

Impact case study (REF3b)

Institution: University of Bristol
Unit of Assessment: 22 – Social Work and Social Policy
Title of case study: Strengthening the criminal justice system in respect of domestic violence, and improving the response of the police and other agencies to such abuse
<p>1. Summary of the impact</p> <p>National and international policy on domestic violence has been strongly influenced since 2008 by a series of studies on domestic violence conducted at the University of Bristol, resulting for example in the piloting of a national disclosure scheme. The studies have also had a positive impact on the practical ways in which agencies such as the police respond to domestic violence as well as influencing the development of a European Police handbook on domestic violence. The criminal justice system, practitioners and victims have benefited from the studies' insights into the 'attrition' that can occur between the reporting of an act of domestic violence to the police and the final outcome in court. They have also gained from Bristol's work on the profiles of perpetrators and the behavioural differences between male and female perpetrators.</p>
<p>2. Underpinning research</p> <p>The underpinning research involved three main studies which were led by Professor Marianne Hester, Chair in Gender, Violence and International Policy at the University of Bristol.</p> <p>1. The attrition study (2001 to 2003)</p> <p>This research [see ref 1] was commissioned by the Northern Rock Foundation following competitive tender and was carried out across the Northumbria Police Force area. The key research question was related to "attrition" or why cases of domestic violence fail to progress to prosecution or conviction and reasons for such 'drop out' between the time they are reported to the police and the time court proceedings end. The study contextualised this through the experiences of individuals (mainly women) who had been victimised by domestic violence, as well as through the perspectives and practices of the police, prosecutors, the courts and non-criminal justice agencies. To establish a detailed and triangulated picture of attrition, a representative sample of 356 cases involving 869 incidents were tracked through police databases and Crown Prosecution Service case files. Twenty-five cases were observed in Magistrates' and Crown Courts. Interviews were conducted with 74 domestic violence victims and 56 staff from criminal justice and other agencies. The research is still the most detailed work on attrition in domestic violence cases in the UK. The research found a complex relationship between victim safety, policing, prosecution and court outcomes, and highlighted the importance of consistency across the criminal justice system and other agencies. For victimised women, attrition might be either positive or negative depending on the extent to which the criminal justice enabled positive management of their safety. [1]</p> <p>2. Identifying and assessing the practical needs of domestic violence offenders to inform early intervention (2004 to 2005)</p> <p>Hester was commissioned by the Northern Rock Foundation and the Home Office to undertake further work on domestic violence and the criminal justice system [see ref 2]. Hester led a collaboration involving a team of Home Office researchers, unique in having a university based academic lead. The research had three strands:</p> <ul style="list-style-type: none"> • developing a detailed picture of domestic violence perpetrators entering the criminal justice system; • identifying agencies and services involved in interventions with such perpetrators; • highlighting perpetrators' help-seeking pathways and potential opportunities for early intervention and prevention regarding perpetration. <p>Six hundred and ninety-two perpetrator profiles were compiled using anonymised data from the Northumbria police tracked over three years, as well as material from interviews with 62 domestic violence perpetrators and a wide range of agencies and organisations. There was evidence of repeat perpetration by half of perpetrators within three years, and that nearly one in five reoffended against a different partner. New evidence was found of 'help-seeking' by perpetrators, who would most frequently access GPs to elicit help.[2]</p>

3. Gender of perpetrators (2007 to 2009)

Hester was commissioned by the Northern Rock Foundation specifically to explore the issue of gender and perpetration [see refs 3 & 4]. The study explored how male victims and perpetrators of domestic violence may differ from female victims and perpetrators in respect of the nature and number of domestic violence incidents recorded by the police, and looked at the police response. Building on the data from the two earlier studies, a sample of 96 cases was compiled using randomisation and saturation, which included male, female and dual perpetrator cases. To explore in depth the nature of domestic violence, which is a pattern of behaviour over time, the 96 cases were tracked over six years, providing a detailed longitudinal picture of domestic violence perpetration by men and women recorded by the police. It is the only such detailed research in the UK, and is also unique internationally. The research found that cases were very varied, but that there were distinct patterns by gender. There were significant differences between male and female perpetrators of domestic violence in many respects, including the forms of violence, extent of abuse and impacts. Domestic violence by male perpetrators was more severe and involved a greater number of incidents while women were more likely to use weapons, often for self-protection. Female perpetrators were disproportionately more likely to be arrested. [3 & 4]

3. References to the research**Research outputs**

The references include both reports and academic journal articles. The reports are important as they have been accessed extensively by practitioners and acted as vehicles for impact. The reports were all reviewed by academic peers and key stakeholders/practitioners.

- [1] Hester, M. (2006) 'Making It through the Criminal Justice System: Attrition and Domestic Violence', *Social Policy and Society*, 5 (1): 79-90. DOI 10.1017/S1474746405002769.
- [2] Hester, M., Westmarland, N., Gangoli, G., Wilkinson, M., O'Kelly, C., Kent, A. & Diamond, A. (2006) *Domestic Violence Perpetrators: Identifying Needs to Inform Early Intervention*, Bristol: University of Bristol in association with the Northern Rock Foundation and the Home Office. http://www.nr-foundation.org.uk/wp-content/uploads/2011/07/DomesticViolence_Report.pdf.
- [3] Hester, M. (2009) *Who Does What to Whom? Gender and Domestic Violence Perpetrators*, Bristol: University of Bristol & Northern Rock Foundation. <http://www.nr-foundation.org.uk/wp-content/uploads/2011/07/Who-Does-What-to-Whom.pdf>.
- [4] Hester, M. (2012) 'Portrayal of Women as Intimate Partner Domestic Violence Perpetrators', *Violence Against Women*, 18 (9): 1067-1082. DOI 10.1177/1077801212461428.
- [5] Hester, M. (2013) 'Who does what to whom? Gender and domestic violence perpetrators in English police reports', *European Journal of Criminology*. Published online before print April 16, 2013. DOI 10.1177/1477370813479078.

Grants

These were awarded by the *Northern Rock Foundation following a rigorous process of review by Foundation staff and trustees.*

- [6] **Hester** (2001-2003) *Attrition in domestic violence cases entering the criminal justice system*, Northern Rock Foundation, £124,150. This research was commissioned following competitive tender.
- [7] **Hester** (2004-2005) *Early Intervention with Domestic Violence Perpetrators*, Northern Rock Foundation and the Home Office, £67,877. Following the success of the previous research, Hester was commissioned by the Northern Rock Foundation and the Home Office to carry out this project.
- [8] **Hester** (2007-2009) *Gender and Domestic Violence Perpetrators*, Northern Rock Foundation, £30,000. Hester was again specially commissioned to carry out this work due to particular knowledge and expertise in the area.

4. Details of the impact

Impact on policing

In evidence collected during a Knowledge Transfer Partnership (KTP) project [see source [a], section 5], interviews with stakeholders and criminal justice staff in the North East indicated that while the Northumbria police were initially concerned that the attrition study findings were critical of their response to domestic abuse incidents, they were in fact receptive to those findings. The findings were said to contribute to a raised awareness within Northumbria of inconsistency in the charges made against alleged perpetrators of domestic violence incidents and contributed to the re-examination of the police response to such incidents.

The attrition study has subsequently influenced policing and police responses to domestic violence across Europe, since it was used extensively as a source of evidence in a report in 2012 entitled *Overcoming attrition in domestic violence cases* [b]. This report was commissioned by the Cyprus Police as the background and guiding paper to a wider project on domestic violence which has subsequently resulted in a European Police Handbook on Good Practice on Overcoming Attrition in Domestic Violence within the framework of the Cyprus Presidency of the Council of the European Union. The editor of the report has described Hester's research as "influential and guiding ... [as] is evident in the report" [c]. Hester's research provides much of the evidence base for the report and specifically informs the report's recommendations that domestic violence interventions should have a multi-agency approach at their foundation, that interventions should be conducted according to a victim safety-centred approach, and that where victims have dropped out of legal proceedings "Victimless" investigations should be pursued where possible. Hester contributed to the drafting of the European Police Handbook, when it was presented at a workshop drawing the CEPOL Presidency Conference in July 2012. The handbook received final approval by the European Commission in November 2012. [c]

Impact on policy

There are many examples of how the studies have been used to inform UK criminal justice policy and guidance since 2008. The attrition study was referenced numerous times in the Home Affairs Select Committee Report on domestic violence in 2008 [d]. For example, Hester's work was cited as evidence that only a quarter of domestic violence cases which are reported result in arrest. As a result of this report, the Home Office commissioned a review from the Association of Chief Police Officers (ACPO) in 2008 entitled "Tackling perpetrators of violence against women and girls" [e], which specifically cites the Select Committee Report. The review attests, "Professor Marianne Hester and her team at the University of Bristol were commissioned to compile the research and related evidence for the Review." All three of the research studies described above were used as evidence for the review, but the perpetrator study [2] was particularly influential in informing the following recommendation, "This Review recommends that the law be changed to permit the registration and 'tracking' of serial perpetrators of violence against women and girls". [e, p11 and 34]

The ACPO review then formed the basis of the Domestic Violence Disclosure Scheme Consultation and Pilot Scheme, popularly known as "Clare's Law". [f] The consultation exercise asked for views on three options:

1. continue current arrangements under existing law
2. a "right to ask" national disclosure scheme
3. a "right to know" national disclosure scheme

On the basis of the results of the consultation exercise a one-year pilot commenced in the summer of 2012 to test out a domestic violence disclosure scheme in the police force areas of Greater Manchester, Gwent, Nottinghamshire and Wiltshire. The pilot is testing a process for enabling the police to disclose to the public information about previous violent offending by a new or existing partner where this may help protect them from further violent offending. The pilot is testing two types of process for disclosing this information. The first would be triggered by a request by a member of the public ("right to ask"). The second would be triggered by the police where they make a proactive decision to disclose the information in order to protect a potential victim ("right to

know”). Both processes can be implemented within existing legal powers.

The impact of this research into domestic violence has also extended beyond the UK. Interview data collected during the KTP reveals that the attrition study findings were used as evidence in the passage of the aggravated domestic violence bill by the New York State Assembly (June 2011). This legislation establishes the felony crime of aggravated family offence for cases in which an offender is repeatedly convicted of abuse against a family member. The interviewee, explained, “a lot of the argument was drawn from the attrition study that showed that multiple offences were treated no differently than the initial offences.” [a]

The attrition study was cited in a report commissioned by Her Majesty’s Prison Cardiff on restorative justice and domestic violence with the aim of increasing the effectiveness of their programmes with domestic violence perpetrators [g]. Interview data from the attrition study was used as part of a review commissioned by Her Majesty’s Inspectorate of Constabulary and Her Majesty’s Crown Prosecution Inspectorate to inform their joint thematic inspection of the investigation and prosecution of domestic violence cases [h]. In addition, the studies were included in a literature review commissioned by the Crown Prosecution Service and the Department of Constitutional Affairs to help the criminal and civil justice government agencies judge the effectiveness of specialist courts and to inform the government policy debate on specialist courts [i].

Impact on professionals and practitioners

The perpetrator study [2] has been used widely within the national organisation RESPECT (the UK membership association for domestic violence perpetrator programmes and associated support services) to inform their work with professionals and practitioners, for example in training materials and presentations delivered to a wide range of professionals and practitioners [j]. The findings on men seeking help and approaching their GPs was included in ten training events about perpetrators delivered during 2011 to NHS staff, social workers, drug and alcohol workers, mental health teams and council staff across London and East Sussex. The gender of perpetrator study [3 & 4] has been placed on the list of required reading for Domestic Homicide Review panels by the Home Office Reader as part of the quality assurance process.

In September 2012 Marianne Hester was awarded an OBE for her contribution to the prevention of domestic violence.

5. Sources to corroborate the impact

- [a] Sarah-Jane Lilley, ESRC funded Knowledge Transfer Partnership Phase 1 (internal) report on ‘Using research to increase the value and impact of the third sector: an evaluation of the Northern Rock Foundation’s ‘research-project’ approach’, July 2011, pp 14-19.
- [b] Veis Costas M., ed. *Overcoming attrition in domestic violence cases*. Cyprus Police Headquarters, June 2012. [Publication available on request]
- [c] Superintendent, Cyprus Police Headquarters. [Factual statement]
- [d] House of Commons ‘Domestic Violence, Forced Marriage and ‘Honour’-based Violence, Home Affairs Select Committee Sixth Report of Session 2007-08 Volume 1, 13 June 2008. London. The Stationery Office.
- [e] *Tackling Perpetrators of Violence Against Women and Girls (2009)*. ACPO Review for the Home Secretary (November 2009) Version 2.0. [Publication available on request]
- [f] House of Commons, “Clare’s Law: the Domestic Violence Disclosure Scheme Consultation”, House of Common Library, Standard Note SN/HA/6250 9 March 2012
- [g] *Restorative Justice and Domestic Violence / Abuse: A report commissioned by HMP Cardiff funded by the Home Office Reduction Unit for Wales (2008)*. Cites the studies
- [h] Paradine, K. and Wilkinson, J. (2004) *Protection and Accountability: the reporting, investigation and prosecution of domestic violence cases*. CENTREX. [Publication available on request]
- [i] Cook, D., Burton, M., Robinson, A. and Vallely, C. (2004) *Evaluation of Specialist Domestic Violence Courts Fast Track System*. Cardiff.
- [j] Development Director, Respect. [Factual statement]