

PART C – DOMESTIC ABUSE

INTRODUCTION

Section 1 of the Domestic Abuse Act 2021 creates a statutory definition of domestic abuse.

“Behaviour of a person (A) towards another person (B) is ‘domestic abuse’ if

- a) A and B are each aged 16 or over and are personally connected to each other, and
- b) the behaviour is abusive

Behaviour is ‘abusive’ if it consists of any of the following;

- a) physical or sexual abuse
- b) violent or threatening behaviour
- c) controlling or coercive behaviour
- d) economic abuse
- e) psychological, emotional or other abuse

and it does not matter whether the behaviour consists of a single incident or a course of conduct”

TYPES OF ABUSE

Recognising domestic abuse is not easy. The table below details some of the different types of abuse that may be present in an abusive relationship, but this list is not exhaustive.

Category of Abuse	Examples
Psychological/Emotional	Intimidation, insulting, isolating a person from friends and family, constantly criticising. Denying abuse, treating them as inferior, threatening to harm children or take them away, forced marriage. Swearing, undermining confidence, making racist remarks, making a person feel unattractive, calling them stupid or useless, eroding their independence, threatening suicide if the person leaves them.
Physical	Shaking, smacking, punching, kicking presence of finger or bite marks, starving, tying up, stabbing, suffocation, throwing things, using objects as weapons, female genital mutilation, ‘honour based violence’. Physical effects such as bruises may be on areas of the body that are usually covered and hidden.
Sexual	Forced sex, forced prostitution, ignoring religious prohibitions about sex, refusal to practice safe sex, sexual insults, sexually transmitted diseases, preventing breastfeeding.
Financial	Not letting a person work, undermining their efforts to find work or study, refusing to give them money, asking for an explanation of how every penny is spent, making them beg for money, gambling, not paying bills.

Controlling	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 their means needed for independence, resistance and escape and regulating their everyday behaviour.
Coercive	An act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim.
Stalking	An activity that is designed to force contact on the subject. The stalker may use a variety of methods to attempt to establish a relationship including calling, emailing, sending letters, waiting in areas where the subject works or lives and attempting to approach or use third parties as intermediaries.
Harassment	Involves behaviour that is threatening and disturbing, conducted with the goal of intimidating, frightening, or irritating someone. A variety of activities can be considered harassment, and some may technically be legal, but when they occur in the context of a pattern of other behaviours, they are considered harassment and can be prosecuted. This activity can include filing false reports against someone and distributing abusive materials designed to malign someone.

LINCOLNSHIRE PREVENTING DOMESTIC ABUSE STRATEGY 2021 - 2024

The [Lincolnshire Preventing Domestic Abuse Strategy 2021 - 2024](#) recognises that each person's experience of domestic abuse will be different. This partnership strategy focuses on four forms of domestic abuse;

Intimate Partner Abuse	It has long been accepted that domestic abuse most commonly takes place in intimate partner relationships, including same sex relationships. Such abuse in intimate relationships can vary in severity and frequency, ranging from a one-off occurrence to a continued pattern of behaviour. Abuse often continues or intensifies when a relationship has ended, which can be a very dangerous time for a victim. Post-separation abuse, including stalking, harassment and forms of physical, emotional, sexual and economic abuse controlling and coercive behaviour often continues and causes ongoing harm
Teenage Relationship Abuse	Young people can experience domestic abuse in their relationships, regardless of whether they are living together. It should be noted that if a young person is under 16 years old, the definition of domestic abuse under the 2021 Act will not apply to them, instead this abuse would be considered as child abuse. Victims under 16 would be treated as victims of child abuse and age appropriate consequences will be considered for perpetrators under 16. Abuse may also arise out of casual relationships. Some perpetrators may deny abuse by stating that they were not in a

	relationship with the victim. Some victims may not self-identify as victims due to the casual nature of their relationship. Some perpetrators may have multiple romantic and sexual partners via dating apps and demonstrate abusive behaviour even though the perception is not one of being in an intimate personal relationship with the victim.
Abuse by Family Members	Abuse by family members can involve abuse by any relative or multiple relatives. A wide range of family members will be considered to be “relatives” that can perpetrate and be victims of abuse, and there is no requirement for the victim and the perpetrator to live together within the 2021 Act. For instance, familial abuse may be perpetrated by children, grandchildren, parents, those with parental responsibility, siblings, or extended families. Abuse by family members also encompasses forced marriage, “honour”-based abuse and female genital mutilation.
Child to Parent/Carer Abuse	It is important to remember that this form of abuse, though commonly referred to as CPCA, can also include parents, those with parental responsibility, siblings, or extended families. There is no specific legal definition of CPCA, but it is important to recognise that CPCA is likely to involve a pattern of behaviour. This can include physical violence from a child towards a parent or other family members such as siblings 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, damage to property and stealing and heightened sexualised behaviours. Patterns of coercive control are often seen in cases of CPCA, but some families might experience episodes of explosive physical violence from their child with fewer controlling, abusive behaviours.

WHY DO PEOPLE STAY IN ABUSIVE RELATIONSHIPS?

Making the decision to leave a violent or abusive partner is not easy. There are a number of reasons why people do not leave an abusive relationship. It is important to understand some of these reasons. The table below sets out some of the reasons, but everyone’s circumstances are different, and this is not an exhaustive list.

Fear of further violence: Leaving may end the relationship but may not end the abuse. Many victims are tracked down and further abused when they leave, often for weeks and months afterwards. Research shows that about half of all women murdered by their partners had left or were in the process of leaving when they were killed.

Lack of knowledge and access to help: Despite increased awareness about domestic abuse, many victims do not know how to take advantage of their legal and housing rights. Even if they are aware of these services, some may experience problems due to language difficulties, inappropriate responses from service providers, living in isolated areas or lack of funds.

Economic dependence: If a victim is working, he/she may lose their job due to needing time off work, moving too far away, or staying off work so they cannot be found there. For other victims,

becoming a single parent may mean working is no longer possible; others may face months of legal dispute over property and financial matters.

Staying because of the children: Many abused victims think they should stay in their relationship for the sake of their children.

Social isolation: Most victims experiencing domestic abuse are extremely isolated. Their partner may have deliberately isolated them from sources of support including family and friends, they may be too ashamed or afraid to tell anyone, or they may have told someone whose response has been unhelpful and judgmental.

Emotional dependence: Conflicting feelings of fear, shame, bewilderment, care for the abuser, a hope that things will improve, a commitment to the relationship but not to the abuse, all often contribute to a victim staying in an abusive situation.

Lack of confidence: After living with an abusive partner, the self-esteem of most victims has been eroded to the point where they no longer have confidence in themselves, including their ability to survive alone, and may believe that there are no other options.

Cultural reasons: Many victims and abusers have been brought up to believe that real fulfillment comes from being a husband/wife and mother/father or that divorce is wrong and may even be encouraged to stay in the relationship by family members or religious leaders.

For further information, visit www.lincolnshire.gov.uk/crime-prevention/domestic-abuse

It is important never to judge a person for not leaving an abusive relationship. Support them, regardless of their decision and advise them how to keep safe while living with domestic abuse and when they are ready to move, enable them to do so.

It is not your job to judge or investigate, but to inform and share your concerns.

'ASK FOR ANI'

Ask for ANI (Action Needed Immediately) is a code word scheme developed by the Home Office to provide a discreet way for victims of domestic abuse to signal that they need emergency help from the safety of their local pharmacy.

Victims of domestic abuse will be able to use the code word **ANI** in participating pharmacies (including all Boots stores and participating independent pharmacies) to let staff know that they require an emergency police response or help contacting a helpline or specialist support service.

Participating pharmacies will display posters in their window and around the pharmacy to let customers know that they can approach their staff to seek help. Any information shared will be treated confidentially.

When a victim uses the code word or asks for help, the member of staff will offer to accompany the individual to the consultation room. They will then check whether the victim wants the police to be called. If so, the staff member will offer the use of a phone to dial 999 or make the call on the victim's behalf.

If the victim is not in an emergency situation, the staff member will support the victim to contact a national domestic abuse helpline or local support service. They may also contact the police via 101.

If an employee of the council receives a call from a victim who asks to speak to ANI or a pharmacy requesting help. Please follow the reporting process below or contact the Police if they are in immediate danger.

RESPONDING TO CONCERNS, ALLEGATIONS AND DISCLOSURES

Disclosing domestic abuse is not easy. It is vital that the procedures in this section are understood and applied consistently by all staff, elected members, volunteers and anyone working for or on behalf of the Council.

- At all times the person who has experienced Domestic Abuse must be dealt with in confidence. This is important to maximise the confidence that the individual has in the colleague/manager/practitioner and the organisation;
- At all times take steps to protect the victim, accept their perception of the danger they are in and listen appropriately;
- Permission must be sought to share information. Information should never be discussed with other members of the public and should only be shared with colleagues where it is appropriate (e.g. the MARAC process)
- A risk assessment (known as a DASH) should be used in all cases and its use explained to the victim – please contact the Designated Safeguarding Officer or Deputy Designated Safeguarding Officer if you need advice or guidance.
- Concerns about the welfare of any children will take precedence over issues of confidentiality and be over-ridden by Child Protection procedures;
- Ensure that at all times the victim is aware of organisational procedures and any action you are taking. Records should be kept of all interviews. This may be important for later evidential purposes. Use the client's exact words to record the abuse. Be as precise as possible e.g. 'my husband hit me with a cricket bat' rather than 'client has been abused';
- Do not insist on joint sessions with the victim and the perpetrator or that they should seek legal remedies if they do not wish to do so;
- If the victim concerned does not want to leave yet, it does not mean they will never leave, nor that they do not require ongoing and continual support.

A "Sanctuary Offer" is available in partnership with the district's Independent Domestic Violence Advisor (IDVA). The scheme is open to all victims of domestic abuse who are in the district, but priority may be given to high risk victims managed under the MARAC arrangements. The scheme can be accessed via self-referral, MARAC referral and professional referral. Most MARAC referrals are managed by the IDVA who holds a stock of equipment. A range of housing options will be discussed and offered to enable the client to make an informed decision about the options that best suits their needs and circumstances.

REPORTING CONCERNS

Any officer may, in the course of their duties, witness or be informed of an issue that they feel should be referred to a domestic abuse trained officer. Please contact the Designated Safeguarding Officer or Deputy Safeguarding Officer for advice using the Internal Reporting Form emailed to safeguarding@sholland.gov.uk Frontline practitioners who are confident to do, should complete a

DASH risk assessment. Officers completing a risk assessment should discuss the outcome with the Designated Safeguarding Officer.

It is possible that the Council will have allegations referred to them by third parties. For example, neighbours may contact staff to advise that they suspect that somebody is at risk of or is experiencing domestic abuse. Under these circumstances, staff should encourage those reporting such concerns to contact the Police or the CSC for adults accordingly. Advice on how to help someone in an abusive relationship is available [here](#) and this can be shared with third parties.

CLARE'S LAW

Clare's Law - Domestic Violence Disclosure Scheme: This gives individuals a 'right to ask' Police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual.

If an application is made under the scheme, Police and partner agencies will carry out checks. If these show that the partner has a record of abusive offences, or there is other information to indicate that there may be a risk from the partner, the Police will consider sharing this information. For more information please contact [Lincolnshire Police](#).