

Dynamic of domestic abuse

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All police officers and staff should use learning from [domestic homicide reviews \(DHRs\)](#) and national reporting to identify and act on their findings. They should use the data from the [National Domestic Homicide Project report](#) to inform their force's response to domestic abuse, domestic homicide and victim suicide.

Forces should use the accompanying [animation](#) and questions to brief various policing roles, including frontline officers, investigators and senior investigating officers (SIOs).

Controlling or coercive behaviour

Police officers and staff must recognise and respond to controlling or coercive behaviour. Any behaviour or pattern suggestive of such conduct must be treated seriously and investigated for offences under [section 76 of the Serious Crime Act 2015](#).

Officers should consider:

- domestic abuse, including controlling or coercive behaviour, as a contributing factor when attending an unexpected death (including suspected suicide)
- gathering evidence from family and friends where relevant
- that controlling or coercive behaviour often co-occurs with other offences and can escalate to serious physical or sexual violence

Officers should understand characteristics of controlling or coercive behaviour, including:

- repeated or continuous abuse, often subtle or personalised
- micro-management of daily life, setting rules with consequences for disobedience or isolating the victim
- exploitation of victim vulnerabilities, such as disability, language barriers or cultural isolation
- creating fear, anxiety and acceptance of abuse as 'normal'
- perpetrators disguising their behaviour, including attempts to manipulate police

Examples of behaviours may include:

- constant criticism, humiliation and threats
- controlling finances or withholding money
- restricting movement, work or access to communications
- isolating the victim from friends, family or support
- excessive monitoring, including phone or social media checks
- dictating appearance, routines or daily activities

Police officers should understand that a serious effect includes the victim fearing violence on at least two occasions, or suffering serious alarm or distress affecting daily activities, such as:

- social withdrawal
- routine changes
- health deterioration
- safeguarding measures

Police officers should also understand that under [section 76\(5\) of the Serious Crime Act 2015](#), “ought to know” applies where a reasonable person in possession of the same information would know.

For further information, go to:

- [Controlling or coercive behaviour in an intimate or family relationship](#)
- [Controlling or coercive behaviour statutory guidance framework](#)
- [Suspect interview, spotlight on controlling or coercive behaviour](#)
- [Checklist: conducting the victim interview – controlling or coercive behaviour](#)
- [Checklist: spotlight on controlling or coercive behaviour](#)

Further offences associated with domestic abuse

Police officers should understand that domestic abuse can give rise to a wide range of offences. The following table highlights some of the most relevant offences and legislation. The list is not exhaustive.

Examples of behaviour	Possible offences
A pattern of behaviour intended to control or coerce someone.	Controlling or coercive behaviour in an intimate or family relationship – go to <u>section 76 of the Serious Crime Act 2015</u>
Physical violence that includes spitting, punching, slapping, pushing, kicking, head-butting, hair pulling, choking, strangling or suffocating.	- Battery – go to <u>section 39 of the Criminal Justice Act 1988</u> - Assault occasioning actual bodily harm – go to <u>section 47 of the Offences Against the Person Act 1861</u> - Strangulation and suffocation, including non-fatal strangulation – go to <u>section 75A and section 75B of the Serious Crime Act 2015</u>
Physical violence that includes assault with a weapon.	- Wounding or inflicting grievous bodily harm – go to <u>section 20 of the Offences Against the Person Act 1861</u> - Wounding or causing grievous bodily harm with intent – go to <u>section 18 of the Offences Against the Person Act 1861</u> - Attempted murder – go to <u>section 1 of the Criminal Attempts Act 1981</u>
Violence resulting in death.	Murder or manslaughter – go to CPS guidance on <u>Homicide: Murder, manslaughter, infanticide and causing or allowing the death or serious injury of a child or vulnerable adult</u>

Examples of behaviour	Possible offences
Violence resulting in miscarriage.	• Child destruction – go to section 1 of the Infant Life (Preservation) Act 1929

Examples of behaviour	Possible offences
Threatening with a weapon or article used as a weapon, such as a knife, tool, telephone or chair.	• Threats to kill – go to section 16 of the Offences Against the Person Act 1861 • Common assault – go to section 39 of the Criminal Justice Act 1988 • Affray – go to section 3 of the Public Order Act 1986 (this can take place inside a dwelling). Specific bladed article or weapon charges can be considered if in a public place or on school premises: • Having an offensive weapon in a public place – go to section 1 of the Prevention of Crime Act 1953 • Having an article with a blade or point in a public place – go to section 139 of the Criminal Justice Act 1988 • Having an article with a blade or point (or an offensive weapon) on school premises – go to section 139A of the Criminal Justice Act 1988 The following offences were inserted by section 142 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012: • Threatening a person with an offensive weapon in a public place, where there is immediate risk of serious physical harm to that person – go to section 1A of the Prevention of Crime Act 1953 • Threatening a person with an article with a blade or point in a public place, where there is immediate risk of serious physical harm to that person – go to section 139AA of the Criminal Justice Act 1988

Examples of behaviour	Possible offences
Threatening, abusing or insulting a person with intent to cause fear or provoke violence (where at least one party is outside a dwelling).	• Fear or provocation of violence – go to <u>section 4 of the Public Order Act 1986</u>
Intentionally causing harassment, alarm or distress to a person.	• Intentional harassment, alarm or distress (where at least one party is outside a dwelling) – go to <u>section 4A of the Public Order Act 1986</u> • Stalking, including where it puts a person in fear of violence – go to <u>section 2A and 4A of the Protection from Harassment Act 1997</u>
Throwing articles, such as crockery, even if they miss their target.	• Common assault or battery – go to <u>section 39 of the Criminal Justice Act 1988</u> • Affray – go to <u>section 3 of the Public Order Act 1986</u> (this can take place inside a dwelling).
Damaging or destroying property, or threatening to do so, including by fire.	• Criminal damage or arson – go to <u>section 1 of the Criminal Damage Act 1971</u> • Threats to cause criminal damage – go to the <u>section 2 of the Criminal Damage Act 1971</u>
Forcing entry into a house.	• Using violence to secure entry – go to <u>section 6 of the Criminal Law Act 1977</u>

Examples of behaviour	Possible offences
Tying someone up or otherwise preventing them from leaving a room or house	- Battery – go to section 39 of the Criminal Justice Act 1988 - False imprisonment, a common law offence – go to CPS guidance on offences against the person
Preventing someone from seeking aid, such as medical help.	- False imprisonment, a common law offence – go to CPS guidance on offences against the person - Assault occasioning actual bodily harm – go to section 47 of the Offences Against the Person Act 1861
Forced sexual activity, including forced sexual activity by a partner as part of a gang initiation.	- Rape – go to section 1 of the Sexual Offences Act 2003 - Assault by penetration – go to section 2 of the Sexual Offences Act 2003??????? - Sexual assault – go to section 3 of the Sexual Offences Act 2003

Examples of behaviour	Possible offences
Persistent verbal abuse.	• Harassment – go to section 1 and section 2 of the Protection from Harassment Act 1997 • Putting a person in fear of violence – go to section 4 of the Protection from Harassment Act 1997 • Stalking, including where it puts a person in fear of violence – go to section 2A and section 4A of the Protection from Harassment Act 1997 • If psychological harm is caused, assault occasioning actual bodily harm could be considered – go to section 47 of the Offences Against the Person Act 1861

Examples of behaviour	Possible offences
Offensive, obscene or menacing telephone calls, messages, letters or social network communications.	• Improper use of public communications network – go to section 127 of the Communications Act 2003 • Malicious communications – go to section 1(1) of the Malicious Communications Act 1988 • Stalking, including where it puts a person in fear of violence – go to section 2A and section 4A of the Protection from Harassment Act 1997 • Harassment – go to section 1 and section 2 of the Protection from Harassment Act 1997 • Putting a person in fear of violence – go to section 4 of the Protection from Harassment Act 1997 Further information also available in: • CPS guidance on communications offences

Examples of behaviour	Possible offences
Threats to send or sending intimate images or videos.	• Disclosing private sexual photographs and films with intent to cause distress, go to the Criminal Justice and Courts Act 2015 section 33 and Sexual Offences Act 2003 s 66A-E. Further information also available in: • CPS guidance on communications offences • College of Policing guidance on sharing photographs of film of people in an intimate state
Excessive unwanted contact.	• Stalking, including where it puts a person in fear of violence – go to section 2A and section 4A of the Protection from Harassment Act 1997 • Harassment – go to section 1 and section 2 of the Protection from Harassment Act 1997 • Putting a person in fear of violence – go to section 4 of the Protection from Harassment Act 1997

Examples of behaviour	Possible offences
Secret or forced administration of drugs.	• Battery – go to <u>section 39 of the Criminal Justice Act 1988</u> • Assault occasioning actual bodily harm – go to <u>section 47 of the Offences Against the Person Act 1861</u> • Wounding or inflicting grievous bodily harm – go to <u>section 20 of the Offences Against the Person Act 1861</u> • Wounding or causing grievous bodily harm with intent – go to <u>section 18 of the Offences Against the Person Act 1861</u> • Attempted murder – go to <u>section 1 of the Criminal Attempts Act 1981</u> • Poisoning – go to <u>sections 23 and 24 of the Offences Against the Person Act 1861</u>
Breach of a court order limiting or preventing contact.	• Breach of restraining order – go to <u>section 5 of the Protection from Harassment Act 1997</u>. This also applies to restraining orders made on acquittal under <u>section 5A of the Protection from Harassment Act 1997</u>, which was inserted by <u>section 12 of the Domestic Violence, Crime and Victims Act 2004</u> • Breach of non-molestation order – go to <u>section 1 of the Domestic Violence, Crime and Victims Act 2004</u>

Examples of behaviour	Possible offences
Pressuring a victim or witness to 'drop the case' or to not give evidence, including during the investigation stage (that is, where a person has not been charged).	• Witness intimidation in connection with criminal investigations or proceedings – go to section 51 of the Criminal Justice and Public Order Act 1994. Section 51(1) covers intimidation during investigation or proceedings. Section 51(2) covers harm or threat of harm after the conclusion of investigation or proceedings. • Witness intimidation in connection with civil proceedings, go to section 39 of the Criminal Justice and Police Act 2001 for intimidation during proceedings and section 40 of the Criminal Justice and Police Act 2001 for harming during or within one year of the conclusion of proceedings. • Perverting the course of justice, go to the CPS guidance on public justice offences

Some of these offences can also be racially aggravated. For the full list, go to:

- [CPS prosecution guidance on racist and religious hate crime, annex A – Legislation used to prosecute racist and religious crime](#)

For further information, go to:

- [CPS domestic abuse guidelines for prosecutors, annex D – Impacts of domestic abuse](#)

Victim behaviour and ongoing risk

Police officers should not assume that a victim who remains with, or returns to, an abusive partner is safe or that the abuse has ended. Victims may not feel able, or be in a position, to leave the

relationship safely. Police officers should understand that victims may stay because of, for example:

- fear of consequences
- financial dependence
- cultural or language barriers
- concern for children, pets or family
- fear of not being believed
- fear of having children removed
- not recognising the abuse

Officers should consider the reasons why a victim may stay or withdraw support. They should ensure that, no matter how many times a victim may initiate and withdraw, the victim is supported. Officers should approach each call for service without making assumptions and should apply the same level of effort to [risk assessment](#), [safety planning](#) and [investigation](#) on each occasion.

A victim who does not feel able to engage with the police may be prepared to work with other domestic abuse services. Officers should consider referring a victim to specialist domestic abuse services, even if they are not engaging with the police.

Police officers should challenge domestic abuse perpetrators about their behaviour. Perpetrators can carry on abusing because they are not robustly challenged. Some can recognise the behaviour, challenge themselves, seek help and willingly engage in support activity where available. Many others cannot or do not want to. It is not the responsibility of the victim to leave, but of the perpetrator to stop abusing.

Tags

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