violence and abuse is not only restricted to female victims.

1 in 4 women will be a victim of domestic violence and abuse in their lifetime – many of these on a number of occasions.

Nearly 1 million women experience a least one incident of domestic violence and abuse each year (2009/10 British Crime Survey)

On average, 2 women a week are killed by a current or former male partner.

(www.womensaid.org.uk)

In 2010/11 21 men and 93 women were killed by a partner, ex-partner or lover (Home Office).

In 2011/12 83% of domestic violence and abuse victims that Staffordshire Police dealt with were female and 27% of victims were male.

Some 15% of victims that are identified by the Force Marriage Unit of the Foreign Office are men (www.mensadvice.org.uk)

19% of women have experience stalking and harassment since the age of 16 (Smith, Coleman, Eder and Hall January 2011)

3.6 Sexual Orientation

The policy definition includes violence and abuse between those aged 16 or over who are or have been intimate partners or family members regardless of sexuality.

Some surveys suggest there is domestic violence and abuse in 1 out of 4 LGBT

relationships. (www.mensadviceline.org.uk)

3.7 Transgender

Some surveys suggest there is domestic violence and abuse in 1 out of 4 LGBT relationships. (www.mensadviceline.org.uk)

4. Research

Summarise the findings of any research you have considered regarding this policy for all or any of the protected groups. This could include information you have obtained from other sources eg. ACPO, Home Office.

4.1 Age

This policy recognises the fact that domestic violence and abuse affects all ages and that there is no upper age limit to being a victim or a perpetrator of domestic violence and abuse. Research has shown that there are an increasing number of instances recorded in Staffordshire between victims and perpetrators aged 16 years and over and this lower age is reflected in the policy.

4.2 Disability

This policy recognises the fact that victims or perpetrators may have a disability and this is reflected in the requirement to also consider the Vulnerable Adult Procedures when dealing with incidents.

4.3 Race

This policy recognises that domestic violence and abuse affects anyone from within the protected groups but that there is an under-reporting of incidents particularly within the BME communities. This issue is comprehensively covered within the national guidance produced by the National Policing Improvement Agency (NPIA) Guidance on Investigating Domestic Abuse 2008.

4.4 Religion or Belief

Cultural sensitivity and perception on religious beliefs is always a consideration when dealing with any incident within policing, however, no religion accepts or condones domestic violence and abuse and in fact all religions strive to ensure the protection of the most vulnerable.

4.5 Sex

This policy recognises the fact that domestic violence and abuse affects men as well as women and wherever possible covers both genders in terms of victims and perpetrators. It is stated within the guidance that no assumption should be made that it is always a female who is the victim and a male who is the perpetrator.

4.6 Sexual Orientation

This policy recognises the fact that victims and perpetrators from same sex relationships suffer in the same way as heterosexual relationships. However there may be extra barriers to reporting incidents to the police for fear of being judged or possibly being outed by the police to family, friends and colleagues.

4.7 Transgender

This policy stresses the need for sensitivity when dealing with incidents of domestic violence and abuse from within the transgender community. There may be extra barriers to reporting incidents to the police for fear of being judged or possibly being outed by the police to family, friends and colleagues.

5. Consultation

Summarise the opinions of any consultation for all or any of the protected groups. Who was consulted and how e.g. survey, discussion, forum.

If there was no consultation please justify why.

While there has been no local consultation, the Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with Association of Chief Police Officers (ACPO) and NPIA guidance. These national documents were developed following national consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups.

5.1 Age

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.2 Disability

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.3 Race

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be

compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.4 Religion or Belief

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.5 Sex

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.6 Sexual Orientation

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

5.7 Transgender

The Staffordshire Police Domestic Abuse policy and procedures have been prepared to be compliant with ACPO and NPIA guidance. The guidance it contains was formulated following consultation with a wide variety of professional and voluntary bodies including representatives from all protected groups nationally.

6. Conclusions

Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts)

6.1 Age

It is recognised that intimate relationships are legally taking place in the U.K. at aged 16

years and that there are occasions when these relationships become abusive. The force policy impacts on this group.

6.2 Disability

Disability may affect the victims understanding of what is being said or asked of them. In order to minimise the impact on the victim an appropriate interview strategy will be devised that takes account of the disability of the victim. This may be recording interviews, introducing special measures such as an intermediary to help with communication and to act in the interests of the victim. This can include confidence building measures about the Court and investigation process.

6.3 Race

All police staff should be aware of the cultural issues present in dealing with minority groups and the affect these may have on the victims of domestic violence and abuse. The following must be taken into consideration:

- Sexuality or just being a victim may be a subject which cannot be spoken about openly in some minority communities
- The victim may not have confidence in the Criminal Justice System
- The victim may not be able to get support from their family for a number of reasons arising from cultural norms and a perceived stigma associated with being a victim particularly a victim of a sexual offence
- An individual or their family may become ostracised by their peer community
- Interpreters should come from another area to reduce the risk of the incident becoming common knowledge throughout the community. The use of various dialects may also be a problem for an interpreter;

Forced marriage, honour based violence and FGM will take place predominantly within BME communities. The procedures are designed to achieve the safeguarding of victims and state that officers should not let fears of being branded racist or insensitive to cultural traditions weaken their investigation strategy.

6.4 Religion or Belief

The victim may be fearful of both the investigation, which can cause embarrassment, exhaustion or guilt and the reaction of family according to their religious norms. Many victims feel an element of self-blame. Reassurance is crucial to obtaining vital information to assist enquiries and bring offenders to justice. These factors are taken into account by

officers interviewing victims when interviews are being planned.

See : *Achieving Best Evidence in Criminal Proceedings: Guidance on vulnerable and intimidated witnesses including children.*

Internet link: www.homeoffice.gov.uk/documents/ach-bect-evidence/

6.5 Sex

Statistically females are predominantly the victims of domestic violence and abuse however this policy recognises the fact that domestic violence and abuse affects men as well as women and wherever possible covers both genders in terms of victims and perpetrators. It is stated within the policy and the procedure that no assumption should be made that it is always a female who is the victim and a male who is the perpetrator.

A non-gendered approach is to be made on every occasion and all literature and media briefings will reflect this stance.

All officers receive domestic violence and abuse training which reinforces the message not to assume that it is always a female who is the victim and a male who is the perpetrator.

6.6 Sexual Orientation

This policy recognises the fact that victims and perpetrators from same sex relationships suffer in the same way as heterosexual relationships. The policy stresses the need for sensitivity when dealing with incidents of domestic violence and abuse from within the LGB community. However there may be extra barriers to reporting incidents to the police for fear of being judged or possibly being outed by the police to family, friends and colleagues.

6.7 Transgender

This policy stresses the need for sensitivity when dealing with incidents of domestic violence and abuse from within the transgender community. There may be extra barriers to reporting incidents to the police for fear of being judged or possibly being outed by the police to family, friends and colleagues.

7. Decisions

If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way.

If no changes are proposed, the policy needs to be objectively justified.

The policy will not have a negative impact on any of the protected groups. The policy and its supporting procedures are designed to take account of members of

recognised protected groups

8. Monitoring arrangements

If the policy is new what consideration has been given to piloting the policy?

If monitoring is not already in place what arrangements have been made to monitor the effects of the policy on equality and diversity?

The policy is not new; the Domestic Abuse Policy is the most recent update based on current best practice guidance. Domestic Abuse arrangements within Staffordshire Police are immersed in partnership work which are currently developed to a mature level in conjunction with Crown Prosecution Service, Stoke on Trent City Council, Staffordshire County Council and numerous third sector specialist agencies.

Staffordshire Police are committed to ensuring that our policies and working practices are working to achieve our priorities. To monitor performance and development in this area the Force engages in the following quality assurance processes:

- Audits and reviews.
- Domestic Homicide Reviews.
- Organisation learning / peer review.
- Multi agency working.
- Multi Agency Risk Assessment Conference - MARAC
- Professional Standards Department.
- External reviews and inspections by Her Majesty's Inspectors of Constabulary (HMIC)

This equality impact assessment will be published on the force website.

EIA Form Dated
31/10/2013