

PRACTITIONER SURVEY

Notes: please provide as much or as little information as you wish. For some questions, you may find it easier to provide a handful of examples i.e. for the characteristics/demographics questions or provide a general statement on the broad percentage of these types of victims/perpetrators. Any information you are able to provide to help us build a picture of the usage and effectiveness of the offence is greatly welcomed.

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About Refuge

Refuge is the largest specialist provider of gender-based violence services in the country, supporting over 6,500 women and children on any given day. Refuge opened the world's first refuge in 1971 in Chiswick, and 47 years later, provides: a national network of 46 refuges, community outreach programmes, child support services, and acts as independent advocates for those experiencing domestic, sexual, and gender-based violence. We also run specialist services for survivors of modern slavery, 'honour'-based violence, and female genital mutilation. In partnership with Women's Aid, Refuge provides the National Domestic Violence Helpline which receives hundreds of calls a day.

Refuge is pleased to have the opportunity to respond to the coercive and controlling behaviour review, and looks forward to having continued involvement as the review progresses. Our response to this survey is based on data from our specialist case management tool, IMPACT, as well as detailed discussions with a range of our expert operational staff. The majority of Refuge staff who inputted into this survey are currently working as Independent Domestic Violence Advocates (IDVAs) Independent Gender Violence Advocates (IGVAs) or IDVA/IGVA service managers.

As a result of our data analysis and the insights of our frontline staff working with survivors of coercive and controlling behaviour, Refuge has several recommendations for how the offence of coercive and controlling behaviour could be improved:

- Coercive and controlling behaviour often continues and can escalate after the end of a relationship with an abuser. Refuge has long argued that the offence of coercive and controlling behaviour should be amended so that it applies both during and after a relationship and recommends that the potential impact of extending the application of the offence in this way is explored as part of the review
- In our experience the offence is predominantly being identified and investigated by criminal justice agencies when a physical assault has also taken place and is seldom being used to criminalise the psychological impact of coercive and controlling behaviour on survivors. As such, Refuge recommends that the impact of amending the offence to clearly describe the psychological impact of coercive and controlling behaviour be explored as part of the review
- Almost four years after the introductions of the coercive and controlling behaviour offence, knowledge and understanding of the offence amongst police officer, prosecutors and other public sector workers remains patchy. Police officers and crown prosecutors should all receive ongoing coercive and controlling behaviour training, delivered by specialists in the field.

Housing officers, social workers and NHS staff should also all receive coercive and controlling behaviour training

- In our experience, specialist police domestic abuse teams have a greater awareness and understanding of coercive and controlling behaviour than non-specialist officers. In some areas, the number and resources of specialist police domestic abuse teams are decreasing, which has a negative impact on the police response to survivors of this offence. The Home Office should therefore ensure increased resources for policing are directed at specialist domestic abuse teams in all police forces
- Awareness of the term coercive and controlling behaviour and that it is a criminal offence is starting to increase slowly amongst survivors and the general public, however more needs to be done to increase knowledge and understanding. Refuge therefore supports a public awareness raising campaign on coercive and controlling behaviour, which should be developed in partnership with specialist VAWG organisations

Prevalence, Reporting and Criminal Justice Outcomes

1. How many cases involving coercive and controlling behaviour has your organisation been involved with over the last 12 months?

Refuge is the largest single provider of gender-based violence services in the country supporting 6,500 women, children and men on any given day. However, the number of cases of coercive and controlling behaviour that we have been involved in which have reached prosecution stage is low. The organisational data for the last three financial years is below.

April 18/March 19 – 4 prosecutions, 3 convictions

April 17/March 18 – 8 prosecutions, 3 convictions

April 16/March 17 – 3 prosecutions, 3 convictions

As a point of comparison, prosecutions for coercive and controlling behaviour are far lower than for other offences commonly perpetrated against the survivors Refuge supports. For example, prosecutions and convictions for common assault for the last three financial years are:

April 18/March 19 – 80 prosecutions, 45 convictions

April 17/March 18 – 116 prosecutions, 63 convictions

April 16/March 17 – 147 prosecutions, 75 convictions

Prosecutions and convictions for actual bodily harm (ABH) for the last three financial years are:

April 18/March 19 – 58 prosecutions, 25 convictions

April 17/March 18 – 51 prosecutions, 15 convictions

April 16/March 17 – 49 prosecutions, 31 convictions

2. How does that compare with when the offence was first introduced?

As shown above, the number of prosecutions and convictions of coercive and controlling behaviour Refuge has been involved in (via supporting the survivors involved) has varied slightly since the offence was introduced but has overall remained very low. Insights gathered from discussions with frontline staff suggest that the number of police reports and investigations into coercive and controlling

behaviour may be increasing slightly, but very few perpetrators are being charged and prosecuted for this offence.

3. What proportion of those cases reported their abuse to the police or another statutory body? Please give details:

In Refuge's experience, coercive and controlling behaviour is significantly underreported. Coercive control is central to almost all cases of domestic abuse. Staff highlight that survivors often do not report coercive and controlling behaviour to the police or another statutory agency the first time they disclose domestic abuse.

In the majority of cases survivors might contact the police about a particular incident of domestic abuse, often a physical assault, and then details of the coercive and controlling behaviour they have experienced are disclosed when explaining the context of that assault. Staff report a variety of police responses when details of coercive and controlling behaviour is reported in this way. In a minority of cases police officers identify coercive and controlling behaviour is present and take a report of this particular offence. However, often Refuge's staff find that police do not identify coercive and controlling behaviour as a separate offence and unless the survivors defines the abuse with this terminology, instead subsequent police reports and advocacy from our frontline staff is required before the offence is identified and investigated.

4. In your opinion, how did those cases progress through the criminal justice system? How long did they take? What other charges were brought? Did the victim get a satisfactory outcome?

In our experience coercive control is almost always charged alongside other offences, most often physical or sexual offences. All but one of the staff members consulted as part of this response had said they had never heard of coercive and controlling behaviour being prosecuted as a single offence.

One IDVA service manager said that over the last six months, four survivors accessing support from the service had reported coercive and controlling behaviour to the police. In three of the four cases the police had closed the case with no further action. One perpetrator was being charged with coercive and controlling behaviour as well as sexual offences. However, the manager was not confident that the coercive and controlling behaviour charge would not be dropped by the police prior to the court date.

Characteristics (protected) and demographics of victims (and perpetrators)

VICTIMS

- 5. In the cases you're familiar with, what were the genders, ages, religions, ethnicities and sexual orientations of the victims? If you hold your own data on this, please share if you can. If applicable, please provide specific details on the following:**
- a. Previous abuse**
 - b. Immigration Status**
 - c. Mental health**
 - d. Disabilities**
 - e. Children**

Refuge holds the following demographic data regarding the survivors of coercive and controlling behaviour whose perpetrators were prosecuted:

Gender	No. of clients
Female	14
Male	1
Grand Total	15

Immigration Status	No. of clients
Recourse	15
Grand Total	15

Sexual Orientation	No. of clients
Heterosexual	15
Grand Total	15

Ethnicity	No. of clients
Asian	2
White British	11
White Other Any other white background	2
Grand Total	15

Faith	No. of clients
Christian (and all other Christian faiths)	2
Hindu	1
Islam	1
None	6
Not known	5
Grand Total	15

Types of abuse to client (can be more than one per client)	Women given longer term support	Average length of abuse (Years)	Men given longer term support	Average length of abuse (Years)
Physical	13	3	1	5
Sexual	6	3	0	
Psychological	12	4	1	5
Financial	3	6	0	
Total clients	15	4	1	5

- 9 out of the 15 survivors have one child or more. In total the 15 survivors of controlling and coercive behaviour had 16 children in total
- 4 clients identify as having a disability, 1 client recorded mental health issues.

Further, staff feeding into this survey response highlighted that domestic abuse affects women from all works of life, and there is no typical victim. However, several staff highlighted that when survivors have insecure immigration status this can be used and manipulated by a perpetrator to control a survivor.

**6. From what you were able to understand, what was the extent of their support network?
Family? Friendship groups?**

Perpetrators will often isolate survivors and breakdown their support networks in order to control them. Refuge's frontline staff highlight that many of the women they worked with had limited support networks and relied on specialist services as perpetrators had isolated them and sought to control and breakdown relationships with friends and family. Several staff highlighted that this can make the offence even harder to evidence when survivors report the abuse to the police or another statutory agency as there are fewer potential witnesses to the abuse.

**7. In your experience, are there different risks associated with those living in rural areas/communities?
If so, why in your opinion?**

There can be different risk for survivors in isolated areas or communities.

In regard to isolated areas, several staff raised increased difficulty in accessing support services or networks. In addition, living in a rural area can make it easier for perpetrators to control the movements of a survivor as they are more likely to be dependent on use of a car or access to money for taxis or other forms of transport.

One member of staff highlighted that she had worked with a client who lived in a very rural area and the perpetrator accompanied her whenever she left the house. The survivor and her support worker had to work creatively to keep in contact. The survivor highlighted that she was scared that the police would take such a long time to get to her house when she needed to call them.

In terms of isolated communities, staff highlight that there can be additional pressure not to contact services or statutory agencies in some communities. There can also be additional risks in some cases that if survivors seek help and support in regard to domestic abuse they may lose the support of the entire community.

8. For those victims who came forward, what prompted them to report?

A wide variety of reasons prompted survivors to report. Refuge staff highlighted that for many survivors they worked with they had been being abused for years and in some cases decades before they reported the abuse or accessed help. Staff described that women sometimes reach 'a breaking point' and want help to leave an abuser. Some staff said survivors that they worked with reported the abuse as they wanted recognition of what was happening to them and the pain and suffering that they experienced. For others, they came into contact with the police over a particular incident, most commonly a physical assault, and subsequently reported coercive control as the context in which the offence took place.

- 9. If coercive control had been happening for a long while before, what prevented them from reporting to the police?**
- a. Fear of further abuse?**
 - b. Not recognising as abuse?**
 - c. Fear of not being believed?**
 - d. Concerns about providing evidence?**
 - e. Anything else?**

In our experience there are a wide range of issues that prevent survivors from reporting, including all of those listed above.

Fear of further abuse is an extremely common reason why survivors do not report any domestic abuse offence anybody, including the police. Threats as to what will happen if a survivor tells anyone about what is happening to them is a commonly used by perpetrators to control and coerce. Attempts to breakdown the control exercised by a perpetrator, for example, by reporting the abuse to the police or getting in touch with a support service can be very dangerous and result in an escalation of abuse. Staff highlight that some survivors have very little confidence that the police will do anything in response to them reporting the abuse, so feel that it is not worth the risk of the further abuse that could result from a report.

In our experience, survivors recognise that the controlling and coercive behaviour being perpetrated against them is extremely harmful and dangerous, however not all women are aware that this is termed 'coercive and controlling behaviour' and criminalised through a specific criminal offence. Refuge's expert staff support women to understand what controlling and coercive behaviour is and support women to report this to the police when this is what they would like to do. Refuge staff have also raised concerns about the widespread lack of understanding of the offence and the dynamics of coercive and controlling behaviour amongst police officers. This is particularly problematic where survivors are reporting coercive and controlling behaviour, but not using that precise terminology to characterise it. In cases like these, opportunities to take a report of coercive and controlling behaviour and investigate an alleged offence are being missed. In order to reduce this, Refuge recommends that the Government fund and initiate an awareness raising campaign, designed in partnership with specialist organisations and ensure that all police officers and crown prosecutors receive ongoing specialist coercive and controlling behaviour training.

Fear of not being believed is also a key issue. Many survivors will have been told by perpetrators time and time again that nobody will believe them if they tell anyone. Some survivors have reported or raised the abuse they are experiencing with other agencies, for example social services, and been met with disbelief or the issue not being taken seriously. Some survivors who have reported abuse to the police and subsequently not felt able to support a prosecution are concerned that they would not be believed or taken seriously if they went to the police again.

Some of our frontline have reported negative and inappropriate responses by police to reports of coercive and controlling behaviour which may contribute to these perceptions. For example, if no physical abuse has taken place some of the survivors we support have been told by police to move house and block the perpetrator's number, but have not taken it seriously as a criminal offence. Some members of staff reported very poor police responses, for example, in response to a report of controlling and coercive behaviour a survivor was asked why she had come to the police as they cannot do anything about 'that kind of thing'. However, it should be noted that other staff said in the areas they worked in police understanding of the offence was relatively good and improving. This was particularly the case if the force in question had a specialist domestic abuse team that dealt with all domestic abuse related cases. Some staff were concerned that in their areas resources for these

specialist teams were being reduced and therefore more cases were being dealt with by officers without any domestic abuse specialism. Staff noted that non-specialist officers tended to have far less knowledge and understanding of coercive and controlling behaviour and survivors would get a worse overall police response.

Linked to this fear of not being believed, is concern about the evidence that might be needed in order for them to be taken seriously and for a prosecution to be taken forward. Many frontline staff raised the difficulty proving the offence and the significant package of evidence that is often needed. Some staff said that in their experience police did not seem to be aware of what types of evidence would be needed to build a case for the offence. Staff said that police were very reliant on witness statements, and in some cases were reluctant to pursue a case if these were not available. This is highly problematic as many survivors are isolated by the perpetrator to increase their control. In addition, some staff highlighted problems with police taking survivors' phones for long periods in order to capture evidence of coercive and controlling behaviour. This further compounded the survivors' isolation and vulnerability. In their experience, the data captured from phones often went far beyond that which was relevant to the offence and in some circumstances survivors were concerned about the breach of their privacy and worried about what would be disclosed to the perpetrator or other agencies.

10. What was their understanding of the abuse they were suffering? Did they recognise it as a form of Domestic Abuse?

In Refuge's experience, survivors are often aware that what is happening to them is wrong, is damaging them, is abuse and is criminal. However survivors are not always aware of the term 'coercive and controlling behaviour' or define what is happening to them in this way. Some staff thought that awareness of what coercive and controlling behaviour is increasing and some credited storylines in television and radio soaps as helping with this.

In addition, staff highlighted that some survivors do not initially recognise what is happening to them as a form of abuse when they first get in touch with our services. This is often as perpetrators have told them it is their fault or made the survivor doubt their own thoughts and understanding of what is happening to them. After support from Refuge's staff, and the peer support from other survivors accessing survivors, many women can recognise and understand that abuse that has been perpetrated against them.

PERPETRATORS

11. What were the genders, ages, religions, ethnicities and sexual orientations of the perpetrators in the cases you dealt with? If you hold your own data on this, please share if you can. If applicable, please provide specific details on the following:

- a. Criminal history
- b. Immigration Status
- c. Mental health
- d. Disabilities
- e. Children

Refuge cannot provide demographic data on the perpetrators involved in the small number of criminal cases which reached prosecution stage.

Staff highlighted that in their experience, all but a very small number of cases the perpetrators were men. Staff also highlighted that many of the survivors they worked with had children with the

perpetrators. They raised that where children were involved, the family court system and the child contact process were commonly used to continue to coercively control survivors. Some staff said that in their experience, coercive and controlling behaviour perpetrated in this way was almost never taken seriously by police, with some assuming it would be addressed in the family courts process and therefore was not a police issue.

12. How were they connected to the victim?

Our frontline staff said that in almost all the cases they had worked on, the perpetrator was a current or former partner. In a very small number of cases, the perpetrator was another family member.

Many frontline staff highlighted coercive and controlling behaviour is just as prevalent after separation as during the relationship, particularly if the survivor and perpetrator had to have some ongoing contact due to sharing children. The coercive and controlling behaviour offence only applying whilst in a relationship with the perpetrator did not chime with the survivors' experience and in some cases could lead to confusion for survivors, as they were experiencing the same abuse, but it was no longer regarded as the same criminal offence.

Refuge strongly argues that there is merit to extending the application of the coercive and controlling behaviour offence to former couples who have separated. Doing so could increase protection for survivors, enable a great number of perpetrators to be held to account and help increase understanding and reduce confusion around the offence. Refuge would welcome the impact of extending application of the offence in this manner to be explored as part of the review.

13. Based on your knowledge of the perpetrators you encountered, what did/do you believe was the motivation behind their offending?

Domestic abuse, of which coercive and controlling behaviour is a central part, is about power and control. All staff said that a perspective on the part of the perpetrator that it was their right to be in control of a survivor and have power over her was common to all cases.

Reflections

14. In your opinion, what would you say were the main challenges in reporting and investigating this crime?

(Grouped response with question 16)

As stated in the responses above, Refuge argues that the main challenges in reporting, investigating and prosecuting the crime of coercive and controlling behaviour are:

- A lack of understanding and training of controlling and coercive behaviour amongst police, crown prosecutors and other statutory agencies
- Reduced resources for specialist domestic abuse teams within many police forces. In general, these teams have better understanding and awareness of the offence and survivors receive a better police response from specialist policing teams. Staff highlighted that specialist police officers are more likely to take a report of coercive and controlling behaviour even if the survivor does not use the precise language of the offence, but describes the crime
- A lack of confidence amongst survivors that action will be taken and they will be protected if they make a report, this is part due to the very low prosecution and conviction rates for this offence

- Problems with evidence are also key. Refuge's frontline staff raised numerous problems here including a lack of understanding of what type and how much evidence was sufficient to bring prosecution. Issues were also raised with police seizing survivor's phones for long periods of time and collecting significant amounts of the survivor's personal data. Conversely, in one particular area, staff highlighted that police were reluctant to take survivor's phones and instead asked survivors to type out thousands of messages sent to her by the perpetrator to send to them
- The unwillingness for police and prosecutors to pursue coercive and controlling behaviour as a standalone offence. In our experience, the offence is almost always only investigated if a report of physical or sexual abuse is also made to the police

15. What could be done at national and regional level to provide better support in reporting and investigating these crimes more generally?

(Grouped response with question 17)

Refuge argues that the following is needed in order to improve the reporting and investigating of controlling and coercive behaviour:

- Amending the wording of the offence so that it clearly encompasses the psychological abuse and impact of coercive and controlling behaviour
- Extension of the application of the offence so that it applies to controlling and coercive behaviour which takes place after a relationship between a survivor and a perpetrator has ended
- Ongoing coercive and controlling behaviour training for all police and crown prosecutors
- Increased resources for specialist domestic abuse teams within all police forces
- A public awareness campaign, delivered in partnership between the Government and specialist domestic abuse agencies

16. What would you say were the main challenges in prosecuting perpetrators in these cases?

Please see answer to question 14 above.

17. What could be done to address/alleviate these?

Please see answer to question 16 above.

18. In the cases you have been involved in, what do you think worked well and why? What do you think are the lessons learned from these cases?

In general, Refuge's staff highlighted that the cases which work best and are most likely to result in some positive police action in response to coercive control are those where a specialist domestic abuse police officer takes the report of the offence and leads the investigation. In these cases, police officers generally have a better understanding of coercive and controlling behaviour and can identify the offence from the behaviours and actions the survivors is describing, even if the term 'coercive and controlling behaviour' is not used when the survivor is first in contact with the police.

Thank you for completing this survey.