

# First response

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The following information provides guidance to first response officers attending a domestic abuse incident.

First response officers have a dual role to play when attending domestic call-outs. They should:

- recognise signs of abuse and the need for safety planning to protect victims (or potential victims) and prevent offences from occurring in the longer-term
- identify criminal offences so that offenders can be brought to justice and dealt with robustly within the judicial system

Response officers should:

- ensure immediate safety
- build rapport
- carry out an initial investigation
- identify risk
- initiate support and protection (initial safety planning)
- ensure a good handover takes place, where applicable

The first responder remains responsible for investigation and safety planning unless and until the case is handed over to a specialist or other investigating officer.

Officers should apply a positive approach to resolving the call-out, which may range from arrest to other forms of action. See [arrest and other positive approaches](#).

Domestic abuse training forms part of the core public protection learning programme for first responders. It is a management obligation to ensure that domestic abuse training is provided.

# Ensure immediate safety

## En route to scene

Obtaining a full picture of the situation, the family and their previous history enables officers to better deal with the incident, manage the offender and protect any vulnerable people at the address.

Officers should obtain all relevant information from the call handler about the incident and parties involved to enable initial risk assessment prior to arrival at the scene.

The domestic abuse incident to which an officer is responding is unlikely to be the first, even if police have not been called before.

It is vital that officers attending domestic abuse incidents deal with both the incident that led to the call for service **and** the previous incidents.

Evidence of previous abusive behaviour may be valuable in proving the offence of controlling or coercive behaviour under the [Serious Crime Act 2015 section 76](#). Domestic abuse is often like an iceberg, with police dealing only with the tip – it is important that officers also recognise where there are underlying issues, because these are key to understanding risk of harm to the victim.

All relevant information means:

- information gathered from the caller – see [call handler checklist: information gathering](#)
- appropriate checks of IT and/or paper-based systems for previous reported domestic abuse history
  - previous risk assessments
  - PNC checks for both the suspect and the victim (paying particular attention to any markers or alerts)
  - bail conditions
  - license conditions
  - civil injunctions, domestic violence protection notices (DVPNs) and domestic violence protection orders (DVPOs), and other court orders, including those relating to child contact
  - child protection intelligence systems

- child protection register (in Wales) or local authority children's services information on children subject to a child protection plan (in England)
- [ViSOR](#)
- [PND](#)

See [call handler checklist: details to be provided to the attending officer](#) for the complete list of information to be provided.

## Actions on arrival at the scene

The first priority of an officer should be to protect all people present from injury or further harm. This includes the victim, children, witnesses, police officers and the suspect.

Children can be victims of domestic abuse when they are directly targeted for violence/abuse or if they are accidentally assaulted in an incident involving others. Children can also be seriously affected by witnessing domestic abuse. Officers should consider the nature of the incident that the child(ren) may have experienced or witnessed and ensure full details are recorded for transmission to the local children's safeguarding department.

In serious cases, they should consider powers to take a child into emergency care under the [Children Act 1989 section 46](#).

## Body-worn video

Officers should also be prepared to gather evidence as soon as they arrive at the scene. Body-worn video (BWV) recordings can provide excellent evidence, particularly in criminal proceedings, as they:

- have significant dramatic impact
- record the scene exactly
- record the demeanour of the parties
- accurately record significant comments at the scene

There is some good evidence to show that where officers responding to domestic abuse are equipped with body-worn cameras the proportion of sanctioned detections resulting in a criminal charge increases. The impact of attending officers wearing BWV on the views and experiences of

victims has not yet been explored however. Forces may want to consider whether officers equipped with BWV should be routinely assigned to domestic abuse incidents.

If body-worn video equipment is available to officers responding to a domestic incident, its use should always be considered.

For further information see:

- [Body-worn video](#)
- [College of Policing \(2015\) – The Essex Body Worn Video Trial, Owens, Mann and McKenna](#)

### **Checklist: Actions on arrival at the scene**

On arrival at the scene, to ensure the safety of victims and children and to preserve evidence, officers should:

- reassess victim, child and officer safety, including immediate risk, particularly in respect of access to or use of weapons
- make an immediate assessment of the need for first aid or other medical assistance for any person
- separate the parties and deal with them all independently, including any children
- confirm the identity of the suspect and circulate a full description via the radio system if they are no longer at the scene
- establish who is or was at the scene, including any children
- request appropriate checks on the suspect and household (including warrants, bail conditions, restraining orders, civil orders, child protection register/plan, ViSOR, PND, firearms licences or intelligence reports linking the suspect and household members to weapons) if not already done
- make accurate records of everything said by the suspect, victim and any witnesses, including children (significant comments by a young child may be admissible as res gestae or hearsay)
- consider the need for an interpreter and follow the advice set out below when choosing one
- review information received from the call handler to compare with what is being reported at the scene – where a serious complaint was initially made but the victim minimises this at the scene, the officer should explore why – it is common for victims to do this when police arrive because their attendance has removed the immediate risk and the victim may consider that the situation has normalised
- record the demeanour of the suspect, victim and any other witnesses, including children

- record any significant statements made by the suspect so that they can be used in later proceedings, for example, as part of [interview planning](#)
- make a comprehensive assessment of available evidence, eg, damage, injuries, blood spatter, and consider the best way to record it
- take photographs of the scene and consider visually recording evidence where that facility is available – see [body-worn video](#)
- secure the safety of victims in their home if at all possible so that they do not feel further victimised – if this is unsafe or not possible, officers should consider taking them to another place of safety, for example, the home of a relative (not appropriate if HBV is suspected, unless the relative in question is known to be opposed to the practice) or a refuge if available under local arrangements for housing and refuge provision
- obtain an overview of what has occurred, taking into account the established risk factors associated with domestic abuse, see [understanding risk and vulnerability in the context of domestic abuse](#)
- ensure that information relating to the suspect is included in any risk management processes, even if it does not directly relate to this relationship

Where the suspect has left the scene, a description should be circulated and every effort made to locate them. Officers should ensure that victims and any children are safe while suspects are being located.

## Powers of entry

Officers may need to enter premises when responding to domestic abuse incidents.

### Checklist: Police powers of entry

Powers exist in the following circumstances:

- under the [Police and Criminal Evidence Act 1984 \(PACE\) section 17\(1\)\(b\)](#) a constable may enter and search any premises for the purpose of arresting a person for an indictable offence
- under [PACE section 17\(1\)\(e\)](#) a constable may enter and search premises for the purpose of saving life or limb or preventing serious damage to property
- under common law a constable has the power to enter premises to prevent or deal with a breach of the peace

- under the [Children Act 1989 section 48](#) a warrant may be obtained to search for children who may be in need of protection
- where a power of arrest has been attached to a civil order, such as an occupation order, and there has been a breach

Officers should keep a record of all searches, in line with the [PACE Codes of Practice](#).

## When access to property is denied

A victim may deny officers entry to the property on arrival, either when the victim has called 999 themselves or when the call has come from a member of the public. This may be because the perpetrator is inside the house prompting or threatening the victim to send the police away. The victim may tell officers that the perpetrator has left when this is not the case. The victim may also be subject to controlling or coercive behaviour which extends beyond any immediate physical threat. Officers should use judgement to assess why the victim is refusing or is reluctant to engage with them. If it appears to officers that it is out of fear, this in itself should be seen and recorded as a risk factor.

The perpetrator may also refuse entry, claiming that nothing has happened. Officers should ask to see any other person in the house. Where this is refused but officers have reason to believe that there are others in the house, this may give grounds to invoke a power of entry under section PACE 17(e). If other persons are seen by officers and indicate that there is nothing wrong, officers should again use judgement to assess if fear may be a factor.

Where access to the property is denied, this does not necessarily mean that no entry is possible. It does, however, mean that any decision to enter in spite of objection by the victim or another person must be legally justifiable. Officers should accurately record both the power of entry invoked and the reasons why it is believed to apply.

Concern for welfare alone has been held to be insufficient to justify entry under PACE section 17(e). The purpose of 'saving life or limb' in that provision has been interpreted as meaning that there should be a 'fear that something has happened or may happen which would involve serious injury to a person' ([Syed v DPP](#) [2010] EWHC 81 (Admin)).

Considering the use of powers of entry will sometimes involve very fine judgements and officers may wish to seek advice from a domestic abuse expert or supervisor

## Medical treatment and forensic medical examination

Officers should make an immediate assessment of the need for first aid or other medical assistance such as an ambulance. They should also consider the need to request and/or complete an early evidence kit (EEK), according to local procedures.

If a victim refuses medical help, officers should document injuries in as much detail as possible. This could include the use of a body map, photographs and BWV as well as a written description. Victims may sometimes refuse treatment because they are concerned about leaving their children. Officers should consider safe and appropriate care for children and reassure the victim that they will be kept safe.

It may be necessary to ensure that the victim receives medical treatment at a hospital, health centre or sexual assault referral centre (SARC). If this is the case, a police officer should accompany the victim in order to maintain the continuity and integrity of the evidence, and to coordinate any investigations undertaken. It is important that all materials (medical items, packaging, protective clothing) used in the examination are from recognised and approved evidence collection kits. Where the use of surgery or hospital equipment is unavoidable, a control sample should be obtained, for example, a hospital swab, and any blankets or sheets should be seized and individually packaged and prepared as an exhibit at the scene.

If a forensic medical examination is necessary, the officer or crime scene investigator (CSI) should explain the reason to the victim. The forensic physician is responsible for obtaining consent. The victim should be asked if they have any preference regarding the gender of the doctor. They should be informed that their preference of doctor might not be possible, depending upon the local availability of doctors.

When separate individuals involved in the same case require a forensic medical examination, different forensic physicians at different locations should examine them. Where this is not possible, forensic cleaning should take place along with other measures to avoid any cross-contamination of evidence.

Officers and CSIs should avoid cross-contamination of scenes and should, where possible, avoid attending both the scene and any forensic medical examination. For issues about the [forensic medical examination of children](#), see [APP on child abuse](#).

An appointed forensic physician or other suitably trained and authorised health service personnel should conduct forensic medical examinations in suitably equipped medical rooms.

## **Duties in relation to safeguarding**

### **Children**

A child is any person under the age of 18. The police have a duty to protect children from harm. In all investigations the principle that the welfare of the child is paramount should be observed. Officers should seek to establish whether any children ordinarily resident in the household or present are subject to child protection plans.

Officers investigating domestic abuse offences should identify whether a child was present when the incident occurred, or whether a child is ordinarily resident at the address where it occurred. When officers do not see children, they should ask if children are resident at the address and should look for signs of children, such as clothing and toys. They should check bedrooms. Where they are told children are on the premises, officers should ensure they see each child to check that they are safe and well.

Whether officers speak to the child depends on the nature of the incident and likelihood of injury. In some circumstances it may not be in the best interest of the child for officers to speak to them at the time, for example, if they remained asleep during the incident and were unaware of it. If officers have any immediate concern for the safety of the child, they should speak to the child, reassure them and enquire about their welfare, avoiding any direct questioning or comment about the specific incident. Concerns should be followed up according to local procedures, for example, referral to a neighbourhood policing team for follow-up action or enquiries with partners such as schools or nurseries regarding the child's welfare.

Even where it appears the child is already aware of the incident, first response officers should only ask sufficient questions to establish the safety of the child, crime scene location, suspect identity and location, and to ensure the preservation of evidence. They should record all questions and answers for the preparation of any subsequent interview. It is important to allow the child to answer without interruption.

Officers do not need parental consent to speak with the child but, if it is refused, officers should record all requests for consent to interview and should consult and involve children's social care



departments as appropriate.

Children exposed to domestic abuse are subject to harm and risk. Allowing this to happen may amount to an offence of child neglect, which means the child may be a direct victim as well as a witness. See [child abuse investigations](#) for further information. Officers must consider referral to the CAIU (or force equivalent) or local authority children's social care (LACSC) departments in all cases where a child is believed to have witnessed a domestic abuse incident. Where it appears necessary to arrest both parents to investigate an offence, officers should seek advice from a supervisor as to how this should be done, for example, identifying a primary perpetrator or a sequence of arrests to ensure the child is not left without at least one parent at any time.

If the child is a potential witness to the domestic abuse, either as an observer or as a victim in their own right, they should be interviewed in accordance with the guidelines set out in [Ministry of Justice \(2022\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and using special measures](#). Officers should consider involving a registered intermediary from the outset.

Where there is any concern for the welfare or safety of a child, officers should make a notification to the police child abuse investigation unit (CAIU), or force equivalent, and seek advice. Any referrals made to LACSC should, where possible, be made by officers from the specialist unit.

Where necessary, officers should consider exercising police powers of protection under the [Children Act 1989 section 46](#). See APP on child abuse, [police protection](#).

Officers attending domestic abuse incidents should record the following details of children present at the time of the incident or ordinarily resident at an address where a domestic abuse incident has occurred:

- name, including other family names and any previously used names
- date of birth
- sex
- normal address
- general practitioner
- primary carer or care arrangements for looked-after children
- school or nursery

- full details of the child's circumstances, as witnessed by the officer, to include personal welfare, cleanliness, communication ability, injuries and demeanour
- details of anything said by the child
- full details of other children ordinarily present at the address

## Vulnerable adults

The broad definition of a vulnerable adult is a person:

*Who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation*

Lord Chancellor's Department, Who Decides (1997)

The offence of ill-treatment or willful neglect of a person lacking capacity, under the [Mental Capacity Act 2005](#) (MCA) [section 44](#), can be committed by anyone responsible for that adult's care and support. This includes familial carers or a family member holding a power of attorney for the vulnerable adult and can therefore be domestic abuse. Willful neglect normally refers to a deliberate failure by a person to do something they knew they had a duty to do. Ill-treatment covers both deliberate ill-treatment and reckless acts resulting in ill-treatment.

Under the MCA, people must be assumed to have capacity to make their own decisions. If a person is found to lack capacity, then any decision taken on their behalf must be made in their best interests.

Officers must work in line with the MCA. This is particularly challenging where a person appears to have capacity but the decisions they are making place them at risk of abuse or neglect. Officers should seek advice from supervisors and use professional judgement to balance competing factors. If in doubt, officers should consider it unlikely that they will be criticised for taking steps to make a person safe against their will when the officers consider, with good reason, that the person cannot make a properly informed decision about their welfare.

The Department of Health [Care and Support Statutory Guidance \(2014\)](#) recommends consideration of the following factors when determining what action to take following a local authority enquiry into suspected abuse of a vulnerable adult, under the [Care Act 2014 section 42](#):

- the adult's needs for care and support
- the adult's risk of abuse or neglect
- the adult's ability to protect themselves or the ability of their networks to increase the support they offer
- the impact on the adult, their wishes
- the possible impact on important relationships
- potential of action and increasing risk to the adult
- the risk of repeated or increasingly serious acts involving children, or another adult at risk of abuse or neglect

Consideration of these factors may assist police officers applying the [\*\*national decision model \(NDM\)\*\*](#) when responding to a domestic abuse incident involving a vulnerable person, or in a household where a vulnerable person is present. Although consent should normally be obtained for referral to adult services or other intervention, the person's safety must be the overriding consideration.

Officers should:

- establish if any vulnerable adults are ordinarily resident at the address
- ensure they see the person to ensure they are safe and well
- ascertain whether they can access support if needed – for example, whether they are able to call the police in the event of an incident – and carry out immediate safety planning if not
- flag the need for early consideration of special measures if an offence is suspected of which they are a victim or witness
- make the appropriate referral to adult services if there is any concern for the vulnerable person's welfare or safety

For further information see [\*\*Mental Capacity Act 2005.\*\*](#)

## Build rapport

[\*\*Checklist: Actions on arrival at the scene\*\*](#) provides information on how officers should ensure the safety of victims and children and preserve evidence. To achieve this, officers must establish a rapport and effective communication with the victim.

If an incident is handled effectively and sympathetically on the first occasion, the victim is more likely to have the confidence to call the police again if the situation recurs. Establishing a good rapport also means the victim is more likely to cooperate with the risk assessment and safety planning process, thereby improving the chances of preventing or reducing future incidents.

Many factors can prevent a victim from giving a full and frank account of what has happened. There may be hostility or distrust based on the victim's previous experiences with the police. It may be difficult to access the premises if the victim refuses entry. Victims may be misusing substances or experiencing mental ill health. They may be traumatised by years of abuse, feel terrified of their partner or have come to accept the abuse as normal.

## Why a victim might appear unwilling to engage

| You might be thinking                   | The victim might be thinking any of the following  |
|---|--|
| The victim will not leave.              | <ul style="list-style-type: none"> <li>• It is not safe.</li> <li>• He will come looking for us and kill us if we do, he said so.</li> <li>• She will take it out on the kids if I leave and she will not let me see them.</li> <li>• I am transitioning to a woman, at least he accepts me how I am. He tells me no-one else will and I am sure he is right.</li> <li>• Where will I go? How will I live without the income?</li> </ul> |
| The victim refuses to make a statement. | <ul style="list-style-type: none"> <li>• I am frightened of the consequences.</li> <li>• He will see it and know what I said about him.</li> <li>• I will have to go to court and give evidence against her, it will be humiliating</li> </ul>   |

| You might be thinking  | The victim might be thinking any of the following   |
|--|---|
| The victim answers the perpetrator's calls and texts or even initiates them. | <ul style="list-style-type: none"> <li>• If I ignore her, she will come round and shout outside the window and wake up all the neighbours.</li> <li>• He will just carry on phoning until I answer</li> </ul>   |
| The victim lets the perpetrator into their home.                             | <ul style="list-style-type: none"> <li>• He will break in and assault me if I do not let him in.</li> <li>• She has threatened to go and burn down mum's house if I do not let her in</li> </ul>  |
| The victim will not support a prosecution.                                   | <ul style="list-style-type: none"> <li>• Last time I did, the case got dropped and I got battered to punish me for calling the police.</li> <li>• If he goes to prison, he has got to come out some time and then I will be sorry.</li> <li>• He is a pillar of the community. The judge will believe him, not me – I never finished school and I am stupid, he says so all the time</li> </ul> |

| You might be thinking  | The victim might be thinking any of the following   |
|--|---|
| <ul style="list-style-type: none"> <li>• The victim will not speak to the police.</li> </ul> | <ul style="list-style-type: none"> <li>• If the police become involved, so will social services and the children will be taken away.</li> <li>• I am in and out of court for shoplifting, who is going to believe me?</li> <li>• I have got mental health issues, the police will not believe me and I will just get sectioned.</li> <li>• Last time I did, they arrested me and treated me like a suspect before figuring out I was the victim.</li> <li>• No-one will believe I was assaulted by a woman/by my own child.</li> <li>• They just think it is my own fault for being gay.</li> <li>• I will be sent back if they find out I am an illegal immigrant</li> </ul> |

See also:

- [Why do victims continue abusive relationships?](#)
- [CPS Domestic Abuse Guidelines for Prosecutors, Retractions and withdrawals by complainants](#)

Officers must avoid being dismissive or judgemental towards the victim, especially if they are frequently called to the same address. It is important to understand the dynamics of domestic abuse and to empathise with victims who choose not to, or are unable to, end an abusive relationship. The role of the police is to protect, not judge.

Whether or not a victim ends, or continues to return to, a violent relationship, officers still have a duty to fully investigate the incident and provide appropriate support. Victims are entitled to call the police if they are frightened or feel unsafe, without having to worry about whether or not they will be believed. Officers must take care to ensure the victim understands that the incident is being taken seriously. Where a victim feels unsupported or disbelieved themselves, they are less likely to support police action.

A victim who refuses to engage with the police may be prepared to work with other domestic abuse services – officers should always consider referring a victim to specialist domestic abuse services, even if they are not engaging with the police.

Officers can help to put victims at ease and encourage cooperation by explaining their actions, for example, why they are talking to the children or why they need medical consent and what the consent relates to.

## Carry out an initial investigation

Although there may be specialist involvement in the investigation at a later stage, this depends on individual force arrangements for handling domestic abuse cases. The first responder is often the only investigator, especially in cases which are initially identified as standard risk. The investigation must, therefore, be progressed as much as possible at the first opportunity. Where a dedicated domestic abuse resource is available for consultation, the first responder should make use of them, but they should also themselves be familiar with the detailed information in [investigative development](#) in domestic abuse cases.

## Unsupportive victims and the evidence-led approach

It is common for victims not to support, or to appear not to support, the police, an investigation or criminal proceedings for a variety of reasons. Officers should not assume that investigating the incident in such circumstances will not result in a positive outcome, and should take steps to build a case for a potential evidence-led prosecution, namely, a prosecution based on hearsay or circumstantial evidence, or featuring a hostile witness. The first responder should look for corroborating evidence immediately on arrival at the scene as this is the best opportunity to investigate. See [APP in initial investigation](#) and [golden hour principles](#). If the officer has body-worn video, they should consider turning it on as soon as they arrive at the scene or at the point of

assignment to the call, in accordance with force instructions.

Officers should ensure that they read and use the [Joint NPCC and CPS Evidence Gathering Checklist for use by Police Forces and CPS in Cases of Domestic Abuse](#).

At the scene, officers should consider calling a crime scene examiner and think about:

- [physical evidence](#) ? clothing and bedding, weapons, signs of disturbance
- [forensics](#) ? blood pattern distribution, other biological evidence, footwear, DNA
- [photographic evidence](#)
- [CCTV](#)
- [house-to-house enquiries](#)
- [technology and social media](#) ? mobile phones, social media, email

Additional information and intelligence gathering to build on call handler information could include:

- further database checks – [PNC](#), [PND](#), [ViSOR](#), [ASSIST](#)
- [foreign intelligence checks](#)
- [bad character evidence](#)
- [medical records](#)
- [financial information](#)
- [prison intelligence](#)
- [ANPR](#)
- [CCTV](#)
- [covert tactics](#) and [sources](#)

See:

- [Checklist: Lines of enquiry](#)
- [Checklist: Use of photographic evidence](#)
- [Checklist: Evidence-led prosecution](#)

## Scene protection

Scene protection considerations are most likely to apply where there has been an immediate report. Although delayed reports may limit opportunities for forensic evidence, these should still be



explored.

Where evidence gathering is likely to be complex, for example, if there are multiple scenes or specialist forensic techniques are needed, officers should seek advice from a supervisor, domestic abuse specialist or crime scene expert.

Scene protection should primarily focus on the immediate scene, as indicated by the initial crime complaint. It may also include other scenes that provide supporting evidence for previous or ongoing incidents. First responders should note that other crimes often occur alongside domestic abuse incidents, such as child abuse or sexual abuse, but these types of offences are not always immediately apparent. See [identification, reporting and associated investigations](#).

The suspect is likely to have had legitimate access to the scene but there is still potential for forensic evidence to corroborate the victim or witness account.

The following scene protection guidelines should be put into place when it is safe to do so, in a manner which ensures that personal safety is not compromised and any material of evidential value is preserved. For more information see APP on Investigation – [Scene strategy](#). See also APP on Civil emergencies – Securing the scene – [Legal issues](#) for police common law powers to set up a cordon.

### **Checklist: Protecting the scene**

Where applicable, officers should:

- seek advice in complex cases
- note that the victim is often the primary source of evidence and should be treated as such, with due regard to their safety, state of mind and ability to cope with forensic requests
- note that the suspect and other persons, including children, at the premises may also be sources of evidence
- secure, preserve and control the scene to limit any access until they can adequately assess the situation
- remove people and animals from the immediate scene of the incident, and, ideally, from the whole area
- establish physical secondary scene parameters – potentially the whole of the premises
- note that the suspect's actions following the incident may create further sites of forensic interest

- consider erecting cordons and putting in place a loggist to record persons entering and leaving (depending on the severity of the incident)
- consider any potential areas of contamination that could compromise the integrity of evidential material
- request a CSI to attend or record the reasons why a CSI was not called or did not attend
- establish a work base in a safe area of the premises
- ensure the scene is photographed or visually recorded as soon as possible
- secure and preserve CCTV evidence if it exists
- secure and preserve mobile phones or computer equipment

## Initial enquiries with victims and witnesses

### Checklist: Gaining a first account from a victim or witness

Although an MG11 (section 9 statement) is the most desirable form of victim account, it is not the only potentially admissible account. Body-worn video, a 999 call or a PNB entry are all potentially admissible in an evidence-led prosecution, that is, a prosecution based on hearsay or circumstantial evidence, or featuring a hostile witness.

When speaking to a child:

- consider using an intermediary from the outset – children may find it intimidating to talk to police officers
- consider the language used – they may find it difficult to understand legal or technical words

### Taking the account

- Ensure each party is spoken to separately and out of earshot of others.
- Explain the investigation processes and procedures to them and make it clear that the police take these matters seriously.
- Explain that support is available to them.
- Obtain a first account as soon as practicable after the event, when the witness may be most able to recall the incident.
- Record first accounts given by witnesses, especially those relating to suspect descriptions, for example, clothing worn.
- Make an accurate record of everything that is said by all parties.

- Explore the question of risk and potential risk with all witnesses, especially risk to the victim, any children and the suspect.
- Consider visually recording the first account from the victim and/or witnesses in serious cases and cases with vulnerable or intimidated witnesses.
- If a victim decides not to make a formal complaint, officers should record this in their pocket notebook but should not ask the victim to sign it. Even if a victim does not make a formal allegation, officers should still investigate thoroughly and record a crime if there is reasonable cause to believe an offence has been committed.

See [victim interviews](#) for a comprehensive list of information to be obtained in a full victim statement.

Considerations for the officer taking the account:

- Consider that the victim may be distressed and that it is not appropriate to ask them what course of action they wish the police to take – it is never appropriate to ask if they want the perpetrator to be arrested.
- Remember that the victim may be subject to controlling or coercive behaviour and this may affect their response and attitude towards the officer.
- Note that previous withdrawals of support for a prosecution should not adversely influence the decision to arrest.
- Consider the individual needs of victims and witnesses, for example, disability or cultural heritage.

Follow-up to taking the account:

- Provide the victim with referral details of independent advocacy or outreach services where available, for example, [independent domestic violence advisers \(IDVAs\)](#). Not all IDVA services accept self-referrals.
- Preserve any written notes made during initial victim or witness interviews in line with [Criminal Procedure and Investigations Act 1996](#) requirements for unused material.
- If a victim is taken to a refuge or other place of safety, never disclose this to the suspect or their representative, as this not only places the victim at risk but also refuge staff and other users.
- Brief interviewing officers on useful lines of questioning if the suspect is to be formally interviewed later by a different officer ? for further information see [suspect interviews](#).

## First accounts and body-worn video

If a victim (or witness) first account is recorded by a body-worn video (BWV) device, they should be given the opportunity to review their first account prior to a further interview or making and signing a statement. Any interview or statement should make reference to the recording and review of the first account. Reviewing video material should apply only to material relating to their account.

It may be possible to record a victim using audio only, by diverting the camera away from the victim or obscuring the lens, however, officers still need to obtain consent in these circumstances.

Where it is apparent that a victim or witness will require an achieving best evidence (ABE) interview by a specialist interviewer, a BWV user should only ask questions which help to identify if a criminal offence has taken place, where it occurred, who is responsible and to ensure the victim is safe.

See [body-worn video](#) for detailed guidance on using BWV in domestic abuse incidents.

## **Victim's views on obtaining a restraining order and victim personal statement**

Although restraining orders are normally obtained at the conclusion of criminal proceedings, officers need to be thinking about the potential for obtaining one from the outset. Where the perpetrator is arrested, officers should ask the victim if they would like a restraining order, and in what terms, and record the answer in the victim's statement. If the victim requests a restraining order, officers should provide details on the MG5 as part of initial file submission.

This is important because knowing that the victim feels they need the protection of a restraining order can support an application for a remand in custody or the imposition of bail conditions. Bail conditions can be requested which reflect the terms of the requested restraining order set out on the MG5. If the victim chooses later not to support the proceedings, the initial views can still be used at sentencing or to apply for a non-conviction restraining order. See [victim safety and support](#) for further information.

Similarly, the victim's initial views on impact should be obtained, even if they wish to make a more detailed [victim personal statement](#) at a later stage. A victim's views can assist the magistrates with bail decisions and there may not be another opportunity to submit them if, for example, the case is concluded at the first court hearing.

## **Injury photos**

Wherever possible, victim injuries should be photographed at the scene. If this is with the officer's personal issue camera-enabled mobile device or camera, the images should be downloaded as part of the handover so that they are with the file at an early stage. Forces should adopt appropriate procedures setting out how images may be captured and processed in different circumstances.

Forensic photographs should also be taken where possible, but as the victim may not keep an appointment for these to be taken, it is important not to lose the opportunity at first contact – it is better to have non-professional photos than no photos.

Injury photos taken at the scene can:

- contribute to an evidence-led prosecution where the victim does not support proceedings
- support an application for a remand in custody – colour injury photographs have far more impact than a description of the injury in a witness statement
- enable comparison with later photographs which show the evolution of the injury
- capture marks that fade, for example, red marks which show there has been contact but which do not cause lasting injury
- help to show degree of force used, for example, as bruising often takes some time to come out, significant, immediate bruising may be indicative of a high level of force

Some injuries do not become visible immediately. A follow-up visit should be scheduled to take further photographs where the assault alleged is expected to result in additional visible injuries.

With the victim's consent, officers should photograph all non-intimate injuries that the victim refers to in their account, including any injuries which may be concealed in the hair. Officers should also make a note of any areas they have not seen or the victim does not wish to show them. This is to avoid later argument that injuries were not mentioned in the officer's statement because they were not present, and not because they were not seen. Where possible, the victim's preference for the gender of the person taking photographs should be respected.

Where officers charge a suspect and keep them in custody for court, they should make every effort to provide a colour copy or print-out of the injury photographs with the remand file. These can make the difference between a defendant being remanded in custody or bailed by the court, which affects victim confidence and likelihood of maintaining support for the case.

Officers should also photograph any injuries of the suspect and include them in the handover package.

For more detail on photographic evidence, see [investigative development, photographic evidence](#).

## Using interpreters at the scene

If there is a need for an interpreter at the scene, an approved interpreter should be sourced if possible. Where none is available and there is a need to secure immediate safety, officers should consider using a telephone interpreting service, limiting its use to preliminary inquiries.

Officers should only use family members as interpreters as a last resort and only for the purpose of securing immediate safety. This applies particularly to children. Some family members may be vulnerable to abuse or intimidation by the perpetrator and asking them to interpret could put them at risk. No suspected perpetrator should ever be used and if HBV is suspected it is never appropriate to use a family member.

Any use of a family member or member of the public to interpret at the scene should be recorded. If they are used, the officer(s) should consider checking the information they have received – does the explanation fit the evidence? Can another person corroborate the description of the incident?

Further options may include foreign language-speaking officers or the use of pictorial cards/other communication aids. Again, their use should be limited to securing immediate safety.

For further information about use of interpreters, see [using interpreters during interviews](#).

## Determining the primary perpetrator and dealing with counter-allegations

Officers should avoid jumping to conclusions about which of the parties in the relationship is the victim and which the perpetrator. This applies to all types of relationships, whether heterosexual, same sex, transgender or familial (non-intimate partner). They should probe the situation and be aware that the primary aggressor is not necessarily the person who was first to use force or threatening behaviour in the current incident.

They should examine whether:

- the victim may have used justifiable force against the suspect in self-defence
- the suspect may be making a false counter-allegation
- both parties may be exhibiting some injury and/or distress
- a manipulative perpetrator may be trying to draw the police into colluding with their control or coercion of the victim, by making a false incident report

Counter-allegations require police officers to evaluate each party's complaint separately and conduct immediate further investigation at the scene (or as soon as is practicable) to determine if there is a primary perpetrator.

If both parties claim to be the victim, officers should risk assess both. There may also be circumstances where the party being arrested requires a risk assessment, as in the case of a victim retaliating against an abuser. Officers should bear in mind the possibility that the relationship is a mutually abusive one.

When investigating counter-allegations, officers should note and record:

- body language
- comparative severity of any injuries inflicted by the parties
- whether either party has made threats to another party, child or another family or household member
- whether either party has a history of abuse or violence
- whether either party has made previous counter-allegations
- whether either party acted defensively to protect him or herself or a third person from injury
- what any third party witnesses say

Conducting a thorough investigation into the incident will help officers to determine the facts of the situation, see [investigative development](#).

For further information see:

- [Dual arrests](#)
- [CPS Domestic Abuse Guidelines for Prosecutors, Self defence and counter-allegations](#)

## First responder as a witness

First responders are witnesses and should prepare or give a detailed statement to be included with any prosecution file. If this is by interview at a later stage, supervisors should be mindful that dealing with domestic abuse incidents may sometimes trigger an officer to disclose personal experience of domestic abuse and they should be prepared to offer welfare support if this happens.

### Checklist: Statement of the first officer at the scene

Statements should, where relevant, cover the officer's initial appraisal of:

- victim's injuries
- suspect's injuries
- presence of children and any injuries they have sustained
- any damage to property
- signs of ongoing disturbance on arrival at the scene, for example, shouting heard at the premises
- observations of the physical scene, for example, overturned furniture, broken ornaments, marks on clothing
- evidence of disturbance outside the property
- demeanour of the suspect, victim and witnesses, including children
- any details which may be indicative of controlling or coercive behaviour – this may be a combination of comments by either the perpetrator or the victim, body language or any other details observed
- identification of risk factors – this may include the officer's opinion (supported by reasoning) of the current or potential risk to the victim(s) and any children, or to the suspect, for example, suicide
- allegations made by the victim
- comments made by the victim or witnesses at the scene – if they do not subsequently make a statement, these may still be admissible as res gestae or hearsay
- unsolicited comments/significant statements made by the suspect

## Identify risk

Risk identification and assessment are the responsibility of the response officer in the first instance. They remain so unless and until the case is handed over to a specialist or other investigation officer. The response officer must conduct the first risk assessment correctly because it may be the



only one carried out in the case. Officers should refer to the section on [risk identification and assessment](#), which sets out the duties of first responders and other officers in this respect.

## Initiate support and protection for victims

It is the responsibility of first responders to initiate safety planning and set out options for the victim, even where this is subsequently followed up by a specialist officer. Urgent safeguarding actions can be put into place straight away – a matter of hours can make all the difference to that victim's safety.

First responders should consider developing a short-term safety plan which allows the victim to remain in their own home and addresses the suspect's possible return there, for example, keeping a mobile phone within reach and identifying an exit route, or emergency target hardening measures. They could also consider referring the victim to a refuge, arranging emergency accommodation or arranging for them to stay with a friend or relative for immediate safety. Officers should note that staying with a family member is unlikely to be safe if HBV is suspected.

Officers could make a return visit to the premises or arrange for the neighbourhood policing team to make contact. More detailed safety planning should be carried out with specialist help, for example, an [independent domestic violence adviser \(IDVA\)](#). Officers should ask victims what they think would make them safer.

Officers should be mindful that any written materials may be found by or brought to the attention of the abuser, so should not be left lying around. This risk should be discussed with the victim if they wish to be given written materials.

When children are present or if they are ordinarily resident at the address, officers should consider the impact of domestic abuse on them. If either applies, the case must be considered for referral to the local authority children's social care department. In some cases, the impact or risk will be so significant that children may need to be taken into emergency care under the [Children Act 1989 section 46](#).

If in doubt, officers should consider seeking advice from a supervisor or domestic abuse/child abuse specialist. Whilst taking a child into emergency care is a very significant step and can have serious consequences for the child, family, police and local authority, leaving a child in a dangerous situation can have much more serious consequences.

## Free national helpline details

National Domestic Violence Helpline (Run by Refuge and Women's Aid)

0808 2000 247

All Wales Domestic Abuse and Sexual Violence Helpline (Run by Welsh Women's Aid)

0808 80 10 800

Forces should keep and regularly update a list of services in their area, where they are based, and what areas they work in, with contact details, so that the victim can be made aware of them and make their own choices about what services to access. This list should be made available to first responders to assist with supporting victims.

See [safety planning](#) for more options and example safety plans.

Where a case is not referred to a domestic abuse specialist officer, this may be the only opportunity to ensure the victim's safety.

## Referrals to voluntary sector support agencies

Officers should inform victims of [Victim Support \(VS\)](#), community-based outreach services and places of safety, many of which are dependent on local arrangements. [Ministry of Justice \(2015\) The Code of Practice for Victims of Crime](#) specifies that the police should not routinely make referrals to VS in domestic abuse cases and should only refer if they have explicit consent from the victim to do so.

Sometimes it is not possible to assure a victim's safety by taking measures to address the perpetrator's behaviour, for example, if the suspect is feared to be very violent and has left the scene. Moving a victim out of their home is a serious step and risks victimising the person again. In some cases, however, it may be unavoidable. In these circumstances, a refuge may be an option for some victims, but there are limited places and many restrictions on who can stay there, for example, victims with substance-misuse problems or teenage sons may not be eligible. It may also take time to find a place. Identifying a victim's needs is key to developing effective safety planning, for example:

- a safe place in another area
- a specialist black or minority ethnic (BME) domestic abuse service
- a service that can provide legal or financial advice
- a service that can offer support in another language

**Refuge** operate a network of refuges and community-based support services across the country for women and children who need advocacy and support and a safe place to stay.

**Women's Aid** also support a network of specialist services. Specialist refuge and support services also exist for victims of domestic abuse who might experience additional barriers to reporting or escaping domestic abuse. Officers should be familiar with local protocols for arranging emergency accommodation within refuges and any restrictions on the allocation of places.

For information on more specialist services, the Women's Aid **Gold Book** can be accessed through a subscription service, an option which forces may wish to consider making available to officers.

**The ManKind Initiative** has a similar directory of services for male victims called the Oak Book, which is available by contacting them.

The location of refuges or their telephone numbers should never be made public or revealed to anyone. Most refuges have specific referral procedures to be followed. The location should not be given to victims directly or written down in records.

Officers should ensure not only that the geographical location of the accommodation is not revealed to the perpetrator but also that no confirmation is given that the victim has gone to a refuge or other place of safety. The perpetrator may be able to discover the address through word of mouth or other channels.

There are organisations which can help victims with obtaining injunctions or other aspects of family law.

**The National Centre for Domestic Violence (NCDV)** provides assistance with applying for emergency injunctions and is usually able to do so within 24 hours of first being contacted. See civil orders for further information.

**Rights of Women** provides advice about the law to women and have a family law **advice line** staffed by volunteer legal professionals.

[Women's Aid](#) also provide some [useful links to legal advice](#).

See also [CPS Domestic Abuse Guidelines for Prosecutors, Annex D – National support organisations](#).

## Emergency accommodation

Local authorities (LAs) have an initial duty to provide access to emergency temporary accommodation for anyone threatened with or experiencing domestic abuse. Officers should be familiar with local protocols to access emergency temporary accommodation and should be able to make arrangements on behalf of victims or ensure support services will help them to do so.

If the victim needs to return home to collect children or belongings and there is fear of further abuse, it may be appropriate for police officers to go with them. Alternatively, if the victim feels safe to return home, it may be more appropriate for a relative, friend or social worker to accompany them, if a police presence is likely to inflame the situation. See [assisting with the recovery of property for the victim](#).

## Ensure a good handover

The first responder must ensure that any handover includes all information relevant to the safety of the victim and any children.

In particular, it should include:

- perpetrator's history of violence and history of any domestic incidents
- any risk assessment and grading of risk, including any signs of controlling or coercive behaviour
- any information relevant to ongoing risk assessment
- any information relevant to the custody sergeant's decision to bail or remand in custody – including information relevant to bail conditions, for example, details of their workplace or children's schools
- any information relevant to an application before a court to remand in custody, for example, colour photos of injuries
- details of any safety planning measures taken
- any additional safety planning required

Normal investigation handover considerations apply.

The officer should also give the victim a point of contact and remind them to call the emergency services if there are any further incidents or bail breaches.

## Tags

Domestic abuse