



What has happened to a victim centred approach in cases of domestic abuse in the English criminal justice system?

A domestic violence review comes after a number of high profile cases where protection for victims fell below expected standards.

Why has it taken Home Secretary, Theresa May so long to [commission](#) Her Majesty's Inspectorate of Constabulary (HMIC) to carry out an inspection into how police forces are responding to domestic violence? Domestic violence is not a new offence. The fact is two women on average die each week at the hands of their abusive partners. That's 104 women a year, murdered by their partners. Children left without mothers. 104 women denied futures.

Why has it taken a number of *high profile cases* before Theresa May has commissioned this inspection? What about all the other women that haven't made the headlines? The women that haven't made it into the tabloids or on to the local or national news? Are their deaths not important? That's certainly the impression the government has given by failing to put female victims of violence at the top of their agenda until now.

I suspect it's just that Theresa May doesn't know about those ones in the same way the rest of us don't, because simply put, they don't get reported by the media. To do so would be to admit failure. A failure to keep these women safe. Something we take for granted because we think we live in a society with an effective and efficient police service.

The [Guardian reports](#) how poor Daniel Pelka was failed by multiple agencies in the lead up to his tragic murder by his mother and her partner:

'Teachers, health professionals, social workers and police officers treated four-year-old Daniel Pelka as if he was invisible, failing to prevent his mother and stepfather from murdering him after a campaign of torture and starvation

'Daniel's mother, Magdalena Luczak, 27, and her partner, Mariusz Krezolek, 34, both Polish nationals, will serve at least 30 years in prison for Daniel's murder. During a harrowing trial a jury heard that Daniel looked like a concentration camp victim when he died in March 2012. The court was told that he was subjected to torture including having his head held under water until he passed out and being force-fed salt. He was kept locked in a filthy box room at home in Coventry and was systematically denied food before dying after receiving a blow to his head.'

It appears not a single person involved with Daniel ever asked him about his home life. His voice was not heard.

The police attended Daniel's home 30 times in response to reports of domestic abuse – thirty missed opportunities for the police to adopt a child-centred approach. After all, women are not the only victims of domestic abuse.

The police failed to enact an inquiring mind, something which happens all too often in cases



involving domestic abuse. Maybe the police were short staffed, maybe they weren't sufficiently trained to recognise the risks. Maybe they felt domestic abuse was something best left to the couple to resolve.

Voices were not heard, for whatever reason. In Daniel's case, his voice was not heard because no one bothered to ask him.

Domestic abuse has a higher rate of repeat victimisation than any other offence – on average a woman is assaulted 35 times before she has the courage to contact the police and ask for help. But police will often visit the home when the abusive partner is in the house. What woman, terrified of the consequences will ask the police for help when her abusive partner is hovering in the background, giving her that 'don't you dare' look?

In 90 per cent of domestic violence incidents in family households, [children are in the same room](#) or the room next door, watching and listening, trying to hide from the terrifying events unfolding in front of them.

In over 50 per cent of known domestic abuse cases, children are also directly abused – the NSPCC, in 1997, found a 55 per cent overlap. Not only are women being failed by front line staff, but children are too – had the police acted during one of their 30 attendances to Daniel's home, it's possible they could have rescued him from a horrible fate.

The importance of multi-agency working in cases of domestic abuse and child abuse is vital. If staff dealing directly with the victims of these crimes do not share the information they hold, the risks to these victims are unthinkable. But what if front line agencies are not sufficiently trained to recognise the risks, to deal with the risks, to understand the risks – and incredibly that seems to be exactly what we're dealing with here in the UK.

Home Secretary [Theresa May](#) said:

This government is serious about keeping women and girls safe. We have seen improvements over the past year – domestic violence, rape and sexual offence prosecutions have reached their highest ever conviction rate for the second year running – so the systems in place to protect women are working better.

But sadly there are still too many cases, like those of [Clare Wood](#) and [Maria Stubbings](#), where victims have lost their lives because warning signs were missed.

We have a duty to provide vulnerable people with the best possible protection which is why I have commissioned Her Majesty's Inspectorate of Constabulary to review current practices and recommend where further improvements can be made.

To Theresa May, to our government, I say there are far too many cases where women are failed because warning signs are missed, far too many cases involving children where people in authority are afraid to ask intrusive questions. I say the government simply isn't serious enough



about protecting women and children.

The government may have a specific [policy](#) on ending violence against women and girls:

We are determined to support victims in reporting these crimes, and to make sure perpetrators are brought to justice. We all need to do more to prevent violence against women and girls happening at all.

We can't argue with that, but what is the government *actually* doing?

In November 2012, new legislation was introduced making stalking and harassment a specific offence. Nearly one year on and the number of prosecutions under this law is minimal despite its simplicity.

Under the Protection from Harassment Act (PHA) 1997, amended by Protection of Freedoms Act 2012 it is necessary to prove a course of conduct on at least two occasions, where the conduct amounts to harassment, stalking or fear of violence, or stalking which causes serious alarm or distress.

A list of example behaviours include following, contacting/attempting to contact, publishing statements or material about the victim, monitoring the victim (including online), loitering in a public or private place, interfering with property, watching or spying. This is a non exhaustive list which means that behaviour which is not described above may also be seen as stalking.

Let's not forget that stalking and harassment, both offline and online, are linked significantly to domestic abuse.

Since November 2012, it is estimated 80,000 offences of stalking and harassment have been committed, yet only 327 suspects have been arrested, only 190 suspects charged, 33 convicted and 6 jailed. The reason: front line staff, police staff, CPS staff those dealing directly with victims of such offences, those making the decisions to prosecute, have not been trained on the new legislation.

So to Theresa May, I'd say the government needs to practice what it preaches. Perhaps providing front line police and CPS staff with training on legislation *before* it comes into force would be a helpful tool in ensuring victims receive the support they need. What happened to a victim-centred approach? By not providing training to front line staff the government is not supporting victims, it is not encouraging them to come forward and report crimes.

The system is failing victims of abuse. When those dealing with cases of violence against women do not have the knowledge, the training and the necessary skills to deal sympathetically with victims, to believe them, to protect them, to effectively assess the risk of harm they face, then victims will continue to lose faith in the British criminal justice system. They will fail to report crimes. They will feel unable to ask for help, and more and more women and children will be [killed at the hands](#) of their abusers.



Everyday Victim Blaming

challenging institutional disbelief around domestic & sexual violence and abuse
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