



**Policy name:** Domestic Abuse Policy Framework

**Reference:** n/a

**Re-Issue Date:** 26 September 2022

**Implementation Date:** 2 March 2020.

**Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:** None.

**Introduces amendments to the following documents:** N/A.

**Action required by:**

X	HMPPS HQ	X	Governors
X	Public Sector Prisons	X	Heads of Group
X	Contracted Prisons	X	The Probation Service
	Under 18 Young Offender Institutions	X	Other providers of Probation and Community Services
X	HMPPS Rehabilitation Contract Services Team		

**Mandatory Actions:** All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

**For Information:** By the implementation date Governors<sup>1</sup> of Public Sector Prisons and Contracted Prisons must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

**In this document the term Governor also applies to Directors of Contracted Prisons**

**Context:** Anyone can be a victim of domestic abuse regardless of sex or gender identity, cultural heritage or ethnicity, sexual orientation, religion or belief, or disability. There are different kinds of abuse that can happen in different contexts. The most prevalent type of domestic abuse occurs in relationships, but the definition of domestic abuse also covers abuse between family members, such as adolescent or adult child to parent abuse and abuse between siblings.

<sup>1</sup> In this document the term Governor also applies to Directors of Contracted Prisons.

People with disabilities are more vulnerable to domestic abuse for longer periods of time, and experience more severe and frequent abuse than non-disabled people.

Perpetrators are not all the same and the factors that lead them to using violence and aggression in their intimate relationships can be as individual as the people themselves. There is an increasing understanding that domestic abuse is a child safeguarding issue, and the damaging effects that either witnessing or experiencing it can have on children are well documented.

Her Majesty's Prison and Probation Service is committed to reducing domestic abuse-related reoffending and the risk of serious harm associated with it. The 2021 Domestic Abuse Act is a landmark piece of legislation which will:

- raise awareness and understanding about the devastating impact of domestic abuse on victims and their families,
- further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice, and
- strengthen the support for victims of abuse by statutory agencies through a comprehensive package of measures.

The Domestic Abuse Act:

- includes a duty on the Government to prepare and publish a perpetrator strategy. Known as the [Tackling Domestic Abuse Plan](#) this includes key commitments for HMPPS and other government departments in tackling domestic abuse.
- Is supported by new [Domestic Abuse Statutory Guidance](#) aimed at statutory (including HMPPS) and non-statutory bodies working with victims, perpetrators and commissioning services, to increase awareness and inform their response to domestic abuse.

The government's Tackling Violence Against Women and Girls Strategy (July 2021) sets out its ambition to ensure that women and girls are safe everywhere- at home, online and on the streets. Tackling violence against women and girls is a top priority for the Government. Domestic Abuse and associated crimes disproportionately affect women and girls, however the government recognises in the ['Position statement on male victims of crime'](#) that men and boys also experience abusive and violent crimes that fall within the umbrella of violence against women and girls. These crimes can have a profound and long-lasting impact on victims and the government is committed to a stronger whole system approach focusing on: prioritising prevention, supporting survivors, pursuing perpetrators.

The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 specifically addresses violence against women. Its key purpose is to improve the public-sector response in relation to the prevention of acts of gender-based violence, domestic abuse, and sexual violence, the protection of victims, and support of those affected.

#### **Associated documents:**

- [HMPPS Child Safeguarding Policy Framework](#)
- [HMPPS Home Visits Policy Framework](#)
- [HMPPS Licence conditions Policy Framework](#)
- [HMPPS MAPP Level 1 Policy Framework](#)
- [HMPPS Women's Policy Framework](#)
- [HMPPS Manage the Custodial Sentence Policy Framework](#)
- [HMPPS Release on Temporary Licence \(ROTL\) Policy Framework](#)
- [HMPPS Enforcement of Community Orders, Suspended Sentence Orders and Post-sentence supervision Policy Framework](#)

- [HMPPS Home Detention Curfew Policy Framework](#)
- [MAPPA Guidance](#)
- [Risk of Serious Harm Guidance 2020](#)
- [HMPPS Assessing Domestic Abuse within OASys Guidance](#)
- [HMPPS Stalking Practitioner Guidance](#)
- [HMPPS Interventions Referral and Suitability Guide \(May 2019\)](#)
- [HMPPS Domestic Abuse & Child Safeguarding Enquiry Staff Guidance](#)
- [HMPPS Working with Women Offenders Guidance](#)
- [PSI 18/2016 - Public Protection Manual](#)
- [PSI 04/2016 - The Interception of Communications in Prisons and Security Measures](#)
- [PI 04/2016 - Determining Pre-Sentence Reports - Sentencing within the new framework](#)
- [Victim Contact Scheme Guidance \(EQuIP page\)](#)
- [AI 14/2014, PI 13/2014, PSI 19/2014 - Sentence Planning](#)
- [HM Government - Information sharing: advice for practitioners](#)
- [CRI019 Registrations](#)

### **How will this Policy Framework be audited or monitored:**

Public Prisons - Prison Group Directors will monitor their prisons' compliance with the Framework's requirements.

Privately Managed Prisons - monitoring of compliance will be through the standard contract management processes.

Regional Probation Directors (RPDs) will monitor compliance in their region.

Quality assurance is provided by the HMPPS Operational & System Assurance Group.

**Resource Impact:** Proper management of perpetrators of domestic abuse will be achieved through supervision, accredited programmes and other interventions, and appropriate referral into multi-agency processes and arrangements., This will ensure they have access to measures designed to support their rehabilitation and prioritises the safeguarding of adults and children who may be at risk as a result of domestic abuse,

There are no new requirements in this framework. Case management expectations and risk assessments and Home Visits are in line with existing Policy Frameworks and Probation and Prison Service Instructions. The range of interventions, as well as the suitability and eligibility criteria for Accredited Programmes (including intimate partner abuse (IPA)), remain the same. Probation Service staff at Court using the Effective Proposal Framework (EPF) are already expected to propose an Accredited Programme (e.g.) Building Better Relationships (BBR) in all cases where perpetrators meet the relevant criteria. There is thus no additional impact as a result of this framework.

No additional resources are required to implement this framework for people in prison. Sharing information in relation to risk is already an expected element of all staff's practice and responsibilities for Prison Offender Managers (POMs) are in line with Offender Management in Custody (OMiC) expectations. No additional training for prison or seconded probation staff is necessary to implement the requirements in the framework. Prisoners will access accredited programmes whilst in custody in accordance with the current arrangements and there are no changes to the existing public protection measures used by POMs to assess, monitor and manage the risks posed by prisoners. Rather this framework pulls together expectations in to one place.

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**Approved by OPS for publication:** Sonia Crozier, Michelle Jarman-Howe, Joint Chairs,  
Operational Policy Sub-board, 28 February 2020

**Revisions**

<b>Date</b>	<b>Changes</b>
26 September 2022	Update to incorporate new Policy Framework publications and new guidance.
19 <sup>th</sup> June 2024	Broken hyperlinks updated.

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## 1. **Purpose**

- 1.1. This policy framework (PF) sets out the arrangements for working with people whose convictions or behaviours include domestic abuse and stalking in the context of domestic abuse. It also recognises there are individuals in our care and supervision who have been victims of domestic abuse. Her Majesty's Prison and Probation Service (HMPPS) has a key role to play in tackling domestic abuse by bringing together prisons, the Probation Service and partners as part of its wider role of protecting the public and reducing re-offending.
- 1.2. The purpose of this policy framework is to set out HMPPS' commitment to reducing domestic abuse-related re-offending and the risk of serious harm associated with it, to provide interventions to support rehabilitation and ensure staff at all levels understand what is expected of them, and to ensure that action is taken to safeguard adults and children at risk.
- 1.3. This policy framework has been developed to address the work in prisons and in the community. The term Probation Practitioner is used to refer to staff allocated a named individual to be managed on a community sentence and on licence. For those in custody who will be managed through OMiC the term Prison Offender Manager (POM) will be used. In this document the term Governor also applies to Directors of Contracted Prisons.

## 2. **Definition of domestic abuse**

- 2.1. The statutory definition of domestic abuse contained within the Domestic Abuse Act 2021<sup>2</sup> is comprised of three sections:

### **Section 1: Definition of "domestic abuse"**

(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.

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<sup>2</sup> <https://www.legislation.gov.uk/ukpga/2021/17/part/1/enacted>



(5) For the purposes of this Act A's behaviour may be behaviour "towards" B despite the fact that it consists of conduct directed at another person (for example, B's child).

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

## **Section 2: Definition of "personally connected"**

(1) Two people are "personally connected" to each other if any of the following applies —

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
- (g) they are relatives.

(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if —

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

(3) In this section —

- "child" means a person under the age of 18 years;
- "civil partnership agreement" has the meaning given by section 73 of the Civil Partnership Act 2004;
- "parental responsibility" has the same meaning as in the Children Act 1989;
- "relative" has the meaning given by section 63(1) of the Family Law Act 1996.

## **Section 3: Children as victims of domestic abuse**

(1) This section applies where behaviour of a person ("A") towards another person ("B") is domestic abuse.

(2) Any reference in this Act to a victim of domestic abuse includes a reference to a child who –

- (a) sees or hears, or experiences the effect of, the abuse, and
- (b) is related to A or B. Domestic Abuse Statutory Guidance Framework 16

(3) A child is related to a person for the purposes of subsection (2) if –

- (a) the person is a parent of, or has parental responsibility for, the child, or
- (b) the child and the person are relatives.

(4) In this section – "child" means person under the age of 18 years; "parental responsibility" has the same meaning as in the Children Act 1989 (see section 3 of that Act); "relative" has the meaning given by section 63(1) of the Family Law Act 1996.

- 2.2. **Controlling behaviour** can involve 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.
- 2.3. **Coercive behaviour** is an act or a pattern of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten a person.
- 2.4. The definition of domestic abuse includes intimate partner abuse and wider familial abuse. All individuals committing domestic abuse should be considered for interventions appropriate to their needs and risk management measures as required to reduce the risk of future abuse of any kind.
- 2.5. **Stalking** - Stalking is often, but not uniquely, a characteristic of domestic abuse, particularly once a relationship has ended. There is no statutory definition of stalking, however the police and CPS have adopted the following description, which appears in the guidance on Stalking Protection Orders:

‘a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress in the victim’.

Technology enabled abuse has become a more prevalent characteristic of stalking behaviours, which includes the use of readily available technology (e.g. phones, spyware, tracking devices), previous knowledge of victims’ account passwords, to track victims, or the use of fake social media accounts to monitor or threaten / intimidate victims. Even though the actual behaviours exhibited may vary between perpetrators, these behaviours will often share a consistent set of characteristics, using the stalking acronym FOUR:

Fixated  
Obsessive  
Unwanted  
Repeated

### 3. **Evidence**

- 3.1. There is a multitude of statistics about the prevalence of domestic abuse. While they differ in their focus and emphasis, they almost invariably support the view that domestic abuse is widespread. However, domestic abuse is often a hidden crime that is not reported to the police. Therefore, data held by the police can only provide a partial picture of the actual level of domestic abuse experienced. Many cases will not enter the criminal justice process as they are not reported to the police.
- 3.2. There were 362 domestic homicides recorded by the police in the three-year period between year ending March 2018 and year ending March 2020. 59% were female victims who were killed by a partner or ex-partner. 9% were male victims who were killed by a partner or ex-partner and 32% were killed by a family member.
- 3.3. In November 2021, the Office for National Statistics (ONS)<sup>3</sup> reported that, according to the Crime Survey for England and Wales year ending March 2020, an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse.

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<sup>3</sup> Source ONS 2021, available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsendlandandwales/yearendingmarch2021>

- 3.4. A quarter of all domestic abuse related crimes were domestic abuse-related stalking and harassment offences in the year ending March 2021.
- 3.5. There is a substantial amount of research describing the impact of domestic abuse. Different sources have a different emphasis, but what is beyond dispute is that domestic abuse has a significant and overwhelmingly negative effect on those who experience it.
- 3.6. **Staff Support** – Given the prevalence of domestic abuse, HMPPS recognises that we will work with victims as well as perpetrators and that some members of staff are experiencing or have experienced domestic abuse previously. The well-being of staff is of utmost priority and we operate an Employee Assistance Programme (EAP), which is a free and confidential service available to all HMPPS staff who need advice and support. The EAP is available 24 hours and throughout the year and the number to call is 0800 019 8988. .
- 3.7. Further support is available through ‘[Reflective Sessions](#)’. These sessions can focus on the challenges and impact of working with domestic abuse. Line Managers can make referrals via the PAM OHIO portal or by telephoning the Client Services Team, with additional information on the process located on [Equip](#).
- 3.8. The MOJ document ‘[Domestic Abuse – Guidance and support for employees and their managers](#)’ provides information for staff experiencing domestic abuse. It also provides handling guidance for managers and colleagues to help and support staff in the work place and advice for dealing with perpetrators of domestic abuse.
- 3.9. The [Safe Space Forum](#) is a network of colleagues, within the MOJ, who offer support to MOJ staff who are affected by domestic abuse. If you are experiencing domestic abuse you can contact the Safe Space Forum who can provide information on your options. The [Safe Space Forum](#) also offer support to line managers supporting a member of their team. You can contact them by emailing [safespaceforum@justice.gov.uk](mailto:safespaceforum@justice.gov.uk) and someone will be in touch – you can communicate via email or they can arrange a time for a Teams/Skype meeting or speak on the phone. If you are at immediate risk please contact the police on 999.
- 3.10. There are national and local organisations that can offer confidential help and support to all victims of domestic abuse and to perpetrators who are concerned about their behaviour and the impact on their partners and children. It is important to note that services, including their contact details, are subject to change from time to time. It is therefore recommended that individuals requiring help and support use the following Freephone helplines who will be able to assist with identifying services/organisations that are specific to the needs of the individual. There is also information available at:

<https://www.gov.uk/guidance/domestic-abuse-how-to-get-help>

Anyone undertaking internet searches should consider whether the evidence of such a search history may put them at further risk.

- National Domestic Abuse Helpline: 0808 200 0247
- Live Fear Free Helpline (Wales): 0808 80 10 800

- 3.11. **Interventions** – Internationally, evidence for the effectiveness of Intimate Partner Abuse (IPA) programmes is mixed. This conclusion is predominantly based on studies conducted in the United States, where programmes are designed and delivered in a very different way to within England and Wales, often without adherence to the general principles for effective rehabilitation. While methodologically rigorous studies from England and Wales are scarce, one of the largest such studies, conducted by Bloomfield and Dixon (2015), offered

promising results. This study evaluated the effectiveness of two historical HMPPS community programmes, the Integrated Domestic Abuse Programme (IDAP) and Community Domestic Violence Programme (CDVP). These preceded and formed the basis of the current suite of IPA programmes (Kaizen and Building Better Relationships). The study found that both programmes demonstrated small but significant effects in reducing both IPA and general reoffending in the 2 year follow up period. CDVP also demonstrated a significant effect in reducing non-IPA violent offending. There remains a need to continue to develop the evidence base for IPA interventions in order to determine what works best for whom and under what conditions. The UK Government has been working to address this need by funding research to improve understanding of perpetrators of domestic abuse and increasing the availability of perpetrator programmes and interventions to establish what works in addressing their behaviour.

#### **4. Outcomes**

4.1. This PF highlights expectations for working with domestic abuse perpetrators and sets out access to interventions and referral routes including those aimed at protecting victims and children. Governors and Heads of Probation Delivery Units (PDU) are expected to ensure that the mandatory actions are followed so that:

- all staff, in line with their roles and responsibilities, are pro-active in looking for indicators of domestic abuse, i.e exercising **professional curiosity**, so that it is identified at the earliest possible opportunity in every case;
- staff maintain an investigative approach to their work with domestic abuse perpetrators and share information to manage risks identified, in order that;
- current and potential victims, including family members and children, are protected and supported sufficiently;
- a comprehensive risk assessment (using the Offender Assessment System (OASys) or other approved authority tool is completed in every case where domestic abuse has been identified within current or previous behaviour, so that acute risk factors are assessed and where required, a plan is in place to manage the risk;
- a Spousal Assault Risk Assessment (SARA) is completed in every case where intimate partner abuse has been identified within current or previous behaviour;
- all eligible and suitable domestic abuse perpetrators are referred to an appropriate accredited programme, so that their criminogenic needs are addressed;
- domestic abuse perpetrators who are not eligible for accredited programmes have a sentence plan with an alternative intervention or rehabilitation activity requirement (RAR) suitable for their criminogenic needs; and
- activities to reduce domestic abuse-related reoffending and risk of serious harm are prioritised in every case of intimate partner and familial domestic abuse.

#### **5. Requirements**

5.1. **HMPPS commitment to domestic abuse** - senior managers in The Probation Service and HMPS must ensure that tackling domestic abuse is prioritised by their organisation. This will include:

- ensuring the PF is promoted and adhered to at an operational level;

- nominating a competent manager from within their Region or establishment, to ensure that requirements of this PF and issues relating to domestic abuse more generally are integrated and embedded into all aspects of practice. For establishments this will typically be the Head of Offender Management Delivery (SPO);
- prioritising staff access to available training, appropriate to their role, to increase their knowledge and skills in relation to the issues surrounding domestic abuse and create an environment in which domestic abuse is tackled;
- ensuring prison and probation staff are professionally supported appropriate to their role;
- ensure the expectations for the **management oversight** of domestic abuse and safeguarding cases are adhered to; and,
- ensure the expectations for **home visits** for domestic abuse and safeguarding cases are followed.

## 6. **Identification & sentencing**

6.1. **General** - the identification of domestic abuse is not a one-off activity that occurs at the start of the sentence. Throughout sentence all staff need to use an investigative approach, being vigilant and inquisitive in seeking out information from a wide range of sources to inform an ongoing assessment of whether domestic abuse features in current or previous relationships, looking more widely than the index offence and approaching the issue with **professional curiosity**:

- The need for professional curiosity is the area of practice most consistently identified in SFO reviews as needing development.
- Being professionally curious is a process of always questioning and seeking verification for the information you are given rather than making assumptions or accepting things at face value. It involves being alert to indications of domestic abuse on home visits, social visits in custody, and any other situation where you have family contact.

6.2. Stalking behaviours in the context of domestic abuse may be prevalent without a specific stalking conviction. Some of the behaviours might appear innocent (if they were to be taken in isolation), but when carried out repeatedly demonstrate that the fixation on their victim is of greater concern to the individual than the impact of legal consequences upon them. Breaches of orders / sanctions in place to protect a victim may be indicative of stalking. Practitioners should refer to [HMPPS Stalking Practitioner Guidance](#) for a better understanding of identifying stalking behaviours.

6.3. Key workers, staff providing interventions such as accredited programmes, psychology, education, employment, healthcare, unpaid work and Approved Premises will all have regular contact with individuals as well as those in offender management roles will be well placed to identify behaviours that may indicate domestic abuse. Examples may include:

- behaviour witnessed during sessions, visits or phone calls, e.g. jealousy, aggression, threats, degrading comments;

- attempts to breach restrictive measures designed to protect partners and/or children;
- individuals suggesting beliefs and attitudes that are supportive of abuse;
- behaviours indicating stalking e.g. consistent calling, sending letters; or,
- identification of new relationships especially where commenced whilst in custody.

6.4. Given the prevalence of domestic abuse and the likelihood that some staff may have personal experience of it, staff and managers should take time to reflect on personal experiences and the potential for bias. This can help to reduce the chances of those experiences impacting on the likelihood of accurate identification and assessment. For further information and support see 'Appendix 1 Bias in Risk Assessment' in the [Risk of Serious Harm Guidance](#).

6.5. **Advising the Court** – The Probation Service report writers must:

- **search** for any available indicators of domestic abuse in **all** cases (not just those where the index offence is obviously one of domestic abuse) based on the available information. This includes checking detail from any relevant previous convictions, victim statements, witness statements, previous OASys or other assessments, reports, records and interviews;
- where domestic abuse is a feature of current or previous behaviour, **seek information from key agencies such as the police, Children's Services**, and any other partnership agencies in contact with and relevant to the individual and victim, where the information is not already known. Where it is considered the information will significantly affect the sentence, but is not available in time, court staff should request an adjournment. The value of domestic abuse and child safeguarding enquiries informing our risk assessments is set out in [DA & CSG Enquiry Staff Guidance](#);
- **complete a SARA** where intimate partner abuse is a feature of current or previous relationships, to ensure critical risk factors are assessed. SARA can be used to assess both men and women involved in heterosexual, same-sex and transgender intimate partner relationships;
- **verify**, as far as is possible, the information given, and not rely solely or predominantly on self-reporting;
- **record** details of the information requested from other agencies, as well as the outcome, clearly on nDelius, marking contacts as sensitive where necessary (see [DA & Child Safeguarding Information Storage Guidance](#) on Equip);
- **select** the appropriate pre-sentence report as set out in [PI 04/2016](#);
- **assess** the risk of further domestic abuse related offending and harm posed to the victim and others who may be at risk from the individual (see the [Assessing Domestic Abuse within OASys Guidance](#));
- **use** the Effective Proposal Framework (EPF) to inform recommendations for sentence and propose an accredited programme (e.g. BBR) for all individuals assessed as eligible and suitable. Report writers must consider sentence length in making such proposals to ensure there is sufficient time to complete proposed interventions. (The eligibility and suitability criteria for accredited programmes,

together with other information about programmes are available in HMPPS Interventions Referral and Suitability Guide (May 2019);

- where an individual is not suitable or eligible for an accredited programme, **recommend** a Rehabilitation Activity Requirement (RAR) to ensure that rehabilitative interventions for domestic abuse are undertaken, alongside other interventions deemed necessary;
- **consider** restrictive requirements to support effective risk management/ victim safety planning, for example prohibitive activity, exclusion requirements, and/or location monitoring in all cases including those of familial abuse; and
- **prioritise** immediate action to protect victims and children, for example when protective bail conditions have been lifted after sentencing, establishing immediately where the individual is living, and act to safeguard victims and children.

6.6. **Electronically Monitored Curfews (EMCs)** – enforcing residence of an individual with people to whom they may pose a risk is unacceptable. Equally we need to guard against requiring people on probation who are themselves victims of domestic abuse and who, without sufficient checks could face a sentence that confines them to an address with their attacker.

6.7. **In every case** where an EMC is being considered as a proposal for sentencing, Court staff must:

- Request police domestic abuse information and information from children’s services;
- Speak to the main occupier of the address to ensure they understand the implications of an EMC and assess the risk posed to them;
- Assess the suitability of the proposed address;
- Where information is not received in time or the person on probation would be living with a current, former or potential victim of domestic abuse, including other family members, an EMC must not be proposed. This will prevent perpetrators of domestic abuse being curfewed to live with current or potential victims.

Further guidance and details are available within the available [Domestic Abuse and Child Safeguarding Enquiry Staff Guidance](#) on Equip.

**Following sentencing** – The Probation Service court staff must:

- set the relevant risk registers to flag domestic abuse on nDelius (see [CRI019 Annex A Delius Registers List](#));
- ensure all relevant documentation including responses to police domestic abuse information and safeguarding enquiries (where received) is uploaded to nDelius (see [DA & Safeguarding Information Storage Guidance](#) on Equip);
- pass on to the allocated team or prison all the applicable paperwork including police domestic abuse information and safeguarding enquiries (where received) in line with PI 05/2014.

6.8. **In prison** – On reception to custody, allocation must be taken in line with OMiC POM Allocation Guidance (September 2019). On allocation of a new case:

POMs must:

- search for any available indicators of domestic abuse in all cases (not just those where the index offence is obviously one of domestic abuse). This includes checking detail from any available documents i.e. relevant previous convictions, victim statements, witness statements, previous OASys or other assessments, reports, records and interviews with the individual;
- check for any court or police-imposed restrictive measures, such as a restraining order, domestic violence protection order or stalking protection order;
- record any identified concerns about domestic abuse within the OMiC DPS Case note on P-NOMIS; and,
- apply the domestic abuse risk alert to the record where necessary.

Keyworkers should:

- read available records thoroughly; and,
- discuss any concerns they have about domestic abuse with the allocated POM (these could be from contact with an individual or from information within records)

6.9. **In the community** – Middle managers must ensure that cases are allocated to practitioners with the appropriate level of skills and knowledge to effectively manage domestic abuse perpetrators. Allocation must align with tiering frameworks and guidance.

On allocation of a new case, or following release on licence, practitioners must check the relevant case management and risk assessment systems to establish whether:

- domestic abuse has been identified either at court or in custody and activate relevant risk registrations on nDelius if this has not already been done (see CRI 019);
- check for any court or police-imposed restrictive measures, such as a restraining order, domestic violence protection order, or stalking protection order;
- there is clear information about the children the person has contact with, and if not, follow up identifying those children and where necessary exchanging information with Children's Services; and,
- there is clear information about the person's residence and who they live with.

## 7. **Assessment and monitoring**

7.1. **General** - like identification, assessment is not a one-off activity and in domestic abuse cases, risk can escalate very rapidly, so ongoing professional curiosity is essential to inform assessments and re-assessments. In particular, staff must reassess a case when it is allocated to them and not rely on previous assessments, especially when they have been completed with access to limited information - for instance at court. SFO review and DHRs have identified the importance of:

- investigating all available sources of information on people convicted or accused of domestic abuse before interviewing them;
- adopting a professionally curious approach when interviewing;
- taking into account prior known incidents of domestic abuse (e.g. police domestic abuse information) in assessments;
- identifying changes to dynamic risk factors, updating assessments; and,
- acting upon changes to risk.



**Guidance** on assessment is available on the [HMPPS Risk of harm intranet page](#) and [risk desk aids on Equip](#), the [Risk of Serious Harm Guidance 2020](#), the [Assessing Domestic Abuse within OASys Guidance](#) and [Stalking Practitioner Guidance](#).

7.2. **In the community** - in every case where domestic abuse has been identified as a relevant factor, the Probation Practitioner must:

- consider the need to take immediate action to protect victims and children (possibly ahead of formal completion of an OASys and RMP), particularly immediately after an individual is released from custody, or when protective bail conditions have been lifted after sentencing. Establish immediately where the individual is living and act where required, to safeguard victims and children;
- assess the risk factors and any protective factors related to serious harm and of the likelihood of domestic abuse-related re-offending using OASys and SARA for IPA;
- be clear about who is at risk, including identified adults and children, and articulate any safeguarding concerns;
- adopt and maintain an investigative approach to ensure that information about the individual's circumstances and risk is up-to-date;
- liaise with people and organisations with an interest in the individual and/or the victim and any children, to gather and share information to aid our risk assessment;
- request police domestic abuse information, periodically throughout sentence and record the fact that it has been requested in the relevant case management system;
- follow up if requested information is not forthcoming;
- monitor the individual's relationships and any changes in behaviour or changes in circumstances that might indicate either an increase or a reduction in risk; and,
- act on new information, review and update OASys, RMP and SARA where any significant change occurs that may impact on risk of serious harm.

7.3. **Approved Premises (APs)** - AP staff also have an important role to play in the assessment and monitoring of high-risk domestic abuse perpetrators on licence. AP staff will often be in a position to identify changes in risk, given their increased contact with the people in their premises. AP staff must be vigilant and inquisitive in seeking out information about resident's whereabouts from a range of sources to inform an ongoing assessment of whether the individual has entered into a relationship or is having contact with any children under 18 years.

7.4. **In custody** - risk does not necessarily decrease when an individual is in custody. Harassment, stalking and control may increase, presenting emotional and psychological risks, which can be greater when the abuser and victim are separated. POMs must assess, as soon as possible (after arrival at the establishment) whether a prisoner presents a continuing risk to the victim and any children while in custody.

7.5. In line with PSI 18/2016, POMs must be aware of, assess and undertake relevant actions on all prisoners convicted or remanded for domestic abuse offences, using the following public protection processes:

- prisoners who have been convicted or remanded in custody for harassment offences or who are the subject of court orders for harassment should be managed in custody under [Harassment Public Protection Measures \(HPPM\)](#) (Chapter 6); and,
- **Assessment of risk to children** - prisoners identified as posing a risk to children (whether potential or continuing), should be managed under PPRC (Chapters 5b and 5c). They must have all social numbers checked before being added to their PIN phone account. They must have full restrictions placed on social visits (including

prison family days), phone calls and correspondence, with all children until a risk assessment has taken place to determine what, if any, contact the prisoner is allowed.

7.6. **Offender Management in Custody (OMiC)** - Under OMiC not all prisoners will be eligible for a layer 3 OASys assessment. Complete OASys in line with the [Manage the Custodial Sentence Policy Framework](#) and the [OMIC-OASys Responsibilities and Timings Guidance](#). Where domestic abuse or stalking concerns are identified for a prisoner without an OASys, POMS must:

- undertake any actions to mitigate the identified risks (such as information sharing/safeguarding referrals etc);
- follow actions contained in the Public Protection Manual to address concerns;
- document all concerns of this nature in the handover report to the COM; and
- discuss with the Head of Offender Management Delivery and consider risk escalation where appropriate.

7.7. When undertaking an OASys assessment in custody, where domestic abuse has been identified, POMs must:

- assess the risk factors related to serious harm and of the likelihood of domestic abuse-related re-offending and SARA for intimate partner abuse;
- be clear about who is at risk, including identified adults and children, and articulate any safeguarding concerns; and,
- draw on information from court documentation and previous risk assessments, to inform their assessment, including victim statements, police domestic abuse information, safeguarding checks; previous OASys where these are available and keyworker entries.

## 8. **Risk Management**

8.1. **General** – Risk management is taking action to address the risk presented by a person, reducing the likelihood of serious harm occurring and reducing the potential impact of any such harm. Risk Management Plans must be developed within OASys in line with the ‘Four Pillars of Risk Management Approach. When preparing a Risk Management Plan (RMP) assessors must:

- address all the identified risk factors;
- safeguard identified individuals assessed to be at risk of serious harm;
- use a combination of internal and external controls;
- build protective factors;
- contact partners, family members and other individuals who might be considered as protective factors to determine and discuss their inclusion in risk management plans (see [Relationships - Desistance and Risk on EQuIP](#) for further guidance); and,
- involve all connected agencies.

8.2. Good risk management plans are based on sound, evidence based risk assessment, and take into account the need to balance support and restriction. The plan must be lawful, proportionate and necessary, but most importantly the plan must be implemented.

8.3. Plans must:

- include clear specific actions on liaison and information sharing with colleagues, both in custody and community including Domestic Abuse Safety Officers (DASOs),

treatment managers and other programme staff, Victim Liaison Officers (VLOs) and AP staff;

- include clear specific actions on liaison with other agencies including the police and children's services where relevant;
- reflect actions for which HMPPS staff are responsible in a child protection (CP) or child in need (CIN) plan;
- outline clearly how, by whom and how often risk management measures will be monitored;
- set out the circumstances where risk is likely to escalate and what the indicators of risk escalation might be; and
- include contingency plans to support a swift and effective response.

8.4. Risk management is an active process. Measures must be actively monitored throughout the sentence and RMPs reviewed where necessary, to ensure they remain up to date and appropriate to manage the risk posed.

8.5. Detailed information on the Four Pillars approach and how to construct RMPs can be found in found in [HMPPS Risk of Serious Harm Guidance 2020](#). **Further support** for risk management is available on the [HMPPS Risk of harm intranet page](#) (which contains a series of desk aides providing guidance on risk of harm assessment, planning and management), [risk desk aids on Equip](#), and [the Assessing Domestic Abuse within OASys Guidance](#).

8.6. Practitioners should be familiar with the [HMPPS Stalking Practitioner Guidance](#) to inform risk management planning for those who are exhibiting stalking behaviours.

## **9. Release Planning**

9.1. **General** – Individuals released from custody into the community for a period of time to be spent on licence as part of their sentence will be bound by a number of licence conditions. As well as the set standard conditions, additional conditions can be utilised and tailored to manage the risk of serious harm and reoffending posed. These are outlined in Annex A of the [Licence Conditions Policy Framework](#). Licence conditions should also be used to reinforce other victim protection measures such as a restraining order, non-molestation order, domestic violence protection order or stalking protection order.

9.2. In every case where domestic abuse has been identified as a relevant factor, practitioners must:

- request the additional licence condition related to disclosure of information – (sec 6b 'notify your supervising officer of any developing intimate relationships'). Practitioners must explain what is meant by intimate relationships in the context of each individual, for example whether or not it is intended only for ongoing relationships, one-night stands and whether it includes the whole spectrum of intimacy (see section 16.13 for further information). This will be based on the risk factors identified within the risk assessment;
- consider the need for further additional licence conditions to protect victims such as exclusion zones, restriction of residency, location monitoring or residence at a specified place, liaising with the Victim Liaison Officer (VLO) for Victim Contact Scheme eligible cases;
- impose a licence condition to undertake an accredited programme where eligible and suitable or a non-accredited intervention if this has not been undertaken in custody;

- consider disclosure in all cases where a person convicted of domestic abuse begins a new relationship, including while in custody (see section 16.3 below for further information);
- inform the prison about the assigned MAPPA level at least six months before a MAPPA eligible individual is due for release; this release date includes HDCED (as set out within [MAPPA Guidance](#)).

9.3. **Licence variations** – Practitioners must exercise caution in making variations to licence conditions that have been put in place to protect victims. These may have been requested by victims and a request to vary conditions may have a significant emotional impact. Record your rationale for justifying these variations including consideration for the impact any variations will have on the victim.

9.4. **Probation Practitioners undertaking HDC assessments** - Particular care needs to be taken in relation to the release on HDC of an individual with a history of familial or IPA, to the home of a previous or potential victim. When assessing the suitability of a proposed address practitioners must:

- request police domestic abuse incident information;
- request local authority children’s safeguarding information;
- obtain informed consent from the main occupier of the address;
- consider any unintended distress that contact in relation to HDC may have on the address occupier(s), who may be victims of domestic abuse and may not yet be aware of early release processes;
- consider whether there may be issues of coercive control, or vulnerability; are there any signs that the main occupier or others at the address may be fearful to decline the request for the individual to reside there; and
- determine whether there are adults at risk or children under the age of 18 residing or visiting the proposed address and assess if contact between the person on probation and these people is a concern or a protective factor

You must not approve HDC until you have obtained informed consent and have obtained and reviewed the information requested from the police and children’s services. You must not approve HDC at an address where a risk of domestic abuse is identified to others at the address, whether an intimate partner or other family members. This will prevent perpetrators of domestic abuse being curfewed to live with current or potential victims. Detailed guidance is available in the [HMPPS HDC Policy Framework](#).

## 10. **Planning and implementing the sentence**

10.1. **General** - the primary focus of sentence planning in this context must be to reduce the risk of serious harm (RoSH) posed by perpetrators of domestic abuse in order to safeguard victims. A sentence plan must cover the whole of the sentence.

10.2. Probation Practitioners preparing sentence plans must ensure that plans:

- set out how the sentence will be delivered;

- contain objectives to protect victims and safeguard any children and young people who are at risk from domestic abuse;
  - include appropriately sequenced, individualised objectives, targeting the areas of need identified as risk factors in the risk assessment, by building pro-social alternatives;
  - include interventions such as accredited programmes or evidence based, non-accredited interventions designed to reduce risk factors linked to violence and develop pro-social relationship skills, to reduce the risk of further domestic abuse-related offending;
  - set out the outcomes to be achieved through the plan; and,
  - ensure objectives identified in the plan are actively tracked and record clearly the rationale where these have not been delivered within the timescales set.
- 10.3. Practitioners should consider the level of face to face contact required to deliver robust sentence management and to enable sufficient monitoring of risk factors linked to domestic abuse or stalking and specific to the Person on Probation, in line with the [Blended Supervision Staff Guidance](#).
- 10.4. **Home visits** – Research shows us that individuals feel a benefit when supervision is interactive and engaging, and this includes having home visits (Shapland et al 2012). Home visits should be more than just verification of where someone lives.
- 10.5. Home visits enable us to explore who individuals are living with, understand their unique challenges, and build rapport. This can aid a comprehensive assessment of safeguarding concerns in relation to children, vulnerable adults, and partners in cases of domestic abuse. They are also an important means of responding to their accessibility.
- 10.6. The focus of the home visit must be on the safety and well-being of the individuals at risk of harm. Periodic home visits can also provide valuable information about whether re-offending risks are under control or are escalating, particularly where there are safeguarding concerns (child and/or adult). To be most effective they should be undertaken by the practitioner who has knowledge of the individual and their assessed risk factors.
- 10.7. Where the person on probation states they reside alone, a home visit is still required, not least to validate this.
- 10.8. In line with the [Home Visits Policy Framework](#) where there are concerns about domestic abuse practitioners must undertake a home visit within the following timescales:
- **High/very high risk of serious harm** – within 15 working days of the start of supervision
  - **All other cases** – within the first 6 weeks of the start of supervision.
  - **Where escalating or previously unidentified domestic abuse concerns arise** – within 10 working days of the identification of concern. Where viable, do the visit sooner and discuss with your SPO.
- 10.9. Practitioners must give careful consideration to the potential impact the visit may have on any others residing with the person on probation and feel confident that undertaking a home visit would not in some way increase the risk to others at the property.

## 11. Reviewing the risk

- 11.1. **General** – Risk is not static and all staff must feed into the process of risk assessment and management. Staff working in Interventions, Psychology, Education, Employment and Healthcare, Unpaid Work and Approved Premises should also adopt a professionally curious approach. They should be alert to changing situations and behaviours which may indicate a change of risk, such as changes in relationship status. All staff have a responsibility to identify, report and record any such information that indicates a risk. For instance, staff working on the wing / visitor centre in prison or reception colleagues in probation offices may observe behaviour which warrants further investigation and should share this with those managing the individuals, and/or security colleagues so that any necessary action can be taken to protect victims.
- 11.2. Probation Practitioners must seek out information from a wide range of sources to inform their ongoing assessment of risk, re-evaluating assessments with professional curiosity. This will include colleagues or agencies identified within the RMP for delivering activities or interventions, key workers, security staff, wing officers who may all have information regarding the individual's behaviour during the review period that would provide a more informed assessment of the current risk.
- 11.3. **Significant changes** - whenever there is a significant change that influences the risk of re-offending and/or serious harm that the individual poses, the risk assessment and the RMP must be reviewed and updated where necessary. In domestic abuse cases, this may include but is not limited to the following circumstances:
- a further incident of domestic abuse (e.g. a police notification of a reported domestic abuse incident); behaviour during a prison visit);
  - victim or partner ending the relationship or seeking to do so;
  - stalking the victim or partner;
  - victim or partner becoming pregnant;
  - entering into a new relationship;
  - having contact with children;
  - breaching a restraining order;
  - substance misuse (alcohol is aggravating feature for violence)
  - threatening or attempting suicide;
  - violating the terms of the order and/or licence; and,
  - key transition points - i.e being released from prison on licence, or being moved on from Approved Premises.
- 11.4. **Management Oversight** – the [Touchpoints Model \(TPM\)](#) sets out the principles that the Probation Service will adhere to in terms of management oversight (MO) and provides a framework of 'Touch Points' during the life of a case where oversight activity could be expected to take place. The actual required level of management oversight in a domestic abuse case should be in proportion to both the risk and complexity of the case, the



experience and competence of the practitioner and appropriate in response to any significant changes and events.

11.5. **Managing risk escalation** – In all cases, where there are indications that RoSH has increased Probation Practitioners / POMs must:

- put measures in place to manage and reduce the identified risks;
- work with partner agencies and decide how best multi agency working can support swift action to safeguard individuals at risk. Refer to the [chapter on domestic abuse and stalking in the MAPPA Guidance](#), the [MAPPA Level 1 Policy Framework](#) and the [MAPPA Thresholding Document](#). Decide whether a referral or re-referral to MARAC or MAPPA level 2 or 3 is required including for those non automatic MAPPA cases where a Category 3 referral would be required.
- notify partner agencies or other colleagues involved in the RMP, i.e. VLO, DASO, IDVA, police and record all information sharing;
- for Victim Contact Scheme eligible cases where the victim has not responded to previous attempts at contact, refer a case back to the Victim Liaison Unit (VLU) so that the VLU can consider whether it is appropriate to make another attempt at contact with the victim (see section 17.4)
- activate contingency plans and record actions taken; and
- recall the individual to custody if additional measures are insufficient to manage the individual's risk in the community.

When the relevant actions above have been taken, review the assessment and the risk management plan to ensure this is up to date with new information.

11.6. Further guidance on reviewing risk of harm is available in the HMPPS [Risk of Serious Harm Guidance 2020](#).

## 12. **HMPPS Interventions**

12.1. **Interventions** - HMPPS provide a range of interventions available in custody and the community suitable for individuals who have committed domestic abuse. Psychologically informed accredited programmes and interventions aim to change the thinking, attitudes and behaviours which may lead people to reoffend. Further details on all HMPPS interventions are available on [EQuIP](#).

12.2. **Accredited Programmes** – HMPPS support a suite of accredited programmes that, as part of a wider package of rehabilitation, target domestic abuse. These programmes have been awarded accreditation by the Correctional Services Accreditation and Advice Panel (CSAAP); an independent and international advisory body of academics and expert practitioners who offer evidence-based advice on the development and implementation of effective criminal and social justice services and programmes. Accredited Programmes targeting domestic abuse, available in both custody and the community, are:

- **Building Better Relationships (BBR)** – a programme for men who have committed domestic abuse within a heterosexual intimate relationship. BBR can be delivered via an Alternative Delivery Format, for those eligible for the programme but unsuitable for the group format.

- **Kaizen** – a programme for men assessed as high or very high risk and have been convicted of violent or sexual offences. This is only available in custody.
- 12.3. Comprehensive information about eligibility, suitability, and the process for referring individuals to programmes can be found in [EQuIP](#) for Probation Service and public-sector prisons, and also in the HMPPS Interventions Referral and Suitability Guide April 2019, which is available from [Interventions\\_businessenquiries@justice.gov.uk](mailto:Interventions_businessenquiries@justice.gov.uk)
- 12.4. **Individuals who are not eligible for an accredited programme** - Not all individuals who have committed domestic abuse will be suitable or eligible for an accredited programme. For individuals who are unsuitable for BBR, practitioners should consider other options such as Structured Interventions and Probation Practitioner Toolkits. SIs and Toolkits have been approved by the HMPPS National Effective Interventions Panel to ensure they meet criteria drawn on the best available evidence around what works. They are only approved for use in the community.
- 12.5. **Structured Interventions** - Four Domestic Abuse Structured Interventions (DA SIs) have been approved for delivery from April 2022 onwards. Individuals assessed as low risk on SARA with IPA convictions with community sentences who are not suitable for BBR can attend a SI on either a group or individual basis. Some domestic abuse SIs are available to women and Probation Practitioners should check suitability with their local interventions team.
- 12.6. **Toolkits** - Skills for Relationships Toolkit (SRT) is designed to enable Probation Practitioners to deliver structured domestic abuse intervention sessions. The aims and content of SRT are informed by the accredited Building Better Relationships (BBR). Further information is available on [EQuIP](#).
- 12.7. **At Court** – Report writers must:
- use Effective Proposal Framework (EPF) to inform recommendations for sentence and propose an accredited programme (e.g. BBR) for all individuals assessed as eligible and suitable. Consider sentence length in making such proposals to ensure there is sufficient time to complete proposed interventions;
  - where an individual is not suitable or eligible for an accredited programme, recommend a Rehabilitation Activity Requirement (RAR) to ensure that rehabilitative interventions for domestic abuse are undertaken, alongside other interventions deemed necessary.
- 12.8. **In custody** – POMs must:
- Use information contained within OASys and SARA to inform a sentence plan that addresses domestic abuse behaviours where they have been identified;
  - complete a referral for all individuals who have BBR/Kaizen as part of the individual's sentence plan within OASys, and send to the treatment manager;
  - refer to the onsite programme team or the National Offender Behaviour Programmes team when additional guidance is needed (Contact for BBR queries – [Interventions\\_ModerateIntensityClinicalSupport@justice.gov.uk](mailto:Interventions_ModerateIntensityClinicalSupport@justice.gov.uk); contact for Kaizen queries – [Interventions\\_HighIntensityClinicalSupport@justice.gov.uk](mailto:Interventions_HighIntensityClinicalSupport@justice.gov.uk));



- discuss with programme teams any concerns and/or responsivity requirements for individuals where there is additional work to be undertaken prior to the individuals attendance on a programme.

Detailed information about custodial processes for Offender Behaviour Programmes is available on [EQuIP](#).

#### 12.9. **In the community** – Probation Practitioners must:

- Where an individual has an accredited programme requirement (e.g. BBR) on their community sentence or a licence condition to address their offending behaviour:
  - refer all eligible individuals for accredited programmes within one week of the commencement of the order or licence (if a programme has not been completed in custody);
  - where a practitioner considers there is additional work to be undertaken prior to an individual attending a programme, they should still make the referral and discuss with interventions staff their concerns and / or any responsivity requirements for the individual;
  - refer all BBR cases to a [Domestic Abuse Safety Officer](#) (see section 17.7) within 15 days of the commencement of the order or licence, to ensure that victim safety is maintained, and record the referral on nDelius;
  - undertake motivational work with the individual to help them prepare to engage with BBR or other interventions;
- Where an individual is unable or not eligible to complete an accredited programme:
  - discuss with interventions staff the possibility of delivering an Accredited Programme via an Alternative Delivery Format (ADF);
  - where ADF is not possible, deliver the Skills for Relationships Toolkit (SRT); or
  - when the individual is lower risk, refer for a Domestic Abuse Structured Intervention (as defined by the domestic abuse Structured Interventions targeting criteria) alongside other relevant interventions including the Skills for Relationships Toolkit. There is not a specific expectation set around when the referral to an SI should be made. Use professional judgement to decide how the SI is sequenced with other interventions.

When unsure, Practitioners should seek advice from Intervention Treatment Managers to clarify the most appropriate intervention.

12.10. **Perpetrators with learning difficulties and learning challenges** - Approximately 30% of the population have LDCs. In response, HMPPS have developed a suite of specially designed programmes to respond to the needs of this group. New Me Strengths (NMS) is suitable for adult men who are medium or higher risk of reoffending and Becoming New Me + (BNM+) is aimed at adult men who are at high or very high risk of reoffending.

12.11. **Female domestic abuse perpetrators** – There is an increasing body of research which indicates that a gender specific and trauma informed approach is likely to deliver better assessment and targeting of interventions for women. Female perpetrators of domestic abuse must be assessed for suitability for an accredited offending behaviour programme. Women’s specific structured interventions such as [Developing Assertiveness for Women in](#)

[Relationships \(DAWN\)](#) and [Fostering Identity, Resilience and Strength \(FIRS\) for Women](#) are available in some probation regions, and the one-to-one toolkit [First Steps to Change: A Toolkit for working with women](#) is available on Equip. For further advice, see the [Women's Policy Framework](#), [HMPPS Working with Women Offenders Guidance](#) and the [7 Minute Briefing - Domestic Abuse as a Driver to Women's Offending](#).

The Skills for Relationships Toolkit (see section 12.6) is due to be updated with new gender-responsive video content in 2022. The current video clips, which have male voices, are unlikely to meet the responsivity needs of female participants. In the meantime, practitioners are advised to use storyboards to support the delivery of SRT with women.

12.12. **LGBT perpetrators** - There are many similarities between heterosexual and LGBT people's experiences of domestic abuse. However, LGBT perpetrators may also use sexuality or gender identity against their victims; it is important to note LGBT people are not a homogenous group and as such will experience domestic abuse differently. Individuals should be assessed for suitability for an accredited offending behaviour programme and referral/selection decisions should aim to account for any relevant responsivity needs.

12.13. **Personality disordered (PD) offenders** - male offenders screened into the Offender PD Pathway who have been convicted of an offence involving domestic abuse might be suitable for an accredited programme such as BBR or Kaizen. Practitioners must:

- discuss referrals for all individuals screened into the PD pathway with the relevant treatment manager to ensure that the programme adequately meets the offender's needs; and,
- refer eligible individuals (screened into the PD pathways) to BBR in the community or Kaizen in custody, where available.

Detailed information about the treatment pathway for individuals screened into the Offender PD pathway is available in [EQuIP](#).

12.14. **Familial domestic abuse perpetrators** – (i.e. abuse where the victim is a family member, not a partner) often have complex and multiple criminogenic needs. These individuals are not eligible for BBR (unless they have also committed intimate partner abuse). Practitioners must:

- complete an assessment of those who have committed familial abuse and identify the risk factors linked with serious harm and the likelihood of domestic abuse reoffending;
- consider eligibility and suitability for a relevant accredited offending behaviour programme dependent on their criminogenic needs (e.g. Thinking Skills Programme, Kaizen for high risk individuals in custody) and refer eligible individuals;
- consider the use of appropriate Structured Interventions and Toolkits such as the [Stepping Stones Toolkit](#) where not suitable for accredited programmes;
- consider other interventions / treatment that might be required to address complex needs; and,
- put in place risk management strategies required to protect victims of familial offending.

12.15. **Complex needs** - complex and multiple criminogenic needs such as mental ill health and substance misuse problems should not preclude individuals from the relevant accredited programme, unless there is evidence that the programme would not be of benefit or would be harmful to them. Practitioners must:

- discuss individuals with complex needs with the relevant treatment manager to ensure that the programme meets their needs (this could be delivered in an Alternative Delivery Format if necessary); and,
- sequence interventions to ensure their complex needs do not undermine the successful completion of the intervention and risk of harm is addressed.

12.16. **Psychology** – Psychology Services Group provide a consultancy service for practitioners in relation to complex and high risk prisoners, they also provide specialised psychological assessment and in some cases bespoke therapeutic intervention where accredited programmes are not deemed suitable for high risk cases. Practitioners should contact the regional psychologist team for further support.

12.17. Where **stalking behaviours** have been identified, practitioners can access support from local psychology teams in both a custodial and community setting. Further information, including contact details, is available on [EQuIP](#).

### 13. **Information sharing and storing**

13.1. Relevant personal information can be shared lawfully to keep an individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional well-being. All agencies must be able to demonstrate that they are compliant with the General Data Protection Regulations (GDPR) and accompanying Data Protection Act (DPA) 2018. This places duties on organisations and individuals to process personal information fairly and lawfully. However, it does not prevent you sharing information. Staff can share information for the purposes of prevention and detection of crime under part 3 of the DPA 2018. Policy and guidance on information sharing and the principles for sharing personal information under the GDPR & DPA 2018 can be found [here](#).

13.2. **Recording** - Record requests for information and information received from third parties in the individual's nDelius case record (see [DA & Safeguarding Information Storage Guidance](#) on Equip for guidance). Where information or requests for information are deemed sensitive and disclosure to the individual would increase risk, they should be recorded using the sensitive contact in nDelius or the 'Information Not To Be Disclosed To The Offender' (INBDTTO) section of OASys. This will ensure sensitive information is more easily identified.

13.3. Multi-Agency Public Protection Arrangements (MAPPA) minutes and Victim Contact Scheme (VCS) Information must not be stored / recorded within the main Case Management Systems. Storage and recording regarding these referral routes are addressed in the relevant sections below.

### 14. **Information exchange**

14.1. **General** - domestic abuse is a complex issue and it is unlikely that any one organisation will possess the information, expertise or resources to address it on their own. Agencies working together in a co-ordinated way are best placed to support the successful management of the risks posed by domestic abuse perpetrators.

14.2. **Local arrangements for information sharing** - it is important to ensure that agreements for sharing information about the risks posed by those we manage are working effectively at

a local level. Probation Service Heads of PDUs are responsible for information sharing processes locally and they must:

- liaise annually with the local police lead for community safety;
- ensure local arrangements are in place for the timely sharing of information in cases where there is a known risk of domestic abuse; and
- together with prison governors, ensure arrangements are in place for timely information sharing between POMs and community practitioners in domestic abuse cases.

## **15. Multi-agency working and referral routes**

- 15.1. **General** - there are a range of arrangements under which multi-agency working is governed and individual cases discussed. Staff will need to be familiar with local arrangements for Multi-Agency Public Protection Arrangements (MAPPA), Multi-Agency Risk Assessment Conference (MARAC), child safeguarding case conferences, and Integrated Offender Management (IOM).
- 15.2. In prisons, Inter Departmental Risk Management meetings (IRMM) and Multi Agency Lifer Risk Assessment Panels (MALRAP) can provide an opportunity for staff from different areas of the business to work together and share information to inform risk management activities and interventions in custody and in preparation for release.
- 15.3. POMs, Probation Practitioners and their managers should expect to work with a variety of other agencies, to manage the risks perpetrators pose and to ensure the safety and wellbeing of victims, potential victims and children. The involvement of other agencies and the need to share information should form part of the RMP, and staff will need to consider which multi-agency arrangements are likely to be the most effective mechanism for delivering an RMP.
- 15.4. **Identifying the most effective referral route** – The guidance below sets out some of the differences between MAPPA and MARAC, which along with local information on referral criteria, may help staff to identify the most appropriate approach to coordinating multi-agency working. It may be the case that more than one multi-agency forum is involved with an individual's risk management, in which case staff should ensure there are effective links between forums for robust information sharing and avoiding actions being duplicated.
- 15.5. **Multi-Agency Public Protection Arrangements (MAPPA)** was introduced by the Criminal Justice Act (CJA) 2003 with the express aim of protecting the public from serious harm by individuals with sexual and violent convictions. The arrangements provide a mechanism by which organisations working with these individuals can work together in partnership to better achieve that aim. Probation and Prison staff are required to follow the [MAPPA Statutory Guidance](#) and the [MAPPA Level 1 Policy Framework](#).
- 15.6. Automatic inclusion in MAPPA is determined by caution or conviction and sentence:
- Category 1 – Registered sex offenders
  - Category 2 – Violent and other sexual offenders
  - Category 4 – Terrorist or terrorist risk offender

- 15.7. **Category 3** – Other dangerous offenders. Those who are not automatically included in MAPPA can be referred where the circumstances surrounding their offending indicate they are likely to pose a risk of harm to the public and where they require management at level 2 or 3.
- 15.8. MAPPA nominals are managed at one of three levels according to the level of risk, the complexity of the management required, and the level of resource required. The majority are managed at Level 1, which always involves active information sharing and may include inter-agency working (e.g. through MARAC or professionals’ meetings) but does not require formal MAPPA meetings. They are managed at Level 2 if multi-agency meetings are required to devise a formal MAPPA risk management plan, and at Level 3 if senior representatives of the relevant agencies with authority to commit additional resources are also needed. A level 2 or 3 MAPPA meeting will share information, identify risk and set out an RMP and actions for agencies. It will agree a date on which they will meet again to review progress. Further Guidance is available within the [MAPPA chapter on domestic abuse and stalking available in the MAPPA Guidance](#), and the [MAPPA Level 1 Policy Framework](#).
- 15.9. **Referring domestic abuse perpetrators to Level 2 or 3 MAPPA** – Probation Practitioners are required to assess all individuals with evidence of serial domestic abuse or stalking for management at Level 2 or 3 including those that do not meet the MAPPA criteria for Category 1, 2 or 4. The [MAPPA Thresholding Document](#) will support you in identifying whether those individuals require a multi-agency approach at Level 2 or 3 to manage their risk of serious harm.
- 15.10. **In custody** – The Prison Service is required to provide information on MAPPA offenders at key points in their sentence and on release as set out in [MAPPA Guidance Chapter 15 - Custody](#). POMs must consider whether the individual meets the criteria for ‘early allocation’ to the community to allow additional time required for the Probation Practitioner to carry out various risk management tasks with other agencies, to ensure robust risk management plans are in place. Detailed information on the ‘Early Allocation Process’ is available on [EQuIP](#).
- 15.11. **Multi-Agency Risk Assessment Conference (MARAC)** - A MARAC is a meeting to discuss how to help and protect domestic abuse victims at high risk of murder or serious harm. Information is shared on the highest-risk domestic abuse cases and agency representatives discuss options for increasing the victim’s safety and turn them into a co-ordinated action plan. Each agency is responsible for carrying out the actions identified for it on the plan, and where available a lead agency is allocated to both the victim and perpetrator to oversee ongoing risk management, as the MARAC does not perform a monitoring or ongoing management function. MARAC is also focussed on individual victims so a level 2 or 3 MAPPA meeting is likely to be a more appropriate multi-agency forum for drawing up an effective multi-agency risk management plan where:
- there is a risk to multiple victims or partners;
  - ongoing multi-agency oversight is required; or
  - where the risks to the public are not limited to domestic abuse.
- 15.12. Unlike MAPPA, MARACs are not based in statute and practices and procedures relating to referrals, resourcing and attendance vary from area to area. [EQuIP](#) provides guidance for Probation Service / HMPS staff on the referral criteria but it is for MARACs locally to set the referral threshold and HMPPS staff working with victims and perpetrators of domestic abuse must familiarise themselves with their local MARAC practices and procedures, in order that they can contribute in a useful and effective way.



15.13. Staff should not wait for the convening of a MARAC meeting to safeguard a victim, when there are immediate actions they can take. A MARAC referral should still be made after safeguarding actions have been taken where suitable, whereby the panel can review actions already taken and identify further gaps or information

15.14. Probation Practitioners must:

- ascertain whether a case has already been discussed at a MARAC;
- consider a referral to MARAC of all individuals assessed as posing a high risk of harm of domestic abuse to an identifiable person;
- ensure that they attend or feed in to MARAC meetings in line with local arrangements;
- inform the MARAC if an individual is MAPPA eligible, and consider referrals to Level 2/3 management (including under Category 3) as a MARAC action where appropriate;
- complete actions arising from MARAC meetings;
- inform the MARAC co-ordinator when actions have been completed; and
- ensure MARAC registrations have been activated for relevant cases (see CRI019).

Where MARAC and MAPPA co-ordination is in place for the same individual, practitioners must make partners aware of this, and ensure that all relevant agencies involved with victim and perpetrator are included within the continued multi-agency working under MAPPA. Further information about MARAC is provided in the [HMPPS MARAC - Quick Guide](#) available on Equip.

15.15. **Storing/Recording of MARAC information** - Providers of probation services must also ensure that information shared at a MARAC, and the minutes, are stored within Case Management Systems. Reference can (and should) be made to MARAC in Case Management Systems where relevant, however contacts which reference MARAC should be marked as sensitive (see [DA & Safeguarding Information Storage Guidance](#) in Equip). MARAC should not be referred to in the main body of an OASys assessment but can be recorded in the Information Not to Be Disclosed section (INTBDTTO). Detailed information about MARAC, including the name and contact details of your local co-ordinator, can be found at: <http://www.safelives.org.uk/about-us/what-we-do>.

15.16. **Perpetrator Panels** – Local areas may have a forum for discussion that is focused on the perpetrator as part of a specific perpetrator discussion at a MARAC or as a separate process (such as the Multi-Agency Tasking and Coordination meeting (MATAC), piloted in Northumbria and rolled out across six other police forces in the North East and Yorkshire). Such panels bring together local agencies to identify strategies for responding to the most harmful domestic abuse perpetrators. Interventions identified through MATAC or other forums can include education, prevention, diversion, disruption and enforcement.

15.17. **Persons released on life licence** - DHRs, SFO reviews and inquests have identified a number of cases of individuals who have been released on a life licence for killing a partner going on to kill another, in circumstances where better multi-agency working might have made a difference to the outcome. Therefore, in every case where a lifer who has previously killed a partner enters a new relationship or is released from prison having established a new relationship, the Probation Practitioner must:

- liaise with partner agencies to gather information and gain a multi-agency perspective;
- consider whether level 2 or 3 management under MAPPA is required or whether the risks would be better managed through referral to MARAC and discuss with their manager; and,
- record their decision making.

## 16. **Victim safety**

- 16.1. **General** - Protecting the public and preventing further harm to current and future victims is a primary purpose of case management. Victim safety in the context of domestic abuse covers both past victims and identified adults or children at risk of becoming victims in the future. Working together with local agencies, domestic abuse services and specialist services is the most effective way of achieving the safety of partners, an ex-partner's family members and children affected by domestic abuse.
- 16.2. **Contact from prison** - To help victims of domestic abuse to live free from abuse and further trauma after a perpetrator has been imprisoned, a victim or an organisation on their behalf and with their consent can stop unwanted contact from prisoners by contacting the HMPPS Unwanted Prisoner Contact Team. The relevant prison will look at the information available, and any risks or concerns, in considering whether the restriction is appropriate. Contact details for the HMPPS Unwanted Prisoner Contact Team are: email – [unwantedprisonercontact@justice.gov.uk](mailto:unwantedprisonercontact@justice.gov.uk); tel – 0300 060 6699, Monday to Friday, 9am to 4pm; or go to [gov.uk/stop-prisoner-contact](http://gov.uk/stop-prisoner-contact)
- 16.3. **Disclosure of a new relationship** - All staff have a role in managing the risk to victims and other individuals who may be at risk. In many instances, both prison and probation staff will have information about apparent new relationships. For example, key workers, wing staff, those delivering activities and interventions, visits staff must all be professionally curious and monitor information relating to a perpetrator's domestic circumstances and share any relevant information with those managing the individual's sentence.
- 16.4. For keyworkers, POMs and Probation Practitioners, this will sometimes require asking probing questions about relationships in order to monitor an individual's relationship status. When a new relationship is disclosed:

Keyworkers must:

- record any information from their session in the case notes; and
- share the information with the POM in order for them to gather further information.

POMs/ Probation Practitioners must:

- gather information related to the new partner including name, address and any children, and record the information on the relevant case management system;
- identify the measures required to reduce the risk of harm to the new partner;
- review the RMP to ensure it remains current and relevant and update as required;

- record decisions made and action taken; this is particularly important where there is a history of serious harm to a previous partner;
  - gather and share information with police and other agencies working with the individual (including up to date police domestic abuse incident enquiries); and
  - make an active decision about the need to disclose information about the individual to the new partner.
- 16.5. **Making disclosures** - disclosure of previous abusive behaviour must be considered when an individual with a history of domestic abuse enters a new relationship; or where a risk of domestic abuse to a current or ex-partner is identified.
- 16.6. POMs/Probation Practitioners must make the decision whether disclosure is needed on a case by case basis, seeking advice from their line manager when unsure. Disclosure will be required when the need to inform and protect potential victim(s) outweighs the perpetrator's right to privacy. When making this decision, they must:
- consider and decide whether a disclosure of the previous abusive behaviour should take place, taking into account incidents and patterns of abusive behaviour in previous relationships, and the risk of not disclosing this information;
  - consider the likelihood and degree of harm that might arise from the disclosure, including the impact on the partner of receiving the information and the potential effect on the perpetrator; and,
  - record the decision and its rationale on the case management system.
- 16.7. If they decide that a disclosure should take place they must determine the best method for the disclosure, specifically whether:
- to have an initial informal conversation with the victim (see 16.8 below);
  - to refer the case to the Domestic Violence Disclosure Scheme (see section 16.10 below); or
  - an immediate disclosure is warranted (see 16.13 below).
- 16.8. **Informal conversation** - There may be occasions where an individual states they have already disclosed previous abusive behaviour to a current or a new partner, or consented to the POM/Probation Practitioner doing so. Partners may attend an appointment or contact the POM/Probation Practitioner to talk about the individual.
- 16.9. POMs/Probation Practitioners should talk to the partner to determine their knowledge of the offending or other abusive behaviour and ask other pertinent questions about residence and children. This may lead to the partner disclosing their awareness and enable the POM/Probation Practitioner to discuss what measures they should take to keep themselves safe. Alternatively, it may expose that they have limited knowledge and further disclosure may be needed via the Domestic Violence Disclosure Scheme (DVDS), or through MARAC or MAPPA panels (for cases managed at Level 2 or 3).
- 16.10. **Domestic Violence Disclosure Scheme (DVDS)** – POMs/Probation Practitioners must be aware of the DVDS, often referred to as “Clare’s Law” and refer when disclosure is required. The purpose of the scheme is twofold:



- to facilitate disclosure in order to protect a potential victim from harm; and,
- to provide consistency in the way disclosures are managed.

All staff must ensure that they are familiar with the process for making a disclosure through the scheme. Staff can also discuss referrals with local DVDS co-ordinators when considering disclosure methods and timescales: in some instances immediate disclosures can be undertaken through this scheme where necessary. Detailed information and guidance on the scheme can be found at:

<https://www.gov.uk/government/publications/domestic-violence-disclosure-scheme-pilot-guidance>  
<https://www.gov.uk/government/publications/domestic-violence-disclosure-scheme-pilot-guidance>

16.11. Following the outcome of the referral to the (DVDS) panel, the POM/Probation Practitioner must record:

- the decision made whether to disclose or not; and,
- the rationale for that decision.

16.12. If the DVDS panel decides to disclose, the POM/Probation Practitioner must:

- record what information was disclosed;
- record who the disclosure was made to;
- record how the disclosure was undertaken;
- record any actions taken to safeguard the new partner; and
- review the risk assessment and RMP to ensure any contingency plans are activated; and
- consider whether any additional measures are required to safeguard the new partner.

16.13. **Immediate disclosures** - there may be exceptional occasions when the risk to the victim or partner is so imminent and full disclosure of the individual's previous abusive behaviour is required immediately and therefore referral to DVDS may not be appropriate.

If keyworkers become aware of any imminent risk they must:

- inform the POM and/or Head of Service Delivery and where relevant the duty Governor; and,
- complete a mercury intelligence report.

The POM/Probation Practitioner must:

- inform their line manager that immediate disclosure is required;
- consider who is best placed to make the disclosure, where possible use a multi-agency approach to decision making and disclosure and use an agency already in contact with the new partner;

- put in place a contingency plan to support both victim and the individual in relation to any identified negative effects of disclosure; and
- Ensure the disclosure is made promptly.

16.14. **Following disclosure** - following disclosure, it is important to ensure every new partner has had access to clear specialist advice as the disclosure may cause significant distress. POMs/Probation Practitioners must:

- signpost partners to an Independent Domestic Violence Advisor (IDVA) or equivalent local service;
- where the individual is on BBR, refer the new partner to the DASO;
- give advice on what to do if the partner is worried about the individual's behaviour including the POM/Probation Practitioner's contact details, who to contact if they are not available and emphasising that in an emergency they should call 999;
- provide details of local domestic abuse services and the Freephone 24-Hour National Domestic Violence Helpline: 0808 2000 247 in England and in Wales the Live Fear Free Helpline: 0808 80 10 800;
- record details of what information was disclosed and the rationale for doing so; and,
- inform the police, if not already involved in the disclosure and record what action they are taking as a result.

16.15. If the POM/Probation Practitioner thinks it is not necessary and proportionate for effective risk management to make a disclosure they must discuss with their line manager and if disclosure is not undertaken the reasons for not disclosing must be recorded.

16.16. **Licence conditions to disclose new relationships** - at the earliest stage POMs/Probation Practitioner's should inform People on Probation that the licence condition to disclose new relationships will enable consideration of whether to disclose previous domestic abuse when a new relationship is reported. In cases where the individual has disclosed partial details but refuses to disclose the full name, address of a partner and/or details of any children in line with their licence condition, the POM/Probation Practitioner must:

- discuss enforcement action with their manager and take action in line with recall guidance;
- liaise with colleagues and partner agencies and take all reasonable steps to identify the name and address of the partner and/or any children the offender has contact with;
- once identified, consider disclosure as above and ensure appropriate safeguarding measures are in place; and
- record all actions taken on the Case Management System.

16.17. **Community Orders** - These steps (apart from recall) will also need to be taken in relation to those on community orders or post sentence supervision where the Probation Practitioner knows there is a partner or children who may be at risk but is unable to secure full details from the individual.

## 17. The Victim Contact Scheme

17.1. The Victim Contact Scheme (VCS) arises from Chapter 2 of Part 3 of the Domestic Violence, Crime and Victims Act 2004. Victims of perpetrators who have been convicted of a specified sexual or violent offence and sentenced to 12 months or more in custody have a statutory right to participate in the VCS. Where a victim is in the VCS the POM (prior to allocation) or the Probation Practitioner (post allocation) must:

- keep in contact with the VLO, consulting with them regularly; and,
- pass on information at key stages in the sentence as required under the Scheme and as set out in the document, [VLO Guidance - Key Stages and Disclosure of information](#), on EQuIP.

17.2. **Victim Liaison Officer (VLO)** – the VLO's responsibilities are set out in [the Victims page of Equip](#). If victims have opted in to the VCS and are in contact with a VLO, the VLO must:

- Attend or contribute to MARAC and MAPPA meetings as required;
- pass on to the POMs/Probation Practitioners any information that relates to risk to the victim;
- give the victim high-level information about any potential release of the individual through the sentence; and,
- give the victim the opportunity to have input regarding licence conditions that are relevant to them, such as non-contact provisions or exclusion zones.

17.3. The VCS gives victims who have opted in the right to request licence conditions. This can be particularly important for domestic abuse victims. Probation Practitioners must:

- liaise with VLOs regarding victim-focused licence conditions (e.g. no contact) as early in the release planning process as possible, to ensure that victims can input to licence conditions that affect them; and,
- put forward the conditions requested even if they consider they are not necessary or proportionate, indicating whether they support them (see [HMPPS Licence Conditions Policy Framework](#)).

17.4. **Probation Practitioners** must be mindful that in certain circumstances, where a victim is not participating in the VCS, it is necessary to refer a case back to the Victim Liaison Unit, so that the VLU can consider whether it is appropriate to make another attempt at contact with the victims where one of the following is present:

- The victim and the offender are known to each other;
- The offender presents an ongoing risk to the victim;
- There is an escalation in the risk posed by the offender to the victim;
- The case has a very high media profile.

Re-referrals should be made in advance of a key stage, such as commencement of the parole window or at least 6 months prior to the earliest possible release date or commencement of ROTL. Probation Practitioners may find it helpful to discuss a re-referral with their SPO or the VLU manager to help inform their decision.

17.5. If the victim tells the VLO that their partner or ex-partner is contacting them against their wishes, the VLO must:

- advise the victim to report the harassment to the police;
- provide details of local domestic abuse services and the Freephone 24-Hour National Domestic Violence Helpline: 0808 2000 247 in England and in Wales the Live Fear Free Helpline: 0808 80 10 800;
- tell the POM / Probation Practitioner; and
- share information about the HMPPS Unwanted Prisoner Contact Service (accessed by completing the form on Gov.uk using the link [gov.uk/stop-prisoner-contact](http://gov.uk/stop-prisoner-contact) or call 03000606699 or via email [unwantedprisonercontact@justice.gov.uk](mailto:unwantedprisonercontact@justice.gov.uk)) which can be contacted by victims or third-party agencies (including VLOs / POMs / Probation Practitioners) acting on behalf of a victim and with their consent.

17.6. **Recording victim information** - As per the Data Protection Act 2018 records in relation to victims must be kept separately from records that relate to offenders. Information collected from Victims under the scheme is therefore stored separately on the Victim Contact Management System (VCMS). The Victim Contact Report is part of the work undertaken by the VLO, it is a record for the VLO and the VCS member of the discussions during their initial meeting. It should therefore be stored on VCMS and must not be stored on NDelius or on shared drives.

17.7. **Domestic Abuse Safety Officers (DASOs)** – DASOs work in the community with specific victims, current and ex-partners of men attending the BBR programme. Their role includes victim safety planning to alleviate immediate risk. DASOs must:

- keep in regular contact with Probation Practitioners and share information about changing circumstances promptly;
- contribute to risk management and victim safety planning;
- contribute to planning for any escalation in risk; and,
- ensure victims or partners are aware of local domestic abuse services and refer them for support, advice and assistance.

17.8. Where an individual is required to undertake BBR, the Probation Practitioner must:

- make a referral to a DASO within 15 days of the commencement of the order or licence and record the referral on nDelius;
- keep in regular contact with the DASO and share information regarding changes in the individual's domestic circumstances and RoSH;
- feed new information from the DASO into the RMP; and,
- act on the information promptly where necessary, to reduce the risk of harm to the victim.

## 18. **Safeguarding**

18.1. **General** - safeguarding means protecting an individual's right to live in safety, free from abuse and neglect. A multi-agency approach and effective information sharing are essential

to support the development and delivery of the sentence and RMPs that properly safeguard individuals at risk.

- 18.2. **Multi-Agency Safeguarding Hub (MASH)** - a MASH co-ordinates and co-locates services to improve information sharing and respond more effectively to safeguarding needs. Not all areas have a MASH, but where they do, Probation Practitioners and POMs must be familiar with their role and purpose and how they can contribute to information sharing and the risk management of individuals they manage.
- 18.3. Detailed information and guidance about MASH can be found in the Probation Service National Partnership Framework Multi-Agency Safeguarding Hubs (MASH) available at: [Partnership Framework - MASH \(Master\) \(rocstac.com\)](https://rocstac.com).
- 18.4. **Adults** - safeguarding encompasses work with an adult who has care and support needs to help keep them safe from significant harm. A significant proportion of people who need safeguarding support do so because they are experiencing domestic abuse. The effect of domestic abuse is often especially acute where the abusive partner is also the victim's carer. In cases where a domestic abuse perpetrator is the carer of an adult who has care and support needs, the POM / Probation Practitioner must:
- make a safeguarding referral to adult social care;
  - record the information received on nDelius, P-NOMIS or other case management system;
  - activate appropriate flags on nDelius, P-NOMIS or other case management system; and,
  - ensure that sentence plans and risk management plans both address the risk posed to the victim.
- 18.5. **Individuals in our care with support needs** - prison and probation staff must identify whether an individual is at risk of, or a victim of, domestic abuse. The women we work with are twice as likely to have experienced domestic abuse as the men and staff must ensure that assessment, induction and interventions meet the specific needs of women. Assessors must also ensure that for all those who require it, sentence and risk management plans:
- include measures to protect them from further domestic abuse; and,
  - address their care and support needs.
- 18.6. Individuals may require a safeguarding referral and one outcome of such a referral may be the formulation of a safeguarding plan. Practitioners must be clear about their role and any actions assigned to them within a safeguarding plan. They must also ensure any relevant actions are reflected in the individual's risk management and sentence plan.
- 18.7. **Children** - The Domestic Abuse Act 2021 recognises children as victims of domestic abuse if the child sees, hears, or experiences the effects of the abuse, and is related to either the victim or perpetrator. This recognition is distinct from child abuse, whereby abuse is perpetrated by an adult towards someone under the age of 16. Children who live with domestic abuse are more likely than other children to experience a wide variety of mental health, social and educational problems.
- 18.8. The [HMPPS Child Safeguarding Policy Framework](#) sets out what staff are required to do as part of their safeguarding responsibilities and includes a guidance section which provides general information and advice on child safeguarding expected practice; POMs/ Probation Practitioners must familiarise themselves with this framework to ensure that vulnerable children are adequately protected.

- 18.9. Relationships do not automatically end when someone is sentenced to prison, there are significant barriers a victim may face when wanting to end a relationship, including child contact arrangements. Whilst the risks to victims and children need to be considered, it is also important to consider the impact of loss on the perpetrator where contact with a child has been reduced or ceased, with a goal to support them develop coping skills with such a trauma.
- 18.10. In England, the statutory guidance Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (June 2018) is available at: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> and the safeguarding adults chapter of the Care and Support Statutory Guidance are available at: <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1>
- 18.11. In Wales, the Social Services and Well-being (Wales) Act 2014 provides the legal framework for social services provision to protect and promote the welfare of children, and can be found at: <https://www.legislation.gov.uk/anaw/2014/4/contents>
- 18.12. **In the community** - HMPPS may hold valuable information on the parents of vulnerable children and is often the only agency that know the men in a child's life. Therefore, in every case where domestic abuse is a factor the Probation Practitioner must make an assessment as to whether there are children who are at risk of harm from seeing, hearing or witnessing domestic abuse. Where they consider that there is such a risk they must:
- identify the relevant children and Children's Services department and make a safeguarding referral setting out their concerns, explaining what they think the risk is if no action is taken (see 'Effective HMPPS referrals will include' in the [HMPPS Child Safeguarding Policy Framework](#));
  - record the referral and the outcome on nDelius, or other Case Management System;
  - agree escalation routes with their line manager if they are concerned that the response leaves children at risk; and,
  - activate appropriate risk registers on nDelius, or other Case Management System.
- 18.13. **Safeguarding Processes** - A safeguarding referral may result in the formulation of a child protection (CP) or child in need (CIN) plan. Practitioners must:
- attend, or exceptionally where this is not possible, ensure a contribution is provided to Child Protection conferences;
  - be clear about their role and any actions assigned to them within a CP or CIN plan; and,
  - ensure any relevant actions are reflected in the individuals risk management and sentence plan.
- 18.14. PDU Heads and other managers should use the Touch Points Model (TPM) and Reflective Practice Supervision Standards (RPSS) to support existing management oversight of child safeguarding cases or cases where a child is subject to a child protection plan. Guidance on the TPM and RPSS can be found on [EQuIP](#).

18.15. **In custody** - where a prisoner has been identified as presenting a continuing risk of harm to children, POMs must follow the processes outlined in OMIC Child Safeguarding Guidance: available on EQuIP which includes:

- tell the relevant local authority Children's Services of the prisoner's reception, subsequent transfers and release address;
- notify the relevant probation service office; and,
- follow PPRC processes as outlined in [PSI 18-2016](#) to prevent or restrict the prisoner's contact with children, and consider monitoring the prisoner's communications (letters and phone calls) to safeguard children.

## 19. **Domestic Homicide Reviews (DHRs)**

19.1. A Domestic Homicide Review (DHR) is a multi-agency review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by a person to whom they were related or with whom they were, or had been, in an intimate personal relationship, or a member of the same household as themselves.

19.2. **Statutory basis** - under section 9 of the Domestic Violence, Crime and Victims Act 2004, local areas are required to undertake a DHR to help all those involved in the review process to identify lessons that can be learned, with a view to preventing future homicides and violence. The statutory guidance for DHRs is available at:

<https://www.gov.uk/government/publications/revised-statutory-guidance-for-the-conduct-of-domestic-homicide-reviews>

19.3. **HMPPS contribution** - the guidance makes clear that the DHR panel should have senior manager representation from each of the statutory agencies. The HMPPS representative at the DHR panel should be Head of Service for probation or governor level for prisons, to enable decisions to be made on behalf of the agency they represent. The Probation Service has committed to providing an Head of PDU level representative to all DHR panels even where they have not had direct involvement in the case. If the perpetrator has been in custody the Probation Service representative should advise the report author to contact the governor of the last prison that the individual was in to provide an Individual Management Review (IMR), to answer specific prison-related questions or to consider potential prison-related recommendations. The senior manager at the panel takes responsibility for:

- the agency's contribution to full panel decisions;
- the submission of IMRs (to support their completion, an Individual Management Report Practice Improvement Tool is available on [EQuIP](#));
- their agency's actions arising from the review and the dissemination of lessons learned; and,
- contacting Public Protection Partnerships Section to discuss any proposed national recommendations for HMPPS.

Further guidance for senior managers on the conduct of DHRs is available on the Home Office DHR website: <https://www.gov.uk/government/collections/domestic-homicide-review>.

Visual Representation of HMPPS Domestic Abuse Referral Pathway



Domestic Abuse  
Pathway Update 2022