
WILTSHIRE POLICE FORCE POLICY AND PROCEDURE



DOMESTIC ABUSE

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TABLE OF CONTENTS

POLICY STATEMENT	3
POLICY AIM	3
LEGAL BASIS and DRIVING FORCE	3
RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS	4
AUTHORISED PROFESSIONAL PRACTICE.....	4
DATA PROTECTION.....	4
FREEDOM OF INFORMATION ACT 2000	4
MONITORING and REVIEW.....	4
WHO TO CONTACT ABOUT THIS PROCEDURE.....	4
PROCEDURE	5
1. DEFINITION OF DOMESTIC ABUSE.....	5
2. RESPONSIBILITIES OF CALL TAKERS.....	6
2.1 Minimum Standard of information when taking an initial report of domestic abuse	6
2.2 Location and identity of	6
2.3 Ascertain the following	6
2.4 Record	6
2.5 Research.....	6
2.6 Minimum Standards - Deployment.....	7
3. RESPONSIBILITIES OF ATTENDING OFFICER.....	7
3.1 Powers of entry	7
3.2 Actions on arrival at the scene	7
3.3 Protecting the scene	8
3.4 Police Powers of Arrest.....	8
3.5 Positive action	9
3.5.1 Victim Disclosures.....	9
3.6 If the Suspect IS NOT arrested	10
3.7 Charge, summons, cautions and out of court disposals.....	10
3.8 Completion of PPN and DASH risk assessment	12
3.9 Standard assessment of risk.....	13
3.10 Medium assessment of risk.....	13
3.11 High assessment of risk	13
3.12 Allocation and Investigation	14
3.13 Impact on children, young persons and vulnerable adults	14
3.14 Possession of firearms.....	15
3.15 Lines of investigation.....	16
3.16 Counter Allegations.....	16
3.17 Information to be included in Officers statement and prosecution file	16
3.18 Taking comprehensive retraction statements.....	17
4. RESPONSIBILITIES OF FIRST LINE SUPERVISOR	17
5. RESPONSIBILITIES OF DUTY INSPECTOR	18
6. POLICE OFFICERS AND STAFF VICTIMS /PERPETRATORS OF DOMESTIC ABUSE	18
7. POST CUSTODY PROCEDURES	18
7.1 Police Bail and RUI	18
7.2 Domestic Violence Protection Notices and Orders (DVPN, DVPO)	19
7.3 Domestic Violence Disclosure Scheme (DVDS)	19
8. RADICALISATION.....	19
9. SHARING OF INFORMATION WITH IMMIGRATION SERVICES.....	20
10. FURTHER SUPPORT	20
DOCUMENT ADMINISTRATION.....	21

POLICY STATEMENT

Wiltshire Police is committed to delivering a high quality service to all victims of domestic abuse. Investigations will be conducted thoroughly, professionally and to a high ethical standard, having due regard to issues of diversity.

We are committed to building a safer community by providing a quality of service to victims and by focusing on the prosecution of offenders.

We will achieve this within a multi-agency environment, acting as a gateway to the services provided by ourselves, external agencies and voluntary organisations.

We will maintain a corporate approach to the investigation of Domestic Abuse, whilst ensuring that the individual needs and requirements of the survivors of domestic abuse are met. All action will be in the interests of the victim and any associated child.

The Force policy for the response to Domestic Abuse remains one of 'Positive Action'. Positive action includes arrest when an offence has been committed and that officers should consider the incident as a whole and carry out a thorough investigation, which does not just rely on the evidence of the victim.

POLICY AIM

- To protect the lives of both adults and children who are at risk as a result of domestic abuse;
- To thoroughly investigate all reports of domestic abuse, taking into account previous reports and the presenting situation;
- To facilitate effective action against offenders so that they can be held accountable through the criminal justice system;
- To adopt a proactive multi-agency approach in preventing and reducing domestic abuse.
- To raise awareness of domestic abuse through better education and partnership work, in particular within minority communities.

APPLICABILITY

This policy applies to all Wiltshire Police officers and staff who have their own concerns or to whom concerns are raised in relation to Domestic Abuse. This policy will impact upon all of Wiltshire's communities and our community safety partners.

LEGAL BASIS and DRIVING FORCE

Domestic Violence Crime & Victims (Amendment) Act 2012
Sexual Offences Act 2003
Criminal Justice Act 2003
Youth Justice & Criminal Evidence Act 1999
Family Law Act 1996
Protection from Harassment Act 1997
Stalking Protection Act 2019
Common Law (Trespass, Assault and Breach of Peace)
Offences Against the Person Act 1861
Public Order Act 1986
Criminal Damage Act 1971
Criminal Law Act 1997
Criminal Justice Act 2003
Human Rights Act 1998
Equality Act 2010
CPS Guidance on Prosecuting Cases of Domestic Violence 2005
Domestic Abuse Act 2021

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Child Abuse Procedure](#)

[Hate Crime Policy and Procedure](#)

[R.A.S.S.O \(Rape and Serious Sexual Offences\) Policy](#)

[Policy and Procedure for Safeguarding Adults at Risk in Swindon and Wiltshire](#)

[Major Crime Investigation Manual](#)

[UK Government Guidance on Domestic Violence Protection Orders \(DVDS and DVPN's\)](#)

[Firearms and Explosives Licensing Policy](#)

[Firearms and Shotgun Certificate Holders Procedure](#)

AUTHORISED PROFESSIONAL PRACTICE

- [Domestic Abuse](#) [Major Investigation and Public Protection > Domestic Abuse]
- [Prosecution & Case Management](#) (see Enforcing Sentences, Victim & Witness Care and Possible Justice Outcomes)
- [Investigation](#)
- [Major Investigation and Public Protection > Homicide](#)

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING and REVIEW

Detective Superintendent Geographic Crime is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation. The Geographic Crime Department will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

WHO TO CONTACT ABOUT THIS POLICY

Detective Superintendent Geographic Crime is responsible for this policy and procedure. All queries relating to this policy or procedure should be directed to the Geographic Crime Department.

PROCEDURE

This procedure should read in conjunction with the APP content on Domestic Abuse. Please see [APP Domestic Abuse](#) for more in-depth considerations.

1. DEFINITION OF DOMESTIC ABUSE

The definition of Domestic Abuse has been defined by statute in the Domestic Abuse Act 2021 which was enacted on 29th April 2021 and states:

- (1) This section defines “domestic abuse” for the purposes of this Act.
- (2) 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.
- (3) 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 (see subsection (4));
 - (e) psychological, emotional or other abuse;

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

- (4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—
 - (a) acquire, use or maintain money or other property, or
 - (b) obtain goods or services.

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 includes so called ‘honour’ based abuse, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

The cross-government definition of Domestic Abuse can be found on the College of Policing APP [Context and dynamics of domestic abuse | College of Policing](#). This includes reference to the range of relationships within the family context – intimate and non-intimate.

2. RESPONSIBILITY OF CALL TAKERS

The Force has adopted and utilises THRIVE+. However, the nature of domestic abuse investigations requires the gathering of specific information and therefore the following **will** apply as an exception to the use of THRIVE+.

2.1 Minimum Standard of information when taking an initial report of domestic abuse

On receipt of a report of Domestic Abuse the call taker will complete THRIVE+ to determine the level of response which will be recorded upon a STORM log. Call takers will seek the following information when taking an initial report of domestic abuse:

2.2 Location and identity of

- Person making the report
- Suspect
- Location of other parties -children and witnesses

2.3 Ascertain the following

- Are there any injuries?
- The severity of any injuries;
- Is medical assistance required;
- Have any weapons been used?
- Does any person present appear drunk or taken drugs;
- Are any children present? If so are they safe?
- Is there a history of domestic abuse? Information given in the form of disclosures made by victims relating to domestic abuse history must be acted on, with attending officers advised at the earliest opportunity.
- Description of the suspect;
- Are there any court orders?
- Are there any special needs, e.g. disability, language difficulties? Is an interpreter required?
- Is the victim or another member of the household an adult at risk or vulnerable adult? If so who is their main carer?

2.4 Record

- Identity of the parties involved including victim and children ensure names are spelt correctly
- Sex,
- Dates of birth,
- Home address,
- Telephone numbers;
- Details of the demeanour of the victim/suspect/witnesses;
- A first account of what the caller says has happened recording it verbatim.

2.5 Research

Call takers and attending officers will ensure appropriate checks are made on Niche and other police systems for;

- Previous reported domestic abuse history,
- PNC checks,
- Bail conditions,
- Civil injunctions,
- Court orders relating to child contact,

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- Child protection, vulnerable adult intelligence systems,
 - ViSOR (if appropriate);
 - PND (if appropriate)

2.6 Minimum Standards - Deployment

Call takers will:

- Despatch an officer having prioritised the safety of officers and others;
- Ensure that medical assistance is en-route, where appropriate;
- Make sure that support/back up is available for the officer(s) attending the incident,

NB: If a STORM log is to be closed to NICHE without deployment authorisation MUST be obtained from the CCC supervisor or FIM.

Reporting persons (RP) wishing to remain anonymous – where an RP requests to remain anonymous this information should be recorded on the STORM log and conveyed to the attending officer immediately.

3. RESPONSIBILITIES OF ATTENDING OFFICER

3.1 Powers of entry

- Under section 17(1) (b) of the Police and Criminal Evidence Act (PACE) 1984, a constable may enter and search any premises for the purpose of arresting a person for an indictable offence.
- Under section 17(1) (e) of PACE, a constable may also enter and search premises for the purpose of saving life or limb or preventing serious damage to property (**in the exercise of police protection powers if entry to premises is refused, this section may give adequate powers**);
- Under Common Law a constable has the power to enter premises to prevent or deal with a Breach of the Peace;
- Under section 48 of the Children Act 1989, a warrant may be obtained to search for children who may be in need of emergency protection;

A record of all searches must be made in accordance with PACE and PACE Codes of Practice.

3.2 Actions on arrival at the scene

To ensure both the safety of officers, victims and children and to secure and preserve evidence, on arrival at the scene officers should:

- Re-assess victim and officer safety, including immediate risk (potential access to weapons)
- Make an immediate assessment of the need for first aid or other medical assistance
- Separate parties, including any children;
- Confirm the identity of the suspect
- Establish who is or was at the scene, **including any children, young persons and vulnerable adults** (if there is a vulnerable adult or adult at risk check who their main carer is and whether they are known to social services or subject to a safeguarding alert/process/plan?)
- Establish who normally resides at the address **including any children, young persons and vulnerable adults**
- Request appropriate checks on the suspect and household, including warrants, bail conditions, civil orders, and children subject to protection plans, if not already done;

- Make accurate records of everything said by the suspect, victim and any witnesses, including children (ensuring compliance with PACE). Significant statements or admissions to offences of domestic abuse by perpetrators must always be recorded by attending officers. Golden Hour principles and standards of initial investigation will not be affected by significant statements by the perpetrator and such enquiries must continue, irrespective of such disclosures.
- Take evidential photographs where required. Body Worn Video (BWV) should be used in line with the [Body Worn Video Procedure](#).
- Secure the safety of victims in their home, e.g., if appropriate or the home of a relative or refuge.
- Obtain an overview of what has occurred, taking into account the established risk factors associated with domestic abuse.
- Ensure that information relating to the suspect is included in any risk assessment processes.
- Provide the victim with time and space away from the perpetrator, thus maximising the opportunity to reassure the victim and create opportunity for disclosure to the attending officers.
- Where an RP has requested to remain anonymous their information should not be shared with the victim, suspect or any other involved party. In exceptional circumstances where information has needed to be shared clear rationale around this must be recorded on the OEL of an occurrence, a supervisor made aware and clear consideration given to safeguarding the RP including making them aware of this and the reason for it. Safeguarding completed for the RP must also be recorded on the OEL.

3.3 Protecting the scene

Officers should take the following action appropriate to the circumstances;

- Note that both the victim and suspect are considered the primary scenes, and victims safety, state of mind and ability to cope with forensic requests should be a priority.
- Secure, preserve and control the scene to limit any access until sufficient information is available to make an informed assessment of the situation.
- Consider any potential areas of contamination that could impact upon the integrity of evidential material;
- Consider erecting cordons and putting in place a log list to record persons entering and leaving (dependent upon the severity of the incident);
- Request a CSI to attend or record the reasons on the PPN, why a CSI was not called or did not attend;
- Ensure the scene is photographed or videoed as soon as possible
- Scope and secure any potential CCTV footage which may have captured the incident

3.4 Police Powers of Arrest

Officers must note that charging standards are for custody officers and the CPS to use to determine what offence to charge a suspect with. The standards **do not** affect police powers of arrest.

Section 110 Serious Organised Crime and Police Act 2003 replaced section 24 of PACE with new powers.

You can arrest for **any offence but only if** there are *reasonable grounds to believe* **one** of the following necessity conditions applies:

[Table of Contents](#)

Child or vulnerable person: to protect
Obstruction of the highway: prevent
Physical Injury: to prevent (cause/ suffering, self /other)

Public decency: to prevent offences against
Loss or damage to property: to prevent
Address not known or doubted
Name not known or doubted
Effective/prompt investigation of offence: to allow for
Disappearance of person: preventing prosecution

3.5 Positive action

Positive action includes arresting the suspected perpetrator for any offence as detailed above. It is the decision of the attending officer whether or not to arrest a suspect and therefore victims should not be asked whether they require an arrest to be made.

The requirement for 'positive action' means that in all Domestic Abuse cases, officers should consider the incident as a whole, not just the oral or written evidence of the victim.

Officers must focus efforts from the outset on gathering alternative evidence in order to charge and build a prosecution case that does not rely entirely on the victim's statement. This is particularly important where at any stage the victim appears not to support a prosecution.

The victim's views are always to be considered but the decision to arrest remains with the officer even if the victim does not wish to pursue a complaint. All actions will be taken in the interests of the victim in order to take the pressure and responsibility away from the victim.

It is acknowledged that on occasion, the victim may not agree with the actions taken, however the overriding concern is to keep the victim safe. Only by protecting the victim can we be truly focused on the survivors of domestic abuse.

Previous withdrawals of support for a prosecution should not adversely influence the decision making in whether to arrest for an offence.

The Domestic abuse definition does not require 'violence' to have been used and 'abuse' is much wider than any criminal allegations.

In any Domestic abuse case where no formal interview of a suspect takes place the investigation and decision surrounding this must be reviewed and ratified by the Inspector of the OIC and supervisor.

3.5.1 Victim Disclosures

When speaking to victims, all staff should be aware that **any disclosures or allegations made should be fully investigated and recorded even if the allegation is historic or does not relate to the incident you have been called to.**

It is important to check the STORM log prior to completing a PPN to ensure that you are aware of any disclosure made by the victim to the CCC.

Don't assume that just because a disclosure is made while completing a PPN or statement that it has already been investigated and recorded.

Below are the key points to remember when a disclosure is made by a victim:

1. Ask the victim if the disclosure has previously been made to the Police **and** then check Niche to ensure a full investigation has taken place and a crime recorded if appropriate
2. If an allegation or disclosure is found to not be recorded, please ensure a Niche is created and a prompt investigation is started regardless of how long ago the offence took place
3. If a decision is made not to investigate an allegation or disclosure, please ensure that a full rationale is recorded in Niche
4. Victims who disclose offences while speaking to operators in the CCC may not provide the same information to attending officers. It is the responsibility of the attending officers to view the log and fully investigate any disclosures made
5. A victim may make reference to events and incidents which have happened in the past. **Never assume that these have been investigated and recorded. Check Niche**
6. If you are taking a statement or completing a PPN on behalf of another officer, it is your responsibility to ensure disclosures or allegations are fully investigated.

3.6 If the Suspect IS NOT arrested;

- Officer **MUST** record their rationale in PNB and on the PPN
- Justify why an arrest has not been made
- Record what action has been taken to safeguard victim and family
- Gather evidence to support future criminal prosecutions/civil proceedings e.g. those relating to child contact.
- Officers **will not** under any circumstances interview a suspect of domestic abuse by way of contemporaneous notes (For guidance, please see Force [Contemporaneous note Interview Policy](#)).
- BWV devices should not be used to record suspect interviews (see the [Body Worn Video Procedure](#) for more detail).
- If the suspect's arrest cannot be justified, arrangements will be made for the suspect to be interviewed at a Police station under invite as soon as practicable: see [Voluntary Attenders for Interview Procedure](#).
- Supervisors reviewing PPN will be expected to make reference within the PPN to the decision taken not to arrest as part of their oversight into such matters, cognisant of the decision making process from the attending officer and the risks known at that time.

3.7 Charge, summons, cautions, out of court disposals and no further action cases

- The CPS Directors Guidance will **always** be referred to and fully complied with. If the outcome deems that the appropriate form of process is by way of a summons, the first line supervisor (Sergeant) or a supervisor on duty (Sergeant or Inspector) will authorise the summons and ensure the file with the CPS for consideration during that tour of duty or as soon as practicable afterward. Summons files for domestic abuse must remain victim focussed and be treated as a priority.
- If the CPS Streamlined Process is to be used for Domestic Abuse Cases, officers must note that a full evidential witness statements will be always be required from victims and witnesses. (For guidance, please see force Streamlined Process under Policy and Procedure)
- If charges or summons are authorised the case file will be delivered electronically, and in person, to the Integrated Prosecution Team (CJU File Build) within 24 hours of reporting for prosecution or, during a weekend, by the following Monday. The reporting officer is

charged with the personal responsibility to email the Case Managers inbox at Melksham to advise them of the file's impending arrival.

- On receipt of the file (which has already been quality assured by the initial supervisor) the Case Manager will, within 24 hours, process that file for the Courts team to commence the laying of the summons process with HMCTS. The Courts team supervisor will then liaise with HMCTS regarding the timely return of the summons to Wiltshire Police.
- Cautions are rarely appropriate in domestic abuse cases. However a local agreement has been reached with Wessex CPS that in circumstances where a caution is being considered, as a charge is not appropriate, then it is not necessary to consult CPS for a cautioning decision, however; if in doubt on whether to charge the CPS should be consulted.

A caution for domestic abuse will only be administered under the following conditions: **NB: as of 11.01.2023 an interim process for Adult Cautions in domestic abuse cases has been implemented. Please read the [Caution Options – Interim Process](#) for details.**

- a) The Full Code test has been met;
- b) There is absolutely no previous domestic abuse history for the perpetrator (whether reported and recorded previously or not. Previous domestic abuse history includes previous partners and/or family members as well as the current partner);
- c) The victim has made no additional disclosures recorded on the PPN or STORM log i.e. previous incidents of DA that have not been reported or investigated. (See [s3.5.1 Victim Disclosures](#) above);
- d) The perpetrator does not have any previous convictions for violence (this includes cautions and community resolutions);
- d) The seriousness of the offence and the range of appropriate penalties;
- e) The perpetrator admits the offence.

Any decision to issue a caution must be accompanied by a fully documented rationale.

Although there is no need for a victim to consent to a caution the victim should, wherever possible, be consulted and their views taken into account.

- Community Resolutions can only be used for incidents of domestic abuse where there is **no intimate partner relationship or history of such**; the below criteria has been met and the resolution has been authorised by a Detective Inspector or, where impractical, by an operational Inspector prior to delivery:
 - A restorative justice process should only take place where the victim is fully supportive of its use and the offender has admitted the offence and is showing remorse.
 - Restorative justice should only be considered after cases have been assessed (using the PPN) as Standard Risk. Officers should consult with specialists from PPD if they have any concerns about the level of risk.
 - It should only be used as an **exception**, where the call is in isolation and there is no previous history or concern. The incident should be extremely low level such as a minor criminal damage or a theft.
 - In the case of first time perpetrators (under 18 years of age) involved in minor sibling disputes, restorative justice may also be considered for incidents involving common assault where the injuries are very minor and youth justice and domestic abuse specialists agree it is an effective intervention. Such cases must be subject of a thorough risk assessment.
 - Any case with a history of intimate partner violence or adolescent to parent violence should not be considered appropriate.

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- Where no further action is to be taken in a case where a crime has been recorded, and the OIC proposes that no formal interview of the suspect will take place, the authority of an officer of the rank of an Inspector will be required prior to the investigation to be closed.
 - Offences which at the time of report are already outside the limitation of time (i.e. common assaults reported more than 2 years after it occurred) are not required to have Inspector review (change to law as per [s49 Police, Crime, Sentencing and Courts Act 2022](#)).

3.8 Completion of PPN and DASH risk assessment

Domestic incidents reported to the police falling within the domestic abuse definition will result in the completion of a PPN which incorporates the DASH risk assessment (Annex B). This must be submitted electronically to the MASH before **the end of their tour of duty** (see [Guidance to creating a PPN](#)).

It is important to check the **STORM** log prior to completing a PPN to ensure that you are aware of any disclosure made by the victim to the CCC.

The risk assessment is an ongoing process and needs to be constantly reviewed by the OIC and supervisor, especially at key points, i.e. arrest, bail, charge etc.

The DASH risk assessment must **always** be completed in cases of stalking, harassment and honour based violence. Where stalking is suspected or reported a [Stalking Screening Tool](#) should also be completed.

Should the DASH risk assessment not be completed the officer must record the reason.

In recognition of the impact of controlling and coercive behaviour on a victim and the fear that can be exerted by verbal control in these relationships a DASH risk assessment will be completed at all incidents of domestic abuse that police are called to. This includes those which appear on the surface to be a verbal argument only. Completing a DASH at such incidents will increase the likelihood of officers being able to identify any patterns of behaviour which may warrant a referral to a support service (any risk) or even to MARAC (high risk).

Where a victim is able to be identified the DASH should be completed with that person. In circumstances where it is not clear who may be victim and who may be aggressor a DASH should be completed with the caller.

The DASH risk assessment provides for three levels of risk:

STANDARD: Current evidence **does not** indicate likelihood of causing serious harm.

MEDIUM: There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is **unlikely to do so** unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug / alcohol misuse.

HIGH: There are **identifiable indicators of risk of serious harm**. The potential event could happen at any time and the impact would be serious.

RISK OF SERIOUS HARM is defined by the Home Office as: **‘A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible’.**

[Table of Contents](#)

3.9 Standard assessment of risk

It is the responsibility of the attending officer to ensure safety measures are in place for the victim and her/his children and to signpost the victim to support agencies. Initial safeguarding measures taken will be documented by the attending officer within the PPN. A Victim Safeguarding Pack should be used where appropriate.

The responsibility for the investigation, safeguarding of the victim and on-going management of the perpetrator remains with the OIC.

3.10 Medium assessment of risk

It is the responsibility of the attending officer to ensure safety measures are in place for the victim their children and to signpost the victim to support agencies. Initial safeguarding measures taken will be documented by the attending officer within the PPN. A Victim Safeguarding Pack should be used where appropriate.

It is the responsibility of the investigating officer and their supervisor to review safety measures put in place for the victim and their children and to signpost the victim to other support agencies. Safeguarding measures undertaken will be documented by the attending officer within Niche.

3.11 High assessment of risk

Following attendance at domestic abuse incidents if the attending officer deems the incident high risk the duty Inspector must be informed at the earliest opportunity. This will ensure immediate supervisory oversight of high risk cases and provide support to the attending officer when managing the risk.

Attending officers will be responsible for the initial safeguarding of the victim and **'golden hour' investigation, including the arrest of the perpetrator. Liaison with a CID Detective Sergeant should occur at the earliest opportunity to agree an investigation strategy and safeguarding plan.**

It is the responsibility of the attending officer to ensure immediate safety measures are in place for the victim and her/his children and to signpost the victim to support agencies. Safeguarding measures undertaken will be documented within the Niche record.

Safeguarding should be reviewed by the OIC and their supervisor at key points in the investigation or where a victim reports a significant change e.g. end of a relationship.

Although all DA risk assessments are quality assessed by a supervisor and domestic abuse cases at all risk levels are reviewed by MARAC Police Coordinators to identify repeat cases (5/12's) MARAC referrals, there will be additional scrutiny of Standard and Medium risk assessed cases and where no children are involved, by the Safeguarding Support Team. This will serve to ensure victims in such cases receive the same level of service as those involving children and identify any changes or patterns in Police practice and procedure that may have a detrimental impact on the quality of service provided.

Rape and High-risk DA - As per the [RASSO \(Rape and Serious Sexual Offences\) Policy](#), all DA rape offences must be closed by a decision maker of at least the rank of inspector or above.

Closure requirements for Outcome 15 and 16 - High Risk DA where the case has been submitted outcome 15 and 16, the decision maker must be at least the rank of inspector or above

3.12 Allocation and investigation

As of the introduction of Volume Crime Teams there is an expectation that most PIP1 DA investigations will be allocated to VCT.

However, there will be occasions when there is no benefit or value in VCT being involved.

For example, if an officer attends a DA incident third party report of verbal only argument with no subsequent criminal complaint, breach of DVPO, or request to complete PPN and/or victim statement for an out of force enquiry - these wouldn't automatically fall to VCT as there is no further investigation required. Any handover would be through negotiation between supervisors but would not be considered the norm.

Storm Logs will not be closed and sent to the VCT Niche inboxes, without prior discussion and agreement with the VCT supervisor.

Please refer to [Crime Screening and Allocation Policy](#) for more detailed information regarding where PIP1 offences will be allocated.

The immediate safeguarding of the victim and any children will be completed by the attending officer(s).

Ongoing safeguarding will subsequently be completed by the investigating officer.

PIP2 offences:

Following initial actions at the scene all PIP2 identified offences will be investigated as per the Crime Allocation Policy and should be brought to the attention of the duty CID Ds at the earliest opportunity.

All ongoing safeguarding will be completed by the investigating officer. **Immediate safeguarding must be completed by the attending officer - all efforts must be made to ensure the immediate safety of the victim and any children.**

PPD administrators will link the relevant High Risk Domestic Abuse victim flag to the victim on Niche. High Risk flags will be reviewed on expiry, whereas Standard & Medium flags will automatically drop off.

OFA Safeguarding requests

In domestic abuse cases where the victim resides in Wiltshire but the offence took place in another force area, safeguarding enquiries will be carried out by designated staff/officers from the Safeguarding Support Team Monday to Friday 0800 - 1800 hours.

Urgent safeguarding outside of these hours this will need to be carried out by CPT via FCC tasking.

The officer dealing must notify the Safeguarding Support Team via email (SafeguardingTeam@wiltshire.police.uk) of relevant case details including the safeguarding enquiries completed.

3.13 Impact on children, young persons and vulnerable adults

Officers attending domestic incidents must assess the risk and respond positively to ensure the safety of all vulnerable parties, particularly children, young persons under 18 and vulnerable adults, whether they were present at the incident or not.

s.3 Domestic Abuse Act 2021 legislates that children are victims of domestic abuse and that any child who sees or hears or experiences the effects of the abuse and is related to A or B (adults in the abusive relationship) are victims in their own rights. All children within the household must be recorded within the PPN in order that they are recorded as victims and afforded the rights within the Code of Practice for Victims.

It is good practice to see the child, young person or vulnerable person in order to assess the impact of the domestic incident upon them, whether they witnessed the incident or not. Due consideration is to be given to establish if the incident involves any Honour Based Abuse.

Officers attending domestic abuse incidents **must** record the following details of Children, Young Persons and vulnerable adults on the PPN:

- Name, including other family names and any previously used names (correctly spelt);
- Date of birth;
- Sex;
- Normal address;
- General practitioner;
- Primary carer or care arrangements;
- School;
- Full details of the child's/vulnerable adults circumstances, witnessed by the officer, to include
 - personal welfare including evidence of self harming
 - cleanliness,
 - communication ability,
 - injuries
 - demeanour; including anger, aggressive behaviour, withdrawal, lack of interest, hyper vigilance and disassociation
- Details of anything said by the child/vulnerable adult;
- Full details of other children ordinarily present at the address. Ensure a check is made to establish if child is subject to a protection plan

If the child/vulnerable adult was present during the incident the following must be recorded:

- How do they feel?
- Do they feel safe?
- What have they witnessed, heard or been aware of?
- Have they been a victim of direct abuse (physical, emotional, sexual or neglect)?

Notify parent or carer that the information will be shared with partner agencies. If a child has suffered or is at risk of suffering significant harm refer to [Child Abuse Procedure](#) and if in immediate risk of harm consider removing child under Section 46 Police Protection powers.

In cases involving a vulnerable adult refer to the [Three Strands of Vulnerability](#) and take appropriate action.

In both cases officers should liaise immediately with a PPD supervisor or outside PPD core hours a Duty Inspector.

3.14 Possession of firearms

Any report of domestic abuse where there is an indication of access to firearms must be taken as increasing the risk. Firearm/shotgun holders who are involved in domestic abuse (whether as a survivor or as a perpetrator) **must** be flagged to the FIM for consideration of immediate revocation of the firearms and also referred to the Firearms Licensing Unit for a review of their certificate. Evidence of domestic abuse should indicate that an individual should not be permitted to possess a firearm or shotgun.

If the Firearms Licensing Unit become aware that a certificate holder may be the perpetrator of domestic abuse, then they will complete a PPN – containing the information they have available and submit to MASH and the CPT covering the area the certificate holder lives. Depending on the circumstances of the disclosure, the Firearms Licensing Unit may also consult with the Force Incident Manager with view to the firearms being removed from the certificate holder as a matter of urgency.

3.15 Lines of investigation

Attending officers should use body worn cameras to capture condition of victim, children and alleged perpetrator, damage to property and condition of scene and any account given to support the initial report or full allegation by the victim. Digital equipment can also be used to capture injuries to victim/s.

Officers using photographic evidence techniques should:

- Photograph all injuries
- To the victim and suspect,
 - bite injuries should be photographed as soon as possible with an appropriate scale included;
- Photograph or video record all damage/disruption at the scene including damaged clothing and weapons
- Any other evidence that might assist in corroborating victim or witness accounts or proving the offence
- Use CSI photographs whenever possible in domestic abuse cases **irrespective** of whether digital photographs have been taken;
- Make arrangements for the victim to be re-photographed when injuries may be more apparent;
- Use photographs pro-actively to assist in the investigative interview, see *Using photographic evidence during [interviews](#)*
- Provide custody officers with photographs to assist them with decision making, particularly in respect of police bail
- Attach photographs to the NICHE file to inform the CPS, magistrates and judiciary.

The previous history of domestic abuse should be explored with the victim and family members, including any previous presentations for medical treatment or third party disclosures. Consider securing evidence from family members, close friends, colleagues and neighbours.

- Attending officers should secure physical and forensic evidence.
- 999 tapes should be secured as a useful source to support a prosecution.
- House to house enquiries should be considered.
- Consider telephony and computer analysis where relevant.

3.16 Counter Allegations

See [APP Domestic Abuse > First Response > Carry out an initial investigation > Determining the primary perpetrator and dealing with counter-allegations](#) and [APP Domestic Abuse > Arrest and other positive approaches > Arresting the right person](#)

3.17 Information to be included in Officers statement and prosecution file

Officer's statement will cover the following observations:

- Victim's injuries;
- Suspect's injuries;

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- Presence of children and/or vulnerable adults (adults at risk) and any injuries they may have sustained;
 - Any damage to property;
 - Observations of the scene, e.g., overturned furniture, broken ornaments, marks on clothing;
 - Demeanour of the suspect, victim and witnesses, including children;
 - Identification of risk factors (see [section 3.8](#));
 - Allegations made by the victim;
 - Unsolicited comments made by the suspect;
 - Significant statements made by the suspect.

3.18 Taking comprehensive retraction statements

When a victim indicates that they wish to withdraw their support for the prosecution process, a statement should be taken stating and describing any reasons for the withdrawal.

It is essential that the statement captures the reasons why the victim no longer wishes to support a prosecution and should include reference to them understanding that Special Measures and support may be available to them.

Withdrawal statements taken with care may still be used as evidence in current or future criminal proceedings or as evidence within the family court system.

Any withdrawal of support for a prosecution should prompt a revised risk assessment process and safety planning. The officer in the case should notify the CPS without delay if the victim indicates a wish to withdraw support for the prosecution.

For further information see APP Domestic Abuse > Victim safety and support > 2. Communication with the victim > 2.5 [Withdrawal](#).

Consideration should always be given to whether a case may proceed as “Evidence Led” i.e. without the evidence of the victim. This will be a matter for police to consider pre-charge and CPS should be asked to consider post-charge.

4. RESPONSIBILITIES OF FIRST LINE SUPERVISOR.

It is the responsibility of the first line supervisor to review all standard and medium risk PPNs to ensure:

- Appropriate immediate safety measures have been put in place for the victim and any children
- Positive action has been taken in respect of the perpetrator
- Endorse rationale where no arrest has been made
- If children were present that they were checked and impact upon them has been considered and recorded
- Appropriate initial investigative action has been taken and is fully recorded within the NICHE
- The PPN is accurate and clear and includes all relevant details of the incident
- Names and addresses, wherever possible, are accurate and consistent throughout the report
- All relevant DASH questions have been completed*
- The NICHE has a corresponding PPN
- The NICHE outlines a clear investigation plan and all effective lines of investigation are being carried out in a timely way

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- The victim desired outcome has been recorded and considered
 - The grading of risk corresponds to the assessment of the risk detailed

*The risk assessment should be considered as an ongoing process and needs to be constantly reviewed by the OIC and supervisor, especially at key points, i.e. arrest, bail, charge etc.

5. RESPONSIBILITIES OF DUTY INSPECTOR.

It is the responsibility of the duty inspector to review all high risk PPNs unless it is impracticable to do this because of other commitments. If the duty inspector is unavailable then the CIM within the Force Contact Centre or any other inspector should be used as an alternative to review high risk domestic abuse cases.

With the reviewing of all high risk cases particular emphasis should be given to locating outstanding offenders ensuring that safeguarding is in place for the victims and any children.

The duty Inspector will ensure that all outstanding high risk domestic abuse perpetrators are flagged on the force risk management portal as part of the daily management process in order that oversight can be maintained and risk can be managed appropriately.

6. POLICE OFFICERS AND STAFF VICTIMS / PERPETRATORS OF DOMESTIC ABUSE

APP [Domestic Abuse > Leadership, Strategic Oversight and Management](#) > 3. Management > 3.1.1 Management of personnel > Specific management considerations when dealing with police perpetrators of domestic abuse should be referred to in circumstances where police officers, police staff and partners or family members of officers and staff are victims of domestic abuse.

- All incidents of police perpetrated domestic abuse are to be investigated by a PIP2 detective/investigator from CID, who is based at a different location to where the suspect works, and, where possible, lives.
- Where a Wiltshire police officer or member of staff is arrested the officer should be taken to a custody unit outside of Wiltshire (if practical and safe to do so).
- The Head of PSD must be made aware of any arrest when practicable to do so.
- In all such investigations, the OIC should sign an undertaking to declare that they have no conflict of personal or professional interest in relation to the suspect or the victim. (see [Appendix A - Police Perpetrated Domestic Abuse Undertaking](#)).
- The safeguarding of the victim(s) and any key witnesses will be the responsibility of the investigating officer.

Wiltshire Police also has an HR policy in regard to Domestic abuse involving staff, seek guidance from an HR manager.

7. POST CUSTODY PROCEDURES

7.1 Police Bail and Release Under Investigation (RUI)

Due to the nature of domestic abuse, Police bail must always be considered to protect the victim, RUI must only be used in exceptional circumstances, and such cases **must** be authorised by the duty Inspector. (See [Released Under Investigation Procedure](#) and [NPCC Operational Guidance on Pre-Charge Bail and Released Under Investigation](#)).

Before a suspect is released from a police station officers must:

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- Inform the victim of the suspect's impending release and record this notification on NICHE regardless of whether the suspect has been bailed or not
 - Ensure NICHE is updated regarding bail conditions, in case of future calls.

Any subsequent decision to move the suspect from bail to RUI **MUST** be authorised by an inspector and the rationale for that decision and authorisation documented on Niche. Once the decision to move a suspect from Bail to RUI has been authorised the investigating officer **MUST** follow the process laid out in the [Released Under Investigation Procedure](#).

7.2 Domestic Violence Protection Notices and Orders (DVPN, DVPO)

Wiltshire police will make full use of the [Domestic Violence Protection Notice \(DVPN\) and Domestic Violence Protection Order \(DVPO\) schemes](#) in order to offer greater protection to victims of domestic abuse.

Following a full investigation, including PACE interview of the suspect, a decision will be made as to whether there is sufficient evidence to prosecute. If the decision is no further action is to be taken (NFA) or a caution is administered, consideration **must** be given to the application of a Domestic Violence Protection Notice as per Home Office Guidance; the ERO decision must contain a rationale for why a DVPN has or has not been applied for.

A DVPN **can** be issued to a suspect who has not been arrested.

A DVPN **can** be issued in addition to police bail although a clear rationale for this will be requested by the court.

A DVPN **can** be issued where the involved parties do not reside in the same property.

For more information see:

- APP Domestic Abuse > Arrest and other positive approaches > [Using domestic violence protection notices and domestic violence protection orders to make victims safer](#) or
- Home office guidance [Domestic Violence Protection Notices \(DVPNs\) and Domestic Violence Protection Orders \(DVPOs\) Guidance](#).

7.3 Domestic Violence Disclosure Scheme (DVDS)

Wiltshire police will make full use of the [Domestic Violence Disclosure Scheme](#), using existing legislation and information sharing protocols, to consider whether an individual at risk of domestic abuse should be informed of the previous history of their partner either through a process referred to as 'Right to know' or 'Right to ask'.

Such decisions will be made in accordance with the Home Office guidance.

8. RADICALISATION

The Counter Terrorism and Security Act 2015 places a general duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. The purpose of Prevent is at its heart to safeguard and support vulnerable people to stop them from becoming terrorists or supporting terrorism.

Factors that may have a bearing on someone becoming vulnerable to radicalisation may include: peer pressure, influence from other people or via the internet, bullying, crime against them or their involvement in crime, anti-social behaviour, family tensions, race/hate crime, lack of self-esteem or identity and personal or political grievances.

If officers/staff believe or suspect that a victim of, or suspect involved in, domestic abuse is at risk of radicalisation they should report this directly to the Duty Inspector without delay. Duty Inspector will consider level of risk and appropriate response (on a case by case basis). An appropriate intelligence submission should be made and the duty officer from CTPSW can be informed.

9. SHARING of INFORMATION with IMMIGRATION SERVICES

Please note that this guidance relates to victims of domestic abuse only.

[NPCC policy](#), published in 2020, is set out below:

When an individual reports to the police that they have been a victim/witness of crime the focus of the police will always be:

- *To investigate the allegation the victim/witness has reported; and*
- *To put in place such reasonable measures as are necessary to protect the victim/witness from harm.*

Officers will not routinely search police databases for the purpose of establishing the immigration status of a victim/witness or routinely seek proof of their entitlement to reside in the UK.

When a victim/witness is suspected by an officer of being an immigration offender, their status as a victim/witness does not change. The focus of the police will remain to investigate the allegation the victim/witness has reported and to put in place such reasonable measures as are necessary to protect them.

10. FURTHER SUPPORT

Further and useful documents relating to domestic abuse can be found on the Public Protection website using the link below;

<https://wiltspolice.sharepoint.com/sites/PPD-CS/SitePages/Safeguarding-Team.aspx>

DOCUMENT ADMINISTRATION

Ownership

Department Responsible: Geographic Crime Department
Policy Owner/Author: D/Supt Sarah Robbins / DI Helen Clarke
Technical Author: Andrew IRVING
Senior Officer/Manager Sponsor: ACC Geographic Crime and Force Development

Revision History

Revision Date	Version	Summary of Changes
16.01.2023	7.0	s3.16 Counter allegations link to APP Domestic Abuse > First Response > Carry out an initial investigation > Determining the primary perpetrator and dealing with counter-allegations amended. New link added to APP Domestic Abuse > Arrest and other positive approaches > Arresting the right person.
12.06.2023	7.0	s3.11 MARAC co-ordinator review of PPN s3.12 OFA safeguarding requests s3.13 Section 3 DA Act 2021 Children as victims Change of ownership from PPD to Geographic Crime Department.
30.06.2023	7.0	S3.7 Limitation period for proceedings to be commenced extended to 2 years from the date of the offence.
30.04.2024	7.0	S3.11 Lines re the ramnk of the decision maker in relation to High Risk rape and DA cases and outcome 15 & 16 added.

Approvals

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	12.06.2023	7.0
Supt Geographical Crime Department	12.06.2023	7.0
JNCC (Not required for all policies)	N/A	

Distribution

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief and force wide email	12.06.2023	7.0
Email to relevant affected Staff/Officers		

Equality Impact Assessment

Has an EIA been completed? If no, please indicate the date by which it will be completed. If yes, please send a copy of the EIA with the policy.	☒ Yes ☐ No Date:
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Consultation

List below who you have consulted with on this policy (incl. committees, groups, etc):

Name & Title	Date Consulted	Version
Supt Cox, Head of Professional Standards	16.04.2021	4.1
Gemma Mullen, HR	29.04.2021	4.1
DI Phillippa Sharpley and DI Matt Smith, VCT	21.10.2022	6.1

Implications of the Policy

Training Requirements

None

IT Infrastructure

No new infrastructure required.