

Centre for Women's Justice has received the following information from a frontline organization which works with women experiencing domestic abuse:

They are frequently contacted by women in situations where their NMOs have been breached and the police have not taken action when the breach was reported. Their overall impression is of police officers failing to take NMO breaches seriously. Often, when threatening text messages are reported victims are told to ring 101 (a non-emergency number). This is particularly so with more minor breaches.

It is quite common for abusers to make contact with victims shortly before an order is due to expire. Typically, they will tell a friend or family member of the victim to tell her that they intend to move back in when the order finishes (although most NMOs prohibit contact indirectly through third parties). In such circumstances police often taken no action.

When women do not report breaches to the police and then want to apply to the court to extend the order they can be refused legal aid because they did not report breaches. In another recent case, a woman told them that a third party had been asked by her abuser to pass a message on to her that he was coming after her, in breach of the NMO. She did not report this breach to the police because on previous occasions when she had reported breaches the police had not taken any action. As a result, when she applied for legal aid to extend the order this was refused because she had not reported and did not have a Crime Reference Number.

In some situations police do not take any policing action and tell the individual to get a civil injunction instead. In other cases police do something and also suggest an injunction. Where individuals report harassment, quite regularly police say there is nothing they can do and advise the person to get a civil injunction, treating this as the solution to the problem.

Officers often do not know how the law is applied in NMO applications, for example, police officers advising women to apply for an NMO when bail conditions are already in place.

Since the changes to pre-charge bail, 4 weeks is often not long enough to conclude an investigation and, as a result, it is much easier for police to release suspects without bail. Also, they have seen the percentage of voluntary interviews rise a lot in the last few years. They imagine this is because it is less of a strain on resources compared to arresting someone and holding them in custody. They are aware that custody suits have shut down so if there are fewer and they are busy it is much easier to have a suspect come in by appointment without the need for a custody officer.