

**Violence Against Women and Girls in  
England and Wales: The  
implementation of national  
Domestic Abuse policy at local level,  
a case study.**

**by**

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Thesis submitted for the Degree of Doctor of  
Philosophy

2022

### **Statement of Originality**

I, Andrea Kilvington, confirm that the research included within this thesis is my own work. I attest that I have exercised reasonable care to ensure that the work is original and does not, to the best of my knowledge, break any UK law, infringe any third party copyright or other Intellectual Property Right, or contain any confidential material. I confirm that this thesis has not been submitted for the award of a degree by this, or any other university. The copyright of this thesis rests with the author and no quotation from it or information derived from it may be published without prior written consent of the author.

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## **Acknowledgements**

I would like to express my sincere and deepest gratitude to my first supervisor, Professor Steve Tong. Without his relentless support, patience and encouragement on what has turned out to be a long and arduous journey, this work would not have been possible. I have benefitted more than I can say, from his advice, guidance, expertise but mostly his acute understanding of the challenges along the way.

I would also like to thank my second supervisor, Dr. Dominic Wood, for his insights and knowledge, the staff within the School of Law, Policing & Social Sciences and the graduate school at CCCU, for being there as back up throughout the process.

My appreciation goes out to the organisations and managers that allowed me access to staff, accommodated the interview process and were supportive of my endeavours. This made the process so much easier to undertake.

I am grateful for the participation of the interviewees who gave their time and shared knowledge, providing comprehensive narratives despite being so busy and under pressure. Without your thoughtful considerations throughout the interviews, this thesis would not have been possible.

I must thank my family and friends for their support, encouragement and pep talks, keeping me going regardless. But above all, special thanks to my husband who has been my rock, picking me up, holding everything together and maintaining unfaltering belief in my ambitions, reminding me that you are never too old to set another goal or to dream a new dream.

## **Abstract**

The 2014 HMIC Report 'Everyone's Business' highlighted significant concerns regarding the handling of violence against women and girls by police forces across England and Wales, predominantly focusing on domestic abuse. This report was condemned as treating domestic abuse as a 'poor relation' to other policing activities. However, at the same time other statutory agencies were found to be delivering variable services with research by specialist women's organisation such Women's Aid and Safelives providing evidence that the problems identified within the police were replicated in varying degrees across other organisations supporting victims of domestic abuse. Therefore, in spite of successive policies to tackle domestic abuse and violence against women and girls, problems continued with effective implementation.

Whilst there is a raft of research regarding the experiences of victims of domestic violence and abuse, there is very little research as to the perspectives of practitioners with regards the delivery of VAWG initiatives, leaving a gap in knowledge for understanding how or why practice does not match the intended outcomes of VAWG policy. This PhD addresses this deficit using a qualitative, mixed methods approach, through an interview based, case-study within a singular local authority area. Applying Bourdieu's concepts of habitus, field and capital, it draws on the insights of practitioners with domestic abuse responsibilities, from organisations involved in a multi-agency partnership to implement policy initiatives. Findings identified the variability of leadership, partnership involvement, organizational priorities, contract funding dynamics, knowledge, understanding, judgments, attitudes and biases as significant factors in successful policy roll out.

## **Abbreviations**

VAWG	Violence Against Women and Girls
DA	Domestic Abuse
IPA	Intimate Partner Abuse
IPVA	Intimate Partner Violence and Abuse
IDVA	Independent Domestic Abuse Advocate
HIDVA	Hospital Independent Domestic Abuse Advocate
ISVA	Independent Sexual Violence Advocate/Advisor
DASH	Domestic Abuse Stalking and Harassment
DARA	Domestic Abuse Risk Assessment
HMIC	Her Majesty's Inspector of Constabularies
HMICFRS	Her Majesty's Inspector of Constabularies, Fire and Rescue Services
LGBT	Lesbian, Gay, Bisexual, Transgender
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, Queer, Plus
MARAC	Multi-Agency Risk Assessment Conference
DVPN	Domestic Violence Protection Notices
DVPO	Domestic Violence Protection Orders
VIT	Vulnerability Investigation Team
CPS	Crown Prosecution Service
WHO	World Health Organisation

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## **Chapter 1**

### **1.0 Introduction**

In 2021, some 50 years since the beginnings of refuge accommodation and the feminist movement, the Domestic Abuse Act 2021 was brought into effect. This was considered groundbreaking in finally consolidating 50 years of campaigning, research, previous policies, legislation and victimization of predominantly women by men, into a specific legal entity. Violence against Women and Girls (VAWG) has been elevated to a more prominent place in government and public thinking, but academics and campaigners alike suggest that domestic abuse is an issue of deeply engrained attitudes, rooted in social structures that perpetuate inequality. The Law Society welcomed this legislation as a 'step in the right direction' but that it would be reliant on multi-agency co-operation and social education given the continuing variations in victim-survivor experiences (Harries and Bishop, Stevens & Bolton LLP, 2022)

The evolution of policy and legislation to tackle domestic abuse as a significant social problem has been a long and arduous journey. Whilst there have been many developments and improvements in services and responses to the needs of victims, the 2014 HMIC Police Inspection report 'Everybody's Business' ignited an intense spotlight on policing particularly, but also on policy and public attitudes towards domestic abuse. The report played a significant role in highlighting the continuing existence and extent of inadequate practices regarding domestic abuse and violence against women and girls, at the same time implicating public attitudes in the continued invisibility of the issue. The last five years since the report's publication has seen a major shift in VAWG as a priority issue but subsequent police inspection follow-ups demonstrate a stubborn continuance of detrimental behaviour towards the problem.

VAWG policies and legislative changes are not the sole responsibility of the police and the introduction of multi-agency structures such as Community safety partnerships, MARACs, MAPPAs, local community safety strategy groups, domestic abuse forums and other partnership instruments brought together a broader scope of interventions. However, this also created the potential for more significant challenges and obstacles for victims engaging with those processes, voluntarily or otherwise. Research (Kelly and Klein, 2014)) has indicated that despite the policy framework and commitments at central government level, this has not prevented the variations and inconsistencies in service user experiences

when seeking help, which has the potential to scupper the best policy intentions when rolled out at local level.

There have been many research studies focusing on the experiences of service users and the outcomes of policy and practice for them. However, there has been very little focus on practitioners' working directly with or managing services for victims of domestic abuse and their experiences of translating policy into practice in front-line settings, which creates a gap in knowledge and potentially an impediment to a deeper and more holistic understanding of the continuing problems in responses to and experiences of victims of violence and abuse under the Violence against Women and Girls agenda. This research study has been developed from my own experiences as a practitioner and senior manager in the field of domestic abuse working and the variability of responses against VAWG policy at local level. At the time of writing, the main policy in place was the 'Call to End Violence Against Women and Girls Action Plan', first published in 2011 and refreshed year on year until 2014. The 2013 refresh included the addition of the definition of domestic abuse to include coercive and controlling behaviour. In 2015, the HMIC published the 'Everybody's Business: Improving the Police Response to Domestic Abuse' which highlighted continued failings of police management of domestic abuse, including culture, attitudes and variations in approaches towards victims. In 2016, a new strategy was published by government. The 'Ending Violence against Women and Girls: Strategy 2016-2020, strengthened the 4 pillars underpinning the strategy of prevention, provision of services, partnership and perpetrators. The Domestic Abuse Bill was published in 2019. In between the HMIC 2014 report and 2019, updated police inspections continued to demonstrate poor responses to domestic abuse and the exposure of a deep-rooted sexist and racist culture.

This research uses Bourdieu's concepts of habitus, field and capital to understand practitioners' responses to domestic abuse and is aimed at redressing the balance towards understanding how policy is enacted when amalgamated with 'street-level' practice and implemented in a local context with the objective of identifying barriers to more effective working practices.

### **1.1 Overall Positionality**

The concept of feminist theory is referred to through this research, but according to Lay and Daley (2007:49), feminism reflects a general perspective that inequality and oppression are rooted in gendered relationships. This they suggest,

sits within the viewpoint that gender is drawn from the intersection of social conditioning and the way that society is structured around patriarchy. However, they outline that the issue of gender inequality and social behaviour around it, is much more complex and multi layered. Therefore, feminism itself holds a multitude of different perspectives, and without the existence of a comprehensive meta-theory, becomes problematic when seeking to understand problems where inequality involves the understanding of cultural meaning in more depth. Essentially, cultural meaning can be seen as a platform for understanding the construction of knowledge in exploring social and professional practice (Lay and Daley, 2007:59). Pollio (2001:8) suggests that whilst feminism is an important element in understanding, it is difficult to reconcile the fundamental concepts of it in the context of modern life and influences. This is not to say that the fundamental tenet of feminism in terms of structurally determined gender inequality is not valid, but that individual practitioners are exposed to and indeed respond to a much broader range of personal, political and historical influences, which can be variable in different space and time. Pollio (2001:9) argues that feminism has contributed to the amplification of women's voices, but has also fractured them into different groups with different struggles and thus a need for more detailed theoretical tools to unpick them.

To this end, the need to understand the underlying features of policy in practice requires a broader perspective and as such the theories of Foucault and Bourdieu have been examined. Pollio (2001:16) considers this a more modernist pathway to account for a society, whilst acknowledging that society has been radically altered by the evolution of feminist thought and activism in terms of providing a platform for highlighting systemic disadvantage towards activating political and social change. However, as Sabbarwal (2000:268) points out, feminist theory is a tool to critically analyse the dynamics of gender relations as a primary objective and whilst this may provide an important dimension, it does not provide sufficient depth in analyzing the broader range of social influences within criminal justice settings and particularly the implementation of policy that this research seeks to understand.

The works of Foucault and Bourdieu were therefore considered to enable a more comprehensive approach. Foucault's theory looks at the genealogical mechanisms that he believes underpin social structures and the ways that individuals function in society, or the order of things that effect the unwritten rules of everyday life (Foucault, 2002:146). His focus is on the classification of individuals using an historical perspective and the normalising of the subjective judgements that

derive from these settings or culture and how these translate to enable examination (Foucault, 2002:xxii). Discourse plays a key role in his approach and interpretation as to the flow of thought and actions are passed between individuals at any given time and place in history (Foucault, 2002:154).

Foucault identifies categorization and discourse as influential in the way that individuals perceive themselves within a structure of power relations. His interest is not so much on the power of individuals but the power that societal institutions exert power over individuals through classification as to what represents normal versus abnormal (Foucault, 1989:72). Individuals become subject to social institutions and essentially sacrifice some of their freedoms and identity by way of compliance to enable social order and function. So it is about self understanding but also about self in relation to social institutions which is ever evolving and subject to power relations determined by categorisations and categories including sexuality as a determinant for where an individual is positioned in the spectrum of those relations.

Bourdieu goes further to provide a 'thinking' toolkit through his theory of practice and the considerations of 'social capital', 'field' and 'habitus' in interpreting social structures and inequality, manifested in social relationships (Bourdieu, 1984:166, Waterfield, 2015:2). Waterfield highlights Bourdieu's position that practice cannot engage with theory without understanding practice and vice versa. The nature of social capital, professional fields and the habitus of groups and individuals are variable components and it is this variability that requires further understanding. This inevitably includes consideration of feminist perspectives but these do not hold sufficient breadth and objectivity to enable the analytical framework that Bourdieu offers. Therefore, as Pollio (2010:16) points out, research needs to be assessed within a broader context and that applying the more generic approaches, such as Foucault and Bourdieu, is not a deviation from feminism itself, but another means of understanding the social, political or historical influences, as a way of reconsidering feminist concepts within a modern day context. These areas of work will be further discussed in Chapter 4.

## **1.2 Outlining this research**

This research project was conducted on a part time basis over the five years following the HMIC report 'Everybody's Business' during which time there was significant momentum in securing government attention on domestic abuse as a

significant criminal justice and public health problem. The research process had been concluded prior to the implementation of the Domestic Abuse Act 2021.

Fundamentally, this thesis sets out to understand what sits beneath the operational activities of organisations and responses to domestic abuse by the practitioners within them, examining how national VAWG policy is implemented in practice locally, from the perspectives of those enacting this process in the course of their work. Therefore, the issues remain relevant despite the developments during the research timeframe and keeping step with such rapid change.

The research was undertaken in one local authority area, applying an interview-based case study approach to understanding these lines of enquiry at a micro level; thereby matching the constraints of a PhD study but in a way that could be translated for research with a wider reach. The literature review highlights the way that VAWG policy is applied within the criminal justice system. This necessarily also includes peripheral agencies that act in partnership with statutory organisations in these endeavours, such as housing providers, specialist domestic abuse agencies and other third sector support services.

The main focus is domestic abuse, which constitutes the most significant element of Violence against Women and Girls Policy, but as the policy demonstrates, this cannot be separated from other forms of violence towards women and girls that occurs in both private and public space. The variable experiences of women when coming into contact with the criminal justice system for the full range of violence and abuse have been found to be less than adequate and remain inconsistent, yet very similar, across associated services. It is recognized that violence and abuse in the domestic sphere also affects men and same sex relationships but, as will be evidenced, it is a phenomenon that disproportionately affects women both in incidence and impact

The research adopts a mixed-methods approach, applying Bourdieu's concepts of 'habitus', 'field' and 'social capital' to look at the issue of local implementation from the perspectives of practitioners in the field. This PhD study, aims to unpick possible reasons for the persistence of service variability and inequality, as a means to understand and determine potential barriers to effective policy implementation and service delivery within the VAWG framework.

The purpose is also to understand how well VAWG policy and the concept of domestic abuse is understood and applied, whilst also identifying positive practice within Violence Against Women and Girls policy-driven interventions and services. Therefore, the research questions are outlined below: -

- *How do local partnerships convert VAWG national domestic violence policy into local practice?*
- *To what extent are front line practitioners implementing VAWG domestic violence policy at the local level?*
- *To what extent do resources at the local level facilitate the implementation of domestic abuse services according to the aims of VAWG?*

The reference to local partnerships includes agencies that collaborate either formally or informally to deliver domestic abuse interventions and support to victims of domestic abuse. This necessarily includes exploration of perspectives from both managers and staff within these agencies who interact with other organisations regarding common objectives in relation to domestic abuse at either strategic or operational levels. When referring to 'front line practitioners', this encompasses the work of staff working directly with victims and managing active case-loads. The term 'domestic abuse services' in this context relates to any service or collection of services with responsibility to undertake activities to protect and support victims of domestic abuse.

### **1.3 The Field Research time-frame**

This research was undertaken on a part-time basis over a 6 year period from 2015 to date. It is based on a case study of local policy from the perspectives of practitioners working in the field of domestic abuse either as a primary function or in the course of their roles, which may cover responsibilities whereby domestic abuse is a connected factor or activity. The subject of this research is a matter for more comprehensive evaluation but the nature of PhD study dictated the scale and limitations of the research. There have been significant developments during the research study timeframe and where appropriate, these have been included in the context of the work. This period has seen an intensity of change with regards policy, political and public awareness yet research surrounding practitioner perspectives and actions towards effecting real change remains

limited. This research is therefore essential and timely for understanding the picture at local-level as a platform for subsequent research opportunities.

#### **1.4 Framing the problem**

Domestic abuse is a global phenomenon that cuts across a wide variety of disciplines and stakeholders, with significant growth in the number and variation of interventions to combat it, under the banner of 'Violence Against Women and Girls' (Ellsberg et al., 2014:1). It occurs in all countries, communities and settings, across all socioeconomic levels, religious and cultural groups. It is not confined to any particular family group or relationship type, but can affect anyone from any background, culture, heterosexual, same-sex, or any group that individuals identify with (Macy et al., 2021). It is, however, as the reference to 'violence against women and girls' suggests, recognised as a gendered phenomenon with the statistics in England and Wales indicating that women are predominantly the victims and men, the perpetrators.

This is further reinforced by statistics from the World Health Organisation (WHO, 2020), who consider violence against women and girls to be a world epidemic. Data does indeed appear to indicate that women are more likely to be victims and men are more likely to be perpetrators. According to Nduna et al, (2020:355), violence against women and girls is not only more prevalent but more far reaching in nature. They further assert that, in terms of physical violence, such assaults against the person would attract criminal sanctions more readily if perpetrated in the public sphere, but less so when committed against someone within the confines of their home (Nduna et al, 2020:355).

In 2002, the WHO highlighted violence against women and girls as a 'major public health problem' and a violation of human rights', estimating that 30% or 1 in 3 women worldwide had been subjected to either physical or sexual violence by an intimate partner or non-partner, in their lifetime. They identified that the impact on women themselves held numerous and significant consequences for their physical and mental health, sexual and reproductive health and the risk of serious infections such as Hepatitis or HIV (WHO, 2002:11, Brook, 2002:235).

More recently, UN Women released a fact sheet (2021) that indicated that over 25% of women worldwide, aged 15-49 years, have been have been subjected to physical and/or sexual violence by their intimate partner at least once in their lifetime (since age 15). Their estimates of lifetime intimate partner violence range



from 20% in the Western Pacific, 22% in high-income countries and Europe and 25% in the WHO Regions of the Americas to 33% in the WHO African region, 31% in the WHO Eastern Mediterranean region, and 33% in the WHO South-East Asia region.

A subsequent report (WHO, 2018 Factsheet and WHO, 2021:9) states that an overarching figure of 35% of women worldwide have been the subject of physical, sexual and psychological abuse, with intimate partners committing 38% of all murders of women. Their figures showed that intimate partner and sexual violence are mostly perpetrated by men against women, citing it as one of our time's greatest public health epidemics and human rights issues. The WHO states that intimate partner violence is underpinned by gender inequality and that it is the product of policies and strategies in any given context. In line with this, research by Robinson and Myhill (Devaney et al, 2021:387) suggests that policies surrounding family and family violence are inherently male power laden and as such, policies and laws implicitly reinforce inequality. This seems to reinforce WHO findings and supports the review of policies from a structural perspective (Hilder and Bettinson, 2016:183).

Although domestic abuse and violence against women have been evident throughout history, activism and awareness only gathered momentum in 1971 with the establishment of the first refuge for women and children escaping violence. It has subsequently taken 50 years for a specific offence to be established under the Domestic Abuse Act 2021. Much research has spanned those 50 years, identifying the needs and support that women and children require as victims of domestic abuse. The Femicide Census (Long et al. 2020:4) revealed the names of 1425 women killed by men between 2009-2018 showing that the percentage of women killed by men in intimate partner relationships (one every four days) showed very little change throughout that period. The issue has reached a pivotal point in the last year following the high profile murders of Sarah Everard by a serving police officer and the school teacher Sabina Nessa in a south-east London park. The recognition of the number of women killed by men in both the private and public sphere sparked outrage, but at the same time raised public awareness and intensified campaigning amongst women's groups and within the political sphere (Long et al, 2020:11). Whilst women remain significantly under-represented in parliament and boardrooms, their voices have gained volume and meaning amongst the wider public. Nevertheless, in spite of the raft of research that lays bare the injustices and difficulties women face when

engaging with the criminal justice system, police, courts, and other agencies, all have been found wanting in their responses to the issue over recent years.

The HMIC inspection report in 2014 showed serious failings by police forces across England and Wales in recording, reporting and responding to victims. A further 'follow up' report (HMICFRS, 2021:15) indicated that whilst positive changes had been made, serious flaws were still evident. In particular, the police are found to be lacking in the pursuit of perpetrators through to a conviction. Both the Police and Crown Prosecution Service are failing victims regarding the prosecution of domestic abuse, sexual assault and rape offences. Domestic Abuse accounted for 52% of the CPS caseload in the first quarter of 2020 (Brown, 2020, Crown Prosecution Service). Nevertheless, the CPS (2018/19 VAWG report) reported a 15.1% decrease in prosecutions for a range of offences under the VAWG heading, with a 14% drop in convictions for domestic abuse, rape and sexual offences in comparison to the previous year. This reflects a 12% fall in the number of investigations referred by police to the CPS and three out of four cases of domestic abuse are closed early without the suspect being charged (HMICFRS, 2021:17).

These figures have led to professional experts claiming that rape for example, 'is not prohibited by law, it is regulated' (Garside, 2020:1). Dame Vera Baird, Victim's Commissioner for England and Wales, highlighted that of 56,000 rape cases in 2020, only 1,929 offences had been charged and that only 1.6% of rapes recorded in 2020 have resulted in a charge or summons (Baird, 2021:12). In line with Garside, she asserts that rape is effectively being decriminalised and that *"the uncomfortable truth is that if you are raped in Britain today, your chances of seeing justice are slim"*. Garside further argues that domestic violence; rape and other sexual assaults have long been under policed and under prosecuted. He considers that the reason for this emanates from the law, which is written from a male standpoint.

Grimshaw (2020:1) highlights serious deficits in services and accessibility to support services, referring to the shortage of Independent Domestic Violence Advocates (IDVAs) across England and Wales, in some areas providing only around 50% of the coverage needed. He also points to the significant level of underreporting identified in the 2017-18 Crime Survey for England and Wales (CSEW), which suggests a figure of around 83% of those experiencing abuse did not report it to the police. Indeed, Safelives (2015:14) reported that victims at high risk of serious harm, or murder, lived with domestic abuse for 2.7 years on average before getting help with 85% of victims seeking professional help an

estimated five times, in the year before they got effective help to stop the abuse. In extreme cases, some victims claimed to have reported the abuse to police up to 50 times before getting the help that they needed (Safelives 2015:18). In addition, 1 in 5 high-risk victims reported that they attended A&E due to their injuries, in the year before getting effective help; some of the most extreme cases reported attendance at A&E up to 15 times (Safelives, 2020:3).

On an international level, Oxfam (Hughes, 2017:5) assert that Violence against Women and Girls is “one of the most horrific expressions of gender inequality and violations of human rights in the world today” and the prevalence of violence against women and girls remains “disturbingly high”. Oxfam claims that despite the substantial variations in VAWG legislation and policy across the world, there are significant similarities in gaps and barriers to their successful implementation, even in the face of different contexts.

According to the Oxfam report, there is a consistent failure in all settings with regards responses to women reporting violence and abuse; measures of protection are inadequate to prevent further harm; deficiencies in the enforcement of court orders; serious deficits in support infrastructure and services including counselling, legal aid, refuge accommodation: there are inadequate detention facilities for perpetrators and serious issues with how women victims are treated when they access criminal justice and support services (Hughes, 2017:14). Reasons for implementation flaws could be attributed to insufficient funding and resources to support legislation and policy intentions, creating unsustainable models of intervention. Lack of awareness, knowledge and skills to implement laws and strategies were found to be the result of inadequate and inconsistent training, which is not maintained over time. Further issues were highlighted around partnerships and collaboration. However, the most significant issue raised was the replication of social norms and attitudes that minimise or condone violence against women and girls and gender inequality, thus linking sociocultural considerations with political will.

In light of the fifty-year time frame for the development of a specific law to address domestic abuse as a crime in the context of the Violence against Women and Girls strategy; three key HMICFRS inspections reports scrutinising police responses to domestic abuse; along with research by Safelives, Women’s Aid and the variable experiences in responses by all statutory agencies to the issue of domestic abuse; these have all set the backdrop for further investigation in this PhD research into the reasons for continued deficiencies in the system. The Oxfam report and data from the WHO provided other evidence that despite the

development of legislation and policies to tackle the issue of violence against women and girls, serious problems remain in the drive to eliminate domestic abuse and create a society based on safety and equality.

### **1.5 Domestic Abuse as a gendered crime**

The ONS 2020 statistics lean towards the gendered nature of domestic abuse. Specialist organisations such as Women's Aid, Refuge, Safelives, Justice for Women and other women's groups insist that domestic abuse impacts women far more than men in its nature, frequency, long term psychological impact, economic consequences and risk of serious, sustained harm (Finley, 2020:58). According to Monckton-Smith et al (2014:18), men tend to use violence and abuse as a life strategy to maintain control, whereas women tend to engage in violence and abuse to achieve short-term goals. Hester (2013:625) highlights that women experienced more fear than men and evidence pointing to violence by women against men as more often the result of self-defence and protecting children than instigated as a perpetrator. Monckton-Smith et al., point to the distinction between the competing models of violence against women and girls, as described, and the idea of gender-neutral policies. They accept that men, people in same-sex relationships, gay men and those identifying as transgender suffer violence and abuse, but when looking at the problem nationally, internationally and globally, women are predominantly victims of domestic violence and abuse in many different forms.

Murphy (2020, speakoutloud.net) claims that understanding the issue of gender in the context of intimate partner violence, specifically in heterosexual relationships is essential, as there are differences in the motivations and intentions of perpetrators. Women who commit violent acts are usually singular acts rather than the sustained, on-going patterns of abuse typical of male perpetrators. Krug et al. (2002:1085) say that domestic abuse, including coercive control, is directly linked to social norms and values based on masculinity and social perceptions of male superiority. They highlight that men learn from an early age that they have greater rights and freedoms than women, and the idea of rights to power and control over them is derived from this position.

The most recent HMICFRS report (2021:7) shows a 9% increase in the total number of domestic abuse cases reported by the police in the year ending March 2020, pre-pandemic. Whilst the report suggests that this could result from improvements in police reporting and/or an increased willingness by victims to report offences, the Crime Survey for England and Wales found that the crime

actually remains under-reported (Grimshaw, 2020:1). The HMICFRS report author, Vicky Billingham (Grierson, *The Guardian*, 17/09/2021), stated that despite significant progress, there remained a “staggering variation” in how domestic abuse is dealt with across police forces in England and Wales. She also highlighted, that Violence against Women and Girls was still not set as a priority within the strategic policing requirement, which is the only accurate indicator as to what its priorities are. She further said that this needed to be addressed to demonstrate that the government ‘really means business’ regarding the problem.

Kennedy (2019:2), however, claims that over the past decade, the previous obstacles preventing violence against women and girls from taking centre stage in political and public agendas have finally been broken. The feminist movement surrounding refuges and bringing domestic abuse to the fore during the 1970s has grown in stature to become a prominent lobbying body, influencing civil and criminal law and the way that domestic abuse is viewed by politicians, policy makers, police, courts and social agencies generally (Walklate, 2018:108). Nevertheless, it has taken 50 years from the inception of the women’s aid and refuge movement to date, for policy and legislation to be explicitly focused on the issue. Whilst Kennedy may have a point in that the issue of violence against women and girls has achieved a more prominent place on the government’s policy agenda, the findings of the most recent HMICFRS report (2021:8) demonstrate that even after identifying significant variations in policy implementation across the England and Wales police force areas, there remain considerable variations in practice.

Domestic abuse has been found to be a challenging and complex issue that involves a wide range of agencies within the public health, criminal justice, social care and non-profit support sectors (Ellsberg et al., 2014:1). Numerous studies corroborate significant variations in practice, typically relating to the perceptions, judgments, and attitudes of the public and could also be true of local practitioners (Bland and Ariel, 2020:67). This can impact the experiences and outcomes for victims, potentially increasing risk to victims and costs for services. The response to domestic abuse, involves a significant number of variables that can impact both positively and negatively on victim-survivors and the outcomes they experience. Evidence suggests therefore, that given the multi-faceted nature of public services mainly, policy and strategic intentions at a national level are not necessarily implemented effectively at the local level (Lipsky, 2010:8).

The implementation of policies locally across different organisations and, indeed, departments within organisations can vary depending on the characteristics, objectives and the prevailing culture within any context. According to Hupe et al. (2016:94), the delivery of services is further influenced by the process of individual interpretation and discretion applied in the face of different and often challenging situations. They promote the benefits of a street-level approach to understanding the 'real world' experiences of policy implementation, not least to enable the 'filling the blanks' within public policy activity, or 'policy as produced', to understand 'what you get' and 'why you get it' (Hupe et al., 2016:31). Kuhlman (Hupe, 2019:243) highlights that organisations are themselves multi-faceted with regards to objectives and operational priorities. These, she argues, are further complicated by organisational culture, and all of these factors serve to shape the perceptions and 'front line' responses to particular issues, in this case, domestic abuse. So, it is important to consider the 'location' and contexts of domestic abuse policy implementation.

The impact of variations in service user experiences affirms the importance of understanding service provision by comparison with government policy intentions and perceived outcomes. Seeking the lived practice and experience of service providers, particularly practitioners in the field, enables a more balanced picture. It is proposed that this will enable more focused policy development, reflective of real-world experiences, in line with service-user needs and more efficient, cost-effective local services, particularly given current economic conditions. There has been a considerable level of research that focuses on the causes of domestic abuse, evaluations of service provision looking at delivery outcomes, practitioner surveys about specific elements of service delivery and availability. Still none directly related to the implementation of the Violence Against Women and Girls policy at the local level. The persistence of identified failings so long after the inception of the women's movement in 1971, and the length of time it has taken to instil specific legislation to address the legal void concerning domestic abuse is concerning, given the benefit of so much rich data and information.

Whilst there are some very significant and positive steps forward with regards better understanding of the nature of domestic abuse within the wider context of violence against women and girls, it is clear from the research that there remain significant issues and problems faced by victims of this crime.

As Grimshaw (2020:1) states, "*there is a history of neglect amidst growing need*".

It is therefore essential to explore why this might be, how and why progress is impeded. As Dobash and Dobash (1992:13) point out, there has been some significant changes but in many ways, no change at all.

### **1.6 Background to this study**

In 1971, Errin Pizzey established the first women's refuge, a run-down council house in Hounslow, to provide accommodation and support for women and children escaping domestic abuse (Pizzey, 2011:56). By 1974, the National Women's Aid Federation was formed as an umbrella organisation and brought together 40 community-based refuge providers and was the first national body to undertake campaigning and lobbying to generate awareness and influence policies and laws (Women's Aid, 2016). Smith (1989:5) asserts that the publicity that surrounded Pizzey and the development of refuges, along with the establishment of Women's Aid, cannot be underestimated as a key influence in pressuring the government into recognizing the ever-increasing body of evidence that this was a growing social problem the consequences of which could no longer be ignored.

Most subsequent refuge accommodation was established on a largely informal and piecemeal basis across England and Wales. Still, it provided vital lifelines for women and children fleeing abuse (Hanmer & Itzin, 2000:24). Domestic violence had been a largely hidden phenomenon over the years, and victims seeking support provided repeated evidence of poor responses to their circumstances. They reported that the police and other service providers often dismissed incidents as 'trivial', a 'time-wasting use of resources', 'a domestic', 'not a real crime' and a 'private matter', that should be sorted out in the home (Reiner, 2010:172). The focus was on physical violence predominantly perpetrated by men on women and children (Groves and Thomas, 2014:47). Whilst the development of refuges and support was somewhat disparate, it rapidly enabled the beginnings of organised activism, with the establishment of Women's Aid and Refuge as specialist organisations and sustained campaigning forced the House of Commons to establish a Select Committee to review 'Family Violence' in 1975 (McCabe, 1977:281). This resulted in the passing of the Domestic Violence and Matrimonial Proceedings Act 1976, including injunctions, the breach of which would result in arrest. However, McCabe highlights that the committee acknowledged that any remedy, either through support in social settings or through the law, would not necessarily solve the problem.

This, the committee accepted, would be a matter of a change in attitudes towards domestic violence and the victims of it for any intervention, legal or otherwise, to be effective. Arguably in contradiction of this recognition, they went on to consider that, as the number of refuges across the country had risen from 29 to 100 at that time, no government provision should be expected. Homelessness, accepted as a consequence of domestic violence, resulted in the passing of the Housing (Homeless Person Act) 1977 and the Domestic Violence and Magistrates Court Act 1978 (Groves and Thomas, 2014:48). Neither provided criminal law remedies but were significant pieces of legislation in recognition of the issues faced by victims of abuse, laying the foundations for increased awareness amongst practitioners.

According to Elmsley (Elmsley, 2005:59), as little as 100 years ago, it was not considered illegal for a man to beat his wife and the criminal justice system only became involved where a partner had killed his wife. Even then, it was the victim who was scrutinized, and police officers were known on occasion to proffer defence in support of defendants. In the event of a woman killing her husband following sustained abuse, even their experience of extreme violence was rarely considered a justifiable defence for women who had killed their partners, until a change in the law was introduced under the Coroner and Justice Act 2009 (Groves & Thomas, 2014:116). This change only offered a partial defence of 'loss of control', replacing the previous defence of provocation. Still, it triggered a lengthy review by the Law Commission regarding gender bias and its impact on legal proceedings (Centre for Women's Justice, 2021:5).

Smith (1989:3) highlights that the origins of complacency in public, police and criminal justice contexts could be attributed to the legal structures that underpin male dominance over women, particularly in the domestic domain. Laws supported male 'ownership' of wives and their right to 'punish' or chastise them for what they determined as unacceptable or insubordinate behaviour. Dobash and Dobash (1992:4-5) provide support for this, citing the historical relationships between men and women and the socially constructed expectations regarding the role of wives, the privileges and entitlements of husbands, along with the cultural beliefs that support social attitudes and gender inequality. These ingrained perceptions, they say, provide a formidable backdrop to the legacy of policies and practices that explicitly or implicitly enable the acceptance of domestic abuse in all social spheres.



Feminist groups linked the matter of domestic abuse to the wider concerns of inequality in other areas of society and at the same time grasped the interest of academic researchers (Harne and Radford, 2008:93). A vast array of research emerged between 1980 and 2010 looking at the nature of gender violence, power relations, patriarchy, and male violence's effect on women and their families. This was linked to the gender bias of the police, who even in the light of an assault, would rather give a man 'a talking to' than arrest him, often not even recording incidents in the belief that they had effectively dealt with the situation, thus not connecting incidents, or patterns of behaviour and abuse (Kennedy, 2019:89). Women spoke out in particular about their experience of inadequacy in police responses (Hague and Malos, 1998:67) and their reluctance as victims to report their abuse as a result.

Hanmer and Itzen (2000:89) point to the fact that most women didn't want to call the police for fear of retribution by the perpetrator, thus making these findings more relevant concerning the potential harm of inadequate responses because it is such a big decision for a victim to make. Research consistently showed significant variations, both within and across agencies, regarding their approach to dealing with victims and importantly, that the narrow focus on violence, as opposed to the wider components of the phenomenon, was preventing effective methodology in the development and implementation of appropriate interventions (Stark:2007:10).

Research was regularly commissioned by both women's groups and the government, to understand the nature, impact and costs of domestic abuse, the effectiveness of service provision and statutory agency responses, using valuable service user insights, perspectives and experiences (Hague, 2021:138). All agencies were found to be wanting, and it highlighted the disjointed support available for victims, prompting a local and national realisation that services might be exacerbating costs and consequences.

According to Myhill and Kelly (2021:281), there has been a resurgence in looking at violence as a tool of measurement in domestic abuse studies. They point out that accurate recording must understand the continuous nature of abuse and that the 'domestic violence crime model' does not account for the non-physical harms that victims experience.

The use of violence as an indicator therefore prevents a full understanding of the sustained nature of abuse in domestic settings and butts against the holistic nature of abuse in its different forms. Using violence as the axis for enquiry and discussion rather than the concept of coercive control, may therefore, have underpinned the variable perceptions of abuse by practitioners, identified in numerous reports (HMIC, 2014, 2015, HMIC 2015 Local Partnerships, HMICFRS PEEL Report 2016. Myhill and Kelly (2021:282) assert that the concept of coercive control only came about from more comprehensive reports particularly analysing the markers for male violence against women. They point to Dobash and Dobash (1979), Kelly (1987) and Schecter (1982), who developed theories focusing on power and control as the main issues driving violence against women, and connecting them to coercive techniques to assert that power.

Stark (2007:11) applauded the 'triumph' of the 'violence' model in enabling the success of generating funding, political, health, criminal justice and public awareness, but emphasised the importance of empirical research evidence drawn from this, which demonstrates the wider dynamics of relationships when understanding domestic abuse. Coercive control as a concept and the emergence of 'domestic abuse' as a broader definition, is said to have paved the way for a better understanding on domestic abuse and the impact on victims, although it is difficult to identify the exact point at which 'domestic violence' became recognised as 'domestic abuse' (Groves and Thomas, 2014:39). Yet the understanding of this does not seem to have fully filtered through into practice and the exploration of practitioner perspectives.

## **1.7 Summary**

This chapter sets the scene for the research problem and the direction of travel for this work, outlining the key issues underlying the research problem. It has been possible to map the history of attitudes, perceptions and responses to domestic abuse through the efforts of the original feminist activism and refuge movement that developed in the early seventies to raise awareness of the issue but also the deficiencies in government policy and local responses to VAWG in general. The theoretical positions have been reviewed to provide an epistemological basis from which to explore, analyse and attempt to understand the persistence of social recalcitrance in fully embracing the significance and consequences of the issue. Bourdieu has been found to provide a theoretical toolkit to initiate explanations and perspectives through concepts of habitus, capital and the field to unpick the problems presented. The next chapter seeks to

set out domestic abuse as a phenomenon, its constituents and its research, policy and regulatory position.

## **1.8 Chapter Framework**

The following chapter framework outlines the content of this research study.

Chapter 1 provides an introduction to the research, background, context and the field research as a preamble to a more in depth review of the literature. The purpose of the literature review is to understand and synthesize existing research as a form of data to understand patterns, trends and gaps to inform the fieldwork (Rozas and Aldo, 2010:395). The theoretical backdrop surrounding the nature of domestic abuse is largely focused on understanding the social structures that drive policy and shape the social conscience with regards not just violence against women and girls but beliefs, attitudes and perspectives surrounding gender and gender based violence. Therefore this PhD research is less focused on the causes of domestic abuse, rather it is directed towards the wider social context within which it has existed and shaped responses towards implementation of national policy at local level.

Chapter 2 outlines the issues underpinning domestic abuse and how these may be related to the work of practitioners in the field and the implementation of VAWG policy. It directs the scope of the research and forms the foundation for subsequent chapters.

Chapter 3 provides a literature review outlining multi-agency responses to domestic abuse across the criminal justice network that implements policy responses and legislation in relation to domestic abuse victims and offenders. Domestic abuse responses are incorporated into a wider strategic and operational framework involving multiple independent but necessarily connected agencies. The literature review explores the roles, responsibilities and practical application of tools, interventions and legal responses to the issue and includes a range of related organisations either partially or wholly involved in providing service to victims of abuse.

Chapter 4 provides theoretical concepts underpinning the research, exploring possible explanations for differential responses and characteristics that are brought to bear on social structures, institutions and systems within which domestic abuse practitioners operate. In particular, this chapter looks at theories

to explain structural and individual factors shaping responses to women's issues, particularly domestic abuse and VAWG policy.

Chapter 5 outlines methodology, methods and theories supporting the process of discovery. It sets out the research strategy, methods and tools designed to optimize qualitative data collection and analysis of the findings.

Chapter 6 sets out an overview of participants in the study, their roles, responsibilities, a basic summary of backgrounds and characteristics of the organisations they work for.

Chapter 7 discusses the findings and analysis in the context of participants understanding and implementation of VAWG policy, their experiences of partnership working, perspectives of policy in practice, knowledge and understanding of VAWG concepts and principles.

Chapter 8 looks at evidence of specific issues drawn from the research, particularly in relation to ethnicity, gender identity and policy implementation.

Chapter 9 provides a concluding discussion reviewing key findings and outcomes.

## **Chapter 2**

### **Literature Review**

#### **Domestic Abuse as a social and criminal justice concept in England and Wales**

##### **2.0 Introduction**

This chapter expands on the overall picture provided in chapter 1 and outlines the current definition of domestic abuse, whilst setting the scene regarding social, political and economic considerations. This necessarily requires an overview of the literature outlining the nature of domestic abuse, the way that domestic abuse is measured, framed by terminology across social space and time and positioned in the social conscience. A review of legislative and policy development sites domestic abuse within a framework of limited social, legal and professional understanding and a history of baby steps towards a greater recognition of the enormity of public and personal costs.

##### **2.1 Definition of domestic abuse**

It is recognized that domestic abuse has existed throughout history in many forms, although until recently, it was defined as 'domestic violence' and had not, been ascribed as a specific offence in its own right (Harne and Radford, 2008:28). It could be argued that the term 'domestic violence' itself suggests a narrow categorization of the issue. However, research and evidence accumulated through the last 50 years of activism, legislative and policy changes demonstrates that the problem cannot be determined within a singular dimension and involves an understanding of the more complex and intersectional levels of abuse.

The term 'domestic abuse' appears to have been formally adopted more recently, on the basis that it is seen as all encompassing (Harne and Radford, 2008:31). Nevertheless, policies, strategy and action plans have continued to be labeled 'violence against women and girls', which has been challenged for its female, gender centric inference. However, different variations are also emerging to tackle the issue of exclusion for male victims of female violence and abuse, abuse with same-sex relationships and the variations in gender identities. The terms Intimate Partner Violence (IPV) (Dutton and White, 2013:6), or Intimate Partner Violence and Abuse (IPVA) (Nicholson (2019:15) have been used by an

increasing number of academic researchers, making it difficult to establish a consistent reference to the issue. For the purposes of this thesis, the term 'domestic abuse' will be used as the dominant term, although where studies and reports utilise specific terminology, these references will be used to ensure authentic representation of the various authors referred to. The most recent definition of domestic abuse includes (but is not limited to):

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial or economic abuse
- Harassment and stalking
- Online or digital abuse

The definition of domestic abuse has derived from years of research and campaigning by feminist activists, academics and smaller non-profit groups established to support mainly women and children experiencing and escaping domestic abuse. Many of those working in small organisations have been the subjects of abuse themselves, but the experience of support brings with it a very clear understanding that violence is only one element of a pattern of sustained abuse (Heady et al, 2009:103). Whilst the definition may be generic and can be applied to all intimate relationships, the focus has been largely aimed at women and girls as the victims of domestic abuse. Support organisations are predominantly geared towards women, particularly those with declared feminist principles, but more recently, more have provided services, either directly or indirectly, to enable men and other gender identities to gain access to the support that they need (Reducing the Risk, 2021). Women's Aid states explicitly that they are only focused on women's support due to the gendered nature of domestic abuse, but it should be noted that in my experience, local authority tenders require evidence of provision for men, even if it is only a signposting service and require performance monitoring of this aspect of a council-funded service. As such, many women's support services do offer support to men, non-heterosexuals and other gender identities, whether through referral to specialist agencies or through specialist IDVA provision (Refuge, [www.org.uk/supportformen](http://www.org.uk/supportformen)).

Nevertheless, the majority of attention, funding and prioritization, remains directed towards the violence against women and girls agenda. The definition

itself brings complexities that can be difficult to comprehend without appropriate training or experience. Terminology can be open to interpretation and where understanding or experience is limited, can be difficult to unpick when engaging with victims. It can be even more difficult for policymakers at both the national and local levels to fully understand the implications of the various elements of domestic abuse outside of the 'violence' categorization. Therefore, the issue of terminology and its potential impact on responses needs further exploration.

## **2.2 The implications of terminology for domestic abuse responses**

Easteal et al. (2012:325) claim that men have historically dominated the legal system and political institutions and that as a consequence, the unequal position of women both within it and accessing it, has been normalised and as such, is a difficult nut to crack. They argue that the values upon which the legal system is built are reinforced by gendered language, or what they refer to as 'genderlect', and 'the law's baritone voice', leading to the perpetuation of masculine derived construction of reality. This, they say, leads to influencing 'people's unconscious attitudes to women', suggesting that language provides an insight into how legal and governmental institutions often fail to understand and support women. They suggest that whilst there have been positive changes and greater awareness over recent years, negative attitudes and stereotypes in relation to women and domestic abuse have persisted for this reason.

In the absence of statutory definitions, terminology concerning domestic abuse has become increasingly fragmented since the beginning of refuge and feminist activism, reflecting the changing landscape of research and development about the phenomenon (Buzawa et al., 2017:33). The term 'domestic abuse' seems to be the most consistent term adopted over the last ten years to encompass the growing awareness of the complexities involved in the perpetration of violence and abuse (Monckton-Smith, 2014:11). Buzawa et al., say that terminology about 'domestic abuse' appears to have evolved in different ways for different settings such as policymakers, law, media, researchers, service providers, victims, perpetrators and the public generally. It could be argued, therefore, that terminology has the potential to shape interpretations and views as to the risks, nature and consequences of domestic abuse within different contexts.

Lombard and McMillan (2013:19) also highlight the dangers of the term 'violence' as the focus of attention, saying that those responding to it may have a tendency to be drawn to the particular incident of violence, or that incidents of violence are

sporadic, rather than part of a sustained system of abusive techniques aimed at controlling the victim. Wright and Hearn (2013:21) further the problematisation of this terminology, arguing that 'violence', whilst important in men's violence towards women and girls, is fundamentally political and complex when used as the starting point for policy development in response to the problem.

Historically, domestic abuse was referred to as 'family violence', 'wife battering', 'household conflict', or 'domestic violence', all of which placed the issue very much in the private domain (Mooney in Hanmer and Itzen, 2006:26, Kennedy, 2019). Mooney argues, however, that 'domestic violence' can be generic. It can apply to marital contexts and cohabiting intimate partners, heterosexual, same sex and familial relationships, as well as pre-domestic relationships. Nevertheless, Mooney also claims the issue of 'violence' is only one variable and depends on who is defining it, creating the risk of inappropriate interpretation from narrow terminology and the potential to detrimentally affect the response required (Lombard and McMillan, 2013:20).

Buzawa et al. (2017:32) highlight the differentiation of intimate partner violence against other family violence, including female partner violence. They point to the positioning of violence and abuse against women as rooted in historical, cultural and social evolution, which differs from other forms of violence and abuse. There is the potential, they believe, for the use of research and statistics to provide deceptive results with regards rates or trends of victimisation, or re-victimisation if the platform from which policy is developed, does not distinguish between the broad scope of variables involved or what underlies them.

In 2010, the UK government implemented the Ending Violence Against Women and Girls Strategy, which again used 'violence' as the key term. However, it was the first country to explicitly identify 'coercive control' as the basis for policy and strategic responses (Lombard, 2020:16). Whilst the strategy recognized the many components of domestic abuse, the title again reduced the problem to that of 'violence', thus eschewing the potentially powerful discourse that it could have been, in influencing social perceptions of domestic abuse, the concepts of coercive control and fear based subordination. It also had no legal standing until 2015 when the Serious Crime Act s76 created a new offence of controlling behaviour in an intimate or family relationship (Wiener, 2017:500).

The connotation of using violence against women and girls as the central tenet upon which all domestic abuse is pinned within government and local policies



therefore, suggests an underlying theme of gender reductionism (Hester et al, 1996:20). The growth of research into the issue, largely from a feminist stance, suggests that the original reference to violence, was less about violence and much more an indicator of male power and control, not just in relationships, but also within the wider society (Groves and Thomas, 2014:27). The argument for this is drawn from the nature of social inequality and the idea that this is built on the basis that laws and policies have largely been the product of male dominance within legal and governmental institutions (Groves and Thomas, 2014:47).

Kennedy (2019:22) highlights that inequality, particularly in law settings, is the historical legacy of religion, that acts as a moral code, underpinning legal systems and their development. These systems were and are she says, the foundation upon which society views women. Kennedy points to 'unspoken belief systems' that are rooted in perceptions of women as bastions of a higher moral standard, both deviant and/or responsible, depending on the context and setting. Bailey (2012:8) appears to agree pointing to the criminal justice system as being inherently male and inherently sexist.

Wright and Hearn (2013:21) also consider the term 'violence' when used in the context of domestic violence, to be more political than about the violence itself. They consider that it represents a starting point for symbolizing and framing the problem, suggesting that definitions and terminology can underline discourses, which set the themes and intentions of policy and practice. The continued terminology relating to 'Violence Against Women and Girls' has become an established title for successive strategies since the first specific strategy in 2010. In this respect, it may be that Wright and Hearn make a valuable point. Hoyle (Walklate, 2011:146) appears to further this view, in so far as she refers to feminist activists and academics seeking to highlight the problem of 'domestic violence' as a central concept within the framework of patriarchy, power and control. Again, this raises the issue of how domestic abuse is framed and conceptualized for public consumption in the form of the problems that relate to wider gender inequalities.

Myhill and Kelly (2021:283) also challenge the idea of using violence as the framework for research and understanding of domestic abuse and coercive control, pointing to Stark's work on the issue and the belief that coercive control is actually more detrimental to women's well-being than physical violence. Stark, they say, whilst recognizing that anyone can subject others to control, gender inequality acts as an enabler for men to subject women to it, through the

reproduction of gendered norms and social systems. So the term violence not only fails to represent the gendered nature of the problem properly, but the term 'domestic' serves to reduce the issue to something outside of public thinking (National Domestic and Family Violence (NDFV) Bench Book, 2021:1). To this end, the term 'violence' according to Dobash and Dobash (1998:5), is challenging when considering public attitudes and social responses to the issue, as the term 'domestic' in itself suggests 'behind closed doors' or private space and thus has the potential to firstly, influence the social understanding of the lesser or greater extent of domestic abuse and secondly, the frequency and seriousness of it. The NDFVBB also claims that it creates confusion amongst service providers as to the extent and longevity of abuse within the family, that victims are less likely to recognize other components of the abusive relationship, are therefore less likely to report these and can, as a consequence, be at greater risk.

Myhill and Kelly, (2021:281) also challenge the efficacy of seating domestic violence in a criminal law context, saying it limits the responses available at a micro-level and hinders appropriate policy direction. They claim it does not challenge what they consider the 'internationally recognized structural hierarchy' placing men in a more powerful, socially sanctioned position, not least because of their control over material resources, within households and wider society. Therefore, as a gendered code of conduct, scholarly consensus suggests a specific, tailored response rather than recording data based on singular incidents, which does not account for the variable, continuum of abuse (Myhill and Kelly, 2021:292). The WHO (Factsheet, 2018) identify policies as a key component of addressing these imbalances and structural inequality that impacts women, and as Myhill and Kelly point out, the understanding of domestic abuse and the social response to it must necessarily involve analysis of the range of issues that impact on victim-survivors, which cannot be uncovered by analysis of violence alone.

Enakele (2019:31) further highlights that the constant reference to violence against women and girls, negates the fact that there are other forms of domestic violence and that the terminology should reflect the many variations that occur. He puts forward the argument that the term 'Intimate Partner Violence' is more in keeping with the understanding of all forms of domestic abuse and all victims. He also takes issue with the gender centric implication of the reference to women and girls, which he says fails to recognize that men are also victims of violence by female partners. The women and girls focus diverts social understanding that women can be the perpetrator and creates significant problems for practitioners,

as their starting point begins with the female victim. Hence, they are less likely to probe further for an alternative scenario.

For Dutton and White (2013:7) domestic violence, even taking account of other references such as intimate partner violence (IPV) or intimate partner violence and abuse (IPVA), is still firmly rooted as a women's issue. This gender paradigm, they claim, creates a stereotypical view of domestic violence as relating to a domineering, drunken bully who threatens and physically assaults a browbeaten, defenceless, non-violent woman to reassert his patriarchal power. They assert that this is not just a stereotype held by members of society who have limited understanding of the problem but remains a powerful component in the thinking of policymakers, academic researchers and service practitioners (Dutton and White, 2013:12). They argue that gendered references shape social views in relation to negative stereotypes, conscious and unconscious biases in regard to women, whilst deterring men and other victims from reporting their experience in the shadow of stigma, fear of not being believed and shame.

Crenshaw (UN Women Article, 2020:1) asserts that not all inequality is created equal and that concepts relating to violence against women relate to one-dimensional thinking. She puts forward intersectionality as "a prism for seeing the way in which various forms of inequality operate together and exacerbate each other". Crenshaw posits the idea that identities are more complex than the typically binary approach that sets 'women' and 'men' as the starting point. She says that identities overlap with race, class, sexuality, immigrant status and other variables that compound explicit and implicit discrimination. Crenshaw (1991:1242) sees the roots of all discrimination as deriving from different forms of patriarchal domination, its reproduction through social structures and discourses that converge with race, gender, class and sexuality. As such, responses to domestic abuse cannot, therefore, be uniform in nature, policies or practice and structures that support the recreation and reinforcement of these must be unpicked and urgently challenged.

It is clear that rates of domestic abuse and sexual violence, in public and private space are significantly higher for women than men (Buzawa et al., 2017:49). Males represent the offenders in most domestic abuse cases that go to court, and women are the majority of victims in those cases. Women are more likely to be subjected to honour-based violence, and abuse by male perpetrators and their families; forced marriage and female genital mutilation are also horrors that women face. Women are more often caregivers for children and older relatives,

which creates a baseline for inequality, not least for limiting their material means. The level of physical injury experienced by women is much more severe for them than men who experience domestic abuse from a violent partner. Women are more likely to experience sexual violence and long term medical consequences and the implications regarding responsibility for protecting children, homelessness, economic stability, mental health and substance misuse (Belknap and Melton, 2005:6). This highlights the importance of clear recognition of the variations in abusive relationships and the necessity for routine enquiry when determining the needs of victims when they report abuse. Terminology has the potential to skew thinking with regards these issues and thus shape inappropriate interventions and support, if not fully understood.

Douglas and Walsh (2010:490) argued that defaulting to the idea of 'domestic violence' limits broader professional and public understanding on the issue. Douglas and Walsh's study (2010:293) showed that practitioner's failure to understand the impact of sustained coercive control and the power dynamics of domestic abuse resulted in variable and often unhelpful responses and negative perceptions of the victims themselves. Hester et al. (1996:20) further these findings arguing that language is important in not only shaping the responses of agencies working with victim-survivors but can create a 'denied, invalidated' knowledge around women's experiences of domestic abuse and violence. The way that it is referred to, categorized and processed through legal, medical and psychiatric institutions can have, a powerful impact on the victim's sense of self and the level of their victimisation. This in turn, can skew the way that domestic abuse is presented across the spectrum of research, policy, professional and public responses in a variety of ways. Language and social interaction regarding domestic abuse is therefore important from the point of view that it can shape perceptions and perspectives, responses and reactions which determine the likelihood of disclosure, reporting and the engagement of victims (Angouri and Baxter, 2021:258).

Easteal et al. (2012:324) highlight that variable language, words and communication styles can work to minimise acts, experiences and create a different version of reality. More importantly, this can also have implications for the way evidence is presented through legal constructs that do not represent the true voice of the victim, thereby impacting on victim credibility and influence the perceptions of the court. It is therefore important to understand the dynamics of legal, medical and public service interventions to generate an understanding as to how this can also relate to policy and implementation through these mechanisms.

Monckton-Smith et al (2014:10) say that words, particularly in relation to domestic abuse, can be dominant discourses in shaping social constructs of perpetrators, victims and the status of domestic abuse as a crime.

The journey to elevate the seriousness of the matter began with feminist activism, which has remained the dominant force throughout the more visible history of domestic abuse. As a consequence, the plight of women has been a significant focus for theorists seeking to understand the causes and social acceptance of domestic abuse over the years (Bailey, 2010:1258). The result has been a sustained campaign to develop appropriate responses, improve service user experiences when engaging with agencies tasked with supporting them and raising public awareness of the issues surrounding domestic abuse and the impact on women.

Similar campaigns for men experiencing violence and abuse by women, those in same-sex relationships, or identifying with other gender identities have not been as forthcoming, leading to a far lower profile (Wright, 2016:335). Wright argues that the prominent voice of feminists has led to a problematic construction of domestic abuse as a gendered crime and that the language used is geared towards this idea. She highlights that the impact of the 'violence against women and girls' agenda creates a number of problems for men who are victims of violence by women. In particular, it creates the invisibility of male victims and a significant level of under-reporting, which skews the figures and belies the true extent of the problem. As a consequence the overarching focus of policy makers is on female victims and as such, the majority of funding is directed towards services for women (Wright, 2016:337).

Elliot (2015:3) suggests that the same can be said for same sex and other gender identities, whose profile of abuse is not well understood and reporting may not be reflected accurately. Elliot argues that the issue is not one of male domination over women but generally an issue of power and control. In both circumstances, the language used to refer to domestic abuse can shape how these issues are closeted and victims struggle with negative perceptions and invisibility, thus preventing the availability of data that truly represents the issue. The paradox appears to be the claim by the government that their domestic abuse policies are aimed at treating everyone the same, yet it would seem that this is not the outcome.

Nevertheless, the Domestic Abuse Act 2021 and associated Violence against Women and Girls Strategies are deemed sufficiently generic to encompass all types of domestic abuse experienced in all types of intimate partner abuse despite being aligned with the VAWG banner. Terminology and language can reflect underlying ideological codes that can be ambiguous, restrictive, diminishing and in some ways paradoxical (Wright and Hearn, 2013:38). With this in mind, the use of terminology and language has been shown to serve as a possible indicator of underlying beliefs or perceptions in different contexts, and the method of interviewing adopted for this research will take account of this as a category for analysis.

### **2.3 Measuring Domestic Abuse**

According to the Office for National Statistics (ONS), using data from the Crime Survey for England and Wales between April 2019 to March 2020, it recorded an estimated 2.3 million people aged between 16 and 74 years who had experienced domestic abuse in the year during that period. 1.6 million were women, and 757,000 were men (ONS, 2020:3). Each year more than 100,000 people in the UK are at high and imminent risk of being murdered or seriously injured due to domestic abuse. Seven women a month are killed by a male perpetrator, compared to 12 men in one year (Mankind, 2020, [www.mankind.org.uk](http://www.mankind.org.uk))

This represents 'known' cases, but there are likely to be many more that have not been reported (UN Women, 2020:1). There were an estimated 618,000 female victims of sexual assault and 892,000 female victims of stalking (ONS, 2020:6). The statistics show that most victims experience one type of abuse; however, as Chantler (Lombard, 2018:264) points out, victims often do not realise that the abuse involves a range of tactics, so they may not report their experiences in a detailed way. The survey, she says is too generic and does not appropriately analyse the intersectional nature of domestic abuse and broader crimes that fall within the category, such as ethnicity, forced marriage, the abuse of trafficked women or culturally derived abuses such as honour-based violence.

Groves and Thomas (2014:23) also point to the limitations of the statistics and highlight that whilst the Crime Survey for England and Wales is the primary tool for data collection in respect of domestic abuse. It does not capture the incidents and patterns of abuse. According to them, the survey does not allow for the more relevant and detailed data, the context of domestic abuse, fear, repeat victimisation, nor does it account for the reach of power and coercive control in abusive situations. They believe that this results in a significant underestimation

of the extent of domestic abuse and its scale as a social problem. Whilst the Crime Survey for England and Wales (CSEW), is the critical source of data to indicate domestic abuse rates, it cannot, therefore, be taken as all-encompassing and therefore has to be taken as only a base and comparator to use with other sources of information.

A total of 1,288,018 domestic abuse incidents were recorded by the police in England and Wales (excluding Greater Manchester Police) between April 2019 and March 2020, 529,077 of these were not subsequently recorded as a crime, the remaining 59% were. This is compared to the previous year whereby the police in England and Wales recorded 699,431 domestic abuse incidents. According to ONS figures (ONS, 2020:10), this amounts to a 59% volume increase, possibly due to improved police data capture and an increased willingness of victims to come forward.

Trendall (2020) concurs that the figures do not reflect the whole story and rely on limited reporting criteria. Trendall points to the limitations of recording criteria and the use of such data not being relied upon without the addition of data from other agencies, not least to inform policy. However, the ONS do state recognition that a review is needed in connection to the nature of reporting and a change in the CSEW to reflect a more comprehensive response regarding reporting experiences and are now incorporating broader information from the field to gain a more accurate assessment of the problem. Nevertheless, Women's Aid (2021, Women's Aid) claims that domestic abuse remains a 'largely hidden crime'.

Taking account of the limitations of both sources (police and the CSEW), information from 36 Forces across England and Wales at the end of March 2021 showed that 82% of grooming offences are against women and girls, 81% of sexual activity with children younger than 16 is against girls and 80% of victims of stalking, voyeurism and exposure are female (HMICFRS, 2021:6). A more recent study by the ONS (2021) on perceptions of public safety reported that the majority of women and girls do not feel safe when going about their daily lives. 2 out of 3 women had experienced harassment in the previous 12 months, with 29% feeling like they were being followed. Over 50% reported feeling unsafe in public spaces. According to Women are much more likely than men to be the victims of high risk or severe domestic abuse: 95% of those going to MARAC or accessing an IDVA service are women (Women's Aid, 2020).

It is essential to acknowledge that much of the research and influence surrounding domestic abuse policy development is derived from and shaped by

feminist ideology, political theory, and research (Hilder and Bettinson, 2016:184). This is founded on the basis of patriarchal power relations and structural gender inequalities as a foundation stone for explaining domestic abuse.

## **2.4 Policy and Legislative Framework**

Gilmore & Glennon (2012:97) point out that there is a range of measures under civil law, which include non-molestation orders, occupation orders and domestic violence protection orders (which can mean that suspected perpetrators have to leave their houses). The Protection from Harassment Act 1997 (as amended) provided both civil and criminal remedies, including non-harassment and restraining orders. Whilst arguably, related offences covered within the law enable appropriate actions to deal with the issue, some commentators highlighted that the way that the law is structured around a variety of mainly civil offences rather than criminal and its lack of specificity complicates matters for those tackling the issues on the front line. This, according to Gilmore and Glennon, prevents appropriate legislative solutions, which are meant to sit beside mechanisms aimed at supporting, protecting and enabling service users.

The Domestic Violence, Crime and Victims Act 2004 (Harne and Radford, 2014:100) provided new police powers, criminalising breaches of injunctions, non-molestation orders and making common assault an arrestable offence. It also introduced sentencing of up to 5 years for offenders. The protection of rights were also extended unmarried, non cohabiting, and same-sex couples. Seemingly, this was a step forward and aimed at addressing police reluctance to intervene using arrest powers under other criminal laws. However, the Home Affairs Select Committee 2008, reviewed this legislation, voicing some doubt as to its likelihood of effecting change, calling for a timetable for implementation and an evaluation report regarding the use of these powers (Home Affairs Select Committee, 6<sup>th</sup> Report, 2008).

The 2004 Act also outlined the broader definition of domestic abuse at that time, including any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality. Recognition of the broader elements of domestic abuse was significant, introducing the components of coercive control and the concept of gender-neutral domestic abuse for the first time. Interestingly, the committee apologised for the implementation of the Act being 'disappointingly slow', but with no explanation as



to why and congratulated the Act for being gender-neutral. They did, however call for a Violence Against Women and Girls Strategy despite hailing the gender-neutral nature of the Act, accepting the data that women experience more serious and more frequent violence than men (Government Reply to the 6<sup>th</sup> Report from the Home Affairs Committee, Session 2007-08, HC 263, Home Affairs Select Committee, 2008:5).

The cases of Kiranjit Ahluwalia in 1992 and Emma Humphreys in 1995 whose convictions were eventually quashed on appeal highlighted the constraints of the law in dealing with domestic abuse as an aggravating factor resulting in homicide. Despite clear evidence of prolonged violence the courts were reluctant to accept pleas of diminished behaviour in the context of domestic abuse and rather than acquit Kiranjit Ahluwalia, they ordered a retrial stating that the matter was for parliament and not the courts (Kennedy, 2018:250). The conviction was subsequently quashed in July 1992 and the conviction of Emma Humphreys in the same circumstances, being overturned in 1995. These represented landmark cases and important precedents regarding the issue of provocation. Some 9 years later however, the law was still not prompting consistency by the courts and in 2004 the Law Commission in their report 'Partial Defences to Murder' stated that the law on murder in England and Wales was 'a mess'. This however, failed to recognize the significance of court made decisions in domestic abuse cases.

Following a 4-year review by the Law Commission into partial defences to the charge of murder, the Coroners and Justice Act 2009 incorporated recommendations to abolish the defence of provocation, replacing it with the defence of loss of control (Groves and Thomas, 2014:99). The Centre for Women's Justice (CWJ) highlight that prior to this, women who killed their violent husband's were faced with making a choice of kill or be killed. As well as the case of Kiranjit Ahluwalia, they refer to the case of Sara Thornton and, both of whom killed their husbands after years of sustained, violent abuse and were sentenced to life in prison. It demonstrated the disparities and differences that women endured at the hands of the criminal justice system compared to the way cases of male perpetrated domestic homicide. An example of this can be illustrated in the case of Joseph McGrail who, just two days after the Court of Appeal dismissed Sara Thornton's appeal, was given just a two-year sentence for kicking his wife to death (Kennedy, 2018:253). The judge, in that case, commented that the sentence was justified because evidence suggested that the victim 'would have tried the patience of a saint'. Sara Thornton's case was not successful on appeal until 2011 (Kennedy, 2018:252).

In 2010, the government published 'Call to End Violence Against Women and Girls strategy to mark international Day for the Elimination of Violence against Women and Girls (Home Office, 2010). This was followed by a 5-year Action Plan to support the policy, in the following year (Home Office 2011. Again the title focuses on violence rather than the wide gambit of abuse that women and girls are subjected to. This was the start of subsequent strategies that gradually incorporated these issues into policy. In recognition of the more complex nature of domestic abuse, Section 76 of the Serious Crime Act 2015 came into force in December 2015 and criminalised patterns of coercive, or controlling behaviour where they are perpetrated against an intimate partner, or family member. This was again, seen by many as a significant step in filling a void in the law, which previously prevented appropriate action being taken for this behaviour. For many campaigners, this was a formal recognition of coercive control as a major component that sits at the heart of domestic violence and abuse, acknowledging the impact in a multitude of ways on an individual, other than physical violence itself.

It was formally agreed by the House of Commons that the cross-government definition of domestic violence and abuse would be accepted as: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional (House of Lords & House of Commons Joint Committee, 2015). This mirrors the definitions outlined in the Istanbul Convention (European Commission, 2016), which has been signed but not yet ratified by the UK government. Sandra Horley, CEO of Refuge, the largest specialist domestic abuse service provider in the country, commented in response to these changes in the law that,

*"The police don't even arrest when there is evidence of serious physical violence, so how are police and juries ever going to understand complex concepts like coercive control?" and "We need to get back to basics. The police response to domestic violence is lamentable – forces across the country are failing in their most basic of policing duties towards victims of domestic violence".*

(Travis, 18/12/2014, Guardian article)

## **2.5 VAWG Policy Context**

VAWG Strategies have been in place and rolled out for local implementation since 2010. Action Plan reviews (Home Office, 2015:10) suggest that the policy has been successful in many areas, but this does not appear to align with the

experience of victims of domestic violence. Indeed, as has been previously outlined, the HMIC Report in 2014 identified serious deficiencies in handling domestic abuse by every police force, with only Northumberland ducking serious criticism and demonstrating some positive headway in improving services. However, the police cannot be considered as alone in tackling this issue.

The concept of multi-agency working up until the late eighties was not well developed, and the experiences of women seeking protection and support relied heavily on the goodwill of voluntary organisations and well-meaning staff in the police and local authority who were often only randomly identified (Hanmer & Itzen, 2000:35). Greater co-operation emerged during the 80s amid increasing interest and concern for children and young people at risk, living in abusive households (Harwin et al., 1999:51). In addition, the consequences of domestic abuse were becoming more understood, and recognition of disparities between agency responses to domestic abuse generally became increasingly highlighted as research around the issue, particularly around victims, gained greater momentum.

The more that research uncovered agency failings, the more the need for integrated, inter-agency working became apparent. However James-Hanman (Hanmer and Itzen, 2000:269) points to a growing level of criticism, particularly regarding policing of domestic violence, identifying a culture of negativity towards domestic abuse and its victims, which ran coterminously with the particularly unsympathetic treatment of victims of sexual violence. A documentary in 1982 called 'Police', a fly on the wall documentary about the day-to-day operations of Thames Valley Police (Graef & Stewart, Episode 3, 'A Complaint of Rape', 1982) uncovered the bullying and humiliation of a rape victim during an investigative interview by detectives. This, it seems, was only the tip of the iceberg and caused a public outcry.

The main issue in this instance was that of misogyny and blatant victim-blaming by male officers, resulting in a concerted effort by what Graef described as 'hostile' methods, to persuade the female victim to drop the case because 'no court would believe her'. It is assumed that the officers concerned were fully aware of their interview being filmed and deemed their behaviour acceptable in the context of that filming for them to consent to it being broadcast. Groves and Thomas (2014:49) point out that such an interview would have been undertaken previously by female officers. Ironically, the lack of understanding was attributed to the change in the law to ensure gender equality in policing roles. As a

consequence, either gender could now undertake the work of the other. This, however, cannot be said to mitigate the perspectives of the male officers. It could be argued that without the appropriate training regarding male and female approaches, coupled with an understanding of the experience and trauma that the victim would have been going through, the legislation to counter 'gender inequality' merely exacerbated the prejudices that existed between the sexes (Kennedy, 2019:17).

By 1988, police domestic violence units had developed in some areas, but not in all (Harwin, 1999:4). Nevertheless, the benefits of multi-agency involvement were beginning to become more understood and were soon considered to be the way forward. This approach was further assisted by a Home Office Circular (60/90), which led to the establishment of an inter-agency working party at the government level, including the formal involvement of Women's Aid for the first time, to inform policy-making and strategy (Plotnikoff and Woolfson, 1998:30). In 1995, a home office study into inter-agency working found significant variations in policing practice and partnership working across the country, leading to the establishment of multi-agency partnerships to tackle these disparities (Home Office, 1995).

However, in spite of the urge by the government for multi-agency partnerships to co-ordinate domestic violence services, they were formed mainly in response to more generic community safety considerations under the Crime and Disorder Act 1998. Domestic abuse was a part of the strategy and not specifically independent of it, suggesting that the importance of domestic violence within the broader range of crimes at the local level was still not understood or seen as a significant priority (Harwin et al, 1999:6). The Crime and Disorder Act 1998 addressed this issue by referring the domestic violence in several key areas (James-Hanman, 2000:270), but James-Hanman expressed concern that it would remain to be seen as to whether it was given the priority it needed.

Commentators such as Westlund (1991:1052) suggests that the term 'domestic violence' in itself formed part of the problem because it created an image of privacy regarding violent relationships within a closed and intimate context, rather than in the public space. Westlund claims that as a phenomenon not obvious to society or perceived as a risk to the wider social domain, it fell below other priorities. If this is the case, then it may explain in some way the continued perception that domestic abuse was a part of the more generic anti-social behaviour and 'nuisance' only recognized by those affected by it. The fact that in

local authority strategies, it was not set as a specific, stand-alone, strategic priority (Welsh, 2008:240) may attest to this.

Further evidence of perceptions of domestic abuse can be seen in early research. According to Harwin et al. (1999:1-3), research studies during the mid to late 80s were continually identifying unsympathetic, inconsistent, sporadic or non-existent service responses from both national and local statutory agencies. For example, social services, another agency also typically a first line of contact, generally focused on a remit centred around those identified as 'problem families', with a contradictory objective of protecting the children in families where domestic abuse occurred, but also an expectation to keep those families together.

Women were encouraged to leave the household to protect their children at a time when homelessness due to domestic abuse was not covered in housing legislation (Hanmer et al., 2000:2). Men were, more often than not, the named tenant and women's rights to alternative housing were minimal, giving women with children particularly impossible choices (Irving-Clarke and Henderson, 2021:4). Women were victims of domestic abuse but also considered responsible for the safety of their children, failure to leave would see them as putting their children at risk, leaving would make them homeless and place the children at risk creating an endless dichotomy (Dobash and Dobash, 1992:124).

Nevertheless, police would often treat even severe and repeated incidents of domestic violence as 'a domestic', minimalizing the assaults and women were often treated as though they were responsible for the incident and were wasting police time (Reiner, 2010:172). Their perception of securing the help that they needed created a continuum of non-reporting, repeat incidents, often not connected by police officers responding to what they considered individual, situational violence. All in all, a toxic mix of attitudes, disconnected responses and poor service provision.

The release of the HMIC report 'Everyone's Business' (2014) leveled criticism at police forces across England and Wales, highlighting significant concerns regarding the reporting of domestic abuse, low prosecution and conviction rates, alongside attitudes, value judgments and behaviours, in the management of domestic violence. It indicated serious inconsistencies at both senior management and front line settings, underpinning poor policing practice and essentially secondary victimization of victims of domestic violence through a lack of empathy and understanding, awareness of the needs of victims, inadequate

investigation at the scene and the impact of attitudes on discretionary decision-making regarding arrest and prosecution. This was a formal inspection that very clearly verified the findings of the research being released at the time and was a resounding contradiction to the policing policies and practices that had preceded it. In conjunction with the influential research reports, it was the final call to arms regarding the slow progress of legislative and policy reforms but more so the leadership and street level practice that underpinned their implementation.

The HMIC report in 2014 (HMIC, 2014) had highlighted many serious deficiencies in the police handling of domestic abuse but a comprehensive study by Safelives (2015) also provided clear evidence of women's continued negative experiences when reporting violence and abuse to other statutory agencies. The report highlighted that, in spite of established partnership systems, different priorities within different agencies led to huge variations in the way that domestic violence cases were dealt with and how often opportunities were missed to intervene (Safelives, 2015:18). The research found that 85% victims tried to get help 5 times before eventually getting support and even then it was variable and inconsistent. Worse still, was the constant reference by victims to the lack of understanding, attitudes and perceptions they encountered when seeking help. Evidence emerged that showed victims would experience violence in the home some 35 times before seeking help and the inconsistency of that support placed them at considerable risk. Victims highlighted that, in the year prior to getting the help that they actually needed, 4 out of 5, or 78% of high risk victims had reported their abuse to the police and 62% of those deemed medium risk had done the same. 23% of high risk victims and 10% of medium risk victims attended A&E due to their injuries and in the most extreme cases, victims said that they had visited A&E at least 15 times. SafeLives point out that these were critical opportunities to enable victim disclosure and prevent further harm to the families concerned.

Solace Women's Aid in conjunction with the Child and Women Abuse Studies Unit (CWASU) at London Metropolitan University (Kelly and Klein, 2014), also conducted research into the difficulties women experienced when seeking help, protection and safety in escaping abuse. The purpose of this research was to identify potential intervention and disclosure points along a victim's journey to safety. The research found similar issues with regard to policing, but also across other agencies within, or allied to the criminal justice system, that could seriously undermine appropriate support and prevent timely disclosure. Alongside the police these included social services, health, housing, courts and voluntary sector

service providers, all of whom came under some level of scrutiny and criticism for failing women at a time when they needed support the most. Researchers identified a recurring theme of delayed and apathetic responses amongst statutory services, judgmental attitudes, misinformation and poor understanding of the needs of victims, poor decision making regarding timely interventions and detrimental experiences of victims, deterring them from seeking help at critical points in their timeline of abuse.

The Solace Women's Aid report also re-emphasizes the burden of risk that social services places on children's safety and the burden of responsibility in relation to the status of victims rather than the perpetrator. It highlights that responsibility is placed on the woman because of her role as 'carer' and comes with the threat of more focused scrutiny on her and for the woman, fear that she would be seen as the one failing to keep her children safe. The report highlights the vulnerability and inequality created at the hands of the perpetrator, but how victims experience the same at the hands of agencies tasked with protecting and empowering them.

Finally, despite the raft of research studies into domestic abuse as a phenomenon and the difficulties identified in service provision over 50 years since the first refuge opened its doors, only now has legislation been passed that defines explicitly domestic abuse as a criminal offence and outlines the many forms it can take. The Domestic Abuse Act 2021 was hailed as a 'once in a lifetime opportunity' by the Victims' Commissioner Dame Vera Baird QC and Nicole Jacob, the new Domestic Abuse Commissioner (3<sup>rd</sup> March 2020) to transform the way that domestic abuse is tackled. This legislation might well be seen as the most significant marker in the history of domestic abuse campaigning, and it is indeed a significant piece of legislation and policy, but why has it taken so long and is this the panacea that so many victims of domestic abuse expect?

## **2.6 The cost of domestic abuse**

A report commissioned in 2004 by the Women and Equality Unit (DTI), conducted by Sylvia Walby (2004:1) into the costs of domestic violence for services (including the criminal justice system, health, social services, housing, civil legal) amounted to £5.7 billion per year, with the most significant burden falling on the police. Direct costs to the NHS for physical injuries amounted to £1.2 billion a year and £176 million for mental health care. At least £250 million could be attributed to social services concerning child protection issues, with a further

£160 million in housing costs for emergency accommodation, housing benefit and refuge accommodation. Approximately £2.7 billion is lost in relation to economic output. Walby (2004:3) points out that this estimate is based on Home Office methodology regarding costings on crime generally and that the estimates are not based on a full gamut of reliable data, given that agencies have no commitment to the collection of specific data for domestic violence alone. Walby highlights that understanding the problem and the development of 'transparent, comparable measures of the costs and benefits that flow from policy action and inaction' is vital in reducing domestic violence.

Walby claims that it is likely, when accounting for the impact on individual income through loss of employment, moving home, civil legal costs, health and emotional costs, the actual cost is probably far higher. Furthermore, given that the impact on families concerning the risk of mental health issues for both the victim and her children, increased likelihood for children of behavioural problems, interpersonal relationship difficulties, poor school performance, truanting, increased risk of drug and alcohol use, higher risk of worklessness and homelessness, the actual costs over time are significant to the individuals and the wider communities within which they live (Royal College of Psychiatrists, 2014, Stanley, NSPCC 2011).

Local authority funding was sporadic and inadequate throughout the 1990s and there was little understanding by agencies as to the scope of the problem. The sub-culture of organisations reflected limited empathy with victims, or any real understanding of the appropriate support mechanisms available, or indeed those needed to tackle the issue (Sanders-McDonagh et al, 2016:68). As previously mentioned, the needs of male perpetrators outweighed that of the victims, with perpetrators remaining in the family home and women having to leave to stay safe (hence refuge provision). Part of the reason for this was again due to inequality in the system as men were generally the named tenant, had financial means to control the household and injunctions, whilst available, were not widely used. This of course, would provide an additional burden on the police to monitor and enforce an injunction and given resource issues, would make it difficult to keep the family safe.

From 2000 onwards, there was, until recently, specific, ring-fenced Supporting People funding (Sanders-McDonagh et al., 2016:60). However, there remains no statutory requirement to provide Domestic Abuse service funding from council budgets. Providers have been subjected to massive reductions in funding and the inevitable loss of refuge space (Women's Aid, 2015). The cuts in funding from



council service commissioners were aligned in most instances, with an expectation that domestic abuse service providers would restructure their services, seek alternative financing through grant-making trusts and funders essentially subsidizing essential services, increasing volunteering under the Big Society agenda, whilst developing creative solutions in order to continue to meet the need. This pressure on providers who are already paying staff much lower salaries than statutory services receive, yet with an expectation that they will fill the void of reducing statutory support, is close to crippling (Sanders-McDonagh and Neville (2017:5). The previously ring-fenced, Supporting People funding vehicle ended in 2010, with no specific, dedicated funding for housing support services. According to Women's Aid Audits in 2014 and 2019, funding remains subject to competitive tendering and the challenges of the short-term nature of funding streams. This in turn, has affected the management and sustainability of essential support services due to inadequate funding to cover the full costs of service delivery and running areas of essential work with no dedicated funding. This raises significant questions regarding a true commitment to underpinning national and local policy commitments.

Despite the changes to local authority and government strategies to tackle Violence Against Women and Girls, the lack of funding has continually remained an issue that serves to counter the stated objectives of these policies. In 2015, the Local Government Association, in collaboration with the Safer Portsmouth Partnership (2016:15), provided a briefing report responding to increasing levels of domestic abuse across England and Wales and the impact of reduced funding for specialist support services on local councils. The methodology involved data sharing between seven councils, including adult social care and the impact on substance misuse and mental health provision. Their analysis cut across three key local authority services: housing, children's social care and adult social care, as mentioned. They acknowledge that other services such as education, community and youth services would also incur costs but were not included in the study. When looking at core services provided by local councils, they found that domestic abuse was the most common cause of homelessness and that this was replicated across England and Wales. Most had no choice but to leave their home to escape violence, leaving the perpetrator to remain in the family home. Where women were able to remain in their homes, measures or 'target hardening' were required to improve safety and security. This was seen as a lower cost than relocation (LGA/SPP, 2016:11).

They found that the complexities and uniqueness of each case meant unpredictable individual cost bases, but the most common patterns involved child referrals to children's social services, the involvement of adult social services due to the increased vulnerability of victims and the associated issues that often follow including mental health, substance misuse, learning disabilities and safeguarding provision. They acknowledged that other providers such as criminal justice agencies, health and external housing also incur costs, and for all agencies involved, the majority of costs are reactive rather than part of a coordinated proactive or preventative response to the problem. Applying calculations to just three core services across 7 councils, the cost of domestic abuse was found to be £16,879,872.

Therefore, if these findings are replicated across England and Wales, suffice to say that domestic violence and abuse is a significant cost liability from a crime management perspective, meaning that the resolution of domestic violence in terms of efficiency through services is of paramount importance. There has, however, been some impetus over more recent years to make domestic violence and abuse a key issue for government action. The 2010 Violence against Women and Girls strategy and accompanying action plan, demonstrated commitments towards the elimination of violence against women and girls (Home Office, 2010:1). The remit was broad but also tied into the more focused Tackling Troubled Families programme, which provided a holistic framework of action to support families deemed to be in difficulty, including the issue of domestic violence (Crossley, 2018:2). The tackling troubled families programme was implemented within a 'payment by results' regimen and as such, required local authority grant holders to produce action plans with specified outcomes to evidence those results (DCLG, 2015). Funding profiles for each area however, were set by the authorities themselves against a very narrow performance outcomes framework, with limited reach in relation to broader agency involvement. The programme has been recently evaluated and the report, having researched effectiveness at local level, found no discernible impact in the majority of required impact and intervention activities, despite prior claims by the government to the contrary. Hayden and Jenkins (2014:643) however, highlight that where successes were evident, it could be attributed to the quality of the individual professional and their relationship with the family. They claim it was a matter of 'who works' rather than 'what works' which suggests inconsistencies in continuity of services for the families involved.

It is clear that the existence and application of protective measures and criminal justice interventions are critical in addressing domestic violence and abuse, but the importance of empowerment cannot be underestimated (EU-FRA, 2014). Access to support structures that enable victims to overcome exposure to extreme abuse could be considered a vital element in reducing the risk of future violence in their relationships, but funding for this is crucial to ensuring and enabling them to break free of the conditions that maintain their position of vulnerability and inequality in society (Homeless Watch, 2013). Domestic abuse cuts across the police, criminal justice service sector (Courts, Probation, Prisons, etc.), social services, health, housing and third sector support agencies and is inextricably linked to social policy implementation requiring multi-agency collaboration. The continuity and alignment of funding across agencies to enable streamlined approaches seems to be a key feature for consistency of necessary resources.

In 2015, whilst other areas of the criminal justice system and local implementation of strategies and policy were under scrutiny, the HMIC released an inspection report into multi-agency partnerships, conducted in collaboration with the HMIC, HMPSI and HMI Probation (Criminal Justice Joint Inspection/HMIC, 2015:17). This report revealed the research findings undertaken in 6 Local Criminal Justice Partnerships (LCJP) in England and Wales to look at leadership, effectiveness of promoting change and innovation to reduce costs, supporting local vulnerable victims, reducing re-offending and implantation of digitization. Further evidence was received from Police Crime Commissioners in 4 areas and online surveys from a further 8 LCJPs.

LCJPs were established to enable the effective working of criminal justice services in local areas against a set of agreed priorities. The HMIC report found little evidence of this and that few areas had considered collectively what mattered locally despite government strategies, policies and action plans in place. Where they were in place, they were not always in line with or clearly understood by all partners. Priorities had been agreed upon at the senior management level, but not always consistently replicated through actual links to specified work programmes to achieve objectives. They highlighted that whilst agencies were concerned with vulnerable victims, for example, a conjoined approach across the criminal justice agencies in the area was not always present, and individual agencies were working in 'silos'. There was a disparity between organisations regarding performance measures, accountability and targets, which were not coterminous with those of other partners, including training. Local leadership

varied between and within areas, and street-level policy implementation was fragmented between agencies depending on priorities and objectives. They emphasized the importance of agencies finding ways to turn paper plans into actual outcomes. On a national level, they said that greater support needs to be given at the local level. There should be more effective communication of national strategy at a local level (Criminal Justice Joint Inspection/HMIC, 2015:14).

In April 2021, the ONS stated that, "the "cost of crime" to individuals and businesses has soared to almost £100 billion a year, according to analysis of government figures. A sharp rise in murders (including intimate partner homicide), serious assaults, abuse, and rape has driven individuals' estimated total financial costs each year in England and Wales to £72.5 billion (ONS, 09/04/2021). In order to understand how strategy and policy are rolled out at local level, it is necessary to understand more about the roles that organisations and practitioners play in the implementation of government commitments in response to local needs.

## **2.7 Supporting People funding**

Supporting People funding was established to ensure that housing support could be provided consistently through a ring-fenced funding source to protect the most vulnerable people in communities (Ashton and Capgemini, 2009:17). Outcomes for funding at a local level were also generally aligned and tied into the SITRA Quality Assessment Framework, which provided a comprehensive 'quality service manual' for 'supported housing' functions (SITRA, QAF Core Objectives, 2013). Supported housing included refuges, which were assessed regularly against the prescribed quality standards. Their funding contracts were subject to these conditions to ensure good quality provision and value for money against a specified framework for grading and measurement.

These standards included the requirement to work with statutory and other appropriate agencies in partnerships. Multi-agency working in line with local authority protocols was expected, including participation in shared action plans and outcomes. The standards and funding conditions relied heavily on risk management, safety and empowering victims to overcome the effects of their abuse and rebuild their lives. The implicit expectation was that by empowering victims to rebuild their lives, they would gain some level of financial independence and costs would be saved through reduced reliance on welfare provision (Ashton and Capgemini, 2009:20).

The removal of Supporting People funding (Irving-Clarke and Henderson, 2021:111) came with significant consequences for refuge provision and refuge support resources. They point to the Quilgars and Pleace study in 2010 that highlighted the plight of families trying to flee a violent perpetrator but could not do so for the lack of refuge space across the country. The impact of removing ring-fenced funding meant that local authorities could redirect funding away from supported housing functions and created essentially, a postcode lottery of refuge space. These changes accompanied the focus of government on the 'localism' agenda and the devolution of power, funding and the responsibility for policy implementation (Bowstead, 2015:327), whilst at the same time reducing local authority funding significantly. The concept of this agenda under the banner 'Big Society', relied on the greater involvement of the charity, or 'third' sector in fulfilling national and local government responsibilities set out in government policy.

However, in response to the pressure on spaces, many local authorities made efforts to reduce funding to local specialist domestic abuse support charities and restrict refuge spaces, removing the safety-based, risk led, reciprocal arrangements across local authority areas, restricting and reallocating spaces for local women only. Refuge space cannot be wholly local for purposes of risk management and safety. For the duration of refuge existence, has operated on a reciprocal basis to keep service users in anonymous locations well away from the perpetrator. Refuges function on an informal regime of 'fire, flood, found', with 'found' is the most critical situation to prompt emergency transfer to another out of area refuge.

Gill Herd, Housing Lead for Solace Women's Aid, a local provider in North London, highlighted that the management of risk, so critical to adult and child safeguarding, would not be possible without cross country reciprocity to manage extreme risk. The same is true for rehousing victims in areas outside their original home location. Changes to specified funding and the pressures on local housing prompted councils to focus on housing those from within the authority only, even though they often house their own victims of domestic abuse outside of it (Aumord, 2016). Herd said at the time, that in their operational experience, reciprocal arrangements had become hit and miss and that despite rules stating that a local connection could not be enforced, some councils were still insisting on this, knowing that this should not be enforced on victims.

The removal of ring-fencing for refuge and support services opened up competition under new commissioning arrangements, which pitched small, specialist organisations against large housing associations and providers. Many did not have the same level of capacity and resources that large organisations could draw on, and refuge accommodation was swallowed up by large organisations that could demonstrate economies of scale. This changed the profile of specialist provision dramatically. According to Bowstead (2015:328) the Supporting People framework had provided for increased refuge and service provision against consistent standards with the benefit of professionalizing support functions and operations, increasing respect for those working in the third sector and recognising the specialist nature of their work. Removal of this funding changed service provision from being specialized, victim led services for domestic abuse service users specifically to becoming part of a more generic profile of services under the 'vulnerability heading'. She also points out that as local authorities had no statutory obligation to provide domestic abuse services, they considered them discretionary and thus subject to reductions in funding favouring other statutory responsibilities.

This could account for the tendency to place domestic abuse in amongst other 'community safety' crimes rather than a priority on its own. A possible confirmation of this is how evidence of effectiveness is collected and evaluated to enable the government to determine successful local performance in meeting community needs. Jacobs and Manzi (2013:8) assert that where services are not distinct from other activities, they get lost in local policies, and the methodology of evidence collection does not translate easily into a reflection of the particular local issues or solutions. Effectiveness becomes a more generic measurement and open to consensus variations on what works and what doesn't. Bowstead (2015:329) argues that homogeneity of local needs is presumed, and thus services are not tailored to the needs of specific groups such as victims of domestic abuse.

Referring back to costs outlined in the 2019 Home Office Report profiling social and economic costs of domestic abuse (Oliver et al., 2019:6). Costs borne by the government (and ultimately the taxpayer) amounted to £2.3 billion in health care, £1.3 billion in policing, £336 million in legal costs and £550 million in housing. These figures are in addition to funding for local victim services, charities and volunteers to support victims. The average cost per victim amounts to £34,015 but a domestic homicide costs in the region £2.2 million when taking account of harms, health services and DHRs (Domestic Homicide Reviews). Oliver

et al. (2019:45) also point out that these costs do not include costs relating to children and the broader families. They concluded that these are likely to be a significant underestimate in the absence of more detailed data.

According to the Women's Budget Group (WBG, 2020:4) in their Violence Against Women and Girls (VAWG) pre-budget briefing in March 2020, highlighted the extent and increasing level of VAWG and the impact of funding cuts brought about by the current framework of funding from local authorities. They emphasised that smaller community based, women-led, local specialist services are struggling and, in many areas, being lost to larger, more generic providers such as housing associations or larger generic providers. They claimed this has been exacerbated by local authority insistence that to reduce commissioning costs, a 'one size fits all' model is adopted, through a single contract, rather than more targeted specialized services. They reiterated that there remains no statutory right to specialist support for victims, which is one of the criteria for the government to be able to ratify the Council of Europe Istanbul Convention on Violence Against Women and Girls, to which they say they are committed. They confirm Women's Aid Audit findings that 64% of refuge referrals were declined in the last year, leaving victims with little choice of either returning to the perpetrator or finding themselves destitute and homeless.

The consequences both from a human cost perspective and a financial perspective are considerable for those experiencing domestic abuse. Families are much more likely to become homeless. For women, they are much more likely to suffer severe mental health problems, physical health problems, unemployment, drug and alcohol use, amongst other issues. Children are far more likely to become disruptive, assimilate violence and abuse or become victims themselves in later life. There is more likelihood of teenage pregnancy, drug and alcohol use, mental and physical health problems, poor educational performance and life opportunities, truanting, anti-social behaviour and relationship issues (Hoyle, 2017:324). Sadly, the list is not exhaustive, but underline the social and economic costs to individuals, communities, and society generally within far-reaching cycle of domestic abuse.

## **2.8 Summary**

This chapter provides the accepted and updated definition for domestic abuse, which includes not just physical but psychological, emotional and economic abuse. The revised and more comprehensive definition provides sufficient breadth

to alert practitioners to the many dimensions of domestic abuse, its impact on the victim and complexities that need to be understood for a comprehensive, meaningful, victim focused response to be implemented. It sets the scene for understanding the foundations of the problem underpinning this research, highlighting the historical nature of VAWG definitions and their links to political and public consciousness in relation to it. Language and terminology has been shown to be problematic in enabling an understanding of the complexities of the issues surrounding violence and abuse against women, particularly in political settings. However, it has also demonstrated the significant social, economic and individual costs of violence and domestic abuse. Policy development has been shown to present a somewhat contradictory picture with regards intentions and impact and the next chapter will explore this further by reviewing the agencies involved in delivering VAWG services in line with the overarching policy framework.



## **Chapter 3**

### **Literature Review -**

#### **Exploring Statutory and Non Statutory Responses to VAWG**

##### **3.0 Introduction**

As demonstrated in previous chapters, domestic abuse is a complex phenomenon, the responses to which cut across a network of social institutions, organisations and communities. The impact of domestic abuse has been shown to involve multi-agency working involving key agencies such as the police, health, housing, adult and children's social services, criminal justice agencies (Crown Prosecution Services, Courts, Probation, Prison Service) and charitable support services (Crawford and Evans, 2017:805). The evidence presented thus far suggests that domestic abuse forms part of the operations of most organisations involved in multi-agency responses to domestic abuse, even if it is not their core activity and that there were inconsistencies in approaches across multi-agency partnerships, with detrimental outcomes for victim-survivors. Whilst national VAWG policy sets out a framework of measures to address these issues, it is unclear as to how agencies are performing under the policy framework and whether it is sufficiently robust to iron out the anomalies within front line service provision. This chapter explores the current context to understand how policy features within and across organisations involved in tackling violence and abuse against women and girls, and in what way.

Hughes (2017:5) highlights that one of the consistent failings in the implementation of violence against women and girls policies is the inconsistent collaboration and variability of partnerships. Therefore, it is important to understand the role of agencies typically involved in local partnerships and the areas of the criminal justice system that are inextricably linked to response to VAWG and the management of victims' safety. Cameron and Quinn (2011:35) point to organizational culture, the core values, assumptions, interpretations, approaches and competing priorities as problematic in partnership formats. They also highlight that the notion of 'competing values' can impact negatively on the effectiveness of functions both within and external to the organisation in question (Cameron and Quinn, 2011:38). Carey et al. (2016:19) point to vested interests in VAWG policy outcomes as more likely to influence positive collaboration. The further away the objectives are to an organisation's core values and purpose, the more problematic coordinated responses are likely to be. Therefore, this chapter

reviews the literature pertaining to the roles, responsibilities and practical operations across agencies typically involved in implementing the objectives of VAWG.

### **3.1 Multi-Agency Responses to Domestic Abuse**

When referring to domestic abuse services, it is necessary to understanding what is meant by the idea of service provision. Firstly, the overarching goals, according to national VAWG policy and strategy (Tackling Violence against Women and Girls, 2021:14) are to increase support for victims, increase reporting and prosecutions, increase victim engagement with the police and wider service response, increase public confidence in the system, whilst preventing and reducing the prevalence of violence against women and girls. The strategy advocates a 'whole government', 'whole system' approach involving a range of professionals at both government and local government levels, but acknowledges the reactive rather than proactive nature of current provision. Given the range of different agencies that become involved in working with victims and perpetrators of domestic abuse, it is important to understand these organisations and review their involvement.

#### **3.1.1 Multi-agency Partnerships**

Multi agency partnerships were facilitated through the Domestic Violence, Crime and Victims Act 2004. This established Specialist Domestic Violence Courts (SDVC), Multi-Agency Risk Assessment Conferences (MARAC) and Independent Domestic Violence Advocates (IDVA) to work with high risk victims of abuse through criminal justice pathways. The objective was to enable more effective responses through collaborative inter-agency responsibilities and provide a platform for collective working to formulate strategy, common objectives whilst ironing out anomalies.

However, Cleaver et al (2019:8) highlight that this represented a shift away from feminist activism and discourse, placing the narrative in the context of criminal justice interventions. The consequence they say has been the reduction of analysis with regard to criminal justice policy, to a more pragmatic focus on victim outcomes and performance. Arguably, this belies a need within policy making and practice to understand how and why victim-survivors are exposed to the variability of policy based interventions such as MARACs, because effectiveness takes the form of performance indicators shrouding actual lived

experience. However, multi-agency work involves significant challenges across a range of organisations, individuals and activities within an operational framework of competing priorities. This in itself demonstrates the layers of complexity that contribute to difficulties in developing and maintaining consistent responses to domestic abuse and the need for a means to monitor effectiveness.

Peckover and Golding (2015:4) point out that multi-agency partnerships rely on the engagement of practitioners from different agencies and their ability to buy in to the concepts that underpin effective joint working. Multi-agency partnerships are underpinned by information sharing protocols and defined, shared responsibilities, but more often than not are faced with varying approaches, priorities and interventions unique to their professional and organizational purpose. This, in itself, can detrimentally affect victims of domestic abuse and cause disparities in risk, support and judicial processes (Hester, 2011:837). According to Hester, the practicalities of partnership working are exacerbated by the 'habitus' of groups' (Swartz, 2002:675) which Hester says leads to the creation of divisions not only between professional groups but within them, and essentially dilutes the gendered nature of domestic abuse and its impact on victims and their families. This further complicates any understanding of the multi-agency platform as it creates a myriad of issues related to organizational culture and purpose, leadership, individual thinking and systemic bias (Rosenbaum, 2014:171).

Despite policy mechanisms and legislative tools available to multi-agency partnerships to enable common objectives and consistent responses, there appears to be significant variability from area to area and around policy-based interventions. For example, Coy and Kelly (2011:24) in their evaluation of IDVA programmes in different locations, point to the variations of responses from different agencies which resulted in erratic support at different times, if at all, resulting in the IDVAs' inability to provide a whole system package of solutions for victims. The IDVA service was designed to provide a single point of reference to coordinate person centred support for the victim. The consequence of fragmented, disjointed agency responses was a number of short term 'crisis intervention' measures rather than long term, sustainable outcomes.

Working with victims' presents a complex array of issues and a comprehensive, multi-faceted approach that necessarily has to be person and family centred. The challenges are significant and can be resource intensive, requiring an ever varying combination of resources. Peckover and Golding (2015:9) uncovered a

lack of unified thinking and variable understanding of the problems presented by a victim of domestic abuse. This variability impacted on interpretation of case management, what information was relevant and should be shared or not, but also how risk is viewed and appraised by different services. Coy and Kelly's findings in their 2011 study also found that there was no common definition of domestic abuse, as well as assumptions that one agency would be carrying responsibility for the case, thus minimizing their own involvement. This had implications for the consistency and reliability of information with the potential safety to be undermined (Cleaver et al, 2019:29).

Cleaver et al (2019:31) point to the use of training as a means of mitigating the risks and improving understanding amongst agency professionals but found that 6 months after training, the implementation of training outcomes had not been achieved and the problems remained in varying degrees. Some of the issues could be related to the disparate location of services in relation to each other, creating an element of silo working and detachment from the multi-agency concept. Hester (2011:838) refers to this detachment as 'three planets' where different agencies assume responsibilities for different elements of the victim's journey and adopt very different understandings of domestic abuse and its impact. This she says leads to considerable variations on responses and the dimensions and directions applied to a domestic abuse case.

Davies (2022:323) reviewed the extent to which the police and multi-agency partnerships have travelled over the past 30 years and suggests that they have evolved over that time but remain impeded by a challenging landscape. Fundamentally, she argues that it is stubborn patterns of behaviour that are difficult to crack. Respondents in Peckover and Golding's study (2019:16) suggests that personalities and commitment to the victims of domestic abuse tend to drive more positive responses and that translated into leadership can change thinking to enable more effective responses. Nevertheless, it is important to review the individual agencies that contribute to VAWG management.

### **3.2 Policing Domestic Abuse**

Police are typically the first responders to incidents of domestic abuse and indeed, the most regulated and monitored of all agencies working in this field. According to Hanmer et al. (1989:185) the aim of policing is traditionally determined as the maintenance of public order and protection. They assert that the focus of analysis and evaluation has been predominantly about what they do

regarding crime prevention and control in the public arena. Hanmer et al. argue that the police are legitimated by society because they are maintaining public order on the basis of neutrality and fairness. However, this idea assumes the equality of gender power relations. It is a generic approach, without consideration for the breadth and complexity of policing in the changing face of social, economic and political expectations. Radacic (2007:450) points to feminist beliefs that the gendered nature of public and private domains, is the main obstacle to the protection of women's rights and safety in the home. She argues that the invisibility of family life creates a barrier for interventions because it essentially requires another layer of legitimacy and consent, otherwise accepted in public space, complicated by private relationships and the line between public and private order. But the question that confuses the distinction between the two, is the idea of public interest and private safety.

To what extent does policing cross the line into the private threshold matter to wider society and complicate police work and personal space? Roessler and Mokrosinska (2015:196) claim that the focus of public inquiry follows the focus of public concern, as has been seen in the cases of female homicide such as Sabina Nessa (Safelives, 22/09/2021) (Sarah Everard (BBC, 12/03/2021), Nicole Smallman and Bibaa Henry in 2020 (Guardian, 12/06/2020), which generated a tipping point for the exposure of women's fears and safety concerns mainly in public space. These events also exposed many flaws with regard to police culture and confirmed the level of misogyny that exists within the organisation as a whole (Operation Hotton Learning Report, 2022:2). Despite the criticism of misogyny and sexism leveled at the police, the Metropolitan Police Commissioner minimized the accusations, claiming that its existence is attributed to an 'occasional bad 'un'', resulting in calls for her resignation for trivializing serious failings and clear evidence to the contrary (Falconer, 03/10/2021).

In response to the knowledge that the perpetrator was a police officer in abuse of his powers, Commissioner Dick suggested that women should 'hail a bus' if they were in any doubt about a police officer's identity and/or motives. The outrage was further exacerbated when North Yorkshire Police Commissioner told the BBC that women need to be 'streetwise about when they can be arrested and when they can't' and blamed Sarah Everard for 'submitting' to a bogus arrest (Topping, Guardian Reports, 13/04/2021). This would appear to be in complete contrast to the objectives outlined in current VAWG policy and raises the question as to how such views exist and appear to persist.

### **3.2.1 The Public/Private Dichotomy**

The issue of women's safety following these events drew a distinction between public and private domains. In public space, it highlighted the fear women have held over time with regards violence and abuse, in fact the VAWG Strategy 2021 begins with a reference to women being terrified and clutching keys in their fists as a weapon of safety. The murder of Sarah Everard by a serving officer, the discovery of 'banter' coupled with sharing photographs at the crime scene, officers photographing the bodies of Nicole Smallman and Bibaa Henry, created questions about confidence in the police as an organisation and the Operation Hotton report confirmed the extent of misogyny and sexism ingrained in the culture of an organisation established to protect all citizens equally. More than anything, it raised the profile of violence against women and girls in both public and private space and that women cannot presume safety in either, from either perpetrators, or the police that they turn to for support.

The issue of public space involves not just the confidence of women but all of the public, but in relation to private space the matter appears to become more complicated. Although these tragic events took place in the public domain, it turned the focus onto violence against women and girls within a broader scope and raised the question of what constitutes safe space. Blunt and Varley (2004:1) claim that the notion of the home as private and bounded is based on ideas of self, a sense of belonging, protective confinement, a fixed and consistent location that gives a material and symbolic sense of individual rights. They argue, however, that both materially and symbolically, private space in the form of 'home' is gendered and shaped by inclusion, exclusion and inequalities intersecting class, age, sexuality and ethnicity (Blunt and Varley, 2004:3).

Squires (2018:132) describes this as the distinction between social business and personal business. She suggests that this creates a tripartite division between the state, civil society and the individual. Furthermore, private or 'personal' space becomes problematic when social constructs drawn from patriarchal structures in the public sphere are reproduced, in the literal sense, within the private sphere (Squires, 2018:134) and become normalised. Holmes (2009:82) furthers the idea of private space as a social product, saying that it directly reflects social relations and practices, within which gender plays a key role, but also intersects other social inequalities, such as racism, classism and homophobia. She claims, therefore, that the designation of space is a reflection of the Foucauldian concept of power, knowledge and the way that meanings are produced and reproduced

through the categorisation of space as a dimension of social relations. So how does this translate into policing practice?

Myhill and Johnson (2015:3) refer to ethnographic research, which identified the persistence of elements of police occupational culture that were discovered in early studies from the 1960s onwards. This is described as the continued presence of a 'masculine, crime-fighting ethos', and the minimization of domestic violence as a 'crime' in its own right. According to Barlow and Walklate (2018:2) the assessment of an incident in public space could be laden with assessments by the officers in attendance, of what is perceived as truth. That knowledge is then assigned to what is normal, abnormal, legitimate and evidential. They suggest that the act of assessment and decision making, is based on 'an appropriate response' rather than the legality or otherwise of the incident and circumstances they are facing. In private space, the same could be true, but is not the subject of scrutiny at the point of police intervention in the same way (Cook and Whowell, 2011: 3). Through these mechanisms, police draw on their own experience, knowledge, culture, all reflective of their social world, to subjugate women as victims within a patriarchal, heterosexual matrix (Butler, 1990:195). In the private sphere, contradictions exist between what might happen in a public space and that of a private home. The witnesses could be the victim or perpetrators and police are confronted by an incident that could be singular or part of a pattern of abuse. The difficulty possibly lies with the problem that there was no specific crime of domestic abuse until recently, resulting in difficulties determining the legislative options available. This creates complications surrounding an arrest at a time when situations can be highly charged emotionally and physically.

The household becomes a microcosm of wider society, but with the disadvantage of being 'protected' from the public gaze with domestic violence and abuse being considered as 'family matters'. Gray (2015:6) argues that the home as private space is gendered and politicized, therefore, with women being associated with the private and men the public. As such then, if private space is formulated through structures of inequality, it is not unreasonable to suggest that those same structures shape the thinking of agencies responding to domestic abuse and associated issues. It could be argued that if ideas of public and private space are the product of wider social structures, then it is not surprising that it becomes problematic for police officers who are shaped by the same social structures. Nevertheless, it is difficult to justify the separation of public and private space when considering the impact of domestic violence and abuse, not only on the

'private' household but also as a significant social problem that does not restrict itself to those boundaries (Horley, CNN, 2021:3).

### **3.2.2 'Cop Culture', beliefs and attitudes as variables in the implementation of VAWG policies**

Policing domestic abuse has historically been seen as problematic, whilst some commentators consider the difficult dichotomy between the public and private, as outlined (Squires, in Bellamy and Mason, 2018: 2018:131), others claim that the problem derives from police attitudes towards female victims (Fagerlund, 2019:90). Much of the early research focused on the idea of a misogynistic culture within the police, underpinning their views and beliefs that domestic abuse was a matter for those involved and not the police, as violence occurred in private rather than public space (Bailey, 2012:4). According to Bailey, many victims themselves perceived their situation as a private matter. They were reluctant to draw attention to it by involving statutory agencies and the fear of negative responses by the police or the possibility of criminal proceedings. Police and other statutory agencies were reluctant to intervene in private matters unless there was a child protection risk. Faragher (Pahl, 2016:119) points to the continued perception by police officers that domestic abuse is not real police work and that more often than not, they are expected to be 'marriage counsellors' or 'social workers', which are not seen as policing skills. The reluctance of agencies to intervene in private life appears to be a matter of selective intervention driven not just by views and beliefs, but also as a consequence of 'excessive discretion' (Diemer et al., 2017:339).

Buzawa and Buzawa (2017:165) say that in spite of clear policies in place regarding the management of domestic abuse, there are always situational factors to consider such as the variability of officer, offender and victim coupled with organizational and community characteristics. They suggest that 'on the scene' decisions are generally focused on organizational priorities, such as public order, or where challenges to authority are present, particularly regarding the arrest of perpetrators. In their view, this places secondary importance on the protection of the victim and this is a characteristic of what remains a crime in private space. Brennan et al. (2021:1153) claim that the police operate by applying the 'violent incident model', which clouds the broader constituents of abuse and create a mentality of investigation and subsequent prosecution based on individual and unconnected offences.



According to Myhill (2019:56), despite the reference to coercive control and other forms of abuse usually connected to violence, or the threat of violence, as outlined in the Domestic Violence, Crime and Victims Act 2004, the obligation to investigate the extent of abuse and the discrete nature of it fully, was less important to responding officers than the immediate incident itself. The Act allowed for the provision of 'common assault' and enforcement of breaches to non-molestation orders as arrestable offences. Myhill points to Home Office directives' expectation that 'positive' arrests would be made, despite the application of officers' discretion in domestic abuse incidents. However, Myhill (Myhill, 2019:58) highlights that the use of discretion in decision making and variability in evaluating risk, or differentiating between perpetrator and victim, led to the arrest of both parties due to the concept of presumptive arrest being taken literally, or possibly deliberate attempts to undermine the policy due to the work involved when the situation was unclear to them. The use of arrest as a tool can also be problematic with regards assessing the victim's wishes and can result in dismantling their coping mechanisms. The actions of officers on scene could therefore be confusing, particularly where the concept of coercive control is not fully understood.

Reiner (2019:134) points to the additional influence of 'cop culture', as a possible explanation of variations in response. This he says results in the perception or belief that domestic violence calls are 'messy, unproductive and not 'real' police work', resulting in a tendency to resolve the incident and move on. Barlow and Walkate (2018:3) also point to the impact of 'cop culture' and the existence of sexist attitudes within a typically masculine organisation, dealing with a highly gendered crime, whilst grappling with the notion that domestic violence is neither a defined crime, nor is it worthy of the time involved. It must be questioned then whether this underlies the persistent existence of these elements in HMICFRS/PEEL inspection reports, on the face of it demonstrating commitment to tackling domestic abuse whilst at the same time diminishing it as a crime.

Reiner (2019:167) suggests that 'cop culture' exists in all police work and that whilst people are influenced by their experiences, they can also generate their own histories and meanings, developing and responding to cultures in all types of organisations. However, he says that where the police service differs is that they are exposed to a multitude of multifaceted, multi-directional factors. Reiner (2019:169) points to Bourdieu's theory whereby officers' habitus are shaped by their working environments, or 'fields', and he asserts that their habitus shifts as they adapt to the changing landscape of their environment or different situations.

He says that culture develops through responses to dilemmas within the framework of 'macroscopic' structural frameworks, suggesting that the dynamics of police work, from shifts, neighbourhood locations, different challenges, occupational expectations, roles and responsibilities, over which they have limited control, shifts and shapes their responses to situations faced. This is essentially variable between the different contexts that they are presented with.

Reiner, therefore, posits that the notion of 'cop culture' is not monolithic, it is drawn from organizational and individual influences, but fundamentally the nature of the job requires camaraderie, reliance on colleagues, and solidarity in the face of isolation (Reiner, 2019:174). It might be argued (although not excused) that these circumstances create the perfect storm for machismo and sexism to be so easily replicated in the police workplace and in practice. It may explain the failure of officers to challenge sexist or racist behaviour by colleagues as outlined in the Operation Hutton report (2022). Reiner concludes that police perspectives on inequality and diversity reflect the structures of power that they work within and filter through the problems that they come up against. Whilst this presents some explanation of complicity, it seems that the result is reinforcement of behaviours and attitudes that tars officers with the same brush and serves to continually undermine policy intentions.

As first responders, the police are probably the most scrutinised organisation in the criminal justice sector and have the broadest responsibilities regarding crime (Newburn, 2016:841). Police are also the most publicly visible organisation, with powers that reach into more or less every corner of society. Charman (2017:3), however, points out that in spite of this, research has tended to focus on the culture of the police rather than how cultural characteristics develop. This suggests that the variability of society and those within it, create an almost impossible pressure for them to be all things to all people. Nevertheless, as has been suggested, police forces can be seen as a microcosm of the wider society it polices, including prevailing social awareness, social and cultural norms, attitudes, behaviours and beliefs. The issue of sexism, misogyny and racism sit uncomfortably together but are a part of the same cultural continuum and link directly with the same behaviours.

Following the Brixton Riots in 1981, the Scarman Report, soon followed by the Macpherson report (1999) after the murder of Stephen Lawrence, highlighted significant structural, organizational and cultural issues in policing. Scarman (Hall, 1999:189) referred to attitudes underpinning, in this case, institutional racism

and evidence of 'unconscious, unwitting behaviours' contributing to the failure of the police to adjust to policies designed to meet the needs of multi-racial communities. Macpherson (Morris, 1999:2) furthered this in his report by saying that 'unwitting' can be drawn from mistaken beliefs, attitudes, ignorance and a lack of understanding of the complexities of issues that demands place on the police. But in spite of this, he said that the police should be held to a higher standard, given their position. Whilst the issue was one of racism, Holdaway points out that:

*"if our society is racist, the police are racist and it follows that they cannot free themselves to change their behaviour and attitudes. The police cannot change their structures to minimize discrimination and prejudice"*  
(Holdaway, 1981:366)

His assertion could easily be applied equally to sexism and misogyny. However, he does not deny the opportunity and ability to implement change. He refers to Scarman's recommendations for 'attitudinal screening' during recruitment and the need for training but says that street-level officers develop their own views as to what constitutes good police work and rely heavily on the 'university of the streets' through on the job training by colleagues and how this can undermine formal training (Holdaway, 1981:369). The same could be attributed to the issue of women and domestic abuse.

The spotlight by Graef in 1982 (Graef and Stewart, 1982) on the workings of the police concerning sexual offences was a real-life confirmation of the multitude of issues surrounding police responses to violence against women (Mason, 2002:2). Hanmer et al. (2000:210) point to several reports and studies that consistently demonstrated poor responses to women when dealing with serious domestic violence incidents. As first responders, the police are also often the first contact victims have with a potential source of support and protection. The way that the police deal with their call for help, or first agency of contact can dramatically influence the pathways of support that victims engage with and has the potential to put them at even greater risk or harm than the initial incident. It would seem that the issues highlighted then have persisted, undermining and contradicting VAWG policies through a forty year time period and are showing no signs of diminishing despite the stated objectives to improve the experience of victims of domestic abuse.

This is evidenced in the HMIC 2014 Inspection Report (Billingham, 2014:7) that acknowledged that the quality of the initial investigation at the scene of an incident, known as 'the golden hour', is critical to securing a successful

prosecution, but also emphasized that the attitude and behaviour of the responding officer can make a significant difference to the engagement and reaction of a victim in the process. The report also acknowledged that the quality of responses, through first-line contact, immediate and subsequent investigative activities, vary widely between forces. It showed that responses to domestic violence calls were also not handled in a manner that might reflect other violent or abuse based crimes, with victims stating that they often felt that they were not always believed or that their situation was not seen as serious. As a consequence, response teams were often not dispatched, not prioritized and incidents were therefore, not dealt with in a timeframe that would allow for the all-important initial investigation to be as effective as it might have been, or prevent unnecessary harm to the victim or children involved.

Sir Tom Winsor, Inspector of Constabularies, Fire and Rescue Services in a press release on 5<sup>th</sup> January 2015, said that their analysis of the report demonstrated the deficiencies in police investigation practices concerning domestic abuse and those vulnerable victims were being exposed to a 'lottery' of responses by the police depending on where they lived. He reiterated the evidence of "poor attitudes, ineffective training and inadequate evidence gathering", requiring an "urgent overhaul" of police services "from the frontline up to the leadership". The HMIC 2014 report (Billingham, 2014:52) provided evidence of police officers demonstrating a "considerable lack of empathy" when handling domestic abuse cases, with some even showing contempt for victims. Victims were not taken seriously, and their quality of experience was "left almost entirely to chance". The report further highlighted "alarming and unacceptable weaknesses in core policing activity", including initial investigations. It also raised serious concerns over the failure of the police to conduct risk assessments of victims' situations and a random approach to arresting alleged perpetrators at the incidents, as well as the pursuit, or targeting of known perpetrators, saying that this was 'underdeveloped' in most police forces. It also identified "risky gaps" in the provision of specialist domestic abuse units due to cutbacks, particularly leaving some with impossible workloads and a lack of specialist resources. Reference was made to a lack of kudos for those working in domestic abuse units, a lack of recognition by other mainstream police units of the intensive nature of the work and much of their achievement wrongly going unnoticed.

The HMIC made clear that not all police leaders were ensuring or recognising domestic violence as a priority, but also called for a further inspection of not just the police but other agencies that work with victims, including health, local

authorities and the Crown Prosecution Service, suggesting that there was a much broader problem regarding appropriate responses to the issue (HMIC, 2014:5). These observations came in recognition that despite many years of evidence and supposed reforms regarding how the police service respond and manage domestic abuse cases, a cohesive risk assessment model across all forces aimed at protecting victims and targeting perpetrators remained extremely variable.

Winsor said:

*"Domestic abuse is not only about violence. It is about fear, control and secrecy. It is essential that the police make substantial reforms to their handling of domestic abuse, including their understanding of the coercive and psychological nature of the crime as well as its physical manifestation"*

*(Winsor, Guardian Press Release, 27/03/2014).*

Billingham, who chaired the reference group for the report, followed this, commenting that:

*"The service provided to victims of domestic abuse by the police is too often unacceptable. Police leaders told us tackling domestic abuse is important but in the majority of forces it is a priority on paper only and not in practice...it is deeply disappointing that the stated intent is not translating into an operational reality. The police service urgently needs to improve its overall response. The extent and nature of domestic abuse remains shocking. It can have a devastating effect. Every 30 seconds the police receive a call for assistance relating to domestic abuse. The findings of this report should be a wake-up call for the police service. Domestic abuse must no longer be the poor relation"*

*(Billingham, Guardian Press Release, 27/03/2014).*

Refuge, a prominent, long-established domestic violence charity, called repeatedly for a public inquiry, following what they considered to be an extremely damning report. Sandra Horley, Refuge's chief executive:

*"HMIC has come to a stark conclusion that the police response to domestic violence is not good enough, it is a national disgrace that decades after Refuge opened the world's first safe house for victims ... the police are still not responding appropriately to women and children's cries for help"*

*(Horley, CNN, Women's Views on News, Press Article, 28/03/2014).*

Assistant chief constable Louisa Rolfe, the ACPO lead on domestic abuse acknowledged the 'traditional' nature of criminal justice agencies and the impact of social attitudes surrounding domestic abuse. In the same press release she stated that:

*"Our challenge is not an easy one. We grapple with a staggering level of acceptance of domestic abuse in our communities and a genuine reluctance from victims to come forward in the face of a very traditional justice system that doesn't recognise the complex and very personal impact on those individuals who do come forward. We are also trying to improve our response in a time of continuing budget cuts and austerity"....."police need to get the basics right - the first response to victims of abuse, the investigation and the subsequent action to protect victims from violence and abuse - but we cannot tackle domestic abuse alone. Since forces were last inspected by HMIC in 2004, much work has been done to develop a much tighter partnership response with domestic abuse charities and health, social care, probation, education and housing services."*

*(Rolfe, Guardian Press Release, 27/03/2014)*

A subsequent report 18 months later, 'PEEL: Police Effectiveness' in 2016, to review police efficacy across England and Wales against a 'quality' framework of specific and consistent criteria, still found that although police forces were performing well in tackling more tangible crime, most were continuing to fail to protect and support vulnerable victims (PEEL report, Billingham, 2016:19). Improvements were acknowledged, but more improvement was considered necessary. The PEEL report found that the interpretation of vulnerability was subject to inconsistency, and of the 43 forces inspected, eight were unable to provide data on crimes involving vulnerable people. There were some examples of good quality investigations, but appropriately skilled or experienced staff were not always allocated to investigations, resulting in poor quality evidence. Referring to the HMIC 2014 report, within which reference was made to evidence-based policing and the difficulties forces had in learning from what works, possibly impeded by limited evaluation of their practices. Although there were improvements, this remained the case. Police forces were further criticised for the lack of systematic understanding, the lack of evidence and information sharing outside of the police organisation. It highlighted the continued improvements in multi-agency work particularly through the multi-agency safeguarding hubs (MASH) but that these models were not always based on what works and that there was no evidence to evaluate this either. Encouragingly, they concluded that police leaders had undertaken much work with, officers/PCSOs to improve attitudes and understanding, instilling in them that domestic abuse was their business and not someone else's, but also highlighted that there was much more to be done.

The HMICFRS Inspection report released in July 2021 was commissioned by the Home Secretary in March 2021 to understand the state of play regarding the effectiveness of police engagement with women and girls, seven years after the

HMIC 'Everyone's Business' report. The 2021 report points to considerable improvements from more visible, pro-active leadership, better risk assessments, identification of repeat victims, better evidence from the use of body-worn cameras and more committed staff. Nevertheless, improvements are still to be made to ensure a seamless approach across the criminal justice system to ensure better support for victims, timely and robust investigations to ensure the strongest cases and that perpetrators are brought to justice. Whilst the focus of the report is to establish the effectiveness of police responses, they also highlight the societal nature of combatting domestic abuse.

There was a significant reference to the need for a 'whole-system' approach involving the full gambit of partners, with whom contact with the victims was inevitable at different times. This suggests that the multi-agency structures currently in place, are not working as well as they should in implementing and delivering VAWG policies. The HMICFRS 2021 highlights that too often, in too many cases, there are considerable variations and sometimes failures in supporting and protecting victims. They conclude that there needs to be a 'radical and bold shift' in thinking backed by solid, sustainable statutory funding. Recommendations include an 'immediate and unequivocal commitment' that VAWG offences are an 'absolute priority for the government, policing, the criminal justice system and public sector partnerships'. There was, however no recognition of the specialist agencies that operate on a charitable basis despite them underpinning every aspect of work with domestic abuse victims often not picked up by police, or who will not submit to agency support due to their fears of statutory organisations (Bostock et al, 2009:104).

The majority of police force areas have specialist units, victim investigation teams or safeguarding hubs to deal with hate, sexual and domestic abuse cases (Billingham, 2019:33). The HMICFRS 2019 update report found that many of these units were under-resourced and leaving vulnerable people at high levels of risk. This exacerbated the problem of resources with officers and staff suffering the stress and strain of high workloads and the responsibility of being unable to deal with the level of cases where individuals and/or families were at such high risk. The HMICFRS report (2019:34) further highlighted that many officers and staff had not had the benefit of additional training to enable them to manage their role effectively from the point at which they had taken on specialist roles.

All areas across England and Wales now have a Multi-agency Risk Assessment Conference (MARAC), which was designed to ensure a comprehensive; police led,

multi-agency response to high-risk cases (Cordis Bright, 2011:6, Robbins et al., 2014:392). However, Phillips (2018:9) highlights that in spite of the multi-agency nature of the MARACs, determination of risk and coordinated actions to mitigate risk, safeguard the victim and, where applicable, their children, the effectiveness could be found to be variable. Understanding, awareness, risk assessment, record-keeping, the application of SMART actions and coordination between agencies were found to be lacking. The variability in effective MARAC intervention may lie with the issues raised by the HMICFRS 2019 update report regarding the training of officers and staff and/or the level of resources being insufficient to ensure consistent approaches. Applying the evidence in the report, it would appear then that the police, as one of the first lines of response for victims seeking support and protection, is at a significant disadvantage and arguably unable to provide the level of response set out in the Istanbul Convention (IC).

Many victims reported that they feel that they are judged and patronized, a situation further exacerbated when there are other issues such as drug or alcohol use or stated mental illness. Buzawa et al. (2017:171) suggest that this may be a matter of personal judgments, subjective and negative perceptions, but also because it can complicate their response to an incident or produce a negative outcome where a victim might be unreliable, prone to conflict, or prone, in their minds, to deception. Nevertheless, it takes courage to report a crime in any circumstance, even greater courage to report domestic violence and abuse where so much is at stake in respect of the potential of triggering other statutory agency involvement. Loftus (2012:133) suggests that one of the problems is that officers struggle with the idea of women as 'victims' in cases of domestic abuse. Loftus suggests that police apply particular perceptions and beliefs particularly when dealing with women in domestic violence situations and when drugs, alcohol or previous sexual activity with the alleged perpetrator has occurred. Kennedy (2019:99) appears to further this view saying that police, lawyers and judges still have difficulty with their perceptions of women as victims if they are not 'submissive and cowed'. She compares this with women who appear educated, materially well-to-do and confident, none of which fits the profile of an abused woman.

The use of discretion and the autonomous nature of street-level, face-to-face policing is a necessary feature of the scope of issues that officers deal with (Epiphonio, 2020:78). Epiphonio points out that the police determine who is the subject of the law and who isn't in the framework of legitimacy and as gatekeepers to the criminal justice process. The issue then is whether this can be



undertaken justly, fairly and without prejudice. Epiphonio (2020) says that failure to exercise discretionary power in this way jeopardises police legitimacy and the trust and confidence needed to encourage reporting domestic abuse (and other crimes). Whilst the need for discretion is clear, its nature can be variable (Barlow and Walklate, 2018:2).

Barlow and Walklate warn against narrowing the issue of discretion to that of street-level policing, given that any decision-making on the streets is the product of broader organizational and social cultures. They point out that decisions on the street now result in implications for budgetary and operational performance against service and inspection standards under the professionalization agenda. These are designed to minimise the impact of variations in decision making attributed to social, occupational or organizational culture because discretion goes hand in hand with accountability (Barlow and Walklate, 2018:2). Skolnick (Myhill and Johnson, 2015:6) highlights a problem with this in that domestic violence incidents are inherently complex, unpredictable and carry the potential for victims to disengage with the police, which can be categorized as uncooperative. This in turn, creates a situation with no distinctive outcome, which can be frustrating for officers, particularly where officers have little understanding of the wider concept of coercive control, or an understanding of the implications for a victim if they are seen by the perpetrator to be 'co-operating' through engagement.

### **3.2.3 The matter of risk**

The focus on accountability, according to Sabire and Barling (2016:352), can impact subjective judgments and professionalism, both of which are essential to the application of risk management. For example, specialist domestic abuse, safeguarding or vulnerable victim police units operating in policing areas within England and Wales are required to inform and refer cases to social services where they believe there is evidence of domestic abuse and children are potentially at risk. Risk in itself is open to interpretation, and the definition of risk can be problematic where there is no specific evidence of further risk (Sabire and Barling, 2016:353). For many front line officers, rather than making a mistake; they can take a precautionary approach without assuming that any domestic dispute constitutes a risk. For others, it is difficult to determine, and actual risk can be misrepresented (Robinson et al., 2018:191). This then impacts on the ability of resource-strapped social services departments to ascertain which cases are prioritised and places women in danger of being subjected to unnecessary social surveillance, acting as a further deterrent to seeking help should their

circumstances escalate, and they need support (Harne & Radford, 2008:47).

The duty, determined in the Istanbul Convention 2011 (Buzawa et al., 2017:307), is to provide an appropriate, measured risk assessment so that a coordinated safety and support process can be implemented. However, if officers are subject to such a variation of views, biases, or misunderstandings regarding the incidents they face and don't see the incidents as part of a broader pattern of behaviour, then arguably, this process may not be effectively undertaken. VAWG was defined as a breach of human rights and established a protocol requiring all countries to develop and adopt integrated policies at all levels of society. Part of this protocol is to ensure comprehensive training, risk management and 'sensitisation' of support providers to the complexities, realities and long term impact of domestic abuse on victims and their families. However, the HMIC 2014 report appears to demonstrate that this is not necessarily the case.

The issue of risk is also a complicated matter, and emerging research informing better knowledge and understanding of risk management has taken policing domestic abuse into a new dimension. According to Reiner (2019:259), policing is not just the domain of the police but spreads into wider social and interdependent agencies. Further to this, Hoyle (2008:325) argues that risk management in domestic abuse cases is far more geared to strategic approaches around identifying different risk indicators and a broader concept of appropriate interventions, not solely about the police action. She asserts that despite a matrix of indicators, the risk is linked to the victims and perpetrators themselves and their response to the police, the level of risk, availability of resources, and the impact interventions might have on families. In the framework of immediate responses to incidents, risk assessment is also not necessarily centred on the longer-term needs of those victims and consideration of what is realistically available to them.

#### **3.2.4 Policy in Practice, DASH, MARAC and pro arrest**

Sabire and Barling (2016:352) point to the number of factors that can influence an officer's decision-making and judgment of risk in any given situation. They refer to the same issues identified previously and give further credence to the influences of occupational and organizational socialization, demographic characteristics of the police themselves, victims, perpetrators, their response and attitudes to police intervention, the level of victim cooperation and obvious evidence at the scene such as weapons, injuries and so on. However, the use of

the Domestic Abuse, Stalking and Harassment and Honour-based Violence (DASH) risk assessment is applied to standardise the way that police and other agencies deal with high-risk victims. The use of the DASH is a structured professional judgment scale, and referrals to MARACs have been instrumental in bringing agencies together to coordinate support interventions and protective measures for high-risk victims, but this is not without problems. The HMIC (Billingham, 2014:13) inspection report found significant inconsistencies in implementing and utilising DASH in practice.

Stanley and Humphreys (2014:78) highlight that DASH is only one element of a complex risk assessment and management process. Police assessments are not always completed effectively, resulting in some cases being downgraded or, more importantly, upgraded. Phillips (2018:3) concurs and points to research indicating that results are not always accurate or valid, affecting the pathway of support available or recommended for a victim. Stanley and Humphreys research also identified that risk assessments could be heavily influenced by how fearful a victim is seen to be, and this can influence officers' perception of risk even though the tool is meant to prevent this. This again identifies subjectivity and individual judgments overriding what should be a systematic, evidence-based tool aimed at consistency.

Phillips et al. (2018:) undertook a study aimed at understanding and improving risk assessment into domestic abuse concluding, that significant numbers of DASH risk assessments had to be disregarded when quality checked by a secondary assessor and that some officers were more adept at capturing useful information than others. Turner et al. (2019:1017) found that there were significant variations between forces and areas. They also highlighted that those variations had the potential to impact the experience of high-risk victims and those deemed medium or standard risk. Incorrect assessment could also be an issue for those who should meet social services thresholds and use the Barnardo Domestic Violence Risk Identification Matrix, which police risk assessments feed into and the level of service provided to 'at risk' families. The implications for victims are therefore significant.

Ariza et al., (2016:342) consider the use of DASH as changing expectations regarding what police officers can achieve, but the difficulties are the ever-expanding role that they are expected to take on. Officers are not psychologists or social workers or specialists in domestic abuse. They are, as previously mentioned, expected to undertake the risk assessment at the scene whilst

dealing with a potentially stressed, distressed victim and angry perpetrator and seeking the disclosure of sensitive information. It brings a number of factors and interactions into play, including gender, ethnicity, language, and professional perceptions so misunderstandings, errors of judgment and procedural mistakes can occur. It could be argued that with the evidence of even 'unwitting' prejudices, beliefs, understanding and individually held perceptions, this is a difficult nut to crack, regardless of systemized procedures and can therefore seriously disrupt the intentions of policymakers and legislative objectives.

The police have a duty to take positive action, according to the College of Policing 'Major Investigation and Public Protection' guidelines ([app.college.police.uk](http://app.college.police.uk)). However, Hoyle and Sanders (2000:15) question the efficacy of arrest and prosecution and potential harm to the victim and revictimisation. They assert that arrest can result in greater risks of violence to the victim and economic costs to the family in loss of earnings, benefits and financial security. This, they say, sets domestic abuse apart from other crimes whereby arrest and prosecution act as deterrents to other crimes, but the opposite is true for domestic abuse. As has been discussed, Myhill's (2019:59) research indicates that 'positive action' responses are open to interpretation and can lead to overzealous 'dual arrests' where determining which party is the perpetrator is unclear, or decisions not to arrest where evidence is not clear cut. However, Myhill highlights that under the Police and Criminal Evidence Act (s24/5), there is only a need to have 'reasonable grounds', which is again open to wide variations of interpretation given the complexities of determining patterns of behaviour when dealing with coercive control.

The first MARAC was held in Cardiff by South Wales Police in 2003 and included representatives from 16 agencies (Kerti, 2017:3). It was a response to the disparate nature of risk assessments and inadequacies of information sharing between agencies that created the potential of victims 'slipping through the net'. They were rolled out nationally in 2006 and are now a feature of domestic abuse partnerships and largely 'held' under the responsibility of the police (Whinney, 2015:15). They are not however a statutory obligation but their existence and operation is endorsed by a number of Home Office reports (2013, 2014) and the HMIC (2014). Research and evaluation is limited regarding the efficacy of the MARAC model but its origins were based on a multi-agency risk management approach to address domestic abuse cases where risk is deemed to be at a high level (Phillips, 2018:8). They are seen as a tool in the wider 'coordinated community response' to domestic abuse which advocates collaborative working

between agencies to ensure a comprehensive and consistent approach to the variable nature and complexities of domestic abuse cases (Johnson and Stylianou, 2020:507).

Essential then for MARACs, is a common philosophical approach and organizational commitment by the multiple agencies involved with a view to reducing harm to those at the highest risk of it. Phillips (2018:2) claims that these forums have been largely successful but rely heavily on the efficacy of the risk assessments generated by responding police officers or specialist practitioners. She points to significant considerations regarding the fact that the DASH risk assessment tool is meant to provide a consistent approach to evaluating risk and scoring, but the variables of police and practitioner perspectives has the potential to undermine this. There is potential for imprecise assessment leading to high risk victims being wrongly scored and placed at risk of further harm. The HMIC report (2014) identified significant variations in DASH implementation, evidencing numerous inaccuracies. Robinson et al. (2016:2) highlight that the issue of discretion, as well as understanding of domestic abuse and the complexities surrounding it, impacts on professional judgement so that the risk assessment may be skewed and invalidated. The DASH, once completed is supposed to be subject to a secondary assessment by another officer, who would be unlikely to have been in attendance and thus the vital point of assessment has to be at the time of the incident. Secondary assessment is also not always consistently undertaken (Robinson et al. (2016:10). Robinson et al. further point to general attitudes and understanding with some officers recognizing the dynamics of domestic abuse but others lacking understanding and demeaning the work as a 'waste of time' or that in the heat of the moment, it being difficult to determine who is responsible for what. Negative attitudes were found to be particularly prevalent where victims had stayed with the perpetrator, returned to them, or not supported police action. Domestic abuse generally was seen as time consuming and not real police work (Robinson et al. 2016:13). This has significant implications for the effectiveness of subsequent actions for victims at different risk levels and the process itself.

### **3.2.5 Summary**

This section has reviewed the role of the police and difficulties with aligning their practice when dealing with domestic abuse and the objectives of VAWG policy. It reveals possible complications in the interpretation of policies at a practical level and shows that there is not always a direct match with intended outcomes. The

issue of culture, behaviour and attitudes appears to play a prominent role in steering decision making and actions despite policy frameworks, strategies, plans and mechanisms designed to drive consistency and limit the influence of factors relating to social structures.

The literature highlights that for police, domestic abuse is not a simple issue to deal with, and both victims and perpetrators can exhibit complicating behaviours that make an objective assessment difficult. Harne & Radford (2008:54) provide an example that perpetrators, on the one hand, can be manipulative and use male comradery to confuse officers, often claiming that the distraught victim has mental health issues and that the effort to calm her down 'got out of hand'. The officers arrive at the behest of a distraught, often hysterical victim and can easily be deceived, or misled into believing that this was not an act of domestic abuse and is thus a private matter. The outcome can therefore rely on the beliefs, attitudes and understanding held by officers on the one hand potentially seeing beyond manipulation and utilising professional judgement to investigate further or inadvertently colluding with the perpetrator by seeing no further than the situation as presented. One results in further investigation and potentially identifying patterns of behaviour by the perpetrator, the other in direct risk to the victim, loss of confidence in the police and likely continuation of abuse, the perpetrator using their inaction as another mechanism of control.

This is not to say that domestic abuse does not present dilemmas for officers. Brennan et al. (2021:1153) highlight the difficulties that police officers have in understanding where the abuse begins and ends. An individual incident is easier to understand, and evidence, but abusive behaviour and control patterns are much more difficult to investigate and prove. As Tolmie (2018:56) suggests, it blurs the line between criminal and non-criminal behaviour, which complicates not just the roles of police but also non-police practitioners. Brennan et al. go further to say that there are difficulties in operationalizing coercive control, not just for practitioners but policy makers as well. They refer to researchers and policing bodies relying on training to resolve this, even though they are less optimistic it will effect meaningful long-term change (Brennan et al. 2021:1155). The reasons for this they suggest, stem from evidence that officers approach training as a necessary aspect of their job to increase knowledge and understanding of new powers and approaches, but that fundamentally they rely on street-level learning and the use of situational discretion. More importantly whilst much of the training is comprehensive, it is not focused on the complex nature of gender relations, structural influences and systemic biases, nor the

secondary harms that can arise as a consequence (Hawkins and Laxton, 2014:9).

The very nature of policing is uncertain and unpredictable (Hunt, 1990:8) and necessarily requires considerable autonomy and discretionary decision-making often in critical conditions. Hunt paints a picture of a world impacted by organizational pressure and occupational values and what she describes as 'action oriented, expedient, violent and risky'. Policing therefore relies heavily on trust between colleagues and partners. In both contexts, the nature of the police is set within a framework of masculine principles and thus, what constitutes masculine and feminine, within policing, but also definitions of 'real policing'. The nature of policing has over the years become more complex and the role of the police seems to have become more blurred (Reiner, 2019:102). The expectation seems to cover a range of specialisms for which officers have little expertise but draws on their own experiences to manage and problem solve difficult situations.

Reiner (2019:168) asserts that the attitudes of police officers are relevant to the study of policing as they are deeply rooted in the structures of society including the inequalities of power. He says that without significant reform to counter what he refers to as foundational injustices and inequalities, they will always exist in policing. Policing in particular is subject to individuals and their own experiences, their locality, leadership, polices, all of which shape their socialization and perceptions of and connections with the world around them (Charman, 2017:155). It is a significant feature of this PhD research to understand the extent to which the issues raised in this section exist and impact on effective policy implementation in practice.

### **3.3 The Role of the Courts within the VAWG Agenda**

The police are not alone in tackling domestic abuse and implementing Violence Against Women and Girls policies to achieve this goal. Courts and the Crown Prosecution Service have also come under scrutiny for their approaches to the issue, highlighting significant flaws in the way that victims experience criminal justice transactions. Courts deal with VAWG from a broader perspective but with specific purposes. Criminal courts deal with domestic abuse, sexual violence and rape under the VAWG banner and civil courts are responsible for family matters such as custody and access to children as their primary concern with VAWG as a secondary element (Du Mont and Rossetti, 2018:10).

Whilst this PhD is focused predominantly on domestic abuse within VAWG policy, it cannot be separated from wider aspects of violence and abuse. Rape, sexual violence and assaults occur in both private and public space and can in fact, be more traumatic for intimate partners compared to non-partners and both constitute part of the violence against women and girls continuum (Edin and Nilsson, 2013:2). Rape and sexual violence is common in domestic abuse cases but is also part of a bigger picture of violence against women and therefore inextricably linked (Tjaden and Thoennes, 2000:7).

The prosecution of sexual violence cases in England and Wales has been the subject to a 'seismic collapse' in charges and convictions, according to Dame Vera Baird QC, Victims Commissioner (2020/21 Annual Report). This, she said, has resulted in victims of these offences being comprehensively failed by the criminal justice system over the past five years. 56,000 rapes were recorded in 2020, yet only 1929 were charged, which amounts to less than 1.6% of all offences reported. Baird said that she had warned previously that "we are witnessing the effect of decriminalising rape" and that nothing over the past year has swayed her from that perspective. The Stern Review (Stern, 2010:13) into rape conducted in 2010 concluded that strong opinions prevail with regards to rape, which is fundamentally about 'sex, violence, power, intimate relationships between men and women or between men and men, society's attitudes to what is acceptable behaviour and where blame or responsibility lie for non-consensual acts'. She went on to say that such attitudes and a victim-blaming culture can affect the way that rape cases and violence against women and girls generally are dealt with by the police, prosecutors, judges and juries. It could be argued therefore that the way that these offences are dealt with may provide an indicator or barometer of the way patriarchal social structures work in real time.

A report commissioned by the Centre for Women's Justice (CWJ), Imkaan, the End Violence Against Women Coalition (EVAW) and Rape Crisis (RC), 'The Decriminalisation of Rape' (November 2020), provides statistics indicating that 85,000 victims of rape are women and 12,000 are men, only 20% of women who have been raped report it to the police and only 3% of reported cases result in a suspect being charged. According to this report, of those cases that go to trial, only 42% in guilty verdicts and 58% are acquittals (CWJ, Imkaan, EVAW, RC, 2020:4). Rape can take place in both the public domain, with strangers or perpetrators known or unknown to the victim, or in the private domain by intimate partners. They say, despite the social flashpoints such as the media reports of child sexual exploitation, the Savile scandal and trials of many high



profile abuse against women and girls, violence against women in both public and private spheres is treated with what they consider 'alarming exceptionalism'. They assert that the prejudice and discrimination experienced by women in such cases is not seen in any other crime types dealt with by the criminal justice system. In their view, the justice system, media, and wider society seems more concerned about an accused man's reputation than systematically tackling the problem of violence against women and girls (CWJ, Imkaan, EVAW, RC, 2020:9).

The report further outlines experiences that women face when reporting a crime to the police and the process of effective prosecution (CWJ, Imkaan, EVAW, RC, 2020:14). They say that patriarchal attitudes blight the justice system, myths and judgements, which lead to minimising violence against women, particularly sexual assault and rape. They point to the 2003 Sexual Offences Act 2003, which gave specific definitions of rape and sexual offences, accompanied by guidance and, mandatory training for police and prosecutors (CWJ, Imkaan, EVAW, RC, 2020:19). Despite this, they say, prosecutions have suffered a record slump. The reasons they believe rest with the fact that these offences are 'indictable' offences only and are therefore subject to Crown Court, 'trial-by-jury' requirements. Referring to social norms, values, cultural influences and a lack of understanding, they feel that juries do not often have the level of awareness to hear these cases. They consider, as with domestic abuse cases, there are rarely witnesses to the offence, and it becomes a measure between whose word out of the parties involved holds more credibility. They say that many victims, are vulnerable and suffering from post-traumatic stress, impacting their credibility is they are unable to articulate effectively what happened to them (CWJ, Imkaan, EVAW, RC, 2020:24).

The Centre for Women's Justice provides second-tier legal support to front line support workers (such as ISVAs and women's support services) and work with solicitors on cases of violence against women and girls. Their oversight has identified recurring issues in police decision-making in the first instance, as they have the power to determine cases where no further action (NFA) will be taken (CWJ, Imkaan, EVAW, RC 2020:30). They have found issues with police failing to interview complainants or suspects and properly investigate other lines of inquiry before deciding to NFA a case. Police attitudes towards the victim in terms of scepticism when dealing with a report of rape dissuade the victim from pursuing their complaint, causing the police to miss important evidence or line of enquiry. They say this is against CPS guidance, which requires them to make charging decisions rather than the police, but the number NFA'd by the police with no

reference to the CPS 'remains alarmingly high'. They also refer to the disproportionate level of evidence from victims, which often includes the exposure of very invasive, personal and private information (such as medical records) with questionable evidentiary value to the actual case. The fact that such evidence is requested goes beyond the collection of relevant contemporaneous information, given that digital records held on phones, social media, or email, for example often spans many years and previous relationships that have nothing to do with the complaint being made. This might therefore be construed as exacerbating the presumption of disbelief, unworthiness as a witness or excusing the violence against them (CWJ, Imkaan, EAW, RC, 2020:32).

A report entitled A Joint Thematic Inspection of the Police and Crown Prosecution Service (Criminal Justice Joint Inspection, 2021) was released in response to identified serious failings across the criminal justice system in relation to violence against women and girls in the public domain, focusing predominantly on rape and sexual violence. The report, seven years after the HMIC 2014 report (Billingham, HMIC 2014), found the police continuing to fail in getting their response to victims right, thus causing a negative impact on building trust with victims and the prosecution of cases. The report indicated that whilst Independent Sexual Violence Advisors (ISVAs) and Independent Domestic Violence Advocates (IDVAs) were in place to support the victim, police failed to understand their role or the referral routes to their involvement. The report also found that in spite of commitment at senior management and ministerial level in the shape of the National Criminal Justice Board and Joint Operational Improvement Board, these were not coordinated, and policy outcomes were disconnected. It outlined the need for fundamental improvements between the police and the prosecutorial system and more effective joint working, suggesting that there was little, if any, at the time. The report recommended more effective joint training models and better expertise or specialist capability to ensure a victim-centred approach. This, they said, was fundamental to ensuring cases are supported by the victim and to minimise their withdrawal of support for the case.

More importantly, the issue of negative attitudes, perceptions and knowledge were cited, with police officers and prosecutors using 'unsuitable language' and 'references to inappropriate myths and stereotypes about victims' behaviour (Criminal Justice Joint Inspection 2021:44). Prosecutors were said to be reluctant to investigate and prosecute cases of sexual violence, coupled with clear case strategies, and it was recommended that a shift to a more positive culture and mindset was needed to overcome this obstacle. Prosecutors argued that they felt

that rape cases for example, can be difficult to prosecute and that were often the subject of significant public scrutiny, so at times they had adopted an approach that focused more on the case weaknesses than building a positive case from a risk management perspective.

In 2019, the End Violence Against Women and the Centre for Women's Justice instigated a legal challenge against the CPS after evidence emerged that Greg McGill, Director of Legal Services, had delivered a 'roadshow' of training events telling prosecutors to take a more risk-averse approach to rape and sexual violence prosecutions (EVAW, 15/03/2021). He was accused of removing the 'merit-based test' whereby the presumption would be one of equitable judgement to improve the conviction rate through a 'realistic prospect of conviction' model, where the threshold of evidence was higher. On the face of it, this appears to have been a sensible move to guarantee greater success in cases and prevent further trauma. Victims may be subjected to stressful trials with a negative outcome and the potential of further harm through the process. However, Phillipa Kaufman QC, counsel for the litigants, claimed that the CPS was taking a 'bookmaker's approach' whereby they were guessing the jury's response. She went in to say that prosecutors should have been trained to 'put aside myths and stereotypes' and that it should always be possible in the face of good policing and good evidence to overcome the weakness of cases and still secure prosecution. The CPS denied the policy change but argued that the 'merit-based approach' had been removed out of concerns that some prosecutors were using it to lower the standard, (CPS, 15/03/2021) despite low charging and prosecution rates.

### **3.3.1 Family Courts and Victim Experiences**

Family Courts are the main focus of attention with regards to family matters and are held in private, often being referred to a 'secret courts'. They are charged with handling parental dispute over children, local authority interventions for children, divorce matters, financial support following marriage break ups, some elements of domestic abuse in the shape of non-molestation orders and occupation orders (along with breaches), removing abusive partners from home, protection from forced marriage and female genital mutilation (Eekelaar and George, 2016:375).

Rights of Women (Coy et al., 2012) are an organisation that campaign for women's equality in the justice system, changes in discriminatory policy and practice within the criminal justice system and provides pro-bono specialist legal

support and information for women within this framework (Rights of Women Incorporated Ltd, Annual Statement and Accounts, March 2020). In this capacity, they undertook an evaluation of Family Court responses to cases where domestic abuse was found to be prevalent. Their research reveals the extent of women's negative experiences through the family justice system's response to domestic violence (Coy et al., 2012:33). It was found that there were numerous failures by the courts to properly investigate allegations of domestic violence. There was a tendency of courts and other professionals to minimise the known harm domestic violence can have on children and a trend, despite histories of violence, or children refusing contact or expressing terror and distress, for unsupervised contact to be routinely ordered to abusive fathers. It was also found that around 90% of the women in cases going through family court were further disadvantaged by court orders which in many cases prevented them from working for fear of losing their children and around half suffered ongoing abuse by the perpetrator in the form of threats and harassment. Price (2012:6) went so far as to suggest that there is a form of 'structural violence' in existence where perceptions of women's life choices and circumstances lay the ground for them to be further abused by statutory systems.

In 2016, Rights of Women submitted a legal challenge against the Lord Chancellor and Secretary of State for Justice outlining the disadvantage suffered by victims of domestic abuse when seeking legal aid ([www.justice.org.uk](http://www.justice.org.uk)). The conditions outlined under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 relating to civil legal aid, refer to the discretion of the Director of Legal Aid Casework in determining eligibility under the scheme. The Appeal was based on Regulation 33 of the Civil Legal Aid (Procedure) Regulations 2012, which specifies the evidence required to support an application. For example, legal Aid would not be available to an applicant unless they could show that domestic violence occurred within 24 months prior to application. The issue was that in many circumstances, this was not possible nor reasonable, particularly where a perpetrator had been in prison before proceedings could commence, or an injunction or other legal order had kept the parties apart for that period and expired before proceedings, where the main priority had been a matter of safety, and these provisions had taken first priority before proceedings were possible. This, they argued, meant that the majority of women could not be able to meet the conditions of Regulation 33, making it a discriminatory practice. The appeal was upheld and underpinned further campaigning with regards to women's rights and legislative changes challenging such inequalities in the later Domestic Abuse Act 2021.

Chapman (2021:2) highlights that for some time, there have been concerns regarding the handling of domestic abuse cases, particularly in Family Courts. The main concern has been their apparent inability to protect domestic abuse victims and their families from what he refers to as the dual harm of an abusive partner and traumatic court cases involving custody and/or visitation rights concerning children. He also points to the serious disadvantages that victims experience without access to legal representation due to the removal of legal aid by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). It was noted that appeals to judgements were limited and a review by the President of the Family Courts Division, Lady Justice King and Lord Justice Holroyde, *Re: H-N and Others (Children)(Domestic abuse: finding of fact hearings) (2021) EWCA Civ 448* was conducted in conjunction with 4 cases of appeal (see [www.judiciary.uk](http://www.judiciary.uk)) where domestic abuse had been present but systematically ignored or minimised.

The review incorporated the 4 appeals but went further to examine court processes under Practice Direction 12 (PD12J) of the Family Procedure Rules 2010. The judgement stated that given the clear definitions of domestic abuse, albeit slightly different from the Domestic Abuse Bill, it was fundamentally fit for purpose but the interpretation and implementation is a matter of challenge. It was found that there had been a lack of investigative fact-finding hearings by the courts in all 4 cases and the manner with which judges dealt with victims and the impact of controlling and coercive behaviour was woefully unacceptable.

In one case, a mother seeking custody of her children against persistent court applications by an abusive partner, the judge was said to be openly scathing and hostile towards the woman who said that she felt terrified. The judge stated that if she carried on opposing custody, he would have the child removed and, if necessary, adopted. The mother could be heard crying and distressed when the tape of the proceedings was reviewed as part of the process. He accused her of becoming distressed, as being of her own making. In another of the cases where the victim made allegations of rape. The judge dismissed them on the basis that the couple had been in a relationship for a long time and that consent was therefore implicit. Another of the cases involved an incident whereby the woman's husband came up behind her without warning and pulled a plastic bag over her head, threatening to kill her, saying, 'this is how you should die. The judge in the case considered this to be nothing more than 'some kind of prank'.

The President noted that there appeared to be no real appreciation of the nature and impact of coercive and controlling behaviour and no reported case law in Family Court considering it. The judgement expressed concern that the definition of coercive control was ambiguous, but the courts needed that recognition, that such behaviour was designed to intimidate, humiliate and render individuals subordinate, to control their sense of personal autonomy. The evidence of the acute lack of awareness was described as concerning. This, they said, had led to a failure to properly investigate said behaviours and as such, this seriously undermined the credibility of the judgements in these cases. Referring to the four appeals, the basis of the judgments as criticised due to a lack of proper investigative fact-finding regarding the extent of abuse in the cases involved and understanding the patterns of behaviour underpinning the cases. However, Katie Russell, Rape Crisis England and Wales ([www.rightsofwomen.org.uk/news/court-of-appeal-misses-opportunity-to-effect-culture-change-needed-in-family-courts/](http://www.rightsofwomen.org.uk/news/court-of-appeal-misses-opportunity-to-effect-culture-change-needed-in-family-courts/)), whilst welcoming the ruling, said that a clear opportunity had been missed to challenge the culture and nature of judgments surrounding victims of domestic abuse and sexual violence, the pro-contact obsession and the lack of understanding the long term trauma suffered by victims.

The Family Courts have clear Practice Directions in relation to child arrangements (PD12B) and again for cases where domestic abuse is an issue (PD12J) which was introduced in 2008 to embed the findings from a landmark Court of Appeal Case (Re L, V, M, H (Contact: Domestic Violence) [2001]). This case resulted in acknowledgement that there should be a heightened awareness of the consequences of children's exposure to domestic violence and that courts were reluctant to understand that abuse between parents resulted in failure to protect the child's carer but also the child emotionally.

According to Buzawa (Buzawa, 2003:7), victims are essentially markers for the social response to domestic abuse. Their secondary victimisation in the criminal justice and court system predetermines decisions on interventions and formal social control in the wider society. Their circumstances and perceptions of 'victim' by agencies and individuals can serve to influence decisions for action in both positive and negative ways depending on their perception of the victim. This is evident in work I have done extensively with professionals who want to provide the most appropriate services but often make assumptions about the individuals concerned, failing to understand the nature and structure of domestic violence and abuse, lack awareness of the power and control that it is based on and either feed into, or are led by court decisions.

Harne and Radford (Harne & Radford, 2008:47-48) verify this by saying that professionals seem to apply their perspectives when assessing the needs and circumstances of women, particularly those who have remained with partners exhibiting violent tendencies, often failing to recognise the complexities underpinning these relationships. The issue of remaining with a perpetrator seems to be a significant factor in the level of empathy shown to the victim. As Proudman (Guardian, Family Law, 03/04/2021) highlights, they are often blamed for their circumstances because they failed to leave, when many women suffering domestic abuse are not even aware this is what they are experiencing. It may be that some of this is due to a lack of understanding or awareness of issues surrounding domestic abuse, but evidence (Mullender, 1996:54) also suggests that individuals make judgements and assumptions about these situations with catastrophic consequences.

Family Court magistrates, many of whom are lay magistrates without legal qualifications (Norgrove, 2012:25), admit that they have extremely high caseloads, involving huge numbers of reports that they have to get through. They have to rely on information and opinions provided by professionals, which they agree may indeed be biased. When questioned regarding quality assurance in terms of the evidence they look at, they admitted that to some degree, they have to rely on the 'benefit of the doubt' and trust that professionals provide factual, objective submissions. Hester (2011:837) encapsulated the issues through her 'three planet model', referring to contradictory assumptions evident in professional discourses and practices across and between the agencies working in the field of domestic abuse that lead to systemic challenges. She asserts that it is difficult to bring the key areas of work around domestic abuse, child protection, safeguarding and child contact. She points to Bourdieu and the 'habitus' of groups and internalisation of social structures. Specific groups develop specific structures, perceptions and practices separate from those of other professional groups, limiting their ability to assimilate or understand those of other professional groups. This creates circumstances where there can be mistakes, misunderstandings and different interpretations that leave victims of domestic abuse vulnerable to different thresholds for defining domestic abuse and the harms it creates. Hester points to the 'very different' variations in 'cultural histories' underpinning theories and practice in different disciplines. She also highlights the impact of 'gendering' and the continual 'replication and reconstruction' of gender-based, social inequalities.

There may be some resonance here given that one of the problems highlighted has been the lack of understanding by judges and legal representatives regarding domestic abuse and in particular, the reach of coercive and controlling behaviour. Barry (2021) highlights in response to this that judges, of course, are human and subject to the same influences and structural deficits as anyone else. He says that they are both social actors and, to some extent, political actors. Judges are overwhelmingly motivated to get it right and very often do, but sometimes they make mistakes, perhaps in ways that they may not even be aware of.

Hester (2011:846) points to post-separation being the flashpoint for child custody in domestic abuse cases. Applying the 'Three Planet' model, domestic violence can be determined as one planet, child protection being another and child contact being the third. The domestic violence and child protection planets are predominantly focused on preventing the risk of violence and harm to either the adult or the child, whereas the child contact planet uses private law, which is founded on the premise that the state does not usually have to intervene in families and that in cases of disagreement, this would normally be resolved through negotiation and mediation. Therefore, women find themselves between a rock and a hard place, with unresolvable dilemmas around court compliance under contact orders with an abusive parent and another 'planet' expecting her to keep the children safe. If failing to comply with the contact order, she is accused of parental alienation and breaching the order. On the other, she is held to account for any harm caused to the children. Irrespective of the significant amount of evidence and research confirming the continuance of abuse post-separation, the Children and Family Court Advisory Service (CAFCASS) still view the abuse as historical rather than continuing and as such, they prioritise the presumption of contact as being in the best interests of the child, leaving victims of abuse in unbearable turmoil.

### **3.3.2 The Harm Report and Parental Alienation**

In 2020, the Harm Panel Report (Case and Hewer, 2020) was released, having been commissioned by the Ministry of Justice following widespread concerns about the ability of the family justice system to properly serve and protect the interests of victims of abuse and their children. The report found that many parents put up with the abusive behaviour of a partner to protect their children up until they are no longer able to cope (Case and Hewer, 2020:50).



The victim-survivor has the burden of leaving the abusive relationship to escape the abuse and as a primary carer in most instances, will take the child with them to protect them. It is at this point that an abuser will make an application for a child arrangement order, opening up a judicial channel to further victimise the victim and child. The report highlights what they refer to as the 'overwhelming pro-contact culture' based on the presumption of keeping the family together and/or the involvement of both parents in a child's life (*presumption of parental involvement, S.1(2A), Children's Act 1989*). A significant amount of evidence demonstrated secondary abuse and victimisation by Family Courts, often as a result of domestic abuse and sexual violence being 'minimised, ignored, side-lined, or disbelieved'. Worse still, the voices of older children experiencing and witnessing domestic abuse were not sufficiently heard by the courts (Case and Hewer, 2020:40). Victims reported being completely traumatised by the approach with court orders for visitation resulting in opportunities for further abuse. Where children refused to see the other parent, women were presumed to have influenced the child through 'parent alienation', and were treated as criminals, in breach of court orders if they did not force their children to continue contact.

This, however, has resulted in children being ripped from the arms of mothers in the middle of the night by police acting on court orders (Louise Tickle, Channel 4 Dispatches, 20/07/21), or worse, horrific instances of essential court-sanctioned abuse, or retaliatory abuse and violence in the form of perpetrators murdering their children to punish their ex-partner (Claire Throssell, IDAS). Claire Throssell, along with many other women, has been evidencing failures that led to these terrible incidents by the courts and CAFCASS social workers, particularly in the firing line. In her case (22/10/2014), the perpetrator had a history of violent and erratic behaviour, to the extent that even the CAFCASS social workers refused to meet with him without security. Claire was advised to keep a tracker on her mobile phone in case he killed her, so she could be found. Despite this, they recommended 5 hours of unsupervised visitation a week, so ordered by the court 'in the children's best interests'. The children did not want to spend time with the abuser (which is common), but Claire was accused of 'parent alienation' which, despite being discredited internationally, is still regularly used by perpetrators and applied by the courts, so as a consequence, the children were forced to see him. On the day of the final incident, social workers failed to tell Claire that her ex-partner had locked them in a room and threatened them during a meeting earlier in the day. In spite of this, they gave no warning to her as to his state of mind.

Had she prevented them from seeing him, she would have been in breach of the court order and would have been sanctioned, with the real possibility that custody of her children could be transferred to him. Claire maintains that had she known of the earlier incident, she would have refused visitation. Nevertheless, her husband took the children, locked them in the loft to prevent escape and set 16 fires around the house before killing himself. Both children died as a result of his actions. Before the murders, he canceled the house insurance and left Claire responsible for the mortgage payments (Claire Throssell, Survivor Ambassador for Women's Aid, 22/10/2020).

This is not an isolated incident as the 2004 research report commissioned by Women's Aid *'Twenty-nine Child Murders'* highlights. The author made it clear that courts were operating on their own views and/or the advice of properly regulated professional experts, no accountability for decisions made or advice given. Good Practice guidelines were not being followed. There appeared to be no understanding of the power and control dynamics of domestic abuse, but also the nature and control caused by the violence itself. It was further highlighted that courts also ignored guidance in the *Working Together to Safeguard Children* policy.

The concept of parental alienation was created by an American child psychologist, Dr Richard Gardner, who self published books discrediting allegations of domestic abuse and recommending transfer of children from one parent to the other where alienation occurred. He considers domestic abuse to be over used and that more often than not women lie about abuse as a part of the process ([www.richardagardner.com](http://www.richardagardner.com)). The Cardiff University study indicated that parental alienation is a label used and given credence to by CAFCASS social in their own practice guidance despite the well-documented harms it has caused (Doughty et al., 2018:10). It is a term used freely by Family Courts, but in cases where domestic abuse is prevalent, women are generally trying to protect their children from an abusive father, with good cause, but it is the most widely used tactic by men in family disputes over children to further abuse the mother. When applying a legal balance of probability where domestic abuse is prevalent, the onus should be on the accuser to prove that parental alienation is evident and how. As the Cardiff study points out, parental alienation is rare in domestic abuse cases, and the issue of mothers protecting the children from harm is a far greater weight in considerations regarding the matter.

According to Buzawa et al. (2017:390), applying the three planets model, a mother is seen as 'strong and cooperative' by giving evidence in the criminal courts but 'vindictive and uncooperative' when claiming abuse in a Family Court. The mother is often torn between doing what she deems is right in protecting her child and by contrast being seen as alienating the children and in danger of being in contempt of court if she fails to enable visitation.

The current Victims Commissioner for London, Claire Waxman, stated that in response to her stance regarding the courts placing too much reliance on pro-contact culture and the prioritisation of contact, almost at any cost, she had received threats and abuse from men's groups claiming that parental alienation should be considered domestic abuse against them, going against all evidence negating this in current research and the evidence referred to in this section (Waxman, 25/01/2021). Given the impact and apparent need for change, it is concerning that the House of Lords proposed amendment to the Domestic Abuse Bill (Hansard, 15/04/2021, Vol. 692), that included mandatory training for all judges and magistrates, was rejected by the House of Commons in as it may undermine judicial independence. Clearly, this is a contradiction of the stated aims of the Domestic Abuse Act 2021 and the VAWG Strategy that is aimed at delivering its objectives. Instead of preventing harm, it is highly likely that it will continue to deliver it, even with recommendations and improvements.

Munby, Former President of the Families Court Division in his discussion with Louise Tickle for the Channel 4 Dispatches programme (July 20/07/21), when confronted with evidence from questionnaires with mothers and professionals, he dismissed them as not being sufficiently comprehensive to prove the deficiencies within Family Courts. However, he agreed that they should be more accountable and that training was clearly needed, but that it was too costly and there was a lack of resources to undertake this task. He did, however, concur that the issue of accountability needed urgent reform, as the only ones protected in family courts are the judges. He said that the challenge will always be about short-term pain for long-term gain, but Judges cannot foretell the long-term future. The evidence suggests that Family Courts are the epitome of injustice in the name of harm prevention. The secrecy and lack of accountability are like foxes guarding the henhouse.

Dr Charlotte Proudman (Guardian Articles, 18/05/21 and 03/04/21) highlighted what she referred to as the shocking level of embedded 'maleness' in judicial proceedings and the slow tempo of change in challenging and eradicating the

acceptance of abuse against women. Along with calls for mandatory training in the long-term impact of domestic abuse and the tactics of perpetrators who weaponise child custody, she expresses the concern eloquently when she says

*"the dangerous label of parental alienation is now the single biggest threat to the credibility of victims of domestic abuse, and to the voices of children. It gives validation, power and control to perpetrators. Any court that countenances unevidenced allegations of parental alienation is potentially sanctioning abuse".*

(Charlotte Proudman, 2021)

There is a clear need for meaningful change and a more comprehensive understanding and review of domestic abuse in cases by all those involved in the process, to avoid the legitimisation of ongoing abuse for victims and the harm it causes for their children.

### **3.3.3 Magistrates Courts and Responses to Domestic Abuse Cases**

Specialist Domestic Violence Courts (SDVCs) was established in 1999 and were staffed by specially trained magistrates and court officers (Baird et al., 2017:6). The concept had been taken from international studies of similar courts in other countries and was based on the premise that better understanding would enable more effective and timely interventions. The main, most significant factor for success was the requirement for specially trained magistrates, police officers, prosecutors and CPS staff to be assigned to them (Baird et al., 2017:7). These courts were rolled out nationally in 2005/6 with the aim of increasing prosecutions with IDVA support for victims, but according to Taylor-Dunn (2014:5) there was a policy shift towards MARACs, which doubled up the IDVA role.

However, she argues that MARACs had a dual role in keeping high-risk victims safe and keeping children's safety as central to the process. IDVAs were meant to act as the conduit between MARACs and the SDVCs, supporting victims through court and also, for those at high risk, supporting them through the MARAC process. Taylor-Dunn highlights the difficulty for IDVAs of doing both, as victims going through court may not have been subject to MARACs and vice versa, making the practical expectations difficult. According to Nicole Jacobs, newly appointed Domestic Abuse Commissioner (2021) a little under 90% of victims are supported through Family Courts, and 71% of victims receive no support through either family court or the criminal justice system Safelives, (2021:7).

Despite government policy directives in 2006 and 2010 stating that IDVAs would be fully engaged in the SDVC process, Taylor-Dunn (2014:7) highlights that most resources have been assigned to the MARAC process, leaving victims exposed to the criminal justice system when at their most vulnerable and most at risk. Most IDVAs are provided by domestic abuse support organisations and IDVAs are commissioned to support victims through MARACs. There is a wide range of diverse needs and their capacity is therefore too limited to provide support through court cases as well. As a result, Jacobs (2021:8) commissioned Safelives to report on the current provision and capacity of these services. The findings demonstrate a lack of consistency of support to court provision, resulting in serious challenges for victims and their services. Evidence within the report found that the most successful SDVCs were those that had very clear multi-agency cooperation, including a community approach to managing risk, IDVA support was in place. All agencies had been subject to comprehensive training, and there was a coherent understanding of victim and witness diversity, victims had been subject to familiarisation visits, and special measures had been applied to ensure inclusion.

Research into Magistrates Courts and magistrates themselves appears quite limited, but evidence from a research study in 2003 (Cook et al., 2003:22) found an absence of expertise with regards equality and diversity needs, training (particularly for equality and diversity), help with translation and interpretation, using suitably qualified, independent practitioners. Additionally, they cited barriers to multi-agency working, including the importance of equality and trust within and between agencies, particularly voluntary sector support services and the problem of adequate resources. Cook et al. (2003:25) also point to government policy and the impact on agencies and victims of directives such as 'Narrowing the Justice Gap' to fast track offenders through the system. The use of this as a measure of efficiency and its ambitions are not compatible with 'real life' situations regarding its ambitions and not compatible with 'real life' situations regarding victims' mindset at a particular part of their criminal justice journey.

A report commissioned by the Howard League for Penal Reform in 2014 found that the diversity of the magistracy in England and Wales is less diverse than it was 20 years ago. They claim that lay magistrates are more likely to be older, less representative of the communities in their service location, less ethnically diverse, and more 'middle class' (a criticism leveled at the judiciary generally). This, they say, is particularly pertinent given the requirement for them to be based on 'the judgement of one's peers' (Gibbs and Kirby, 2014:9). London was

found to be more diverse than the rest of the country, but on the whole, they were generally not consistent with local area demographics or the needs of the population in their areas. They also pointed to the reducing numbers of lay magistrates and problems with recruitment and retention, leading to greater use of paid District Judges whose numbers have not decreased. Gibbs and Kirby (2014:13) argue that most magistrates are older and less diverse, which negates the ability to act in judgement reliably.

A report by Donovan et al. (2018:4), was undertaken in 2018, into the training needs of magistrates, following earlier criticisms relating to the lack of integrated working between civil and criminal courts and issues with the sharing of information, minimisation of previous patterns of domestic abuse and the possible existence of unconscious bias in judgments. As has been evidenced in this section, family courts represent private, civil proceedings and are not routinely linked with criminal justice interventions (Case and Hewer, 2020:44, Women's Aid Conference, 'One Year On: What's Changed in Family Courts', 21/06/2021). The training was made available in 2003 before the national rollout, but it was not mandatory. With the formal acknowledgement of the broader harms involved in domestic abuse, the report was focused on the perceptions of risk and harm under the broader definition of coercive control.

The vast majority of magistrates responding to the study sat in criminal courts, but 27% also sat in Family Courts. Of 1220 magistrates, just 36% said they had received specialist training in the previous two years and 27% in the previous five years, 17% had received no training at all (Donovan, 2018:6-7). 37% said they had received no training on coercive control, and 17% said they were unsure. 51% of respondents said that they sat in SDVCs, of whom 13% said they had not received any training at all. The training providers were also from different agencies and varied in quality. Most were offered as a one-day event, and no refresher training appeared to be offered. This may provide some insight as to the level of understanding and priority given to the issue, despite the overarching commitments made by the government in relation to violence against women and girls. It raises significant questions regarding the likely success of these policies at a local level given the likelihood and risk of even greater variations at the point of local implementation.

Donovan (2018:7) points to evidence from early research that cited issues such as disconnection between civil and criminal courts, including information sharing and victims feel let down by lenient sentences such as fines, where tougher

sanctions were warranted. From these findings, training for magistrates was introduced to tackle identified failings, but this was not mandatory. Donovan found very little research that looked at magistrates' decision-making, particularly with the introduction of coercive control as a key feature of domestic abuse. Key findings indicated that not all magistrates sitting on SDVCs had a relevant understanding of domestic abuse and the wider concept of coercive control. Of particular note was the lack of understanding of same-sex or transgender people. The knowledge of support services and the role of IDVAs for the benefit of victims was also lacking. Donovan concludes that specialist courts should be exactly that, and only those magistrates with a specialist understanding should sit on SDVCs, or those sitting on panels should have completed comprehensive training and be accompanied by other specialist magistrates.

The limited research available regarding magistrates' approaches and perceptions of domestic abuse makes it difficult to develop models of understanding around this issue. The inclusion of magistrates within this research and interview samples has therefore been necessary to further expand on their role in the implementation of VAWG Policy.

### **3.4 The role of Social Services in cases of domestic abuse**

Social Services are an integral part of the statutory network of providers that are needed to support families where domestic abuse is evident (Keeling and van Wormer, 2012:1354). Their main focus, has been from a child protection perspective rather than a focus on the needs of the woman. More recently, there has been an increased awareness of the potential for children to be subjected to some form of abuse and also the impact of living in an abusive household even if they are not a direct target (Heffernan et al., 2014:699), which seems to have strengthened this thinking. Heffernan et al. point to the fact that social services are more likely to come into contact with domestic abuse victims due to the range of health and social care settings that they work within, but as opposed to police, it is rare that contact will be in the form of a critical situational incident. Blythe et al. (2010:51) highlight that, on an ongoing basis, social workers are more likely to encounter health, mental health and substance misuse, with the need to work across different agencies with very different objectives.

Dobash and Dobash (1992:232), like Mullender (1996:67), found that women tended to approach social services and other formal support mechanisms only as their situation persisted and worsened. This was attributed to fear, shame and

guilt but also due to the perpetrator's efforts to control the woman and do everything in his power to stop her from seeking help. More often than not, they are psychologically weakened and convinced that the violence and abuse is their fault (Gilmore & Glennon, 2014:96). This is further complicated when other issues are involved, including religion, family honour, the almost guarantee that the woman will be shamed and ostracized by her own community and will lose what little network of support they have left (Mauderson & Bennett, 2003:57). Their own perceptions of their situation can paralyse victims, not realising that it constitutes domestic abuse and fearing the judgments of service providers to whom they have turned for help. The issue of arrest is also problematic because victims are often terrified of the requirement to protect their children. They want the violence to end but not necessarily the relationship for a raft of reasons, including the financial impact of an abuser's custody. The idea of choice and empowerment are terms applied to supporting and enabling victims. Still, in reality, the structure designed to help are often riddled with gendered inequality based on socially constructed expectations and the dichotomy between 'private' and 'public space'. Inevitably, these are often applied to women experiencing domestic abuse reducing their power and right to make choices relevant to them (Witt and Diaz, 2018:215).

Mullender (1996:71) points to a number of studies (NCH Action for Children 1994, Tayside Women and Violence Group, 1994) that also found contact with social services ineffective. Further recent evidence from refuge providers and women in contact with social services (Women's Aid Conference, 2014) reinforces this finding, raising concerns again about why these problems persist. Victims of domestic violence and abuse provide intimate details to service providers in exchange for help and support, which in itself reinforces unequal power relations. Women say that they feel intensely scrutinized and victimized by their experiences with both social services, regarding the threat of care proceedings as a Damocles sword and, the courts failing to recognize continuing control by perpetrators through custody or access hearings (Witt and Diaz, 2018:210). Women report that everything is documented and shared from the point of reporting violence and abuse. This they feel leads to them feeling vulnerable, exposed, judged and penalized inconsistently, both within a given organization and that others have the power to decide their fate and that of their children, whilst the limited focus is placed on the perpetrator (Radford & Hester, 2006:145). This, women claim, leads to their abuse continuing, with social services and courts inadvertently complicit in that abuse, exacerbating their risks whilst holding the victim responsible for mitigating those risks.



Foucault asserted that power permeates society and institutions, that it is not universally obvious, but subtly manifested through disciplinary relations that 'go down to the depths of society' (Rabinow, 1984:207). He argued that power, in terms of controlling social order is about determining the 'normal' against the categorization of the 'abnormal'. According to Olson (1999:107), 'social classifications construct people's everyday realities' pointing to Foucault's proposition that classification is a point of discourse for maintaining 'the order of things'. Inevitably then it can be seen to reproduce social structures and inequalities within it. Foucault sees classification as a transmitter for culture and governance into the collective conscience and this may offer some insight into social attitudes regarding domestic violence as an example of dysfunctional and against the idea of a 'normal' family setting (Schirato et al., 2012:182). Foucault argued that the conditions of a disciplinary society, in the pursuit of social order, are constructed and disseminated throughout that society to ensure social 'obedience'. Again it would not be unreasonable to consider this as a causal component for negative attitudes and actions within institutions tasked with providing appropriate interventions in domestic violence cases and associated child safeguarding. It has been further argued that there is always a fallback position in terms of invoking statutory powers against women who do not comply with requirements of child safeguarding implementation plans, or in extreme cases, the use of Child Protection Orders, where women are deemed unable to accept or manage risk. So on an ideological level, the objective for social services, in particular is the support, protection and safety of the family. The reality is that there will always be a contradiction in the way that power is applied, particularly in relation to risk (Rodger, 1996:39)

Social Services and health care traditionally had no real mandate to deal with domestic violence and abuse (Dobash and Dobash, 1992:135), and their involvement tended to be more by default than design, having largely focused on child protection rather than abuse against the mother (Robbins et al., 2016:132). Robbins et al. (2016:136) point to the development of social work involving domestic abuse as somewhat contentious given the duality of roles when considering child protection. They say that the objective of adult social services was to provide advocacy for marginalised and disenfranchised people, and given the breadth of that remit, domestic abuse has dropped below the radar because of its unintended merger with children and families social work. Therefore, it has fallen behind child protection priorities, which place the mother's responsibility firmly at the heart of any intervention, rather than the perpetrator.

Often, women fear the risk of losing their children to social care because of the control that perpetrators can wield over a victim, making it difficult for her to comply with the child in need or child protection plans, which could in many cases be avoided with the right support. Keeling and van Wormer (2012:1354), suggest that this is underpinned by a culture of victim-blaming and coercion employed by social workers to meet their own objective regards child safety. They say that these reports by victims are at odds with the code and ethics defined in the '*Shaping Our Lives National User Network*' document endorsed by the British Association of Social Workers. This outlines the attributes required for social workers to enable meaningful working relationships with other professionals and clients. It is, they say, necessarily 'social' in approach and includes the need for 'warmth, respect, being non-judgmental, listening, treating people with equality, being trustworthy, openness, honesty, reliability and communicating well'. The often oppressive tactics of social workers, they suggest, aligns with perceptions of victims that they are transferring the power and control from the perpetrator to social workers, which only serves to feed the fear of victims and their reluctance to seek help (Keeling and Van Wormer, 2012:1361), so is counterproductive.

A report in 2015 by the Family Rights Group (FRG, 2015) seems to substantiate victims' fears. They point to the increasing number of children being removed from their families due to domestic abuse. They claim that as a result of austerity measures and severe cuts by local authorities to domestic abuse and family support services, further compounded by welfare reforms, families are more likely to find themselves separated due to not being able to escape the abuse for lack of refuge spaces and/or facing the loss of their children due to the persisting risk of abuse due to lack of support. The FRG reported that women were being told that if they did not leave, the children would be removed which in itself acts as a deterrent for women to seek the help they needed. Leaving the abuser is also found to be the most dangerous act in a pattern of domestic abuse, so it exposes victims to the most harm. This is verified in the latest reviews of Family Courts and the Harm Panel findings (Case and Hewer, 2020:49).

On 13<sup>th</sup> September 2019, the BBC revealed that 'Domestic Violence killings have reached a 5-year high', having undertaken an investigation into the first 100 homicides of that year. They cited a 5<sup>th</sup> of those cases where women and often their children were murdered by abusive partners, demonstrating how the system had consistently failed them and continue to fail victims of domestic abuse.

In almost all of these cases, agencies and individuals had failed to identify potential risk factors and share information with organisations that could have helped to support and protect them. For example, the case of Charito Cruz in 2011, who was bludgeoned to death with a hammer in front of her toddler. Leaked reports indicate that the victim had made numerous calls to social services because of her concerns for the safety of her and her child. Social services received stark criticism due to the number of missed opportunities to intervene. Repeatedly, social services managers failed to understand the risk and take appropriate action because they thought that the risks were being exaggerated. Whilst accepting that the system is not perfect, the general view was that it was a reasonable process but that 'gut feel' following an assessment of all of the evidence played a part. Thus, it would appear that decisions can be made regarding custody, care proceedings and a family's future based on potentially flawed information.

Mullender (1996:71) pointed to a number of studies (NCH Action for Children 1994, Tayside Women and Violence Group, 1994) that found contact with social services ineffective. More current evidence from refuge providers and women in contact with social services (Women's Aid Annual Conference, 2014) indicate that little has changed and that women feel intensely scrutinized and victimized by their experiences with both social services regarding the Damocles sword threat of care proceedings and the courts failing to recognize the abusive and manipulative actions of perpetrators in custody or access hearings. This, victims' claim, leads to their abuse continuing with social services and courts inadvertently complicit in that abuse. Interestingly, Mullender (1996:72) talks about women's experiences whereby services between 1988 and 1996 continued to fail to recognize abuse, consistently failed to engage and include the woman or recognize her needs, disparities in the treatment of the woman and the perpetrator (i.e. marking the file when the woman was absent, more often than not for legitimate reasons but not doing so when the perpetrator failed to attend case reviews).

In 1985, Maynard (Humphreys, 2009:77) applied a case study approach to investigating social services responses to women. She discovered that,

*"whatever the nature of the presenting problem, social workers always regarded the woman in her role as wife/mother, to be the primary contact"*

(Humphreys, 2009:78)

Maynard also noted that the woman's harms and risks were not considered. In a considerable number of instances, social workers actually told women that they

should manage the situation with the perpetrator and remain with him for the sake of the children having some level of normality, that they should consider the needs of the perpetrator regarding his feelings and relationship with the children, refrain from nagging. In some cases, it was implied or explicitly stated that they had a duty to maintain the home and the relationship with the suggestion that they were in some way to blame for the violence and abuse (Women's Aid Annual Conference, 2014).

As Mullender (1996:78) also shows, subjective, blame-oriented judgments about the victim and their role in the abuse, their domestic skills, failure to meet the perpetrator's sexual demands, and many other observations effectively led to them collude in the perpetrator's acts and justifications. She also provides evidence that the situation was worse for women from ethnic minority groups at that time due to a lack of understanding of different cultural needs. My own experiences of social services are similar to these and their approaches to managing cases where domestic abuse is the key issue, indicating that very little has changed and represents one of the main drivers of this research. It could be argued that the needs of the mother and the protection of their children are not diametrically opposed, and the difference should be minimized by the policies, legal and local structures established to provide holistic and wrap-around solutions that ensure both child and adult safety.

Witt and Diaz (2018:216), to some extent, confirm the dichotomy highlighting that social workers themselves try not to minimize domestic violence but find it difficult to empower victims, whilst simultaneously protecting the children. They recognize the multi-agency mechanisms but are tied up with procedural diktats, coupled with a lack of resources to go further. Hester (2011:838) highlights that while policy and practice have developed to reflect the complex nature of working with families where domestic abuse is prevalent, this has been insufficient to find solutions for them. She points to the development of multi-agency approaches to safeguarding and the evolution of service provision, including third sector specialist services, criminal justice, health and social care to enable more effective responses to domestic abuse. Nevertheless, she also argues that even with the breadth of expertise, obstacles and challenges of systemic problems faced by practitioners in pursuit of safety for women and children suffering domestic abuse still remain.

Hester refers to Bourdieu's theory of practice and how 'the mental structures through which they apprehend the social world, are essentially the product of the

internalization of the structures of that world'. Bourdieu claims that habitus is 'both a system of schemes of production of practices and a system of perception of practices', these he says produce practices and representations that enable classification through understandings only known to those who share the same social meanings (Bourdieu, 1989:19). Hester applies this to the contradictions experienced by social workers when seeking to protect children in households where domestic abuse is a significant factor, whilst at the same time understanding and appropriately reacting to women's experience of domestic abuse (Hester, 2011:839).

Hester (2011:843) considers the legal and policy framework within which child protection is located, with the main focus on 'the best interests of the child'. This is, she says, mainly positioned within public law with the emphasis on interventions by the state where a child is at risk. The issue of domestic abuse and its impact on children was initially recognized in the 2002 Adoption and Children Act, which expanded the concept of harm to include harm caused by witnessing (seeing or hearing) the 'ill-treatment of another' (Stanley et al., 2011:297). Following its implementation in 2005, Hester points to a continued increase in the use of 'emotional abuse' as a 'category' under which social services become involved in families. Stanley et al. (2011:298) claim that domestic violence became a significant issue in child protection policy through the 'Every Child Matters' policy document in 2004. Alongside this policy, the Common Assessment Framework for the assessment of risk against a continuum of criteria from low to high risk was also implemented to address the issue of violence in the family and its 'history, functioning and well being'. The policy and framework were designed to provide consistency in assessing family circumstances and the risk to children, but according to Stanley et al., the social services response is somewhat variable.

Lapierre (2010:1435) also points to the gendered nature of social service responses regarding women's parenting in the circumstance of domestic violence. Lapierre (2010:1437) highlights that women are essentially held responsible for the protection of their children in the context of violence but cites evidence that violence and abuse themselves impacts women's ability to parent effectively. This, however, is then seen as an inadequacy on the victim's part by social services, rather than an issue of support needs to safeguard the children and in fact, whilst the woman is struggling with her own coping methods in the face of domestic abuse, they place a further burden of responsibility on her. The emphasis for protecting the family from violence is therefore placed on the victim

rather than the perpetrator. Lapierre goes further to say that more often than not, the woman is expected by social services to leave the abusive partner, which has significant implications in itself and if they fail to do so, they are labeled or categorised as 'neglecting' their children and 'failing to protect them. Therefore the approach by social services within the 'child protection planet' is one of punishment and victim-blaming, as the problem becomes categorized as women 'failing' with limited focus on the actions of the perpetrator. Threats to remove children if a woman does not leave within the framework of prioritizing their protection is not uncommon. This also highlights the contradiction of seeking to protect the child when leaving a perpetrator is the point of highest risk to the victim and their children (Mullender, 1996:55).

Witt and Diaz (2019:210) in their research demonstrate that although the perceptions of social workers have improved with training and greater awareness, there remains mistrust between women and social workers. Social workers use this to justify the use of child protection plans even though this exacerbates negativity in their relationship with the victim further. It would seem that the categorization of child protection criteria that women are expected to follow create an element of control through a formalized 'contract' that negates the issue of trust and becomes a mechanism for surveillance and judgment (Witt and Diaz, 2019:216).

The 'child contact planet' is one situated in private law and, according to Hester (2011:846), is founded on the idea that the state does not need to intervene on arrangements between adult individuals and that disagreement can be resolved through negotiated or mediated agreement. As Hester points out, family courts are less interested in past patterns of behaviour that would be the main concern under the domestic violence planet and the child protection planet. The child contact planet focus is on future arrangements. The main professionals involved at this point are social workers working for the Children and Family Court Advisory Service (CAFCAS). Family Courts operate under the principles of Article 9 of the UN Convention on the Rights of the Child (1989) (Radford and Hester, 2006:86), which specifies that children have two parents, regardless of separation and that the outcome of proceedings will be contacted between the child and both parents.

Hunter et al. (2020:40), however, in their 'Assessing Risk of Harm' report into Family Court and the role of judges and practitioners (CAFCAS social workers, local authority social workers, lawyers and experts in the field), found that this

overrode the existence of domestic abuse. They point to the varying perceptions, attitudes, cultural backgrounds, organizational culture and individual biases as features shaping responses. Their research found that in contact cases where domestic abuse was prevalent and evidenced, it was routinely minimized, ignored, sidelined, or disbelieved. The evidence particularly highlighted the lack of understanding of the complexities of domestic abuse and the related fear, trauma and safety implications. Ten years after the research by Hester (2011), Radford and Hester (2006) and Lapierre (2010), many of their findings still exist and categorization of victim responses, labeling using stereotypes and/or judgement of the victim's presentation in any given arena, serve as further sources of abuse rather than safety. As a consequence, the courts have consistently failed to recognise the risks to the victim and children of further abuse, retaliation and/or manipulation of the process by the perpetrator to further control and abuse the victim. Victims themselves provided numerous accounts of the re-traumatising impact of court proceedings, often prolonged because of the perpetrator using the process as another tool of control. Hunter et al. (2020:42) also refer to the silo working of the courts and again the lack of connection and continuity between the criminal justice interventions and private court proceedings.

Heffernan et al. (2014:700) refer to their work with social workers and found that whilst improvements had been made with regards to training, many still reported having inadequate skills to deal with domestic violence cases. They point to positive changes in the form of guidelines for health and social work professionals and the benefit of multi-agency training and found a genuine concern for the welfare of women and children experiencing domestic abuse (Heffernan et al., 2014:705). Nevertheless, they also found that there was a lack of connection between understanding domestic abuse and how that understanding applies in practice. So effectively practitioners understood the concept and that it exists but not how it connected to clients, leaving a significant gap in responses to victims' needs and situations.

### **3.5 VAWG and domestic abuse as a health issue**

Health Services play a significant role in the identification and response to domestic abuse and like police and social services are one of the key agencies likely to encounter it as a part of their activities. Domestic abuse is not just a crime but a major public health issue that extends beyond physical injuries but impacts on mental health and long term chronic health conditions (WHO, 2019:3).

This, in turn, impacts families, children and the communities they live in. As such, the role of the health service is imperative in tackling the problem (Abbasi, 2011:7). According to Abbasi (2011:3), NHS services have a poor track record when it comes to recognising and responding appropriately to domestic violence and abuse. Inability or failure to recognise and understand the indicators of domestic abuse can have serious implications for individuals at risk, repeat victimisation and for the longer-term health of the victim (Robinson and Spilsbury, 2008:17).

Research commissioned by NICE (2014:35) highlighted the inconsistencies and lack of awareness by health professionals, often the first line opportunity for intervention, in tackling the problem. The Programme Development Group identified gaps in research in relation to domestic abuse, including the differences in outcomes for women, interventions to support the elderly, LGBTQ+, adolescent relationships and violence, and whole family responses. Their findings indicated a lack of evidence regarding the identification of domestic abuse across health and social care settings. Where there was identification, there was limited information on longitudinal outcomes or the management of coexisting conditions such as substance misuse or mental health issues. There was importantly, a lack of research and understanding of the effect of multi-faceted or multi-agency interventions, especially those directed at what they referred to as subgroups such as men's services or minority ethnic groups. The general consensus was that there needs to be a wider understanding and awareness of domestic abuse in the health and social care sector to improve services for victims.

Robinson and Spilsbury (2008:20) conducted a review of victims' perspectives when accessing health services in relation to domestic abuse. They found that victims experienced a range of difficulties when seeking help from healthcare professionals. Issues raised were feeling discomfort with the healthcare environment, barriers to disclosure,, and a lack of confidence in the outcomes when disclosure occurs. Robinson and Spilsbury's study found that professionals tend to focus on the physical aspects of domestic violence rather than the broader implications, including mental health and substance misuse elements. Victims referred to barriers to disclosure as the professional's attitude, level of perceived compassion, non-judgmental approach, and evidence of listening skills. The overall perception was that most professionals did not understand domestic abuse's mental and emotional elements. They were far more focused on the injuries presented.



Women were found to underestimate their injuries, a risk in itself and were far more likely to talk to friends rather than professionals. One example was given of a woman disclosing domestic abuse to her GP, who promptly called her partner into the practice to discuss it with him, thus placing the victim at higher risk (Robinson and Spilsbury, 2008:24). Professionals' lack of understanding and awareness was compounded by a further lack of understanding regarding culture and its implications for black and minority ethnic victims. The matter of disclosure, central to enabling professional support, was one of the most significant issues, generating fear and anxiety of loss of control to statutory agencies. In particular, the fear of losing children, information about the family becoming a matter of record for further statutory and criminal justice scrutiny, as well as the fear of retribution by the perpetrator. The issue of mental health was apparently completely disassociated with domestic abuse despite the links between the two being significant factors in support and management.

Bradbury-Jones et al. (2014:3057), in a later study exploring awareness amongst professionals, found considerable improvements in the understanding of domestic abuse amongst healthcare professionals but also considerable variations as to the quality of that knowledge. Despite being identified as a key national priority at policy level for health professionals, the connection with national strategies were not necessarily associated, or indeed on the radar of professionals in practice but that domestic abuse comes in multiple guises (McGarry and Orcid, 2016:6). The concept of 'routine enquiry' was applied in some cases where victims recognised themselves as such, and most wanted to be asked but found that healthcare professionals seemed awkward regarding the subject. Health Visitors in particular, found dealing with domestic difficult as many victims either don't recognise or want to acknowledge the abuse or 'hide' the abuse for fear of what they think might be worse consequences.

Health Visitors' awareness played a significant factor in the likelihood of disclosure through routine enquiry. Again, a major factor in determining existence and support rested on the issue of 'biases and prejudices as a consequence of 'multiple influences', coupled with the motivation of professionals to be sufficiently curious as to look beyond the problems initially presented (Bradbury-Jones et al., 2014:3062). Health Visitors are more likely to encounter evidence of domestic abuse in situ and at a time when abuse is more likely, during pregnancy and following the birth of a child (Frost, 2001:589). Frost pointed to the overlap and difficulties with the idea of the 'private' and the 'public' when addressing health needs from a public policy perspective.

Health visitors are in a unique position to transcend the two arenas by bringing the hidden nature of domestic abuse into the public consciousness. However, the needs of an individual cannot be dealt with unless disclosed and there are issues between Health Visitor awareness and victims' trust and/or understanding.

Malpass et al. (2014:151) found that victim disclosure of domestic abuse is rarely led by them but usually in response to being asked about domestic abuse. The study within the framework of IRIS (Identification and Referral to Improve Safety) training and advocacy highlighted that it is important for health professionals like GPs to be prepared for the reaction when seeking disclosure. They say can vary from shock, relief, challenge, to survival mode, shame and embarrassment, but overall, the implementation of routine enquiry was ultimately welcomed if undertaken with sensitivity. However, the caveat was the presence of a domestic abuse specialist as a referral route to determining the appropriate pathways for support. This is not a widespread initiative even now.

Women experiencing domestic abuse are almost always suffering from some form of mental health issue, and conversely, people who experience mental health issues are also the most at risk of domestic abuse (Ross et al., 2018). The findings regarding disclosure hold the same features of previous studies, so not much has changed in addressing the fears and concerns of victims as barriers to effective practice. Again, the main themes from professionals were issues of confidence, understanding of the multi-faceted nature of domestic abuse, confidence to deal with it and also the balance between role boundaries and primary condition. The balance between mental health itself and domestic abuse is a difficult one as one can cause the other or vice versa, which complicates options for intervention without collaboration with other agencies.

The issue is one of competing priorities and resources, causing issues to be separated and training to be variable. Trevillian and Borschman (2014:441) highlighted that mental health services often fail to identify and facilitate disclosures of domestic abuse. There is a tendency, they say, for practitioners to inadequately consider the impact of domestic abuse as a precipitator or exacerbator of domestic abuse. The focus on biomedical models and the stigmatising effect of domestic abuse was therefore considered a fundamental barrier to disclosure and effective treatment pathways.

It can also be an obstacle to victims recognising their own abuse. Yet, they highlight the prevalence of domestic abuse in mental health cases and the risk of greater harm imposed on victims because of a reluctance to engage in sensitive enquiry methods. It was also highlighted that mental health could be a barrier in securing refuge space or suitable accommodation, exposing victims to further barriers, disadvantages and victimisation.

### **3.6 Housing and domestic abuse**

Housing has been a problematic issue with regard to the victims of domestic abuse. Local authorities are struggling with restricted housing stock and options for victims of domestic abuse (Cordeiro, 2020:5). The Housing Act 1996 provided the framework for access to accommodation when deemed unintentionally homeless and included a 'local connection' component to ensure housing applicants fell under the responsibility of the relevant council. It also included the 'priority need' component for applicants who can demonstrate vulnerability indicators. The difficulties have been interpreting these terms when accepting applicants into a context of limited options and funding (Lund, 2017:165). The duty to rehouse victims of domestic abuse becomes blurred around the issue of local connection and the idea of priority need despite housing law changes to redefine priority need and local authority duties (Homelessness Act 2002 for example). In spite of this, local authorities have a history of 'gatekeeping' precious housing resources, and this was confirmed by a Channel 4 Dispatches undercover programme investigation in 2017 (Irving-Clarke and Henderson, 2021:104).

A Safelives study in 2018 (2018:31) highlighted that despite changes in policy and law, local authorities remain protective of their limited assets and routes to housing, placing victims at a serious disadvantage after the need for them to abandon their homes. Housing providers themselves were found to suffer considerable costs in relation to rent arrears, damage to property, antisocial behaviour management, neighbourhood mediation, eviction and void (empty home repairs and re-let) management. More often than not, the victim has to flee with the children, and the perpetrator remains in situ. The impact on victims is significant because they have to leave their support network, children have to relocate to new schools, lose their friends, suffer disruptions to their education, being separated from a parent and there is the potential for loss of security of housing due to the lack of housing available (Safelives, 2018:30). It can be seen essentially as yet another level of abuse, leaving a victim vulnerable and powerless.

Refuge accommodation has been squeezed, and places are limited due to the changes and reduction in funding available to maintain them. Refuge accommodation also doesn't suit all victims, and for those with mental health, substance misuse and/or mental health issues, options are severely restricted. Due to the lack of move-on accommodation also means that victims tend to stay for longer than was originally intended, blocking space for those who really need emergency support and accommodation. Safelives highlight that in 1999, the lack of move-on accommodation was an issue, and it remains a serious problem today. For example, in 2016, Solace Women's Aid surveyed 121 women who came into and exited Solace refuges in 2015; 22% had a secure tenancy on arrival to the refuge, and only 13% had a secure tenancy on departure. In the context of the current housing landscape, victims may be fearful of leaving the abusive relationship because of the insecurity not only financially but also because they will lose a secure and stable home in many areas of the UK (depending on the local authority policy).

According to Walker and Hester (2019:3) the main barrier to justice for victims in relation to housing issues stemmed, was largely attributed in the main, to victims and perpetrators contracted on a joint tenancy agreement or mortgage, so both parties were classed as a single legal entity. This caused both financial and safety issues for the victim. Many victims identified situations were where perpetrators had caused damage to the property and/ or refused to pay their fair share of the rent/mortgage or priority bills for the property, leaving victims with financial liability. Perpetrators also refuse to leave the tenancy/mortgage, so the victim is left with no alternative but to leave their home and often all their possessions, to escape. Another implication of joint ownership, or tenancy, is the problem for police in removing the perpetrator from the property.

As mentioned earlier, the changes to supporting people funding to a commissioned approach meant that housing associations started to compete with specialist providers due to the connection with supported accommodation. Many were landlords, subletting properties used as refuges, to small specialist providers. Smaller providers were either swallowed up in the process or lost the refuge element of their service, along with the main part of their income due to the additional supported housing element that paid for support roles. The generic nature of housing associations resulted in the loss of many small, victim prioritised services and only now is the impact of this loss being recognised (Irving-Clarke and Henderson, 2021:68). Housing providers have a significant role to play in response to domestic abuse but have a much wider remit than just

domestic abuse, that can lead to conflicting and competing priorities potentially hampering policy implementation and support options for victims and their families (Cordeiro, 2020:14). Cordeiro points to the continuance of obstacles to secure housing and support from housing providers and local authorities as being attributed to institutional and systemic problems. She points to the limited housing stock available but, more importantly, 'the beliefs and perceptions of professionals' impeding decision making, the lack of trauma-informed practices and a failure to understand the complex needs that domestic abuse creates. Issues such as mental health and substance misuse are often seen as independent issues that restrict access to housing solutions, which in turn causes homelessness, the impact of which has devastating consequences for already traumatised victims and their children.

### **3.7 Third Sector**

Paxton et al. (2005:7) provide an overview of the definition of the 'Voluntary and Communities Sector' pointing to the Treasury's reference to it as including organisations with the characteristics of social enterprise but narrower in scope than 'non-profit', 'third sector' or 'social economy'. This suggests a heterogeneous entity or unified body of organisations that are not significant enough to be seen as a 'sector' in its own right. Macmillan (2012:7) applying for Bourdieu's work 'Distinction' and the concept of the specifics of organisations' suggests that on the contrary, third sector organisations are the subjects of their own context centred cultures. He suggests that their vulnerability and cause makes them focus on constraints, threats, risks, organisation health and sustainability. As a consequence, when they are placed in competitive frameworks in pursuit of different forms of capital, they develop 'strategies of distinction' to set them apart from other third sector organisations and/or non-third sector organisations, with strategically different interests, whilst appearing to be part of a homogenous entity. Eikenberry (2009:583) claims that this is fundamentally anti-social and not based on the public good. This marketization creates a deviation from the very purpose for which third sector organisations were established.

Fundamentally, Paxton considers the 'voluntary' title as a misnomer in so far as few organisations are entirely voluntary. Whilst acknowledging the existence of very small charitable entities that are largely voluntary, most third sector organisations have charitable status, are limited companies to enable trading and are regulated by the Charities Commission to ensure accountability and legal conformity. However, Alcock (2010:6) says that there remains much debate about the 'voluntary sector' and what it should be called. The language and

terminology, according to Alcock, is dependant on who is using the term and to what end. He says that various discourses are communicated in line with different agendas and messages. He suggests that where policies require the image of community and collaboration, they are considered 'voluntary and community' services. The government wishes to distance itself from more vocal and independent organisations they are 'community' organisations. Alcock (2010:7) says that in essence, they are non-profit organisations, but fundamentally the term 'third sector' is more reflective of their position within the 'three sector' model of thinking. However, their role is different to public and private sector constituents of operation as their existence corresponds with the concept of civil society, social action, social values, mutuality, altruism and democracy. These elements can be difficult and contradictory when faced with government and local authority contract requirements, but the third sector can overlap with the other two.

Alcock (2010:13-14) goes further to highlight the changes to the acknowledgement of the third sector and its relations with national and local government, referring to a phase of 'hyperactive mainstreaming'. Historically, the sector developed from cooperatives and mutual societies that provided social and economic support in the absence of state welfare. Some activities were taken over by the state such as National Insurance and banking, driven by social and economic development. So essentially then the third sector has developed through three phases from self-supporting charitable entities to 'voluntary and community services' to 'mainstreaming' in the form of the 'third sector', to assign credibility for the purposes of broadening their scope as a deliverer of public services. Nevertheless, the terminology remains interchangeable according to the user and context.

Slocock (Civil Exchange, 2014:8) argues that the 'voluntary' or third sector could be seen as a vehicle for subsidising public services. Nevertheless, the commissioning of service delivery contracts places voluntary sector organisations at a disadvantage to larger organisations, such as housing providers who are more generic in nature and often see these contracts as an enhancement to their own business, be it social businesses providing housing or private enterprises promoting housing development within the framework of serving community beneficiaries. This suggests that their lower-cost models can be used as a lever for larger organisations to win contracts against lower price structures in order to improve their wider business position. Slocock claims this is helped because the voluntary sector is often seen as the less professional player in partnerships and

public sector business dynamics, but also argues that they have risen to the challenge. This she says is partly out of necessity to ensure the maintenance of specialist services to the communities they serve and be taken more seriously.

Deakin (Civil Exchange, 2014:13) refers to the dramatic change of direction for the voluntary sector and its relationship with other social businesses and the public sector. He highlights the step change of recognition of the vital contribution of specialist organisations, brought about by New Labour and the establishment of formal partnerships with national government and local authorities through 'Compacts' or agreements that set a place for charities at partnership tables. Deakin suggests that whilst this was a positive development, it did not mean that the operations of voluntary sector organisations were necessarily in step with those of the public sector, who were moving towards acceptance of private sector values, performance targets and delivery models. He says that voluntary sector organisations, were launched from peripheral grant-funded roles to more central, collaborative participants in the 'big society' agenda, a position not always compatible with their original values. He also expresses concern that following the 'austerity agenda' over the last 12 years, their value has increased as an opportunity to 'shrink the state' by shedding functions and devolving responsibility for key policy implementation to lower-cost charities. This might be seen as an ironic situation given that small specialist domestic abuse charities remain on the periphery of public sector functions, subject to short term grant funding rather determined locally by each council rather than ring fenced statutory funding to support policy objectives (Whitehead, 2021). Despite VAWG Policy expectations, three quarters of councils have reduced expenditure on specialist domestic abuse accommodation and services (Womens Budget Group, 2018:13).

Paxton et al (2005:10) argue however that there was a significant increase in state funding for 'voluntary and community' organisations as policy activity in different fields also increased. They refer to the introduction of 'public service agreements' following Treasury Reviews since 1997, which set targets to increase the contribution to public service delivery and the increase in income for voluntary organisations by approximately 40%. The idea, they say, was to demonstrate the 'added value' and 'cost effectiveness' of third sector involvement in public service delivery. Paxton et al. (2005:12) suggest, however that the increase in dependence on the sector to deliver public services can lead to mistrust by the public and loss of independence in terms of their role as the 'voice' of those they support and can amount to selling their souls to the devil in

some sense. Pressures by the government for the professionalization of voluntary sector organisations can lead to a conflict with core objectives and values and a blurring of the boundaries between the public, private and voluntary sectors (Paxton et al., 2005:13).

Carmel and Harlock (2008:155) go further and argue that the 'mainstreaming' of third sector organisations is a shift by the government to 'regulate and steer' social agencies and social subjects. They suggest that this takes the form of two different but mutually exclusive dimensions: defining what is to be governed by whom and how it will be done. Governance, they say, is a collection of practices and procedures, which makes 'activities thinkable and practicable' to both practitioners and service users. Therefore, they posit the view that bringing third sector organisations into the domain of government service enables oversight of activities and purposive reduction in independence despite post-2005 Compacts. Compacts with government (and local government) were designed to engender mutual respect and recognition of independence, but this was derived from the notion of 'shared values' and alignment with government policy, and this can be seen as a contradiction to the social objectives of third sector foundations (Carmel and Harlock, 2008:159).

The introduction of procurement through market competition was seen as necessary to ensure a level playing field for contract tendering and to alleviate the issue of too few suppliers (Carmel and Harlock, 2008:162). Carmel and Harlock also claim that this was a way of formalising partnerships as a disciplinary process to manage the behaviour and activities of organisations that sit within them. The HM Treasury (2007:11), however, sets out the terms of third sector partnerships as: -

- Enabling voice and campaigning
- Strengthening Communities
- Transforming Public Services
- Encouraging Social Enterprise
- Building the partnership (between Third Sector and Government)

The overall theme within the report is to develop third sector organisations into social businesses that can compete with other social, public or private businesses against consistent frameworks and criteria. The argument is that the government needs to commission services using public money on a consistent, performance and value value-led with mechanisms of control to ensure the sustainability of providers and their income streams. Therefore, the outcome is the development of a new 'market' for social support services, marketization of their activities in



the form of becoming 'market-driven, client-driven, self-sufficient, commercial and business like' (Han, 2017:1211). It could be argued that the paradox for domestic abuse charities, reliance on and compliance to secure funding could be a high-risk strategy given the volatility of funding. The collapse of domestic abuse charities where this has been their main source of income, has resulted in the loss of vital skills and services to victims. Specialist service providers do not have the same access to commercial or business funding in the same way that non-charitable businesses do (Womens Budget Group, 2018:12).

Third Sector organisations delivering VAWG Services have historically existed independently through various fundraising and donation mechanisms (Irving-Clarke and Henderson, 2021:30). The first refuge was developed from a 'squat' in Chiswick, which was eventually acquired from the council. Women's Groups running refuges had total control over their endeavours. The freedom from the oversight of professionals enabled women to feel safe, not judged, and gain respite before moving on with their lives.

The moment that Hounslow Council contributed funding to a refuge, conditions and regulations were contra to the ethos of 'no woman turned away'. This highlights the difficulties of maintaining a purposive service through more secure funding and compromising on fundamental values to sustain an organisation. Nevertheless, in spite of compromises, women's support services have remained financially unstable, with refuges relying on supported housing rents to bolster wider support functions. Their specialist services were also under threat with housing associations and larger charities such as Victim Support, with more generic functions seeking to capitalise on council contracts to boost their income streams. These organisations had the expert resources to produce professional tenders, compared to small, local third sector specialists who had to meet the tender requirements in addition to their 'day' job (Irving-Clarke and Henderson, 2021:41). Not quite the level playing field set out by the HM Treasury in 2007.

There is very little research specifically focused on small, specialist domestic abuse charities and groups providing support for victims of domestic abuse. Domestic abuse specialists are mentioned in a number of contexts but without specific studies relating to their role in implementing local policy. This research will focus on these providers and their perspectives of working with other partners and the effectiveness of domestic abuse policy implementation at the local level. This has its own implications with regards loss of independence for those organisations with local authority contracts, restriction of the true aims of those organisations who reshape their services to meet contractual obligations

and lose sight of their original purpose. It also removes their voice in advocating and campaigning on behalf of beneficiaries. That connection is key to informing and shaping meaningful services and interventions, particularly for specialist areas such as domestic abuse (Elvidge, 2014:17).

### **3.8 Domestic Abuse Act 2021**

The ascension of the Domestic Abuse Act 2021 into legislation was developed in conjunction with Women's Aid, Safelives and other domestic abuse specialists, who have driven the Domestic Abuse agenda over recent years and focused the minds of government policymakers on the issue of violence against women and girls. The Domestic Abuse Act certainly provides a comprehensive framework of legal and policy-based remedies for domestic abuse per se, identifying with clarity the components of abuse that prevail.

However, Rights of Women (2020, Response to Migrant Victims Review Findings), a leading legal advice and representation service for women, including immigration status cases and those with no recourse to public funds, challenge the lack of protection for victims in this category. Many immigrant women are brought to the UK on spousal passports and have very few options or access to support against spousal and spousal family abuse. The new Act, they say, despite a robust campaign by agencies such as Southall Black Sisters, Iranian and Kurdish Womens' Rights Organisations (Kennedy, 2019:3), does not, however sufficiently protect women of immigrant status with no rights to recourse in the form of financial and accommodation based support and as it is largely based on the foundation of gender-based abuse. Furthermore, perhaps because the new Act is rooted in the Violence against Women and Girls agenda, it includes but does not specifically focus on the different needs of other groups such as men, same-sex, transgender or other communities falling within the LGBTQ+ profile.

Warner (Justice Matters, April 2019, Counsel, Magazine of the Bar of England) considered the Act a lost opportunity, whilst hailed initially as a breakthrough or 'step change', on further reflection highlighted a number of pitfalls. It was noted that Victoria Atkins (Minister of State for Crime) heralded its recognition of the complex nature of 'these horrific crimes' and 'puts the needs of victims and their families at the forefront'.

However, Warner points out that whilst there are many positive measures addressing the fragmented nature of law regarding domestic abuse, courts and associated agencies are a product of their history, and many practices dealt with by the Act will have to be overcome deeply embedded processes. The Act also claims to address the needs of all victims of domestic abuse, including Black and Minority Ethnic groups and LGBTQ+ communities, but still reflects its leanings towards gender-based ideology suggesting that one size does not fit all.

Cairney (2020:18) points to the understanding that legislation is essentially policy, but it isn't without the funding to back it up. Warner (April 2020) highlights that one of the criticisms of the Domestic Abuse Act is that whilst funding is identified, it is simply not sufficient to implement the aims of the act and indeed, also fails to provide critical funding for specialist areas of work nor does it provide for the needs of children who are the hidden victims of this crime. This issue was raised during the Domestic Abuse Bill debate following Lords amendments to the Bill, before final reading, in the House of Commons on 15<sup>th</sup> April 2021. Whilst £1.5 million of funding through competitive tendering was announced for Southall Black Sisters to work with migrant women, and there were representations by Jess Phillips (Shadow Minister for Domestic Abuse) and Apsana Begum MP regarding the sufficiency of funding to meet the relevant needs outlined in the Bill. Further to this were question marks over the adequacy of training for criminal justice agencies given the complexity of needs, with debate yielding no specific answers to these questions.

There is no doubt that the Domestic Abuse Act is a significant step forward, but on further examination against historical evidence, the extent to which it is implemented effectively is yet to be understood. Moreover, more recent studies concerning criminal justice responses to domestic abuse, continue to highlight the many deep rooted issues that serve to fail victims of domestic abuse. Worse still, these are not new issues.

### **3.9 The Making of Policy**

The development and implementation of the VAWG strategy have occurred during unprecedented fiscal challenges. Refuges are experiencing devastating reductions in funding with many closing due to rising costs and limited resources. Pressure on such limited resources has never been as great as it is currently, and the sustainability of supported housing in the current economic climate is extremely challenging (HM Treasury, 2010-2015). At the same time, the government

appears to be placing more specific emphasis on service provision for domestic violence whilst conversely restricting legal aid for victims, limiting their capacity for justice, placing greater emphasis on local authorities to determine their spending priorities, which fundamentally conflict with government strategy, funding for supported housing is no longer ring-fenced which means that money and resources are channeled elsewhere. Policing budgets are under immense pressure whilst expectations regarding police activity remain high, but in reality, austerity measures include reducing staff by 15% and reconfiguring front line services to maximise functions within an already strained framework (*HMIC, 2012, 2014*). The HMIC review into policing in austerity also highlights that collaboration with other agencies, a key element of effective problem solving and protective planning for victims of domestic violence, is 'disappointing' and essentially might be considered an opportunity lost.

The government's VAWG Strategy and Action Plan reviews suggest that the policy has been successful in many areas, but this does not appear to align with the experience of victims of domestic violence. Indeed, the 2014 HMIC Report 'Everyone's Business' into the police responses to domestic violence within the jurisdiction of England and Wales highlighted serious deficiencies in handling this issue by every police force, with only Northumberland making headway in improving services. Other research from a number of sources into the services available for matters surrounding VAWG also highlight very serious problems not only within the police but in the wider service provision across the agencies. These reports provide significant concerns regarding the extent to which services for women and children who have or are experiencing domestic violence have developed over the years to meet the increasing challenges surrounding this issue.

Evidence suggests that despite the best intentions outlined in government strategy and action plans concerning domestic violence and abuse, there remain significant problems and inconsistencies in the front line implementation of VAWG policy, which has the potential to undermine effective outcomes. Furthermore, these issues appear to negatively impact victims and inadvertently re-victimise the victim once she has sought support and/or refuge from an abusive relationship. On the face of it, Home Office statistics and the government's reported outcomes indicate positive strides forward, but the identification of serious flaws in the experience that domestic violence victims themselves report suggests that the government's perspective is not necessarily a persuasive indication of success and that front line practice is not necessarily as it seems.

Current evidence highlighted within this proposal indicates disparities between government evaluations of the progress made against the strategy and action plans to which all agencies and local authorities are working. Whilst positive case studies are provided within the Home Office's progress reviews against their Violence Against Women and Girls Strategy and Action Plans, highlighting evidence of good practice in specific areas, independent research and reports into the experience of victims at the local level suggest that there are anomalies between stated government intention and actual front line practice. In 2010 the UK coalition government set out a clear commitment to tackle domestic violence abuse through the 'Call to End Violence Against Women and Girls' paper with an associated action plan. This has been periodically reviewed and developed into the Violence against Women and Girls Strategy and revisions to the action plan, which included signing up to the Istanbul Convention. The Istanbul Convention (IC) provides for a pan European response to violence against women and girls, including legislative changes to coercive control. The IC also outlines action plans to eliminate violence against women and girls, which have to some extent been replicated with the UK VAWG Strategy. It should be noted that whilst the UK has signed up to the IC, they have not ratified it.

The government nevertheless, has sought to accommodate European plans in those set out for England and Wales, which includes activities to improve education and awareness for practitioners and services for victims but have delegated responsibilities for the plans to local areas, alongside additional funding. When the coalition government set out their intentions regarding VAWG in 2010, they also committed more than £40 million to reduce domestic violence over the subsequent 5-year period (Towers & Walby, 2012:46). However, towers and Walby point out that, at the same time that the £40 million was allocated to local authorities, their overall funding allocations were reduced and previously ring fenced funding for supported housing (under which non-statutory funding for domestic violence services resided) was removed. Under the localization agenda, local authorities were free to establish their own budgetary priorities, resulting in significant cuts to local domestic violence services and the loss of many specialist refuge providers.

Towers and Walby (2012:47) highlight that these spending cuts have had and continue to have a significant impact across local authorities and consequently the loss of the provision of refuges and 'discretionary' domestic violence services in a numbers of areas. This appears to be another anomaly in Home Office

reporting and funding allocation in real terms, creating an opposite impact than that of stated aims under VAWG policy. Whilst it is essential for local authorities to understand local needs and budgets accordingly, it could be argued that decision-making at a local level introduces the potential for variations in service provision and priorities, with the potential to disrupt or prevent meaningful implementation of the policy and intended outcomes. *The extent to which this might be happening is undoubtedly worthy of further investigation.*

The Tackling Troubled Families (TTF) programme was also established in 2010/11 following riots across London as. Again, it could be argued that such a significant range of measures designed to control young people and their families is seen as problematic on several levels. This programme sat alongside the VAWG strategy and action plans to enable local authorities to tackle various issues, including domestic violence and abuse, affecting young people with problematic family environments (Churchill, 2016:2). This also sits alongside Community Safety Plans in most local authority areas and forms part of Community Safety Partnership responses to domestic violence and abuse (Local Government Association, 2011).

It was established as a grant-based programme under the Community Budgets scheme in 2010 and is subject to bids from local authorities on a 'payment by results' basis. Local authorities across England and Wales were required to set out plans with measurable outcomes against which they receive funding. Periodic progress reports released by the Home Office hailed this programme as a success, resulting in a further funding commitment and the continuance of the programme in 2014 (Crossley, 2015:1). However, following the DCLG Evaluation report (Day et al., 2016:81), the government has had to accept that this programme has not been a success, thereby contradicting their previous claims. It must be considered that this provides further evidence of discrepancies between government measures of success and the actual impact of a policy when enacted at a local level.

Coupled with recent research studies and HMIC reports that also appear to contradict government success claims regarding the VAWG strategy and its implementation. The government's continued reliance on these claims could prevent a real understanding as to whether the strategy and action plans have any prospect of meaningful achievement, particularly in the current climate of austerity measures exacerbated by the Covid pandemic and the existence of very clear problems in the provision of consistent services for victims of domestic

abuse. This literature review highlights the potential impact of attitudes and perceptions that studies have identified across the criminal justice, health and social care systems and appears to pervade all agencies involved in domestic abuse service provision. This is also implicit in the development of training and awareness activities designed to address these very issues.

### **3.10 Summary**

There are complexities in the nature of domestic abuse and discourse, language, and understanding. Early references and policies focused narrowly on domestic violence, but over time, research has developed and evidenced the multi-faceted reach of this crime, as well as the challenges this creates for police, courts, health and social care, all interlinked in some way to the methodology and pathways towards supporting victims and eradicating this phenomenon. Funding is a significant issue placing further pressure on stretched resources and appears incompatible with the objectives of the strategy and legislation. Whether or not this is a barrier to effective implementation at a local level will be explored in this research? There is no research into the voice of practitioners and the shaping of roles and responsibilities concerning the street level implementation of the Violence against Women and Girls strategy. Practitioners have been involved in specific studies focused on particular problems but not the broader policy and partnership landscape. This research is an opportunity to fill the gap and begin that dialogue.

Domestic Homicide reviews, despite opportunities through ever-developing multi-agency structures, services are still missing the opportunity to support victims adequately. There were 726 homicides in the year ending March 2018, of which 426 were domestic homicides, usually as a culmination of a pattern of violence and abuse over time in intimate and other family relationships (Chantler et al., 2019:486). 97% were female killed by a male, 77% by a partner/ex-partner and 23% by a family member. Although, in 50% of cases, all agencies had some awareness of the extent of the abuse, including police, housing, education, children's social care, adult social care and domestic violence organisation, this awareness did not automatically result in the provision of services, and only 9 % were the subject of MARACs. In addition, issues around the language and culture were not explored and not catered for or were inappropriate (i.e. interpreter being male prohibited open dialogue with the victim).

Housing provision remains a significant problem and where victims are constantly moving around; it makes consistent service provision difficult and risks challenging to manage. Social attitudes, beliefs, culture and perceptions may be a reason for the timeline between the initial inception of refuges and women's movements and the development, 50 years later, of a clear definition of domestic abuse and a legislative vehicle to work with? The evidence indicates that these issues still prevail. However, do they have the potential to undermine local actions in response to this framework?

This research seeks to understand these issues within a local context. It will look at the extent to which local services relate to the VAWG strategy and action plans between 2014 up to the ascension of the Domestic Abuse Act 2021 within the current climate; how this is interpreted and related to the local area and organizational priorities; how it is understood and implemented at the local level, what is the extent to which the outcomes outlined within the VAWG action plan and Domestic Abuse Act 2021 are being achieved; and are they appropriate to the needs of victims. The study will also investigate the extent to which local multi-agency partnerships align their policy, strategy, budgets, and action plans with those set out at the national level and will look at the components that enable policy implementation and the potential barriers to effective practice in line with national legislative and policy ambitions.



## **Chapter 4**

### **Theoretical Concepts Underpinning This Research Study**

#### **4.0 Introduction**

The literature review has exposed significant areas for further exploration with regards the understanding and implementation of policy in practice. Key to many of the issues identified has been that of social structures underpinning beliefs, understanding, attitudes, awareness and behaviours of organisations and practitioners within them. Social Policy appears to set the framework to tackle specific problems, regulate behaviours, and communicate values and philosophy against a backdrop of thematic governance. This chapter discusses varying theoretical perspectives in relation to understanding the VAWG policy, its implementation and the perceptions of domestic abuse in society, with a view to providing key concepts to underpin this research. The actualities of VAWG policy in practice were established in the previous chapter, whereby a review of the various agencies involved in the criminal (and civil) justice processes identified the impact of social perceptions as a possible explanation for the variations in service user experiences when engaging with it. This chapter explores the theoretical concepts as lenses that may serve to explain the development of those social perceptions, the social structures, policy, practice and implementation surrounding domestic abuse and the persistence of discriminatory perspectives within the framework of VAWG and criminal justice responses to it.

#### **4.1 Explaining the concepts**

Fundamentally, the role of feminism has enabled scrutiny of social organisations and power relations, within the context of patriarchy and misogyny, as foundations for gender based social inequality (Levine, 1984:11). The literature review identified the continued variation of responses that women in particular face when coming into contact with the criminal justice system in relation to domestic abuse and/or sexual violence. The evidence presented demonstrates that across the criminal justice system, but within the police and courts in particular, there is a theme of recurring patriarchal and misogynistic behaviours, which reflect structural inequalities relating to gender in particular. This suggests that in order to understand and unpick the issues highlighted, the most appropriate mechanism for understanding these experiences should be located within feminist theory. Feminism has indeed provided a range of perspectives to

explain women's inequality and subordination in society (Flax, 1987:623). Given that misogyny and patriarchy feature so strongly as key problems, this requires and more complete understanding as to how and why these issues exist and persist.

Flax (1987:624) points to western culture, its transition and the impact of these on the construction of the self, gender relations and modes of thinking, as a fluid continuum directly linked to historical social processes (Flax, 1987:622). She highlights that to analyse gender it is important to consider that women's inequality is not a matter of biological difference, claiming that anatomy is rooted in a dualistic social structure of domination. On the one hand anatomical function is seen as a 'natural' concept, drawn from 'enlightenment' thinking, where women are symbolized by their bodies and men by their minds. This, she believes has and continues to enable the continuum of unequal gender relations. Flax (1987:632) argues that feminist theorizing to understand gender relations requires analysis of different social worlds and histories, but that gender relations are also determined by other social structures and activities. Whilst she advocates the need to use 'voices not like our own' to deconstruct women's experiences through social and historical development, she acknowledges that feminist thinking cannot be free from 'culturally-bound modes of thinking' from a gender derived perspective that may skew theoretical viewpoints (Flax, 1987:640-641).

Lay and Daley (2007:50) suggest that feminist perspectives do however, offer a perspective for understanding human behaviour in a given society, providing an equitable 'world view' that confronts systemic injustices, directly predicated on gender. Lorber (2012:212) goes further to say that gender is a 'primary cultural frame' for organizing social relations at the heart of social structures. She, like Flax, suggests that this is inevitably based on sexual and reproductive delineations, as the nature of male-female difference is an automatic identifier in most contexts. Therefore, following this baseline could provide a starting point from which men and women define themselves depending on cultural shaping. On this basis, Lorber agrees that the extent to which women are seen as equal, or less equal depends on the way that men and women are framed in any given society. She goes further to explain that inequality, manifests in biases, judgments and behaviours, so the more these are regulated through formal rules and procedures, the more inequality can be constrained (Lorber, 2012:214).

Feminist theories about the nature and construction of domestic abuse or sexual violence also build on these theories and may offer some insight into the continued existence of misogyny and patriarchal thinking. Walby (1990:128) argues that male violence against women is directly related to social structures rooted in patriarchal power relations. Gilligan and Snider (2018:6) go further to say that patriarchy exists at both conscious and subconscious levels, presenting as a set of rules, values, codes and language that determine how women are expected to live and relate to the wider world around them. Its persistence is, they say, in part, connected with dominant political and economic forces that benefit from the control of women but is also linked to discourses that instill conformity and lack of resistance by women to the roles they accept in society.

Gilligan and Snider (2018:8) suggest that patriarchy is not a 'natural' concept but stems from the human ability to communicate develop and impart ideologies and those power relationships developed from the need to protect the male lineage and the loyalty/chastity of women. Given the historical pattern of gender inequality and the evolution of socially constructed models of gendered identity, it may be that feminist theories based on patriarchal models to explain women's inequality provide some weight as analytical tools in determining not just the causes of violence against women and girls, but the position that domestic abuse occupies within the social conscience and the apparent difficulties in practical applications of VAWG policy in action (McCann et al., 2021:41).

Dobash and Dobash (1979:43) also refer to the structural nature of gender inequality and say that it is based on the development of social order to meet the needs and sustainability of a given society. They suggest that gender inequality is directly linked to two key issues: the structural composition of society and an ideology that ensures acceptance of the need for hierarchical order based on gender relations. Following Gilligan and Snider, they also point to the way that structural elements feature in day-to-day life, such as the hierarchical organisation of social institutions, the language and categorization techniques they use, social relations that subjugate particular groups into positions of power, or subordinate positions. They say the ideology of differential power relations for men and women through socialization reinforces the components of structural systems needed to instill and inculcate inequality and the acceptance of these systems.

McCann et al. (2021:63) and Dobash and Dobash (1979:45) go further to identify and explain the source of women's inequality within structures of patriarchal

domination. They consider the development of unequal power relations as an historical phenomenon, beginning with women used as commodities under the control of men, and households becoming microcosms that replicated power struggles in wider society. This theory takes a genealogical approach which is difficult to challenge, as women within class structures were historically deemed the property of men, usually fathers in the family and 'given away' by them to their husbands, with every generational replication continuing the process. Essentially then, women were subject to power assigned to men in society at the time, controlled by duty, loyalty and/or by fear and coercion to comply. Husbands for example were forbidden to inflict bodily damage other than what was considered 'reasonable' in the effort to control their wives.

Dobash and Dobash (1979:49) assert that this was the foundation of patriarchal relations and that the structure of society developed to transfer loyalty, previously endowed upon wealthy and powerful families, to the state and the crown. They argue that it was in the interests of the crown to mould nuclear families into a structure representative of wider social structures of power. The position of the 'King' as a father figure and obedience to the sovereign was communicated by way of comparison to fathers in families. The use of languages such as 'violence' and 'control' replicates the language applied to civil disobedience and punishment to maintain order, so public principles applied to private space but without the same protections as assigned to public space.

Abbot and Wallace (1991:19) appear to underpin this argument claiming that the role of women was entrenched in the idea of citizenship and the pursuance of individual freedoms. They cite Marshall, who advocated the gradual addition of citizenship rights to enable freedoms for men to contribute effectively to social and economic development. In their view, men were assigned responsibility for household 'order' to support this. They assert that men, in the language of men, wrote laws and policies to support male dominated social structures. Therefore, they point out that policies shaping citizenship were based on inequality itself, as it did not include the rights of women in the 18<sup>th</sup> or 19<sup>th</sup> centuries when the evolution of rights progressed through judicial laws and politics. As an example of this, women saw no improvements in the right to participate freely in politics until the right to be elected to Parliament (the Parliament (Qualification of Women) Act 1918) and the right for women to vote in 1928.

Tosh (2005:66) reinforces Flax's view that masculinity and gender identity has been a key factor in the subjugation of women in society. He says that even with

shifts in the landscape of political and judicial governance, along with social and economic development, the enduring feature has been the dominance of males in every context. Pease (2019:109) agrees and suggests that understanding the structures of society, and the ideology of masculinity in the framework of patriarchy, is key to understanding the formation of male dominance and society's acceptance of it. He takes the stance that only by understanding how men develop the sense of dominance and the cultural forces that shape the social structures that underpin this belief, can substantial progress be made towards equality for women, particularly within social policy.

According to Lerner (1986:16), the invisibility of women is an issue for theorists when accounting for androcentric accounts of history against the framework of male dominance. She suggests that historical accounts are largely the product of men, demonstrating that men believed their dominance to be the natural product of gender differences. Lerner points to the 'creation of patriarchy' whereby she says that gender differences were commodified throughout history to meet society's social and economic needs at any given time, fundamentally because of women's sexuality and reproductive capacity. She provides examples of maintaining peace by inter-society marriages and sacrificing women to ensure collaborative alliances. In effect, she says, they have been controlled psychologically and bodily for much of history in one-way or another (Lerner, 1986:214). Lerner (1986:221) therefore appears to validate the perspective that a historical review of men and women in societal development is essential to understanding the framing of how people lived and thought, live and thought.

Hence the enlightenment, which offers a stepping stone to modern society, could be seen to have underlined culturally supported norms by presenting men as deliverers of scientific and rational objectivity and that women's contribution to society was based on domestic servitude. This appears to be a concept brought forward and exemplified in the works of Dr. John Gregory and his 'Father's Legacy to his Daughters' in which he provides a framework for feminine conduct, frames women as 'companions and equals', presenting himself as a liberal and enlightened version of masculinity (Moran, in Knott and Taylor, 2005:9). The main thrust of the book was to separate men and women into distinct and separate categories. The worldwide popularity of the book, over an enduring period of reprints and use of excerpts spanning over a century afterwards, may be seen as a reflection of attitudes and perceptions of women's 'supporting' role in society and the acceptance of masculine discourse surrounding their position (Meyerowitz, 2008:1347).

Kuhn (2012:175) argued that the process of enlightenment in the 18<sup>th</sup> Century transferred power through the passage of change from religious and moral 'governance', to a formal model of social power relations founded on science, rational objectivity and the pursuit of new knowledge. The ideology was based on advancing liberal progress and tolerance underpinned by truth and logic, a scientific community consisting of 'men who share a paradigm'. The idea of women as rational thinkers and contributors did not feature the 'new' world in his representation.

In order to explain this, Knott and Taylor (2005:xv) point to Wollstoncraft, who said that the enlightenment, for women, merely created a more scientifically grounded reinforcement of masculine domination. Knott and Taylor highlight the importance of understanding this important era of social transformation to track the entrenched social views of women's place in social development. It was also, they say (Knott and Taylor, 2005:xviii), a period of significant change for the fields of psychology, medicine and sociological positioning of male and female identity, masculinity, femininity and socio-political conditioning regarding not only their roles in society but social perceptions of these concepts. These concepts underpinned the generation of social and administrative policies for the governance of order, as the rejection of religion and monarchical powers diminished. But the consequence according to Knott and Taylor (2005:547) was that of contention and contradiction, a so-called age of reason, tolerance and emancipation, through enhanced scientific and sociological understandings, yet at the same time repressive and totalitarian in the development of social policies that enabled inequality now reinforced by 'science and knowledge'. They cite Hosbawn (1997:336), who called it 'a conspiracy of dead white men in periwigs to provide the intellectual foundation for Western imperialism'.

Despite the claims of emancipatory development for all citizens, Rousseau (Poonacha, 2016:417) determined that 'good social intentions are those best fitted to make a man unnatural', that society is stronger if a man is a part of the whole and that society supports the structures that enable man to function for the good of the whole. Rousseau argued that 'social contracts' were not historical but a logical development in the evolution of newfound rights, that social conscience was a matter of human nature, or logical choice, in so far as people create and choose the shape of the society they live in. His political discourse was based on the notion of balancing individual freedom with the needs of society through the necessary structures of governance (Saccarelli, 2009:488). The

problem here is that Rousseau refers to 'individual freedom' from a male standpoint.

Walby (1990:173) nevertheless asserts that patriarchy is not a historical constant and that women's position in society has actually changed regarding access to education, greater equality in the workplace and women in prominent public positions. Applying Walby's thinking, this could be attributed to the progressive inroads achieved by women and feminism over recent decades. However, Walby does not challenge the continued existence and dynamic nature of patriarchal systems and structures of differential power, or their influence on disrupting policy development aimed at challenging gendered inequalities. She suggests that progressive reforms that challenge patriarchal order, are often replaced with other forms of patriarchal control and claims that private patriarchy in the home has been replaced with public patriarchy. Walby (1990:177) suggests that patriarchy, whilst not necessarily a definable system in itself, exists in the shadows, influencing all areas of social life, behaviours, social expectations and the sense of self. She says, "it is a culture, a set of rules, values, codes and scripts that specify how men and women should act and be in the world" (Snider, 2018:6).

Whilst feminist theories may offer some explanation with regards structures that underpin social responses to domestic abuse, these do not necessarily offer sufficient scope to deconstruct the persistence of negative responses to domestic abuse. Lombardo and Kantola ((2017:13) consider that although feminist approaches highlight the underrepresentation of women in terms of political and economic influence and have done much to question structural causes underpinning gendered consequences, they risk essentialism. For them, the focus on gender as the primary platform, undermines the multiplicity of social influences and interactions that underpin systemic, gender based inequality. McPhail et al (2007:819) highlight that feminists themselves acknowledge that there is a need to look beyond the feminist perspective and integrate other components and systems of political and economic imbalance.

Flax (1987:623) says that by studying gender, the intention is to be able to analyse gender relations and this may not always result in the identification of purely feminist issues. She argues that feminist theory requires the co-location of feminist theory in wider theoretical frameworks to understand gender relations in a more objective context. This, she says, ensures that wider social relations impact on discourse and social thinking.

Saltzman Chafetz (2004:972) claims that feminist theory and methodologies are counter to broadening the framework of social variables that impact on women's everyday experiences. Patriarchy for example is not a constant and varies with space and time, it also relies on the concept of agency and choice, directly related to position within a social structure. Patriarchy she says is an ideology that crosses a number of different factors, such as family, economy, community for example and is therefore necessarily about relationships between various phenomena. This necessarily involves 'exploiting the full array of tools' to ensure the most comprehensive approach and the 'highest quality of research' (Saltzman Chafetz, 2004:975).

It is therefore important to understand the scaffold of possible influences that underpin social and criminal justice responses to domestic abuse, including structurally endorsed power relations that impact women's choices, potentially acting as constraints and regulators of social attitudes concerning the role and identity of women within social structures (Risman, 2004:431). McPhail et al (2007:839) emphasise however, that looking beyond feminist theories does not mean abandoning them and that the feminist perspective is the 'glue that holds the disparate puzzle pieces together'. It is important then to look at theories that build on the concepts discussed in this section with a view to providing a broader framework of consideration.

#### **4.2 Contextualising social structures**

In the previous section, Dobash and Dobash (1979:43) point to the organisation of social institutions, the language and the use of categorization to maintain power relations that disproportionately discriminate against particular groups. This corresponds with Foucault's theories of governmentality and the microphysics of power that rely on the empirical 'archaeology of knowledge' or layers of influence over space and time. Foucault places the formation of societal perceptions regarding social identities and compliance, as rooted in power relations and the structures that underpin them, transmitted through discourse in a number of ways (King, 2004:29). Foucault's work is centred on genealogical explanations of the development of society and individual submission to post-modern governance. This, he asserts, is based less on moral and religious codes but on structured governance, within the boundaries of law and juridical systems needed to manage collective populations (Dahms, 1992:476). For Foucault, policies form a part of the technologies of government at macro level to control



collective populations, which disperses through organisations or institutions with different purposes at micro level, shaping individuals into compliance within the framework of social needs at any given time (Raffnsøe et al. 2019:162). Monckton-Smith (2014:9) refers to Foucault's argument that social agents' knowledge is based within discourses at any given time, but that discourses are social constructs and not necessarily a true representation of reality. As such, dominant discourses can shape how social agents see the issue of gender and, indeed, domestic abuse through a socially constructed and skewed lens.

McHoul and Grace (1993:68) further these assertions, referring to the rise of political institutions and freedoms as being accompanied by the need for more subtle methods of maintaining control and compliance, or the 'control of activities'. They argue that with the transference of governance from church to state, there came more organized structures through administrative categorizations, aimed at organizing and managing legal, moral, and social conformity. It may be then, if considering the archaeological layering of knowledge and mechanisms of control, that gender roles set within religious codes, set the benchmark for future administrative systems, with gender roles becoming entrenched in social and economic policies based on perceptions of women's biological role and secondary contributions to the economy. Lemke (2012:42) considers this the point when the idea of the 'natural order of things' under religious ideology was ruptured and opened up the possibility for atheism and the need to replace religion with new structures to maintain a civil society.

Foucault (1978:654) uses the example of prisons as symbolic and the concept of discipline to explain the reach of state power, its influence on social control and shaping social conformity (Taylor and Vintges, 2004:201). The development of administrative fields such as law, medicine, prisons, and associated administrative mechanisms was needed to maintain the new social order, or what Foucault refers to as the anatomy of politics (Foucault, 1977:28). Along with these structures came the need to develop ways of deciphering and categorizing knowledge to identify and regulate individual 'bodies' that could be 'subjected, used, transformed and improved' (Foucault, 1977:136).

The 'art' of 'punishing', according to Foucault is that it refers to individual actions that are capable of comparison within a specified set of rules, enable differentiation between acceptable and unacceptable and the principles of 'value giving' against a hierarchy of social standards, constraints and conformity (Foucault, 1977:183). In the same way as prison shapes categories of positive

and negative behaviour, social control establishes a homogenizing framework of what is appropriate and what is condemned. Hekman (Taylor and Vintges, 2004:201) says that for Foucault, the main location for distinguishing 'normal' against 'abnormal' and enforcement for deviation is within evolving institutions and the hierarchy of professions. Hekman says that the normalisation of socially acceptable standards is the key objective and pervades all of society and as a collective, in itself acting as 'judge of normality' within those boundaries in arguably, a form of self-surveillance.

According to Donzelot (1979:92), state control was about social control through the regulation of family life to reflect broader social interests. Furthering Foucault's contentions regarding shaping behaviours, Donzelot considers 'instruments' of government in the form of public institutions as effecting control through the acquisition of knowledge. Hekman (Taylor and Vintges, 2004:202) refers to statistics as the discourse through which knowledge and characteristics could be acquired to understand behaviour, attitudes and patterns of social life. Foucault used the term 'biopower' to refer to state monitoring of the acceptance of regulatory controls, with habits, health, reproductive practices, family characteristics and "well-being" as examples of biopower. These, in Foucault's approach, are deemed necessary by the state to formulate appropriate policies to respond to changes, risks and deviations in societal development and relative interventions. Statistics then, might be seen as a benchmark for determining what is considered by the government to represent 'normal' against a framework of characteristics that paint a picture of 'reality' against which deviations could be measured and balanced through control, maintained.

Bartky (1990:65) criticises Foucault's approach to this form of social control for being too neutral, failing to recognise the differential impact that this has on women, and the way that institutions and society view women generally. This, she says, is a failure to understand the impact of social forces on the notions of masculinity and femininity, from which society draws its perceptions. However, Baxter (Preece, 2016:35) claims that whilst Foucault did not overtly differentiate between male and female, dominant 'truths' can be conveyed through classifications as discourses that control the way that people think about different issues, or ideas of 'normality' or 'abnormality'. If these relate to gender, race or other 'differences' disproportionately, it becomes internalised and shapes individuals ways of thinking, being and alignment with those labels.

In relation to gender, this can manifest in the ways that women are viewed, view themselves and are viewed by others. Allen (Heckman, 1996:267) claims that Foucault analysed specific power relations at a micro-level, between two individuals and small groups of individuals, but also on a macro-level through examining cultural meanings, practices, larger structures of domination and the embodiment of power, on the basis that one impacts the other and cannot be seen in isolation (Heckman, 1996:271). Sawicki (Hekman, 1996:163) however, points out that the views of Foucault are inherently white, male and middle class, a standpoint from which he had no conception of the impact of language, discourse and associated pressures imposed on the female body. In particular, he fails to account for the differences that women experience within his notion of individuals being 'free agents'. Sawicki asserts that men are free, but only because women are not. While Foucault talks about power, even though it is multi-dimensional in some sense, he does not differentiate between a generic definition of power and one where structural hierarchies exclude women.

Butler (1990:175) sees Foucault's theories as locked in a binary dimension, which presupposes biological sex and socially constructed gender identity, unaffected by patriarchal power (Butler, 1990:180). However, Foucault's theories are based on genealogical development using history as a building block for social development and within which women have been subjugated through biological categorization (Westlund, 1999:1045). Westlund argues that policies are translated through institutions and organisations that victims are forced to seek help from. She says that reaching out to the support organisations such as police, courts, medical professionals and specialist providers' places them into new and different power relations and surveillance mechanisms, which can be variable depending on the 'categorisation' of women and their victim status. The review of domestic abuse service agencies in the previous chapter, and the variations in the translation of policy to practice seems to confirm this theory, but does not satisfactorily explain the deviation from policy intentions that appear on the surface to address these inequalities. It could be argued however that the processes required to deliver these intentions, inevitably lead to the submission of victims to a necessary process of assessment and categorization to mitigate risk and enable recovery. It could therefore be the individual, or collective interpretations or actions of practitioners, that creates and recreates inequality, which leads to the need to understand how these may be shaped.

Foucault provides a different perspective in this regard, that may be used to understand the perpetuation of structural inequality in relation to service

provision for victims of domestic violence (Cavadino & Dignan, 1997:66). As shown, he starts from the premise of power as a multi-directional phenomenon, comprising a complex network of power relations that impact different groups differently. He places power in association with knowledge, that through 'confession' and 'documentation' individuals provide knowledge about themselves to others who have the power to determine 'good', 'bad', 'normal', or 'abnormal' (Dreyfus & Rabinow, 1982:322) reinforced through biopower and the technology of statistics (Hoy, 1996:160). In terms of the response to domestic violence, various agencies' documentation serves as an instrument for continual assessment, a constructed truth that agencies could use for continual reference, and as such a mechanism of disenfranchisement (Westlund, 1999:1047) but also action.

The outcome is that rather than empowering victims, 'knowledge' becomes a tool of control, which can then be open to further interpretation and judgment by other agencies within the criminal justice system (Kelly et al., 2014). Mullender (1996:76) exemplifies this by highlighting the use of social services reports that make recommendations to courts regarding custody but fail to understand the element of ongoing coercive control by the perpetrator, who may use the victim's mental health or other issues detrimentally as a means of continuing intimidation. The report from social services becomes the truth if unchallenged but may be fundamentally flawed without this understanding and can detrimentally affect the victim and their children (Radford & Hester, 2006:145). This inevitably has the potential to affect the manner with which domestic violence victims are dealt with and thus another element of variability in terms of outcome achievement.

Lombard and McMillan (2013:236) consider the examination of the changing dynamics of institutions, organisations and agencies providing services to victims of domestic violence to be a critical element in reframing violence against women. Hester (Radford & Hester, 2006:149) goes further. She highlights that the failings of agencies to meet the needs of victims can be attributed mainly to the way that their priorities become separated, which would seem to verify previous research findings regarding disparities in funding and the potential for these variations to disrupt policy implementation. McNay (1992:64) points to the increasing awareness of the constraints that these views offer and highlights the need for a broader, more varied evaluation in order to identify the continued social and structural inequalities that women face in all settings and how these impact on effective service provision.

### **4.3 Bourdieu, Habitus, Field and Capital**

An alternative approach to thinking about how governments, organisations, and individuals develop ideas and approaches to social issues is through Pierre Bourdieu's theories. He provides a framework that focuses on the way that individuals find their place in the world around them through the accumulation of and access to social capital (Webb et al., 2002:23). According to Bourdieu, the amount of power that a person has is directly related to the amount of capital a person has and their position within a field. Bourdieu (1993:58) refers to concepts of habitus, social capital and fields within which an individual operates in general terms, but it can apply to specific situations such as policing or other professional contexts. Habitus is essentially cultural knowledge, or what Bourdieu describes as a system of dispositions, which draw on an individual's unconscious experiences and perceptions to enable them to deal with new situations that they face, essentially responding within any given 'field' of activity. According to Bourdieu, people are the product of exposure to experiences, language and discourses throughout their life. Applying this theory then, the reproduction of social views through policies and practice regarding women and violence, the acceptability of this concept and the position of women as victims may be replicated through a number of fields.

Bourdieu's definition of 'habitus' represents an instinctual understanding of new events based on an individual's previous experience and serves as a structuring factor that gives some level of coherence to new experiences (Webb et al., 2002:38). In so far as police culture is concerned, this draws on the experience of police incidents; peer influence and possibly the 'cop culture' discussed earlier, but is also shaped by personal experiences. Bourdieu (2005:11) refers to this as a 'feel for the game' or 'doxa' which is essentially 'common sense' or, for example, in a policing sense, this could be seen as policing skill sets, defined as the 'orthodox' way of dealing with situations, providing a range of options or 'moves' that can be used in many different contexts. If taking this at its face, police officers are generally presented with circumstances where there is limited opportunity to consider their deep-rooted values and attitudes, which on one level might fit the prescribed processes and guidelines within which they work but is also subject to considerable variability when considering socialization over time.

Bourdieu's concept of habitus is a key feature in his study of social identity and the way that the 'social' is assimilated within the self. It represents the tools for social life or the 'practical know how' in the form of 'second nature' and consists

of a set of dispositions, attitudes and tastes (Bourdieu, 1990:53). Adkins and Skeggs (2004:111) suggest that because the nature of habitus lies in social, collective and personal history, it reproduces characteristics of division, difference and inequality. As such, she asserts that dependent on the individual and their habitus, it is inevitable that this will enable them to make judgments either implicitly or explicitly about people, interests, social phenomena, which then become new or reinforced inequalities. Habitus enables inequalities and shapes perceptions but can reduce the visibility of difference because it becomes 'taken for granted' and 'unconscious' (Adkins and Skeggs, 2004:113).

Applying Bourdieu's thinking, even when practitioners think they are implementing social and cultural equality practices, it could be argued that they are the victims of their own unconscious expectations, ideas, and dispositions (Shwartz, 1997:197, Bourdieu & Wacquant, 1992:135). Hester (Lombard & McMillan, 2013:37) applies Bourdieu's 'habitus' to the separate operational nature of organisations or groups of professionals, which she says includes their structures, orientations and approaches in their own work. She said that different nature, focus and priority within each professional category of work might create divides between their own everyday, common place assumptions and practices and those of other professional groups. Therefore, it warrants further investigation as to whether this could be a factor that serves to jeopardise and undermine measures to improve outcomes for victims and those aimed at reducing secondary victimization.

#### **4.4 Social Policy and Policy Implementation**

The fundamental purpose of this research is to understand the nature of policy implementation within front line practice in relation to domestic abuse and violence against women and girls in England and Wales. It has been necessary to understand the contexts within which violence against women and girls policies have been developed and the theoretical concepts that underpin the direction of this research study in understanding how these may be applied and related to VAWG policy in front line practice. It is also a component part to understand the development of policy and the way it is implemented.

Barton and Johns (2013:1) express the view that the analysis of policy making is a neglected aspect of some types of criminal justice and criminological work, which has led to a basic lack of understanding regarding how policy is made, for whom, how it is delivered and considered successful. Hobbs and Hamerton

(2014:1) point to the study of criminal justice policy as being a critical means of understanding how and why the system operates as it does and how it can effect change across the fields of social and criminal justice. Referring to Downes and Morgan, they contend that policy making is now a domain that is much broader than the political elite and that it has grown into an area of work that involves both government agents and a broad range of organisations, with varying levels of specialisms, knowledge, power and influence in the public arena, with interests of their own.

According to Hill and Hupe (2014:5), public policy involves behaviours, understandings, intentions, and a purposive course of actions and/or inactions. Bochel and Bochel (2018:79) refer to the nature of policy making as derived from specific interests. Assuming the aim of public or social policy is to understand a particular problem or inter-related set of problems, policy-makers need to gain knowledge and understanding of that problem to determine the best methods to tackle specific issues. In terms of implementation, Hill and Hupe contend that whilst policies themselves are explicitly purposive, implementation is the contextual product of them. Mazmanian and Sabatier (1983:20) define policy implementation as follows:

*"Implementation is the carrying out of a basic policy decision, usually incorporated in a statute but what can also take the form of important executive orders or court decisions. Ideally, that decision identifies the problem(s) to be addressed, stipulates the objective(s) to be pursued, and in a variety of ways, structures the implementation process"*

Mazmanian and Sabatier (1983:20)

Hobbs and Hamerton (2014:24) cite Robertson who said, "a social problem is where a significant part of the population perceives an undesirable gap between social ideals and social realities and believes it can be eliminated by collective action". They point to issues such as racism and sexism as historically being 'slow burners' that some would say are reflective of the persistence of social structures derived from differential power dynamics. It could be argued that the issue of domestic abuse and violence against women and girls in the broader sense fits this profile.

Simon (Bochel and Bochel, 2018:42) points to the complexity of policy and implementation and the difficulties that this creates for analysis. As has been identified earlier in this thesis, he agrees that part of the problem is that decision-making derives from attitudes, culture and experiences that arise from several sources, not least organizational and psychological contexts within which

decisions are made. He goes further to say that policy, whilst it can be prompted as a response to particular and self-contained issues such as an urgent security issue, for example, is more often developed through a sequence of processes, such as research, emerging data, or economic costs for example, and involves a range of diverse actors from different tiers of government, organisations themselves, pressure groups, media and political parties. Inevitably, this brings many areas of difficulty with regard to policy formation and implementation.

Burstein (2003:29) examined the impact of public opinion on public policy making, some of which forms the basis of pressure groups, activist campaigns and organisations with specific interests and can enhance the effects of public concerns. Burstein also highlights that developments in communications and transport over time has created a space where the public have greater access to politicians at all levels. As such, they are able to express their opinions regarding issues that matter to them. According to Flavin (2022:174), governments are elected on the basis of responding to the needs and opinions of their citizens. He claims that a government that is too responsive, cannot be effective and ensure the overall well being of the society it serves. Jacoby (2000:750) suggests that the public respond more vehemently to issues that affect them directly, but individuals are affected and respond depending on the way that different issues are framed and presented to them. He claims that framing of issues is powerful enough to encourage 'individual-level' opinion change, an idea that resonates with Bourdieu's notion of cultural framings and their impact on individual thinking and collective identity (Emirbayer and Goldberg, 2005:469).

Bourdieu (2000:13) sees this as a 'distant, lofty gaze' where economic or social necessity is discarded for the 'mundane and illusory' focus caused by emotional and irrational responses to immediate, self-interest but with no greater societal benefit. Therefore, Flavin may be right in that politicians focusing on such problems may undermine their ability and responsibilities to ensure the wider social issues are prioritized (Flavin, 2022:175). This he says, includes decisions about public expenditure and the establishment of appropriate priorities but the issue it would seem, is linked to the way that those priorities are framed and this creates further complexities.

Bochel and Bochel (2018:56) go on to outline the difficulties of both the decision-making process in developing policies but the differential values, aims, objectives and specific agendas that impact on policy making. Implementation is equally challenging as it involves not just organizational cultures and objectives but those



of the individuals within them that administer policies at grass roots level. In this vein, Hupe et al (2016:28) point to Lipsky's theories surrounding what he referred to as 'street-level bureaucracy' in reference to predominantly public sector professionals delivering policies in practice. Lipsky suggested that government makes policies without a real understanding of the practical implications or 'real world' outcomes and in doing so fail to gain valuable insight into the potential of real success. So, according to Lipsky, street-level research into any given area of work could therefore be used to better inform managerial strategies, which in turn would enable more effective implementation and outcomes. Hupe et al. suggest that instead of the conventional hierarchical, bureaucratic, compliance-driven and administrative approach, learning, reviewing and refining, could actively inform better performance and effectiveness.

Lipsky (2010:4) considers that there are two dimensions to policy and its delivery. He sees government interest in policy delivery to be about the scope and function of public sector staff instead of the actual impact that they have on peoples' lives. Fundamentally he says, street-level bureaucrats are the key-holders to various dimensions of citizenship and the agents of change for government strategies of control. Lipsky (2010:11) claims that despite the role of street-level bureaucrats as assessing, categorizing, data collecting and decision making within set policy frameworks, they are front-facing, discretionary decision-makers who make change happen as a result of their decisions. He argues that citizens who are beneficiaries of any given public service that benefits them necessarily adapt and tailor their actions to meet that service's requirements and gain benefit. He refers to teachers requiring specific rules of behaviour in a classroom, police expectations about public behaviour and acceptance of their authority, social workers, expect conditions to be met when dealing with child safeguarding, etc. The real face of government policy, he argues, is in the doing. Every aspect of life involves interaction with public servants and for whom gaining compliance enables services to be provided and the benefits of those services to be gained.

However, Evans (2010:31) argues that practice is determined in any organisation by managers who interpret policy and seek to control practice by creating procedures and frameworks to drive it, set service criteria, make decisions, and generate uniformity. Bochel and Bochel (2018:59) say that this does not prevent the use of discretion at the point of implementation, and this opens up significant possibilities of both positive and negative experiences for service users. They argue that policy itself is a multi-faceted entity, but the process of

implementation at the local level should be seen as a complex and dynamic process in conjunction with policy making rather than separate to it. They further this by referring to the nature of local implementation for social policy in particular, as requiring collaborative relationships with a wide range of diverse organisations that operate individually against particular objectives, funding criteria, performance targets, constitutions, legal parameters and so on. They point out that each has their own culture and working arrangements, people with differential qualifications and interests, different reporting structures (i.e. Board or Committees) and personal experiences in the mix, which further serve to complicate matters. One organisation's or individual's priorities may not be the same as others (Bochel and Bochel, 2018:61).

Barton and Johns (2013:81) argue that whilst there may be procedures and systems to enable consistency, the reality is that street-level workers adapt and interpret policies and procedures in ways that enable them to achieve their day-to-day work with service users. Lipsky (2010:161) asserts that the nature of front line service provision requires human judgment and cannot be prescribed or programmed. Discretion, he says, is irrefutable in the face of the uniqueness of client work and individual needs. To this end, he suggests that street-level bureaucrats have inimitability with regards to the shaping of policy from a real-world perspective and that one cannot work without a clear understanding of the other. Evans furthers this by saying that interpretation is actually a constant problem for managers and front line workers because policy cannot deal with grey areas. By its own nature, it can only ever be prescriptive.

Mthethwa (2012:37) claims that when policies are adopted, they are not always implemented as envisioned and, as a consequence, may not consistently achieve the expected or envisioned results. In particular, they rarely provide realistic linkages with other fields of work or policy areas, if at all. Mthethwa (2012:38) suggests that most studies surrounding the issue of implementation tend to focus on outcomes rather than the way that they are implemented to achieve those outcomes, so it essentially becomes nothing more than a 'tick box' exercise. He argues that policy implementation is too often seen as a linear process that directly reproduces the predictions of the policy itself and not the product of the activities of many stakeholders. He says that successful policy implementation is, therefore 'the exception rather than the rule' and is a more complex process of ongoing negotiation and decision making subject to a flow of information in and between different stakeholders, at different levels and in different organisations, with different and sometimes opposing priorities, or objectives. Policies, he

asserts, are only a way of coding goals and actions but are subject to interpretation and are redefined through the implementation process as policy hits reality.

Pulzl and Treib (2007:90) summarized three key models in the implementation process: the top-down, bottom-up, and hybrid theories of implementation. The 'top down' process places emphasis on decision-makers to set policy goals and implement the process. 'Bottom up' approaches consider 'street-level bureaucrats as the key actors in the implementation of policy delivery. The 'Hybrid' model seeks to bridge the divide between the previous two approaches and encompasses other theoretical models to understand the process. This research study seeks to incorporate these ideas into the fieldwork to determine how these models may explain the effectiveness or otherwise of the implementation process regarding Violence Against Women and Girls policy.

#### **4.5 Summary**

The previous chapters outlined theoretical considerations and a literature review related to the real world of policy in practice. The main themes that have emerged from the literature related to the social structures surrounding the issue of domestic abuse, the nature of policy and implementation, and general social and political responses. It has been argued that the issue of patriarchy and gender inequality pervades social action and responses to domestic abuse or 'violence against women and girls', as a recognized, gender-based crime. However, this has been disputed as too monolithic and failing to consider how men experience violence and abuse when it is perpetrated by women and how it impacts same-sex relationships, for example.

Foucault fundamentality presents the historical development of policies built on gender and other inequalities over time and the dispersal of the 'codes' of social life and regulation of it through discourse, as an explanation for the actions of institutions and actors within them. The idea has been presented of governmental control being replaced by institutional control impacting differentially on women, particularly those seeking help and support (Westlund, 1999:1045). It has also been suggested that the process of categorization through which practitioners view or profile victims of abuse can lead to detrimental experiences for those seeking help (Westlund, 1999:1046) and that this could undermine the objectives of policies that appear to seek to protect them.

Bourdieu's theories set out to understand the way that society and individuals within it, formulate views of the world, themselves in relation to that world and their responses or actions to those views. His theory of 'habitus' which explores the backgrounds of individuals, the 'field' as the social context in which individuals locate themselves, and 'capital' as the resource and impetus for individual action, provides a helpful framework for understanding relationships and the way that 'street-level' implementation in relation to domestic abuse, is undertaken. Foucault, on the other hand is interested in the way that knowledge within particular professions creates relationships of power and inequality.

Both are interested in how structures underpinning inequality exist and are perpetuated, recreated and reinforced in everyday practice. Foucault determines that subtle acts of power, domination and coercion are dispersed and pervade all of society in various ways such as discursive communication through language, visually through imagery or embodiment through bodily movement or gestures. Kristeva, however, suggests that the term 'signifying practices' encompasses all practices that communicate meaning. Professions and disciplines are defined by their practices as much as they are by their objects of investigation or intervention. Bourdieu and Giddens on the other hand, focus on the relationship between a social agency or the capacity of people to engage in social action and social structure. They assert that social structure has no reality (so cannot exist) other than through the practices (Bourdieu) or actions (Giddens, 1991:190) of particular human beings and those actions aggregate, create and reproduce the structure in which actions are embedded. These theories provide a lens through which to develop and construct a process of enquiry around the research questions. However, is it Bourdieu that provides a methodological model to examine practitioner beliefs and traits within the wider framework of policy development but more importantly at the point of front line VAWG service delivery where these have the potential to be influential.

The attitudes and behaviours of practitioners in different settings may serve to provide insights into the role of habitus and the fields within which they operate, how it shapes the persistence of negative or problematic practice around the issue of VAWG. The areas of knowledge, experience and social or professional connections in the form of capital, can give the individual or group within their field the power to interpret policy in practice, categorise and determine the course of a victim-survivor's journey through the criminal justice and support process. The concept of the field or space within which practitioners operate can,

therefore, as has been demonstrated, vary across multi-agency partnerships and this can lead to a variety of practice implications.

Whilst other theoretical approaches such as feminism and Foucault for example, hold relevant and valid contributions to the analysis of this problem, Bourdieu's theory of practice provides the most meaningful and objective analytical toolkit appropriate to the research problems identified, not least because of his advocacy of reflexivity. He provides a thinking apparatus to enable the examination of both complex and subtle mechanisms underpinning social structures and relationships, which contribute to the variations in individual practice. Applied to multi-agency partnerships tasked with applying VAWG policies and practical tools within them, it has the most promising potential to understand roles played and how they contribute to reinforcing, exacerbating and perpetuating social and cultural inequality. The next section will further explore these concepts with regards methodology.

## **Chapter 5**

### **Methodology**

#### **5.0 Introduction**

This chapter reviews and outlines the research methodology and methods considered and selected. The majority of the research fieldwork was conducted over an 8-month period in 2018. Prior to the main body of fieldwork, a pilot study was undertaken during 2017 to test the research methods and enable a review and modifications prior to the main fieldwork study.

Women's Aid (2020:2) published the Research Integrity Framework (RIF) on Domestic Violence and Abuse to encourage and enable researchers to follow ethical, safe, transparent, accountable research principles whilst observing the need to work safely and ensure equitable representation of method and analysis. Part of this process includes acknowledging individual biases that exist, including those of the researcher, understanding the intersectional nature of domestic abuse and taking account of individual characteristics such as age, ethnicity, locality of the research and the differences that may exist in different locations. They encourage smaller studies and the contribution these can make in the form of valuable insights but offer a word of warning that the findings may not represent the wider population. This PhD research acknowledges the RIF, and although the study was undertaken before the release of this framework, the researcher had some involvement and access to the development of the framework and has made every effort to follow these principles, drawing advice from a range of sources outlining best practices in research design and methodology. The research does not include fieldwork with service users as it examines the views and experiences of practitioners in criminal justice and associated practice areas. An overview of the aims, objectives, theoretical framework, methods selected, and the process of acquiring qualitative data to inform the research questions are set out below.

#### **5.1 Research Aims**

The purpose of this research is to understand the process of implementation in relation to violence against women and girls/domestic abuse policy at a local level. This research study has been developed following the review of previous studies into domestic violence and abuse that highlighted disparities in service

users' experiences in different locations across England and Wales. In addition, service user experiences and outcomes were found to be very well documented. In contrast, there is little if any evidence of the perspectives and of practitioners within this area of work in terms of translating policy into front line practice.

As has been shown, front line practice and policy implementation ultimately impact upon victims of domestic abuse and outcomes for them. The nature of the contact that a victim has with professional agencies and practitioners can determine the likelihood of engagement by the victim, engagement at the most appropriate time for interventions to make a difference, the perception and response of the victim in relation to a practitioner or agency and the likelihood of an appropriate outcome for the victim and their family. Nevertheless, whilst service user research has been beneficial in raising awareness and informing change and, to some degree, improvements in approaches, the issue of practitioner's perspectives concerning Violence Against Women and Girls policy or Domestic Abuse legislation and its implementation as a factor in prevention, support and the development of services has not been undertaken as a specific research direction, thus leaving a gap in the research.

Therefore, the main objective of this study is to comprehend the process of dissemination of VAWG policy and the interpretation by local management and practitioners through the strategic development, action planning and the activities of current practitioners to understand the translation of VAWG policy through to implementation. Key to this understanding, is the objective to determine how the application of capital and habitus are replicated within different fields to enable a continuum of patriarchy, misogyny and discriminatory practice in front line settings, where VAWG policy becomes reality.

The current context for this policy at the beginning of this research was already one of reduced funding and resources due to economic pressures and cannot be ignored when seeking to understand the relationship between government policy intentions and the journey towards front line implementation and enactment. The research is a qualitative study set within a mixed-methods design. Drawing from the literature review and theoretical considerations, particularly applying a hybrid approach to policy implementation, the key research questions underpinning this study are as outlined in Chapter 1: -

- *How do local authority managers translate VAWG national domestic violence policy into local practice?*

- *To what extent are front line practitioners able to implement VAWG domestic violence policy at local level?*
- *To what extent do resources at a local level; meet the needs in implementing domestic abuse services according to the aims of VAWG?*

## **5.2 Theoretical Framework**

The review of theory and practice from the previous sections indicate the complexities in understanding and interpreting domestic abuse and the social structures with which the phenomenon exists. Issues such as language, the distribution of power, and how human beings develop a sense of themselves and the world around them from the perspective of how they fit into the social world and how the social world impacts them. Kalogeropoulos et al. (2020:599) highlight that decision-making approaches are not just identified through technocratic systems but is also found through human factors or the 'inner cultures' and personal life experiences of practitioners.

Strauss and Corbin (1990:11) state that where research is focused on the lives, lived experiences, behaviours, emotions, organizational functions, social movements, cultural phenomena, interactions and processes, qualitative methods are required to extract the multiple realities that exist within these frameworks. Flick (2014:542) refers to qualitative methodology as having the capability to analyse the 'social production of issues, events and practices' through the collection of non-standard data and information, not possible through 'numbers and statistics'. The advantage is that this provides the capability for gaining deeper insights into the meanings of intersectionality and social processes through a range of epistemological positions, methods and interpretive techniques, but with the added opportunity to position the researcher within the framework selected (Esposito and Evans-Winters, 2021:22).

Drawing from the literature, it is apparent that the way that organisations and practitioners work and interpret domestic abuse as a concept is fundamental to understanding how policy becomes practiced at local, delegated levels of government. The analysis of policy implementation in particular necessarily brings the researcher and the practitioner together, to deconstruct what might be considered the most complex and fertile aspect of the whole policy process (Knoepfel et al., 2011:136).



The term 'implementation' is the idiom applied to define all activities related to the execution of a piece of legislation, or specifically determined policy. Knoepfel et al, (2011:137) define implementation as a set of decisions and activities, that public administrations frame in structures, resources and coordination procedures. Effectiveness, they say, depends on establishing adequate mechanisms to enable planned outcomes. Knoepfel et al. further suggest that this should be undertaken through analysis of local problems and needs, in relation to the specific issue of concern. This information can then be formally organized through collaborative networks of organisations, either public or otherwise and target beneficiaries in order to establish appropriate planned responses, objectives and outputs. Therefore, it is important to recognize the components that underpin current practitioner actions and decision-making in the policy implementation process. This would indicate that the research approach lends itself to interpretative, qualitative inquiry to understand the complexities of these components, which would not be possible through quantitative methods for the purposes of this study.

Nakkeeran (2010:375) reinforces the value of qualitative research, particularly in relation to social action and understanding of the world around us. He cites the acquisition of knowledge through both logical reasoning and empirical (mathematical) means, but highlights that in the real world, knowledge is gained by combinations of experience and reasoning. All sciences are, he says, aimed at explaining how the world works, but natural sciences do not account for human conscience and subjectivity. Neither are they necessarily reflections of truth, as nothing is absolute. The complications for social science are that the study of issues such as belief, culture, values, intentions, understandings, interpretations cannot be seen and have to be uncovered. The problem with seeking truth in knowledge, is that truth is a matter of social construction and individual interpretation. Quantitative methods, therefore, tell the researcher 'what is', but qualitative research uncovers the dynamic variations of 'what is' and what could be, thus offering new avenues for modeling outcomes, when aligning problems with human subjects.

To recap, Bourdieu's approach is focused on the role of habitus, the field (or social microcosms) and social capital to unravel the way that practitioners act and react in the context of dealing with victims applying domestic abuse policy, and the structures within which these activities take place (Bourdieu, 2005:184)). Habitus is defined as the way that an individual demonstrates an attitude or

disposition influenced by social structures. As a microcosm of wider society, the field is the environment within which a practitioner works and the network of relationships that interconnect and generate different forms and levels of social capital. Capital refers to the knowledge, experience, perceptions and power that an individual or group has to enable them to function within the 'field' (Grenfell, 2008:223).

For Bourdieu, social practice is grounded on evolving rationalities, or common-sense responses that people derive from historical experiences of life and the world around them or, as described, habitus (Bourdieu, 1990:268, Kalogeropoulos et al., 2020:601). For Kalogeropolous et al. these experiences are inevitably rooted in certain forms and structures of power. Social capital determines an individual's position within social spaces that they operate in or are able to acquire, and the inequalities that they experience depend on the barriers or opportunities that they encounter within an established social hierarchy (Murphy and Costa, 2016:94). Mohr and Rawlings (2014:14) point to Bourdeusian arguments that access, or barriers to opportunities, are directly related to individuals' position in social hierarchies and power networks, enabling the passage of hidden advantages to others within those networks and the next generation associated with them. The argument is based on the idea that the more powerful your position, the more that power is maintained and as such, the more it is unevenly distributed and maintained.

Bourdieu (Bourdieu and Wacquant, 1992:35) therefore advocates, the connection of theoretical and empirical formation to practical research activities. He says that every research action is simultaneously empirical, in that it challenges the 'real' world and at the same time involves a connection with some theoretical model of thinking to explain a specific problem or phenomenon. In other words, according to Mohr (2013:2), in order to maintain a reliable framework, a more relationist model of investigation is required to understand the meaning of objects being researched fully. Mohr highlights that it is not the characteristics, attributes or principles of the objects studied that give meaning to the findings, instead it is the references to the field of objects, practices and activities within which they exist that enable this.

For Bourdieu, the practitioner cannot engage with theory without understanding practice, and vice versa (Waterfield, 2015:1). Graham (2005:3) provides a warning however, to avoid the 'positivist trap' and the need to avoid reproducing existing structural and system defects through the research process. The

challenge for any researcher's pursuit of the 'truth', is that truth can only ever be based on perception and perspective (Matthews and Ross, 2010:23), which will inevitably be influenced by the position of the researcher and practitioner within the social world. This might be considered a problem within the problem. Knowledge can therefore only ever be partial, because of the nature of the social world and the researcher's position within it. Bourdieu (1990:269) sets out to challenge the typically negative perspectives of practice and the focus of research on mechanistic processes, with a view to reconfiguring traditional contradictions between practitioner activity and organizational principles. Fundamentally then, it is a matter of bridging theory and practices through method (Murphy and Costa, 2016:2). There are clearly then different ways to approach this issue to maximize objectivity and representation of the research itself.

Huttunen and Kakkori (2020:602) refer to the validation of qualitative research and possible components to ensure the process's 'trustworthiness'. They analyse the different concepts applied to extracting the truth through interactional research and conclude that truth and the 'unconcealment' of truth can only be regarded in its own time and space. It is, they say, directly related to the notion of 'being in the world' and the different understandings of what that means to individuals. In their view and applying Heidegger's notion of 'unconcealment', or discovering itself in its practical, meaningful 'being', they assert that 'the value of qualitative research does not come from its ability to reproduce the outside world, rather it comes from the capacity of qualitative research to evoke new kinds of thinking and 'seeing'. The suggestion is that truth is contained within perceptions that directly relate to the contexts within which they are derived, but are also subject to change and development, so the truth can only ever be seen in its own context but also directly in relation to other phenomena. Huttunen and Kakkori promote the application of reflexivity to enable continual review of the research, its context, the 'unconcealment' of realities and objective oversight of everything that underpins the research itself (Huttunen and Kakkori, 2020:612).

Bourdieu's theory establishes the idea of reflexive social methods to minimise the gulf between subjectivity and objectivity, in the research of 'social world problems' in action (Bourdieu and Wacquant, 1992:182). Grenfell (2010:23) argues that the construction of the research object involves the assumptions, speculations, and influences implicit in the researcher's thinking. Therefore, the researcher themselves' position is subject to their own habitus, the field of academic inquiry within which they operate and social capital in the form of their own knowledge and experiences. Bourdieu argues for researchers to take a step

back from the subject of inquiry and review the values, structures and dominant dispositions that are brought to bear on researchers, or an opportunity to turn the tools of habitus, field and social capital on themselves in order to objectify the research (Grenfell, 2010:24).

According to Cooke (1994:56) Foucault considers a method a 'ruse', in terms of a device or instrument, rather than a method that 'promises the truth'. He frames truth as a 'ruse' in the 'game' of power and knowledge. He adopts this position, as he believes that taking a realist or idealist stance serves only to recreate the framework of what is 'normal' or 'abnormal' by separating findings as 'true' or 'false' through the formation of structured judgments (Foucault, 1989:36). As such, Foucault encourages researchers to adopt an approach that challenges, analyses and explores possibilities. In many ways, he is inadvertently suggesting a similar approach to that of Bourdieu, through focusing attention on how things work at the point of application, taking account of the practices of others and one's self, but within the framework of historical investigation and power structures. His approach is to look at power structures at a local level and how things work as an ongoing practice within that context (Foucault, 2002:408). He is fundamentally interested in the way that power is invested or internalized and then uniformly used by practitioners through unconscious actions or decision-making. Therefore, it could be said that Foucault does not appear to be providing a methodology as such, more a method of inquiry (Kendall And Wickham, 1999:4).

Seidl (2004:4) describes this as 'autopoietic' whereby social systems reproduce themselves and create meaning through communications (language and discourse) and cognitive, thought-based systems. This means that the way that humans understand the world is determined through internal constructs of the external world. Therefore, these perspectives can influence the understanding of data or subjects who are constructs in a qualitative sense, rather than scientifically objective, discoverable 'things', as would be determined through a positivist approach. It is difficult to identify the nature of inequality or policy implementation as the product of patriarchal power relations, for example if data is taken as read.

This leads to the conclusion that the way that the social world is understood, the way that social systems exist, and the meanings reproduced in daily practice can help in the understanding of how practitioners approach the issue of Violence against Women and Girls and the definitions used in everyday practice.

Therefore, it is important to focus on how the social world becomes represented and how different values and interests might be embedded in that practice, continually reproduced and handed on. Only through understanding the meanings perceived and ascribed by different practitioners can opportunities be sought to counter the on-going issues and anomalies that appear in research studies across the criminal justice system and amongst associated agencies.

### **5.3 Methodological directions**

According to Aldiabat and Le Navanec (2011:2), the goal of qualitative research is to arrive at an understanding of a particular phenomenon from the perspective of those experiencing it. The process includes the goal of creating an analytical framework through the collection of in-depth descriptive data, illustration through qualitative data collection approaches, stimulation of interest through deciphering participant responses and experiences, alongside a much broader conceptualization of the problem. It would seem that policy development and the journey through to implementation, action and practice, is a process that can be subject to a range of influences and interpretations. According to Sabatier and Mazmanian (1980), it is a dynamic process and is necessarily one that involves mediating change.

In order to capture the perceptions of practitioners, Bourdieu in particular offers a comprehensive insight into the development of 'consciousness and interpretations of agents' which he says are 'essential components of the full reality of the social world'. According to Bourdieu, action is the combination of structure and individual agency, the manner in which individuals make sense of the world through exposure to their own experiences (habitus) (Costa & Murphy, 2015:30). For Bourdieu (Bourdieu and Wacquant, 1992:49), the structures of society, or particular events, may influence but are not solely responsible for the way that an individual acts or reacts. For Foucault, however, the individuals are shaped through power relationships and discourse derived through state structures or 'governmentality' (Schirato et al., 2012:69). Applying his theory, individuals operate within a framework of universal rules and historical conditions which influence their behaviour, actions and responses. Genealogical analysis is not the goal of this research but Foucault provides valuable observations with regards the use of categorisation, assessment, profiling, organising and monitoring of victims and the potential for individual judgments.

Whilst it is rare to utilize the work of both theorists at the same time, despite differences in their epistemological positions, both offer analytical convergences

that can be applied to this work (Callewaert, 2006). Foucault focuses on discourse and knowledge as a complex set of signs and practices that shape individual agency and regulate how they operate in the field of domestic abuse. He offers classification as a means of organising subjects into categories that structure the way that they are seen or judged to be. But as Callewaert suggests, this compares and contrasts with Bourdieu's notion of habitus and how it impacts on the field that they occupy at any given time. A comparison of both provides interesting analytical opportunities and explanatory possibilities as to the formation, dissemination, interpretation and implementation of policy.

Given the nature of this research and the need to understand the interpretation and social variables impacting on outcomes with the domestic abuse policy framework. This research adopts an exploratory approach and applies elements of Foucauldian theory in relation to evidence of discursive influence and language in relation to the process of implementation. But this also applies to Bourdieusian theories in relation to the impact of capital, habitus and field to deconstruct the 'slow burn' referred to by Hobbs and Hamerton (2014:27). Bourdieu however applies a more robust theoretical lens through which to understand and define social structures and the reproduction of power and inequalities within them.

He sets out a 'Three-level' Field Analysis (Grenfell and Lebaron, 2014:25): -

1. Analyse the position of the field within and in relation to the wider structure of power.
2. This requires an understanding of those that operate within a given field and the positions they hold in relation to capital. In this context, the research relates to the social and cultural capital held by practitioners and the power that this affords them in their field of work. But this is directly linked to the 'currency' it gives them in terms of how this operates within the 'logic of practice'. This therefore defines what is do-able, what constitutes 'common sense' within a given field and the value of principles within that framework.
3. Individual agents within a given field is analysed in terms of their 'background, trajectory and positioning'. This level looks at the how the capital they possess influences or is influenced by habitus. This can underpin comparisons between homologies established within each field and the intersections between them

Grenfell and Lebaron (2014:27) highlight that bibliographical data regarding individuals is not sufficient and it is important to analyse participants through relational exploration between habitus, the field, other relations in the field and wider structures of fields and power. Therefore, this study requires research techniques that involve the researcher's interaction with and involvement of policy makers, managers and practitioners within the field of domestic abuse and associated agencies to understand the linkages between government policy and local authority experience of the process. The activities of individuals involved within these domains and their relationship to the research questions may vary depending upon statutory responsibilities, local needs, strategies and action plans, political and cultural considerations, organisational priorities, funding, resources, etc. Foucault raises interesting perspectives in relation to the nature and purpose of classification as a tool for creating a framework of administration that impacts the internalization of social ideas, beliefs, understanding of social phenomena and daily practice. Foucault does not offer a methodological approach, but is considered as a part of methodological development.

#### **5.4 Selecting Methodology and Methods**

Qualitative approaches generate a subjective understanding of how and why people perceive, reflect and role take, interpret and interact, so the difference in emphasis changes how research is undertaken and in what ways sampling quotas are approached (Alexiadou, 2001:54). Quantitative approaches to these issues could be considered too one dimensional for such research objectives (Cresswell and Plano Clark, 2011:12). Nevertheless, given the explanatory purpose underpinning the study, quantitative data regarding the phenomenon of domestic abuse, both at the national and local level, requires investigation. This may be relevant in explaining and analysing the transition between policy and practice. Some statistical data are reviewed to develop a more rounded understanding of the problem, for example, demographics, domestic abuse prevalence, performance monitoring, resource allocation and budgetary planning, local authority and policing crime statistics, victim reporting information, intervention outcomes and so on. Much of this is available from national and local government websites, policing statistics and performance data, individual agency records, community safety and domestic abuse action plan data and potentially commissioning monitoring data, alongside basic budgetary and funding monitoring information.

Whilst some quantitative foundations have been used to set the context of the problem being researched, this research will take the form of a qualitative study to make better sense of the operating context and practical policy application. The methods selected were guided by the phenomenological paradigm to maximise credibility, validity and objectivity (Tight, 2017:55). In line with this, the research will take the form of a case study, fieldwork in the form of semi-structured 'open' interviews, focus groups where necessary and secondary data analysis, which implies a mixed-method approach (Plano Clark and Ivankova, 2016:56).

Burke Johnson et al. (2007:114) point to Denzin's definition of mixed methods as "the combination of methodologies in the study of the same phenomenon". Denzin's main thrust in relation to mixed methods is the ability and flexibility to utilize different theories and methods to maximise the richness of the knowledge gained, confidence in conclusions drawn from a more comprehensive process, triangulation through reference to other sources, theories and data, and allows for an 'open minded' approach by the researcher (Denzin, 2010:420). Burke Johnson et al. (2007:117) advocate the use of combined methods that incorporates qualitative, quantitative and mixed methods in a more radical but all-encompassing approach that enables the strengths of each methodology to apply but balances out weaknesses of each one.

Taking this a stage further, Whittermore and Knafl (2005:546) point to an integrative methodological strategy based on previous empirical or theoretical literature, related to the current phenomenon under review. Gilmore and Carson (2014:21) further this standpoint in a service provision context, citing the delivery of services as an integration of performances and processes. They consider that the characteristics of services, therefore, necessarily involve interactions that create variability of perceptions, understandings, misunderstandings and varying contexts or situations.

Through a thorough review of literature and theories, the researcher is immersed in the phenomenon and develops a deep understanding of the whole context within which it exists. Gilmore and Carson (2014:24) advocate the combination of methods most appropriate to acquiring the most effective and comprehensive portrait of the phenomena under study. They suggest this offers a more in-depth understanding of a social problem and the ability to synthesize findings, enabling the researcher to see connections or influences between the phenomenon studied, the literature, evolving trends and new knowledge. It enhances the



research and addresses the issues of validity and credibility previously referred to, which remain a matter of debate (Hupe, 2019:317). A range of methods can be used, following on from a literature review, such as interviews, focus groups, observation and surveys, coupled with interpretive analysis to provide sufficient breadth and fertile data. Given the findings within the literature review and theoretical ideas discussed in the previous chapter, this research adopts this methodology to

### **5.5 Researcher's 'positionality'**

The acknowledgement underpins Bourdieu's approach to researching social phenomenon that researchers are not 'innocents' in the process and must acknowledge their own 'positionality' in relation to the object of study (Gulson et al., 2015:18). They point to Bourdieu's insistence on the reflexivity and the application of socioanalysis to understand how individuals are 'social products' and that their dispositions and connections with practice are directly drawn from their social history, which is embodied in their habitus. The application of socioanalysis and reflexivity, therefore, provides a way to position the researcher's relationship with their analysis of their findings. This, Bourdieu believes, produces better social science research (Murphy and Costa, 2016:107).

As outlined in Chapter 1, to this end, my position and interest in domestic abuse policy and practice is drawn from previous employment as a senior manager within the field. This required a considerable level of engagement and joint working with agencies that provide significant sources of data and information particularly through personal, face-to-face contact. As a consequence, my position could be considered to that of an outside insider, applying the definition provided by Reiner and Newburn (King and Wincup, 2008:356), having been a practitioner in the field but now conducting research within a similar environment, albeit a different location with potentially different demographics, crime issues, funding levels and/or other challenges.

The benefits and disadvantages of this position were carefully considered, and in understanding my familiarity with the subject area and agencies within which participants worked, this became an area of reflection throughout the fieldwork. The benefits of working in the field included in-depth understanding of the VAWG/domestic abuse agenda at both national and local levels. This, in turn, also helped in acquiring access to participants due to professional connections with

gatekeepers within, or connected to, most of the agencies with whom participants were employed, although this was not taken for granted.

The use of 'gatekeepers' for access brings with it questions regarding the neutrality and influence they might have on the research process and selection of participants (Kay, 2019:37). This is usually more of an issue when researching vulnerable people, which involves very different negotiations and considerations to that of practitioner research. The use of 'gatekeepers' in the context of this research was one of sanctioning and communicating the research project to staff involved in domestic abuse interventions, referral routes, support and criminal justice processes, in different settings. It was considered courteous and essential to seek permission to communicate the research and access staff in any given organisation to encourage voluntary involvement. The purpose was to ensure that key personnel were aware of the research, the nature, aims and objectives of the research and to enable any issues, concerns or questions to take place before the work commenced. Gatekeepers had no influence on the selection of participants.

However, understanding the researcher's position instills an awareness of one's behaviour and contribution when reviewing responses to interviews and other interactions. Narayan (1993:679) points to the interactivity of position, power, knowledge and relationship dynamics in this regard and states "*to acknowledge particular and personal locations is to admit the limits of purview from these positions*". Disadvantages of this position could include familiarity and inadvertent shaping of responses, both during an interview and subsequently during the transcription process. Whilst it was important to ensure positive spatial, temporal and relational conditions in order to enable open discussion with participants, the consciousness of my positionality mitigated contamination of response materials. The robustness of the research model and evidence collected was carefully considered within the model of reflexivity to mitigate these risks. A reflexive journal was used to document each meeting or interaction to maintain objectivity as far as possible.

## **5.6 Case Study Research**

Firstly, Bryan (2012:68) describes case study research as 'an intensive and detailed examination of a single case in its own right' and is focused less on causal connections, generalization or longitudinal considerations and more on understanding behaviour and activity in a social context. The objective, he says is

to 'capture the circumstances and conditions of an everyday or commonplace situation' to exemplify a broader category of social processes (Bryan 2012:71).

Burgess (Tight, 2017:10) claims that the case study method was developed as a 'hand maiden' to statistics, a means to provide a detailed narrative to compliment quantitative analysis. However, the use of case studies has developed over the years to become a research method in its own right to investigate modern-day phenomenon 'in-depth and in its real-world context' (Yin, 2018:15).

Real-world problems are embedded in multi-level, complex systems in a range of institutions with diverse roles and are viewed differently by different policy actors. The case study method contributes to policy analysis in two ways, firstly by providing a vehicle for fully contextualized problem definition, and secondly, it can illuminate policy-relevant questions (more as research than analysis) and can eventually inform more practical advice moving forward. It allows for the development of a portrait picture of how policy is received, translated and implemented. It also acts as a benchmark for measuring effectiveness and feedback on its impact to inform future problem analysis and decision-making (Hope, 2019:291). The context is Violence against Women and Girls or Domestic Abuse Policy, and the setting is a 'real world' micro study within a local bounded area forming a case study environment.

The research takes a 'contextual' stance in so far as it seeks to identify and unpack what exists within a given social context, how this impacts on perspectives of professionals and the way that this manifests in practice (Ritchie et al., 2014:31). It also seeks to utilize some explanatory tools to study the decisions, attitudes and behaviours underpinning actions and activities within the framework of domestic abuse policy and implementation (Becker et al, 2012:107, Ch.3). The use of semi-structured interviewing, focus groups and observation within partnership meetings at the county and district level, alongside statistical data in the form described and extensive secondary documentary analysis, represent a multi-strategy approach, enabling a more comprehensive and flexible model through which to maximize the collection of valid empirical data (Bryan, 2012:628).

Given the nature of the research as the basis for a PhD thesis, the time constraints that this presents, the limitation on resources to conduct the fieldwork and the need to provide a comprehensive analysis that enables credibility and validity under such circumstances, as stated, a case study approach was selected.

The selection of a case study approach enables a snapshot within the microcosm of a wider social field of work. This case study, therefore, involved the participation of a group of practitioners from different organisations but all involved, in some way, in the implementation and delivery of national Violence Against Women and Girls policy and domestic abuse legislation in a local authority location. The case study approach enabled knowledge and insight within an area bounded by the same strategy and local services under a consistent framework. This avoided the problem of making informed comparisons across different areas of operation, which would have been difficult within the parameters of a PhD research study. It was necessary, therefore, to focus on the phenomenon in one local authority area, to gain knowledge under the conditions of key known variables (i.e. governance, funding, crime data).

### **5.7 Semi-structured Interviews**

The main method applied to extracting knowledge and understanding regarding perceptions and understanding of violence against women and girls strategy and policy implementation at a local level was through semi-structured interviews. The objective was to use the interview as a foundation for wider discussion, giving the participant an opportunity to 'own' his or her own narrative (Adams, in Newcomer et al., 2015:492). The process was designed to maximise response content in a structured way. Adams further points to the benefits of semi-structured interviews in terms of gaining the independent thoughts of individuals in each group being studied, which focus groups can constrain. This method enables latitude regarding both organisational issues and those of greater magnitude. It also allows the opportunity to revisit and clarify elements after the interview and during or following transcribing.

The benefit of using a framework of key questions to prompt discussion was that it ensured a consistent framework around the same areas that I needed to cover. It also offered flexibility to enable participants to explore their own views around the issues raised (Matthews and Ross, 2010:225). The key was to gain untarnished perceptions, understanding, views, and comments, with participants owning their own narrative using prompts from me, but without detailed commentary on my part, to set the conversation in motion around the research topics.

## **5.8 Interviewing Techniques**

The nature of the study necessarily requires participants' input at different levels in the process of domestic abuse policy transition. The interest then is on gaining the views and experiences of professionals and practitioners in direct relation to the research questions. Participants were therefore selected on the basis of responsibility and operational activity and in sufficient number at each level to gain sufficient quality as well as quantity of information. A framework of semi-structured interview was selected as the tool for capturing insight into the processes under scrutiny. If the interviewing is too structured, there is a risk of researcher influence and subjectivity in questioning that may affect the quality of the responses (Brinkman and Kvale, 2015:137). Semi-structured interviewing provides a themed scaffold for perspectives, experiences, interpretation and application with minimal influence from the researcher. Semi-structured formats also provide a clear set of instructions for the researcher to follow consistently with each participant, which in turn enables reliability and comparability of data when undertaking analysis of responses.

Structured interviews are useful in so far as asking specific questions pertaining to an issue but can be restrictive, as they do not allow for flexibility in response (Robson, 2011:285). The objective of this study is to gain a more detailed insight into the reality of policy implementation from the perspective of individuals operating within different agencies, or across agencies, perhaps even moving between them. It was therefore essential to capture their experiences and the nature of their roles and responsibilities within their field of work, or the agencies within which they operate. Each organisation may have its own culture, challenges and priorities, for example. Structured interviewing may have limited access to the richness of data required to understanding the policy journey.

Unstructured interviewing, or a narrative approach, would certainly allow for participants to freely discuss their perspectives and experiences but may provide material that is difficult to contain, compare and analyse in the confines of a PhD project (Hollway & Jefferson, 2013:41). This method may also provide information that is far too random to become meaningful for such a specific theme of questioning as it is shaped more by the interviewee than the researcher (Bryman & Becker, in Becker et al, 2012:292, Ch.6)

Semi-structured interviewing or 'guided questioning' provides sufficient flexibility to encourage the interviewee to express views and talk freely, but through sign-

posted or steered conversation using overarching questions and supplementary prompts. This enables a more consistent framework but without the rigidity of structured interviewing or questionnaire design and lends itself to small scale studies in specific geographical locations (Seale, 2004:165). Interviews were therefore open, albeit centred on a themed set of questions and prompts. The concern was that these may or may not have provided constant similarities and the sample. The nature of the sample and its size, as expected, evolved from the pattern of responses. Habitus forms a significant factor in understanding practice and as a part of developing this understanding, basic factual biographical data was requested in the form of a brief tick box questionnaire to provide a background information source. A basic equalities monitoring form was taken from the ACAS website and modified to provide general demographic data regarding gender identity, marital status, age range, ethnicity, educational background, religious beliefs and sexual orientation. Additionally, a preamble was built into the interviewing process to gain information about working background and experience of working in or with the Violence against Women and Girls sector and their level of understanding of the concepts and policies surrounding it.

### **5.9 Research location**

Local authorities across London, counties and other larger cities with England and Wales are responsible for implementing the strategy and creating their own strategies and plans based on local needs and domestic abuse prevalence profiles. One local authority area was selected for the case study due to the diversity of the area, breadth of issues directly related to domestic abuse and the potential for adequate and appropriate sampling. The area also engaged closely with adjoining local authorities, which enabled a richer pool of material for analysis.

The local authority, within which the research was conducted, was selected due to the mixed demographics and associated policing priorities. The area provided a good mix of urban and rural areas to enable a varied context. It was not an area that I worked within at the time, so ensured the possibility of influence or bias, which could taint responses. Policing priorities centred around local need and statistically had a high number of incidents of domestic abuse by population compared to surrounding authorities, it also had the highest number of high-risk cases referred to MARAC and a rising trend of domestic abuse incidents across the area (*Preventing and Responding to Domestic Abuse 2012 Select Committee Report for the area*). I was keen to ensure that respondents would have the most

appropriate roles linked to domestic abuse and therefore, this research. The area selected provided a comprehensive network of practitioners and overall, the area profile provided the most potential for the richest data extraction. For this reason, it was selected for this case study location.

Following the issues outlined in the literature review and the importance of multi-agency responsibilities, the selection of agencies and participants within them were identified and drawn from the range of organisations directly involved in a multi-agency domestic abuse framework. It was possible to secure involvement from different staff levels in most of the organisations selected and undertake 30 interviews in total. It was decided to adopt a snowball strategy as the main approach, although key senior managers were approached for permission to undertake the research with their staff, circulate communications to staff regarding the research and allow access to teams with the relevant domestic abuse responsibilities. Respondents were interested in the research, generally volunteered to take part and introduced me to other team members who had expressed an interest in taking part. Respondents were drawn from the police, housing organisations, local council and central council, social services, Home Office policy staff, non-profit making specialist providers, magistrates and legal professionals. Interviews were conducted over a period of 18 months following a pilot study in another local authority location.

### **5.10 Sampling**

The main objective was to ensure sample adequacy rather than a sample size target. It is a significant consideration to determine what constitutes an adequate sample size. The main objective was to enable a comprehensive sample sufficient to explore the research questions as thoroughly as is practicable, within the time and resource constraints presented by the academic programme. The main focus was not on the generalisation of the study but to seek a sufficient range of responses to validate findings. A sample participant list was drawn up to provide an overview of intended participants, and the research itself was driven by responses, practicalities and variability encountered during fieldwork. This provided a sufficient range to acquire the breadth and diversity of participation to adequately answer the research questions. Due to the nature of roles, responsibilities and operational priorities it remained necessarily flexible as structures and networks become clearer (Caulfield & Hill, 2014:129). The list was therefore not exhaustive, and it was also hoped that a snowballing effect could be elicited, insofar as those participants identified on the list would share a positive

research experience with colleagues and encourage them to participate (Edwards and Holland, 2013:6). This, in fact, was the case and one organisation arranged for me to attend for a day so that I could access different participants from different parts of the organisation in one day, including a small focus group.

Therefore, a purposive sampling model was applied, including stakeholder sampling and maximum variation sampling to cover a wide spectrum of positions and perspectives (Palys, 2008:697). Stakeholder sampling is typically used in evaluation studies, but also in policy analysis and is appropriate for this project in that it includes the identification of major stakeholders involved in 'designing, giving, receiving, or administering' policy and services. Maximum variation sampling is generally applied when covering the range of positions and perspectives. It also allows for both extreme and typical cases or findings, which is particularly aligned with this research.

All research participants are not created equal, and the main spotlight was placed on the importance of each individual, rather than groups such as focus groups, which can lead to individuals influencing the responses of others. This also addresses the issue of potential agendas or particular political or organizational standpoints as it enables a broad range of interviewees and thus a broader perspective, along with some level of counterbalance. It was anticipated that focus groups would form a secondary option, depending on access and availability, and the option was used on one occasion when one service provider allowed me free access to staff over the course of one day. The issues related to focus groups regarding dominant voices and open engagement were duly considered and reflected upon during the subsequent transposition of the recording and documented notes.

Adler and Adler (NCRM, 2012:8) suggest that the best way to collect data is to undertake sufficient until 'empirical saturation' is reached, the point at which responses are not revealing anything new. The purpose of this study is to extract the very best information drawn from the experiences of practitioners and how they make sense of their world within the context of VAWG policy and the initiatives that have developed from it. A list of participants was outlined to provide the 'best model' for participant engagement with a view to the possibility that it may change and develop as the fieldwork proceeded in order to capture sufficient information for analysis. As Becker states, "you can't know at any point in your research what evidence you'll need, and certainly not at the beginning" (NCRM, 2012:15). All participants were involved in contributing to local VAWG



strategy in some way. It was not possible to secure engagement from the NHS, but it was possible to interview representatives from the council in relation to public health and a third-sector organisation assigned to a hospital in relation to domestic abuse services. It was also not possible to secure representation from the Family Court system, which are by nature very guarded due to confidentiality in family cases.

### **5.11 Questioning Framework**

According to Brinkman and Kvale (2015:21), interviewing is an active process that produces knowledge through the conversation and interaction between researcher and interviewee. The main thrust of the research is to understand how Violence Against Women and Girls policy is interpreted and implemented at the local level and particularly on the front line through face-to-face interaction with victims of domestic abuse.

Applying the concepts of Bourdieu's habitus, field and social capital, it was necessary to establish some understanding of the general background of each participant, firstly using a simple equal opportunities form. Equal opportunities forms are commonly used for employment process monitoring and contain basic information to understand demographic variables such as ethnic background, age ranges, religious beliefs, sexual orientation, gender identities and so on. For basic information, participants were asked to complete the form as well as a consent form prior to the interviews. The anonymity of these forms was guaranteed, so consent and equal opportunities forms were separated to ensure this was consistently applied.

Questions were formulated to encourage discussion in relation to knowledge and understanding of Violence against Women and Girls and the concepts underpinning domestic abuse. Further questions related to literature review findings and participants' experiences of working with victims, other organisations, tools and interventions, perceptions of domestic abuse and policy, organisational issues, interactions with other practitioners, local policy makers, performance and so on. Outline questions around these topics formed a basic framework around which discussions could take place, and prompts were incorporated to maintain a productive conversation. Prompted and unprompted responses were recorded and transcribed using a small, digital recording device.

## **5.12 Ethical Considerations**

According to Bryman (2012: 135) the key considerations are whether there is any potential harm to participants, the issue of informed consent, invasion of privacy and whether deception is involved. Groundwater-Smith and Mockler (2007:6) go further to highlight that the process should be transparent and that clarity should be provided so that participants have a clear understanding as to the nature and aims of the research, as well as their contribution to it. The research did not include service user interviewing, as there is a significant amount of research documenting the experience of service users in this area of work. The focus of the research is on professionals and practitioners from policy through to service delivery.

Access to participants necessarily involved communicating and accessing colleagues in partner organisations. To this end, gatekeepers were used in some circumstances to enable access to colleagues within other organisations. Homan (2001:333) highlights the need for researchers to explain ethical requirements and to discuss and negotiate access around any codes of practice or organizational policies that may impact or be impacted upon in the course of the research. This was particularly prevalent for larger and more bureaucratic institutions for the purposes of security and observing protocols within those settings, which having free access through my work, could be taken for granted. Initial discussions were undertaken with key stakeholders to ensure that senior managers were aware of the research being conducted, along with a clear understanding as to the aims, objectives, nature and scope of the research, to enable them to sanction the research process. It was not to select potential participants and thus limited or eliminated any possibility of predetermined involvement and responses. Generic communications were made by managers to introduce the work and participants were self-selecting.

Busher and James (Briggs et al, 2012:3) provide a reminder that the use of gatekeepers has the potential to skew participant involvement and cause unnecessary harm in the context of vulnerability, health and welfare. Participants did not typically fall within the category of vulnerable, and as such, apart from equality and diversity considerations, the risk of breaching ethical parameters was considered low. Nevertheless, consideration was given to the possibility that some of the participants may themselves have lived experience. At the time of developing the research methodology, the issue of workplace measures to support these staff were in the early stages. However, as a domestic abuse

practitioner, an organizational toolkit had been collated to ensure appropriate support and referral pathways where partnership colleagues disclosed abuse. Whilst the questioning framework did not include sensitive questioning, the possibility of triggering a disclosure was duly considered and should it have been necessary, appropriate, confidential support and advice was available, where necessary.

My own organizational toolkit provided a basis to manage the sensitivity of topics and questions that may have triggered those practitioners with lived experience. Part of this process included preparing respondents for the interview, briefing them on content, the length of the interview, editorial control and confidentiality measures in place, explaining how the interview material will be used, providing them with the option to stop the interview at any time and support options should material cause any distress. At no time did any respondent indicate or become distressed.

The issues of confidentiality, anonymity and data protection are significant. As a former designated data controller, the researcher is well versed in the protection of information and personal data, particularly within criminal justice situations and the context of adult/child safeguarding, local authority/police information-sharing protocols and sensitive local cabinet documentation. Appropriate procedures were followed regarding the protection, preservation and storage of all information drawn from this study, along with confidential waste destruction as and when necessary. This included the completion of consent, commitment to anonymity and confidentiality documentation. Information was stored securely within an encrypted, password-protected environment. The Data Protection Act 2018 regarding GDPR was not in place at the point of ethics clearance but the research processes were compliant with it. The researcher also had a current Enhanced DBS Certificate last issued in October 2017.

Canterbury Christ Church University Ethics Committee gave ethics approval on 2<sup>nd</sup> May 2017 (see Appendix 1), during the research design process whereby the questioning framework was submitted (see Appendix 2).

### **5.13 Pilot study**

To test the questioning and fieldwork model, a pilot study was conducted in an adjacent area to the primary research location. Engagement within the pilot area was positive; 6 participants were identified and sent information regarding the

research, its purpose and outcome objectives. The information included the research methods proposed, including an audio recording of interviews to enable accurate transposing of the conversations, the assurance of confidentiality and a form to indicate consent. All six contacted agreed to join me in a discussion.

During the pilot, two participants, who were independent of each other, refused to allow it at the point of the meeting after consenting to audio recording. Both were concerned that managers might discover comments, despite assurances of confidentiality, one participant expressed concern that "something I say might be obvious from me" and the other similarly said, "someone somewhere will just know that I could have said something, so I just don't really want to take that risk". While this did not detract from the value of their participation, it meant the loss of some quality in free free-flowing discussion whilst notes were taken to reflect the conversation accurately. The inability to play back comments and 'feel' the context of them may have diminished some of the open narrative and accuracy of the material acquired but notes were transcribed within an hour of each conversation to capture the discussions and minimize these issues.

I was conscious that questions could be interpreted differently, which led to adjustments in the approach to questions. For example, when asking about how effective policies and interventions were working locally, one respondent said, "oh I don't get involved with that sort of thing – it's above my pay grade" and "not really for me to say, I just do what I think and if it's wrong someone will tell me". This alerted me to the fact that firstly, the questions would need to be adapted depending on the position held by any participant. Secondly, the issue of trust and confidentiality needed to be emphasized more robustly. The two participants that were reluctant for the discussion to be audio recorded were asked for feedback regarding the questions (along with other participants), and they confirmed that they were not clear regarding the issue of how recordings would be used prior to the interview but in fact, their worries were related to identification of area. Subsequently, assurances were given that the actual area for the research study would only be revealed as a council in the south of England, to minimize risks of recognition.

Interviews were designed to last approximately 45 minutes, however, all but one of the five conducted in the pilot area lasted at least 1 hour, and one lasted 1.5 hours due to a healthy discussion about the issues raised. It was, therefore, necessary to modify the breadth of the questions to make every effort to maintain a 45-minute to 1-hour time frame. When asked for feedback on this, all

respondents said that they were happy with the time frame, and three made comments reflecting the fact that they enjoyed the opportunity and hoped that it would contribute to improvements.

Key questions to focus the discussion worked well and enabled detailed discussion. However, the wariness of respondents highlighted the importance of establishing a positive rapport and to communicate an understanding of the value of contributions and the confidential nature of the issues discussed. It became clear that beginning with an informal discussion regarding background and history in relation to domestic abuse not only settled the participants into a gentle introduction to the questions and extracted useful data in relation to habitus, field and social capital.

#### **5.14 Challenges**

Other than the pilot area interview recordings, the pilot process did not generate the need for significant changes other than more honed steering of the discussions/interviews. Apart from the pilot cases mentioned, recording equipment failed on two occasions. It was necessary to write up as much as could be remembered, and in both cases, a subsequent telephone interview to revisit and clarify key areas was undertaken.

The main challenge that arose was the change of the proposed research area. Unfortunately, due to operational constraints, it was not possible to conduct the research in the original area proposed, so an alternative area was quickly identified and secured following negotiations with local authority leads for domestic abuse. The table of participants had to be revisited, and respondents identified. This delayed the start of the project, but once appointments had been established with managers, it was possible to build up the sample and range to conduct the research as originally planned.

#### **5.15 Recording and Analysis**

Methods were tested through a pilot study in a different area to the proposed case study location, and any issues or difficulties informed the main research. Where there had been a reluctance to enable the audio recording of interviews during the pilot, these interviews were recorded manually, with notes being taken during discussions and written up immediately following them. Subsequently, during the main programme of fieldwork, the use of recording equipment was

requested and accepted without issue. It was recognized that both recording and note taking could change the dynamic of an interview in different ways, both positively and negatively. Note taking can enable gaps to be addressed or issues raised that can be revisited and also opportunities for clarity to be sought. Audio recording carries the same risks as note taking with regards to reliability of transcript in that one researcher's interpretation can vary from another's (Brinkman and Kvale, 2015:211). In order to remain consistent in recording, a pilot study was undertaken to explore the likelihood of a particular recording method to inform decision-making regarding best methods according to contexts and circumstances. It was important to record interviews as it was anticipated that the sample size would provide quantities of information that could not be analysed manually. The use of NVivo was considered as a means of analyzing findings, but due to the small sample size and the closeness of the researcher to the data, this was not deemed the best method for analyzing the information.

### **5.16 Thematic Analysis of Findings**

According to Castleberry and Nolen (2018:808) "thematic analysis is a method of identifying, analyzing and reporting patterns (themes) within data". They consider coding as a means of identifying similarities and/or differences in qualitative data, accommodating open ended questioning and semi-structured narratives (Castleberry and Nolen, 2018:809).

Following the theoretical concepts developed by Bourdieu with regards the impact of 'habitus' and the notion of the 'field', research questions were designed to explore individual backgrounds with regards the roles of participants, organizational settings and objectives to determine their influence on the work and perceptions of participants, along with experiences, perceptions, perspectives and practical applications of Violence Against Women and Girls policy in domestic abuse service settings. According to Braun and Clarke (2022:27), one of the major factors in this research process, drawing from the literature review and theoretical considerations, is that social processes, norms and 'rules' sit behind local policy development and implementation as a delegated responsibility. For The analysis takes an inductive approach to coding data, whereby the themes are data driven, assigning themed headings drawn from the questioning framework and the discussions resulting from the semi-structured framework (Yerry and Hayfield, 2021:35). This necessarily requires the unpacking of both the concept of Violence against Women and Girls and domestic abuse within that framework. The research was conducted on the basis of reflexive, thematic analysis, which

allows for questions and themes to evolve and for flexibility of research sources. An 'ethical thinking' model was applied to the process based on my responsibilities to participants and the power dynamics involved, particularly in ensuring a true representation of participants' voices and inclusiveness to enable a balanced landscape of participant input (Braun and Clarke, 2022:34).

The overarching research questions are focused on the implementation of the violence against women and girls policy at a local level. Referring to the literature review and applying for theoretical positions, the information required falls into key themes listed below. The questioning framework was structured around the key themes, and the interview responses were used to confirm and generate relevant headings within that structure: -

1. General background information to understand habitus and power dynamics.
2. Local Organisations and the implementation of policies.
3. Policy in Practice: VAWG Policy Initiatives
4. Implementing VAWG, Policy Effectiveness at local level
5. Knowledge and Understanding of VAWG Policy, Domestic Abuse and the relationship with other areas of work.
6. Public Attitudes
7. The issue of Ethnicity and Difference in the Framework of Violence against Women and Girls
8. Understanding local structures and mechanisms to deliver VAWG
9. Involvement of service users
10. The Good, the bad and the ugly (Local Priorities and Implementation - Obstacles and Solutions)
11. Language

Open questioning to encourage discussion and disclosure of perspectives and practice do not always follow a uniform profile. To organize the interview response data, a manual coding frame was used to sort and extract data from interview transcripts under each of these headings to identify common and comparable variables, along with common or individual sub themes. So for example, when discussing practical tools, the issue of categorization highlighted anomalies in language and labeling different ethnicities so this became a sub heading/theme.

The intention of qualitative questioning encouraging participants to engage in steered conversation was to enable richer and more meaningful data, which cannot be obtained from more structured frameworks. Whilst the theme headings appear broad, they enabled a process of drilling down during interviews and provided a number of important prompted and unprompted individual perspectives but also a range of common issues that cut across these headings. A manual process of sorting and organizing responses was appropriate because there were only 30 interviews and it was considered important to maintain a close relationship with the information yielded. Through thematic analysis applying a grid of the main themes and then another of sub themes, useful insights were gained

### **5.17 Limitations of this Research**

The use of case study research is intended to provide a setting within which to profile the implementation of VAWG/Domestic Abuse Policy at a local level using mixed methods that can be replicated and compared in other locations.

The constraints of a PhD study meant that the research had to be located in a relatively small area, and the number of respondents that could be interviewed limits the scope of data that could be extracted. Nevertheless, 6 respondents in the pilot study and 30 respondents in the case study area engaged in the interviews. Whilst the PhD dictated the scale of the study, responses were comprehensive and resulting data retains validity and credibility within the limit of latitude. The nature of the research is limited in scope but provides important and useful information to extend knowledge regarding the implementation of policy and the potential challenges and opportunities that may evolve from this exercise. It is not a large-scale study but designed to understand the process of policy implementation and utilization in a real-world, lived experience context.

### **5.18 Summary**

This chapter has outlined the theoretical basis for the research and methods selected. The research strategy is centred on Bourdieu's theories in relation to habitus, the field and capital to enable exploration of individuals' perceptions, perspectives and practices individually, and to understand the influence of organizational habitus on partnership working, local operations and objectives. A mixed method approach in a case study setting has been used to enable an understanding the value of the unique views and insights of participants working



in the 'real world' of VAWG policy in practice as a means of giving meaning to and discovering the extent to which local implementation reflects the policy's stated intentions. The case study approach according to Krusenik (2016:9) has been criticized for its scientific reliability on a larger scale due to the limits of sample selection. Whilst taking account of this argument, the sample in this research was to some degree self-selecting via a network of partnership agencies with a common responsibility to a greater or lesser degree. These agencies and the participants from them, would be similar in other local authority areas and the methods selected replicated in a similar way. The case study approach here enabled a concise and contained reference group working in the same environment/area, offering perspectives from within a common and otherwise collective, context. The next chapter provides findings from and analysis of the fieldwork results.

## **Chapter 6**

### **Sample Overview of Participants and Characteristics in the Case Study Area**

#### **6.0 Introduction**

This chapter outlines the characteristics of the interviewees who participated in this study. In order to gain an understanding of the types of people who work with victims of domestic abuse, their perspectives and practices, it was necessary to establish the backgrounds, previous experience and motivations for undertaking the work that they do and the roles that they occupy. This particularly aligns with and incorporates Bourdieu's concept of 'habitus', 'social capital' and the 'field' in his work, towards understanding the factors that influence perception, behaviour and practice (Bourdieu, 1977:85)

#### **6.1 Sample characteristics of Interviewees**

In total, 36 interviews were undertaken. These comprised 6 participants in the pilot study area (an area adjacent to the case study location) and 30 participants in the case study location. A simple and anonymised 'Equalities and Diversity' form was used to establish background information in much the same format as would be used for employment processes in the UK. The format and data categories were drawn from a standardized criterion outlined on [www.gov.uk/employers-responsibilities-equality-monitoring](http://www.gov.uk/employers-responsibilities-equality-monitoring) and compliant with GDPR guidelines ([www.ico.org.uk](http://www.ico.org.uk)). This can be found in **Appendix 5**.

The pilot study area was a location adjacent to the actual case study area, and both areas work closely together, sharing resources for different violence against women and girls and associated interventions. This area was selected to ensure that it would be consistent with the fieldwork in the case study location and would reflect that area and provide a realistic trial for the methods and research tools selected. The participants in both the pilot study and those within the case study area were given coded identification tags to enable organization and structure to the analysis of their responses. For example, those in the pilot study were assigned 'Pilot Participant' designation in the form of PP 01, PP 02, etc., whereas those in the main case study fieldwork were assigned Case Study Participant in the form of CSP 01, CSP 02 and so on. The data and findings in this study are based only on the 30 participants in the research area and not those in the pilot

area. The Pilot study was undertaken to inform and modify where necessary, the fieldwork and interview process.

Of the 30 interviewees in the case study area, basic demographic information relevant to the research was collected. The demographic profile of participants is shown in Fig.1 Equality and Diversity Data: -

Fig.1 Equality and Diversity Data

<b>Age</b>		<b>Ethnicity</b>		<b>Gender</b>	
25-34	3	Pakistani	4	Male	6
35-44	12	Asian other	1	Female	24
45-54	13	African	1		
55-64	2	White British	24		

The sample was randomly selected on the basis of variation between organisations. From the literature review, it became evident that the sample needed to include as many practitioners from the multi-agency partnership as possible and the breakdown of participants is listed in Fig.2 Participant by Organisation.

Fig.2 Participant by Organisation

Organisation	Practitioners/Officers	Manager
Police	3	3
Social Services	2	
Housing	3	2
Local Authority	2	2
Third Sector	5	5
Magistrates	2	
Central Govt		1

The breakdown of participants for each group was: -

- 6 Police Officers (3 PCs, 1 Sergeant, 1 Inspector, 1 Chief Inspector)
- 2 Social Workers
- 4 Housing practitioners specializing in domestic abuse and refuge provision
- 1 Manager overseeing supported housing (including refuges)

- 2 Local Authority Officers responsible for commissioning, young peoples' services and domestic abuse.
- 2 Local Authority Managers, one directly responsible for domestic abuse services and one with commissioning, monitoring and partnerships responsibilities within the criminal justice and community safety portfolio.
- 5 Third sector practitioners, 2 from specialist domestic abuse support services, 3 from specialist services related to domestic abuse and criminal justice.
- 5 Third sector managers, 3 from specialist domestic abuse services, 1 from a larger support organisation, one from another smaller organisation specializing in support for minority ethnic clients experiencing domestic abuse.
- 2 Magistrates were included, not SDVC.
- 1 Senior Central Government officer with domestic abuse as part of wider duties.

This provided a balanced spread of qualitative data to include those with roles specifically focused on domestic abuse support directly with victims and those delivering policy in other areas of related work. This information is important as a reference point to understand the backgrounds of participants in relation to their 'habitus' and 'social capital', the cultural capital or resource upon which individuals draw to create meanings in their everyday working life (Hilgers and Mangez, 2015:124). The Bourdieusian concepts of social capital, professional fields, alongside group and individual habitus are inevitably variable in nature and as such, it was necessary to understand the differentials and/or similarities between these groups and individuals to understand approaches to VAWG strategies and plans drawn from overarching VAWG policies.

## **6.2 Breaking the ice**

Semi-structured interviews necessarily require outline questions to guide the discussion with respondents. In applying the work of Bourdieu in particular, to gain a sense of individual habitus, a 'breaking the ice' conversation was initiated with each participant at the beginning of the interview. This was designed as a 'get to know you better' process to set the scene and establish open rapport with the participants. Applying the questioning framework set around the three main research questions, it was possible to develop key coding areas defined by the questioning framework. The following findings are set around the key themes set out in Chapter 5 (5.16).

### **6.3 General Backgrounds and Roles of Interview Participants**

The participants were drawn from the main organisations and partners involved in implementing Violence Against Women and Girls policies.

Of the 30 interviewees, 26 said that they had started out in different roles and ended up in domestic abuse by default rather than by design. Two police officers interviewed for example, stated that they became more interested in domestic abuse after working in Schools and Family Liaison roles, particularly pointing to the 'toxic mix' of substance misuse, mental health, and domestic abuse. One of the officers referred to their interest in 'troubled' families, which prompted a wider discussion about the 'troubled families policy agenda'. The other police officer also referred to 'trouble' in families and the 'toxic trio' which they believed was at the 'front and centre' of most of the domestic abuse he had come across. These experiences with 'troubled' families were said to be drivers for getting more involved with domestic violence work.

Of the 30 interviewees, eight had been directly involved in domestic abuse. Two said that they had personal experience of abuse as victims, three said that they had witnessed domestic abuse in family relationships or friends. Three had encountered domestic abuse through work and had followed a career path where domestic abuse support was the main purpose of their work. The remaining 22 had become involved with domestic abuse and the violence against women and girls agenda through their work in other ways. Nine mentioned that the connection to domestic abuse had been vicarious in so far as it was not the purpose of their role, they were not directly working with victims, but the nature of their job required an understanding of the issues surrounding it.

#### **6.3.1 Backgrounds of Police Officers and Senior Police Officers**

Police culture and socialization has been highlighted in the literature review as influencing the experiences of victim survivors and whether or not those experiences are positive, negative or lead to beneficial outcomes. Police in particular demonstrate a substantial level of shared values and understandings, which are central to the cohesive and collaborative nature of their work (Chan, 2004:328). A part of this field of work requires a level of socialization into the world of policing which includes an investiture of social and cultural capital to

enable occupational protection. This necessarily includes relevant knowledge and levels of competence coupled with discretion and individual judgement.

Of the three Police Constables (PCs) interviewed, two had proactively sought further training to understand domestic abuse. One of the PCs said that they had what they considered to be a "fair knowledge" of domestic abuse and when asked to elaborate, said they could "pretty much spot coercive control a mile off". Another PC said that they felt well equipped to deal with domestic abuse incidents because they had been provided with training, and he had also "read up on it" when he was assigned to the specialist team for vulnerable victims. The third officer, a young woman of Pakistani origin, said that she had wanted to join the police to specialise in domestic abuse and had been driven by serious concerns about the level of abuse in her community. She referred to this as her "calling" and hoped she could raise awareness of the differences experienced in different communities. She said she had attended as much training as possible both within the police, but most, she said, had been through a local specialist women's charity and the local authority domestic abuse forum.

In terms of education, the one PC and one of the senior officers had attained a law degree. Of the remaining four, two PCs said that they had learned on the job, and two of the senior officers also referred to experience and interest through their career as police officers as being the main source of their knowledge. Two of the senior officers had achieved management qualifications during their time in the police.

The PC (CSP6), who had a degree, said that she had completed her dissertation on young people and crime and was shocked at how many young people she spoke to, who came from backgrounds where domestic abuse was a significant feature. After working for a short time as a support worker with young people, this confirmed her desire to become a police officer:

*"I realized that there are a lot of complex issues around not just domestic abuse but the impact on young people, particularly from my community is pretty intense. What they see they learn and as a women in my community, that made it so much harder to make a real difference to what their future looked like. I feel really really passionate about changing things for them and other women like me, you know, it's so much more complex than people understand and I have grown up bucking the trend. Being in the police I can at least have a go with a uniform that has good things about it (paused) and bad things to be honest."*

(CSP6, Police Officer)

The most senior officer of the police participants, a Chief Inspector (CSP1), said that whilst he appreciated the work that goes into formal qualifications, *"you can't beat good old real-life police experience"*. He said that after 27 years on the job, he had gained management qualifications through distance learning, gone through his Sergeant's and Inspector's exams and *"covered a lot of ground in police training"*. He said that he felt that he had a good grounding for the job he was doing and guiding those who worked for him. He said that even at this point in his career:

*"... you have to acknowledge that you can never know everything and you do get surprised sometimes. You'll always do a good job if you accept that every day is a school day and be prepared to learn from experience. For police, that's the most important part of the job"*. He went on to say that *"training is really important for the nuts and bolts but it's using it in real life that counts"*.

(CSP1, Chief Inspector)

Chan (2004:332) highlights a tendency for more experienced officers to possess and rely on a higher level of cultural capital in the form of their own experience, knowledge drawn from longevity in the role and in many cases, rank. CSP1 appears to be following this in suggesting a willingness or likelihood of relying on instincts and experience rather than training specifically.

However, a Police Sergeant (CSP2) who came into CSP1's office towards the end of CSP1's interview, whilst we were recapping some of the earlier points for clarification, including the issue of academic backgrounds, disagreed. After CSP1 left the room, CSP2 said that he felt that he valued the experience of longer serving officers but some of their views were *"pretty outdated"*. He said that he had studied law and was a member of the Bar Association. He said that he realized early on that it wasn't for him, so he became a PCSO and then applied to become a Police Officer. He said that his progress to Sergeant was quick as he really wants to progress, so his Inspector's exam was imminent and that he had been acting up to that rank. His focus, he said, was to move through the ranks as he believed:

*"you can achieve more for people as a decision maker but you have to have intellectual capability to analyse complex situations like domestic abuse"*.

(CSP2, Police Sergeant)

This officer recognized the cohesive culture within the police but his general response was to reject the 'group thinking' that came with this. This may indicate some dissatisfaction with regards individual interests and drive for progression,

against collective interests and a conflict of habitus in relation to the more traditional collective habitus. Given that Bourdieu's theories point to the production and reproduction of collective interests to underpin organizational development, this might be seen as a positive feature through relatively new staff membership and a rejection of 'pretty outdated' thinking. On the one hand, a senior officer suggests the benefits of longevity in the force and experience, a recognition of the significant social capital generated by this experience, but on the other, it is seen as outdated, not fully rejected but that a different form of social capital in the form of 'intellectual capability' would be more beneficial to dealing with domestic abuse.

On the contrary however, CSP3, a Police Inspector, had worked her way through the ranks and had been particularly focused on family liaison, schools and domestic abuse. She said that she felt that her long term experience in the job had given her a "*pretty thorough*" understanding of domestic abuse and that she felt this was significant in trying to impart "*the right understanding*" to officers that were new to the job or new to the team. This was defined as a more victim focused, problem-solving approach.

Of the three police constables, one had a degree (CSP6), one had 'A' levels (CSP4) and the other (CSP5) had GCSEs. This demonstrates some variability in educational level but does not conclusively validate the argument for a particular level of intellectual capability in terms of analyzing situations that officers might be confronted with in the course of their duty. It seems that a clear understanding of domestic abuse may represent the benefits of both.

### **6.3.2 Social Services**

Like the police, social workers are likely to be one of the most significant agencies that become involved with victims of domestic abuse. The nature of their work can be complex and as has been demonstrated in the literature review, involves competing paradigms with the need to protect a child/children in a family where abuse is prevalent and dealing with the needs of the victim in relation to the violence and abuse they may be exposed to. This can be problematic and requires an extensive range of skills to enable the level of complexity and flexibility required to adapt to different cases (Watson, 2017:6).

Two social workers were interviewed at different times and locations on council premises. Both (CSP7, CSP8) had followed a degree course to qualify as social



workers, which is a mandatory requirement for social work training (British Association of Social Workers). One had worked in Bulgaria with domestic abuse. The other had not worked specifically with victims of domestic abuse, but both said that they had worked with families that had domestic abuse as one of the issues they had dealt with.

CSP8 had qualified as a social worker approximately 12 years prior, and her first appointment was in Referral and Assessment. She worked closely with an IDVA in another area elsewhere in the country and started out clearly understanding MARAC and child protection in different capacities. This, she said, sparked her interest in domestic abuse. She had more recently become an assessor for the public and private legal process.

CSP7 had taken a different route and had developed a particular interest in young people and domestic abuse. She had also been involved in commissioning young people's services around domestic abuse. She said that her background had not, as far as she was aware, brought her into contact with victims of domestic abuse directly but she had been involved with young people that had a range of mental health issues as a consequence of living in households where "*domestic abuse was the norm*".

As a key agency in the process of domestic abuse interventions, social work has set high standards for required social and cultural capital. In 2021, BASW issued a Domestic Abuse Guidance document for social workers aimed at a cultural shift towards trauma informed practice, an intersectional approach and a recognition of the harms previously caused due to the dichotomy between protecting children at the expense of protecting the mother. The guidance includes a clear understanding of the impact of domestic abuse on the mother as victim and her capacity as a parent, focusing on support and safety from the family perspective. The interviews were conducted prior to the release of this document.

### **6.3.3 Housing**

Five participants were interviewed from a large social housing organisation delivering supported housing services funded by the local authority for the county. Of those participants, one was the overall departmental manager and the other a team leader. Three other participants were Housing Support Officers responsible for domestic abuse support and refuge accommodation.

The regional Housing Support Manager (CSP9) is responsible for all supported housing schemes across this and adjacent local authority areas. These included domestic abuse, mental health, young people's services, and vulnerable homeless (including those at risk of offending, those with substance misuse issues, and other issues causing vulnerability). She said that she has a special interest in domestic abuse from previous work in the field over a number of years but "*fell into it*" through a package of services when she became a new manager. She had studied a Level 4 qualification in Housing at a London university. Her background included working for a private company delivering care services in another part of the country, but she preferred working in the housing environment and applied for the role because of the domestic abuse element. She said that she felt she had gained a lot of experience at this point in her career, and that gave her powerful insight into domestic abuse and associated vulnerabilities.

The CSP13 had previously been involved in other support work, mainly with older adults and adult safeguarding. She said that she understood domestic abuse before applying for a Support Officer role for the more generic supported housing remit but had witnessed the impact of domestic abuse in her personal life and had volunteered to move into a more specialist role working with victims of domestic abuse. The same was true for two other members (CSP11 & CSP12) of the supported housing team, who were interviewed separately on the same day. Both had worked in supported housing roles, either for the organisation they currently work for or had been in a similar job with another housing provider. One of the Supported Housing Officers (CSP11) had been with the same organisation (this one in various guises before mergers took place) for a number of years with a specific responsibility within mental health services, but this had crossed over with domestic abuse. It was she said "a happy accident" that there was a restructure (one of many, she said) and that this gave her the opportunity to "move over" to domestic abuse. CSP10, a Team Leader for domestic abuse services, had worked in social care for ten years and started with limited knowledge of domestic abuse and only amongst older people. She moved to this housing organisation two years prior. Supported Housing Officer (CSP13) had been in her role for 4 years, but came to the role without previous experience of supported housing, or domestic abuse. She said that she had previously worked in retail but wanted to help people. She said that she had been involved in household care support earlier in her work history, so had some knowledge.

Of all agencies, housing participants had the least capital in terms of domestic abuse practice and were the least connected with the complexities and impact of

domestic abuse. Housing is a significant area of concern within the domestic abuse arsenal given the issues around safe accommodation and homelessness prevention. There was no acknowledgement or understanding of obligations under housing legislation prior to the forthcoming Domestic Abuse Act and new amended duties under Part 7 of the Homelessness Act 1996 and the Homelessness (Priority Need for Accommodation) (England) Order 2002/2051 (made under s.78 of the Domestic Abuse Act 2021). Capital with regards domestic abuse appeared limited overall but conversations were very much geared to the context of a housing provider first and support provider as a secondary component of housing provision generally.

#### **6.3.4 Local Authority**

Four staff (CSP15, CSP26, CSP17, CSP18) were interviewed from the local authority. This cohort included two managers responsible for community safety and two staff responsible for commissioning and monitoring contracted services under that heading.

CSP15, a senior commissioning manager for domestic abuse), had initially joined the council working with schools and commissioning multi-million-pound contracts. This developed into a role that involved reviewing children's attainment and those exhibiting signs of distress, neglect, and/or risk indicators. This identified households where parents were living chaotic lifestyles, evidence of domestic abuse, substance misuse and mental health problems to the point of failing to care for their children properly. The added complication was that this was happening in an area where 80% of the people spoke different languages, and these were concentrated in particular locations. She was assigned to that area of work and that inevitably involved gaining a thorough knowledge of domestic abuse, substance misuse and mental health as well as a good understanding of the impact on children and the harm caused. The problem was different cohorts coming in and out of the system at other times, and for her, the number of pregnant women who she identified as particularly susceptible to domestic abuse, *"so that's where I kind of made my home"*.

CSP16, a manager with a domestic abuse remit had been in local government for 25 years and after gaining a degree and Masters directly related to criminal justice. She said that she went into local government to champion women's issues, and her main interest has been the police approach to dealing with

women's safety and domestic abuse, particularly from black and Asian communities. Elaborating on this, she said:

*"I'm an advocate of promoting women's safety, well personal safety I suppose, but I'm also interested in the connections between domestic abuse and other elements of the criminal justice system, so I kind of make it my business to look at women's coping mechanisms and how they get involved in criminal activity to stay safe. So I'm always looking at or thinking about those relationships with things like perpetrators and substance misuse, gangs and trafficking for example. You know it pervades so many areas of crime but also social issues where there are clear links with bullying and abuse risk indicators in schools, teenage relationships, teenage pregnancy, worklessness, homelessness, well too many things to list, so it is a mammoth task continually trying to tie everything together and develop interventions that can be effective. I am disturbed by, but also excited by the challenge because it's like a lifetime endeavour really".*

(CSP16, Manager, Local Authority)

CSP17 said that he had come into commissioning from working with young people. He wasn't specifically interested in domestic abuse as a long-term focus but had developed an interest through the commissioning process and working with domestic abuse charities and housing through contract monitoring. He said that his job required him to have awareness and understanding of domestic abuse, and he said that he felt it was an *"avenue to other areas of work that it crosses over with"* so it would be useful for his future career.

CSP17, a council officer with a domestic abuse remit, had requested to participate in this research and said that she had *"lots to say"* regarding the implementation of VAWG strategies and the understanding of domestic abuse. She said that she had been a victim of domestic abuse, and after very negative experiences of dealing with mainly public services, she was committed to raising awareness of the many issues that are involved. She said that she had previous work experience before taking the role and was frustrated *"even on the other side of the fence"* with the lack of understanding and knowledge throughout the process, from front line workers, through to court and court results. She said that she had a legal and public protection background having had responsibility for setting up a local MARAC pilot and that everything had grown from there. She had also developed what she called *'comprehensive training programmes'* to address the seemingly *"never-ending knowledge gaps"* of in house and partner organisation staff. She had also been responsible for writing council policies to deliver VAWG but said that this was *"a nightmare because too much is open to interpretation"*.

Interestingly, CSP 15, CSP 16 and CSP17 in particular, demonstrated a significant focus on domestic abuse and had taken it upon themselves to initiate and

implement projects and interventions outside the generic local domestic abuse action plans. The common characteristic between these three participants in particular, was a drive to support domestic abuse victim-survivors in a diverse area where, in their opinion, domestic abuse interventions were 'variable at best'. Peckover and Golding's study (2019:16) highlighted that personalities and personal commitment to domestic abuse tended to be a driver for more beneficial outcomes for victims and this appears to validate those findings. The local authority team's habitus indicated significant positivity and willingness to reflect on their own performance to improve services and their role in the DA partnership framework.

### **6.3.5 Third Sector**

Interview Participants from the third sector were drawn from charitable organisations involved in driving policy locally and nationally, a large charity with domestic abuse responsibilities, a local specialist domestic abuse charity, a mental health charity specializing in the needs of local minority ethnic communities, a counseling service for victims and perpetrators of domestic abuse, and a Hospital based service within the case study area but run by a domestic abuse charity outside of the area. The cohort of participants from the third sector included 9 women and 1 male. All participants referred to a high level of experience and knowledge in the sector.

### **6.3.6 Domestic Abuse Charities**

Both of the local domestic abuse charity managers, CSP18 and CSP19, were Domestic Abuse Service Managers, one was also a trainer. Both were relatively new to the role of manager, but had prior front line experience and had recently been promoted. Both had been working in the field of domestic abuse for in excess of 15 years, had received specialist IDVA training, 'train the trainer' training and management qualifications during the 5 years prior to this research interview. Both of these interviewees continue to work directly with victims and their families on a one to one basis, usually the more complicated cases, but not necessarily.

One of the managers (CSP18) had moved into the field following working as a Family Liaison Officer in schools and becoming involved in working with and referring families where children were struggling with behavioural problems, truancy, neglect and where parents wouldn't engage, and there were indicators

of abuse, substance misuse and mental health problems in the household. She said it was her first experience of the "toxic trio" and its dramatic impact on women and their children. Working with social services, she said, was the trigger that made her want to support women going through domestic abuse. This, she said, was because of the insight it gave her into the poor experiences that service users encountered when "trying desperately to get themselves sorted out". In terms of knowledge, she said that she often felt a bit embarrassed because she was often in a room with lots of people with professional qualifications, and she hadn't come from that background:

*"Sometimes I feel embarrassed because I am at meetings talking about domestic abuse plans and I feel like the poor relation working for a charity but also because I am not academic. I come from a working class background and wasn't really encouraged to follow education but I am often the most knowledgeable one in the room to be honest. I just think that they don't take you seriously when you work for a charity and you don't have letters after your name even though I bring a lot to the table. I think they sort of expect you to not be that educated when you work for a charity".*

(CSP18, DA Services Charity Manager)

CSP19 also referred to having no academic background and made similar references to the idea of charities being "at the bottom of the pecking order" and cited her experience of feeling that "you seem to have to work harder or be louder to get your voice heard". This seems to suggest a perception of hierarchical power relations in collaborative partnership settings and that these perceptions have the potential to impact on the professional voice of those with extensive experience but who feel that their 'capital' is less meaningful or valuable in these settings. Bourdieu talks about structural classifications impacting on habitus and its capacity to instill conscious or unconscious prejudicial behaviours (Cui, 2017:1153). This can lead to professional misinterpretation regarding the position of individuals within a particular practice framework. Cui refers to this as a product of internalized social structuration and provides a platform to reinforce perceived differences between different social groups with the converse outcome of both parties reinforcing these unequal power relations. This is important to note as perceptions of inequality could essentially impact on the value of contributions to problem solving for victim survivor outcomes (Cui, 2017:1155).

The implications of this may also be problematic in terms of perceptions between agencies, if different organisations in different fields operate on the basis of perceived differentials in capital, given that practitioners work between agencies and may have variable bases of capital (Bourdieu & Wacquant, 1992:24). For example, in contrast to the views of CSP18 and CSP19, CSP20 was working as a

Team Leader on a specifically funded contract to provide IDVA services, training for other practitioners and run peer support groups for 'standard to medium' risk service users. Her route into domestic abuse work was through her degree in Criminology, her "*Marxist feminist views*" and her dissertation into the police response to domestic abuse. She said that she found the job through her research but had not really had any practical experience prior to taking on the role. She had received specialist IDVA training and qualifications not long after she joined and was asked to lead the team fairly soon after that. She had also been able to undertake management qualifications. She considered herself to have substantial academic credentials to operate in the sector.

Bourdieu points to 'habitus' as a system of dispositions in direct response to an individual's exposure to past experiences and ongoing circumstances. These are ordered and generate thoughts, ideas expressions and performative action, which are shaped by historically and socially situated conditions. For Bourdieu (2003:72) ideas are constructed at a given time and space and internalized. Within this framework, conscious and unconscious bias can frame specific ways of thinking for social agents. The perception of social and cultural capital in a given field may lead to perceptions of superior knowledge and expertise, sanctioned by the nature of the organisation and its position within a multi-agency partnership. Local authorities and the police for example hold greater status in so far as they hold primary responsibility for VAWG policy implementation, service delivery, funding and performance against strategic and operational plans. External providers that supplement these functions do not and this may instill a perception of unequal power relations and difficulties in challenging statutory providers. Slocock (Civil Exchange, 2014:8) highlighted that voluntary sector agencies in particular, could be seen as a vehicle for subsidizing public services but without the power to change them.

CSP27, an LGBT/Male IDVA, said that she works directly with victims and specializes in LGBT and male victims. She said that she felt that the male victim label in her work was "*a bit of an add on just to be seen to be offering services to get extra funding*" but that she "*did her best with it*" as part of her job. She said that as a lesbian working in domestic abuse, she felt that in the workplace, her sexuality was superseded by her gender and that she was expected to understand and deal with heterosexual cases at times of staff shortage. She said she didn't have a problem with it because she understood domestic abuse in those relationships but that she didn't feel that colleagues really understood the impact of domestic abuse on lesbian and gay people. She felt that LGBT

experiences took second place to women's services because those are seen as the primary focus. Her concern was that the LGBT/Male IDVA role was supplementary to "*satisfy political correctness or whatever*", but it wasn't as well supported as the mainstream services for generally domestic abuse and violence against women.

She had undertaken specialist IDVA qualifications for mainstream services, and as a "*prized qualification*", it meant that she was expected to use it for both mainstream domestic abuse services and those that she had more experience of working with in lesbian and gay communities. Male services, she said, "*take an even further down the pile position*". This participant laid bare evidence of both conscious bias in the form of overtly including the service for male victims within an LGBTQ+ specialism and unconscious bias in a lack of understanding by decision makers with regards the needs of a specific community.

CSP25 was a senior figure in a larger women's organisation and had come from a different sector. She said however, that the work had exposed her to the various issues affecting women experiencing domestic abuse and had previously been a communications specialist at senior management level for an organisation working for the protection of children. She said that her feminist beliefs had led her to the role she was currently in. CSP28 referred to a strong awareness of the issues that women experiencing and escaping domestic abuse face and that she wanted to place a spotlight on the difficulties they go through but more importantly to maximise recognition of the work of smaller women's charities who are helping those women at the "*coal face*". The declaration of her own specific position might be seen as positive in that the issues faced by women, and identified through her feminist beliefs, enable a good understanding of domestic abuse and its significant impact on women particularly. However, in the broader sense, it might be less beneficial when tackling wider victim survivor needs.

### **6.3.7 Counselling Services**

Two staff (CSP21 and (CSP22) from a counselling service, were interviewed and both declared 'life experience' as key to their roles although both said that they had qualified as counsellors after a history of working with both offenders and victims of crime. As with the others, these interviews were undertaken independently of each other, but both referred to life experience as the most important 'qualification' for their work, which suggests a common organizational understanding. CSP21 pointed to a long history of working in schools, with those



at risk of offending and those incarcerated. This work had included working with men and women who had become involved in crime as a result of violent and coercive partners.

*"Usually women were forced into drug crime or stealing for money or other illegal things to support a violent partner. Women get treated much more badly by the system and the impact of it is so much more than it is on male offenders. So much gender inequality everywhere. I don't make judgments on anyone we see so we do see male offenders who are often abusers but I need to say that I am a feminist so there is no misunderstanding. My answers will reflect my commitment to balancing a badly unbalanced system. People need to see what I have seen and what I still see to really get what's happening and I've been doing this a long time".*

(CSP21, Counsellor)

CSP22 said that she had 'cut her teeth' in relation to violence against women and girls on a trip to India, where she met a group of women trying to help female victims of abuse. She said they had been subjected to "awful things", beaten, abused, raped, and subjected to a range of indignities in an "honour-driven culture where women have no value". She said that she was sufficiently inspired to stay and train in counseling, setting up a charity to help women who had been subjected to sexual violence, to rebuild their lives. On returning to the UK CSP22 said that she wanted to carry on working with victims of domestic abuse and got involved with prisons and probation to work with women to help them move away from their abusive relationships:

*"The organisation works with both offenders and victims so it's a bit like switching between parallel worlds. It's not always comfortable but we have to understand the full picture from every perspective if we are really going to challenge inequality".*

(CSP22, Counsellor)

There was an acknowledgement of the duality of their roles and the difficulties in working with perpetrators whilst 'staying true to their feminist roots'. Commissioning was highlighted as the driving force, along with a local policy focus on prevention work with perpetrators. This work was referred to as a double-edged sword as it was difficult to secure money to support female victims of domestic abuse but funding for prevention work enabled the organisation to continue work with them and manage the conflict.

### **6.3.8 Mental Health Charity (working with female domestic abuse victims)**

CSP23, a senior manager of a mental health charity supporting ethnic minority communities started the charity initially to pilot services and understand demand. She said that community leaders initially opposed the development of the charity

and that some of this was due to fear of challenges to traditional culture but also possibly because she was a woman. She said that it was very difficult to challenge what were and remain essentially misogynistic views. The consequence was she said, that you make it look like it's something more acceptable to men in the community:

*"but you end up compromising your own voice and the voice of those women, so it's like accepting misogyny is ok just so you can provide a vital service".*

(CSP23, Senior Manager Mental Health Charity)

Before establishing the charity, CSP23 was a teacher, then a social worker. She set up the charity with a colleague, both found the transition from the public to the voluntary sector challenging. It was difficult with opposition, but she said that she stuck with it and started to get the word out that the service was there for anyone struggling with mental health:

*"It became a bit of a cover really because what we found was that people were actually coming for help and advice about domestic abuse and that their mental health was affected by that and this made us realize how significant it was in the community. There is nowhere really that understand this in the Asian community and people don't really trust the police. Women are also very worried about the stigma. They come here and they are very depressed and some said that they would rather commit suicide than leave their husband and be deported. We knew that there were a lot of desperate women so we had to develop the service".*

(CSP23, Senior Manager, Mental Health Charity)

She said that they had to set up away from the community so that women could see them without fear, but this was at a hospital, which actually created a barrier to engagement because it was in a public service building, and that makes them fearful. After lobbying the council, a better location was found, and they secured funding but she was candid about the opposition that she and other staff experienced when the service became known to the community and the threats of violence that they faced during the early years. The main reason for securing the alternative location was that it was a high street position, disguised as a shop but visible so that any unwanted attention would be witnessed. The more obvious they felt, the safer they would be. After many years of delivering the service, this respondent said that she felt her knowledge of the community and domestic abuse within is very well developed.

### **6.3.9 Large Non Domestic Abuse Charity delivering domestic abuse services**

CSP24 is a Domestic Abuse Manager for a large charity commissioned to deliver part of a wider area domestic abuse contract. He didn't talk about his education but about his experience overseas working with immigration issues before coming to the UK, volunteering, and running sexual health and HIV prevention services. The work led to him moving into senior management with a remit that covered HIV, substance misuse, young people, mental health and counselling for those at risk of HIV:

*"Domestic abuse kind of sat in the middle of it all as LGBT communities are disproportionately affected. There are much higher risks for LGBT people because they tend to live riskier lifestyles, multiple partners, you know, sexual violence, exploitation and a risk of HIV all going hand in hand. I was dealing with domestic abuse from a non-gendered perspective and it was still totally connected to mental health and substance misuse, which compounds risks. It gives you a very detailed insight into all the different aspects of domestic abuse. You know, I'd been a victim of homophobic abuse and I just thought it opens up the void you face when trying to report it or get help, you just feel victimized over again. It made me realize that I needed to use my experience to start challenging perspectives and engender a more balanced approach based on being a human being and not based on my sexuality".*

(CSP24, local DA Manager for National Charity)

He took a position with his current organisation as an opportunity to change the response to vulnerable victims and specifically domestic abuse. He said that that his role encompassed hate crime and other areas of victimization, but the contract was mainly to provide first 'support' response for 'standard to medium risk' victims of domestic abuse. Higher risk victims were referred on to IDVA services, firstly to organisations that were also part of the integrated contract but where they were at capacity, they would refer to the specialist domestic abuse charity in the area. His role he said was *"to oil the wheels and keep everything running smoothly"*. CSP24's referred to lived experience and the importance of having a clear understanding of victim-survivor needs where they are from particularly under-represented groups. Funding he said, tended to be generic and less focused on specialist services for particular needs. The consequence he believed was a continued under-representation of those victims and as a consequence a lower likelihood of the necessary funding which tends to be evidence-led.

### **6.3.10 Hospital Project Worker**

Health services specifically were difficult to permeate and once contacted, reluctant to engage. The response indicated that at the field study stage of this research, health services did not consider themselves a partner in domestic abuse partnerships. As a consequence, it is difficult to draw much meaningful information from the NHS and health services generally. Nevertheless, a practitioner working within clinical health settings was willing to participate and provided useful insight into the working environment and practice.

CSP26, a Hospital IDVA, worked for an organisation outside the case study area but with a contract to provide Hospital Independent Domestic Violence Advocacy (HIDVA services). She considered herself well qualified for the job and very passionate about building services with the NHS, which she felt had been "*a long time coming*". Her background included various academic and professional training courses but she placed the most emphasis on her many years working directly with victims of domestic abuse. She was able to highlight the challenges and benefits of working within the hospital environment and the lessons that could be learned from the experience.

### **6.3.11 Magistrates**

The interview with magistrates was conducted during the lunch hour at a local conference held by the police to celebrate local crime reduction initiatives. The time with the interviewees was short, so only key elements were discussed around understanding VAWG policy and practical dimensions in a court setting. Responses were time limited, but it was possible to draw some understanding of their understanding and activities. The interview was conducted with both magistrates at the same time so the views must be taken in that context. Both participants largely concurred with each other throughout. In terms of backgrounds, one magistrate (CSP28) had been involved in the social care sector and the other (CSP29) had been the proprietor of her own business. CSP28 had a number of professional qualifications relating to the work that she had done previously but no experience of domestic abuse prior to becoming a magistrate. CSP29 said that she had a variety of professional training and qualifications, but that life experience had taught her a lot more. She also had no prior experience of domestic abuse but had some awareness from "*things I have read*". Both had received training on domestic abuse as a part of their induction and agreed that they "would be seeking more opportunities to get a better understanding". Both

said that they had a limited understanding of coercive control but felt it was important to learn more. Neither magistrate had any involvement in SDVCs but was keen to develop their skills to enable involvement in specialist domestic abuse cases.

Neither felt that partnership working was relevant to them but understood the practical initiatives developed from VAWG policy such as MARAC and IDVAs. However, they did not understand the IDVAs' role and were not sure how the court could benefit from them. With regards to the gendered nature of domestic abuse, both stated that it was a woman's issue and that they only had knowledge of males being the perpetrator. Both agreed that they "*definitely need further training to better understand the measures and tools available*", including risk. When asked about risk, they said that where a perpetrator had committed violence, they believed that it would probably happen again, in their experience. They referred to MARAC as a source of understanding for risk and said they relied on professionals to provide relevant and appropriate information. One of the interviewees said that she did not think that training given was adequate for their role, although acknowledged training could be accessed online. When asked about their understanding of coercive control, both agreed that they "could do with a much more in depth understanding of it". One of the interviewees said that she felt that they could exercise "*common sense*" judgment when presented with the facts in cases. This presents a concern for their ability to deal with cases where domestic abuse features as their basic understanding, by their own admission, was lacking. It is therefore highly unlikely that they would appreciate the elements of patterns of abuse or the forms it takes, which could and possibly does impact on their decision making with potentially serious consequences.

Furthering this, their comments were consistent with the research study conducted in 2018 by Donovan et al. (2018:7), which found that only 36% of magistrates they interviewed had received specialist domestic abuse training in the previous two years. 37% had not received training on coercive control. Of those sitting on SDVCs, 37% of those who had received training had not received specialist training on coercive control, and 13% of that group had never received any specialist training on domestic abuse. Reference was made in the study to the amount of training and even where training had been given. It amounted to one day and included identifying and empathizing with victims. Feedback did, however, reveal that it had provided magistrates with a much better understanding of the issues (Donovan et al., 2018:9). The House of Lords (Hansard, 15/04/21, Vol. 692) put forward an amendment to the Domestic Abuse

Bill requiring mandatory training of magistrates to ensure consistency of understanding. The House of Commons rejected this but as with police training, this exposes the inevitability of bias and unconscious bias in discretionary decision-making.

In terms of the role of IDVAs, 53% stated that they were aware of them, 35% unaware and 12% not sure. With regards to perceptions of risk, Donovan et al. (2018:11) state that public perceptions and 'gendered assumptions influenced most magistrates'. Most of the magistrates in the study believed that the prevailing risk is to cisgendered women by cisgendered men. Therefore, men were consistently believed to present the most serious risk of harm than any other perpetrator. Gilchrist and Blissett (2002:349) highlight that the magistrates' court is a core element of the criminal justice system with the majority of cases heard and final sanctions dispensed in this court. The magistrates interviewed within Donovan et al.'s study were magistrates working within specialist domestic violence environments, whereas the two magistrates interviewed within this fieldwork were not. This presents the possibility of a very weak link in the process if their position reflects that of the many 'non-specialist' magistrates working in the system.

The interviewees did not refer to any other minority group or gender identity, despite references to them in the questions, which is again consistent with the research conducted by Donovan et al. The overall responses when compared to the findings of that research study, suggests a continuing picture of knowledge deficits with the potential to undermine appropriate judgment when faced with domestic abuse cases. It may be that specialist professionals might counter some of this deficit, but fundamentally, the court process is an integral part of the service user journey and the courts appear to pose a risk to consistency and efficacy, even within the specialist domestic violence courts.

### **6.3.12 Central Government**

It was possible to secure time with CSP30 is a Senior Manager working in central government. She wasn't clear as to which department she was attached to but had responsibility for monitoring the allocation of funding under the VAWG banner, visiting local authority partnership initiatives and liaising with the Police, Crime and Commissioner's Office in the area to understand funding allocation and reporting systems. She was engaged in central government as a coordinator across departments, "extracting" information, monitoring funding expenditure

and outcomes for specific funding streams, reporting back to relevant directorates. Her role was the culmination of "*working through the ranks of the police*" since leaving university, after studying criminal justice and eventually "*landing where I am now*". Her particular interest is domestic violence and interpersonal violence. She said that after a "*long and arduous journey*", this is where she wanted to be and her experience has provided a "*much better perspective and approach to the issues of domestic abuse and interpersonal violence*". She said that she had access to some really interesting organisations working directly with victims and that this was invaluable to the work that she had made it a mission to do. The implication of her range of work, albeit unclear, was that she was reviewing policy in action and reporting findings to identify best examples of good practice and value.

#### **6.4 Summary**

The sample indicates a broad but variable range of experience across the group of interviewees with backgrounds either directly or indirectly involved in domestic abuse and the wider VAWG agenda. For key agencies such as the police officers, local authority and central government participants, there was a stated commitment to tackling domestic abuse. However, female interviewees responded more proactively, making it clear that they felt a level of responsibility for improving the position of women, challenging colleagues and raising awareness. Of the four local authority participants, only one was male and he indicated that he considered domestic abuse more of a stepping-stone to future career ambitions than a core commitment. All of the third sector participants showed direct experience and/or understanding of domestic abuse, with backgrounds/experience and qualifications directly related to it and lived experience through direct contact with victims. Two third sector participants who identified as LGBT, raised concerns regarding the lack of focus of VAWG on different gender identities other than women and no other respondent at this stage had highlighted anything other than domestic abuse as a male/female issue in generalized terms. Of all those interviewed, magistrates demonstrated limited awareness and exemplified the issue of unconscious bias through their responses and assumptions regarding the male/female dichotomy. They revealed backgrounds not associated with domestic abuse and limited understanding of the basic concepts of domestic abuse, least of all coercive control and sustained patterns of abusive behaviour, or support functions, despite having received training. The findings have been separated into two chapters to explore key findings in more detail.

## **Chapter 7**

### **Key Findings and Analysis – Multi-agency Partnerships, Competing Resources and Policing VAWG Locally**

#### **7.0 Introduction**

This chapter outlines key findings from the research, applying Bourdieu's concepts of 'habitus' field' and capital'. The findings and analysis have been separated into two chapters. This chapter analyses the findings from the fieldwork interviews and explores practitioner perspectives regarding multi agency partnerships, resources and policing. This follows the accounts given by interviewees during our discussions, which were steered by key issues surrounding implementation from a practitioner's perspective. Matters of different and often competing organizational priorities had been discussed, but 24 respondents also made comments about the impact of different ways of working, organizational policies at odds with local VAWG action plans. Key components of VAWG implementation in practice centered around the efficacy of partnerships, policing as a first response service and the issue of resource distribution and efficiency. These findings are reported in this chapter, in line with those discussions and narratives taken from transcripts of recorded interviews highlighting issues of significance raised by interviewees during that process.

#### **7.1 Multi-agency Partnerships and Responses to VAWG Policy**

In Chapter 3 (3.1), the issue of multi-agency partnerships was discussed and highlighted the potential variability of approaches and disparities in achieving effective responses. Indeed Hester (2011:837) pointed out the difficulties of negotiating shared responsibilities within a framework of competing and conflicting organizational purpose and priorities. She highlighted that these could be exacerbated by the 'habitus of groups', which creates divisions both within professional groups but also within them. All ten of the third sector interviewees stated domestic abuse as being the main purpose of their organisation, or a significant and interrelated priority, determining how they engage and interact with victims and as partners in the multi-agency infrastructure. In line with Hester's claim, the remaining participants provided a picture of domestic abuse as an obligation set against, or within their own organizational frameworks. In setting the scene for VAWG and domestic abuse policy implementation, 28 out of 30 interviewees made reference to public and practitioners attitudes to domestic



abuse and VAWG as being a significant factor in determining how and to what extent it is prioritized in different contexts.

The issue of attitudes and culture were seen as a problem insofar as they determined how domestic abuse featured in organisational objectives and defined roles and responsibilities within those entities. There was a consensus that the effectiveness of engagement with victims and other agencies was defined by the organisation's response to domestic abuse and how it aligned its own purpose with the issue. This is illustrated by the response from CSP24 who claimed that whilst there may be a common objective drawn from government policy and local plans, the actuality is very different. Her suggestion was that in essence they are together, but not the same:

*"I liken it all to a sausage. You get a whole piece of meat – so you have the purest intent. It goes into a mix with a variety of adults – it's then forced through a rigid process that's the same for all sausages – and it comes out a different thing that meets the system's requirements and not the service user's. So it's lost the purity of intent but there is a process that gives the impression of consistency. The point is that we're all signed up to doing the best for someone – I do genuinely think that – but what the service user needs is lost in the mix of different organizational cultures, perspectives, challenges and yes probably commitment to DA in amongst other responsibilities. The context they work in – well all of it – impacts on how well cases are managed and victims are serviced. The trouble is that it's not a prescriptive thing – it can't be because victims' journeys and situations are different and their view of their own journey is based on their own perspectives and experiences, which also skews the situation because they see the truth of a situation from a damaged perspective more often than not".*

(CSP24, Charity DA Manager)

As stated, Hester referred to the practicalities of partnership working as being exacerbated by the 'habitus of groups' (Hester, 2011:837). Bourdieu (1992:123) highlights that social agents have their own habitus formed by the process of socialization and the influence of social and cultural capital within different contexts. However, when exposed to the field and new forms of capital, they have to determine their position in the 'game' and through this process, essentially become absorbed through 'quasi-contracts' into the 'group habitus' (Bourdieu, 1990:67). Therefore, inevitably, the field will take its own shape in relation to an organisation's purpose and functions, thus creating variability in attitudes and approach in different settings accordingly.

The essence here however, are the complexities of victim needs and how the variability in organizational habitus can impact disparately on those seeking help. Peckover and Golding (2015:4) highlighted in chapter 4 that the ability for organisations to function effectively within multi-agency partnerships, relies on a

commitment to common objectives underpinned by structured agreements. CSP24's response suggests that even though agencies are essentially 'signed up' to providing the effective services, the variability of cases and the competing obligations of organisations prevents consistency. However, this is not to say that there is a possibility of addressing this concept as social agents have the capacity to execute a 'margin of freedom', which allows for habitus to change under different conditions and time. Therefore, it could be argued that the 'habitus of groups', could be countered by the 'habitus of the partnership' but would require the complexities of practice to be appreciated (Navarro, 2006:16).

The issue of organizational prioritization was also raised by one of the social workers (CSP8) who said, from a practical perspective, that she was sometimes confused by the focus on a particular policy and was mainly interested in ensuring that families are treated fairly and with dignity. She was concerned that social services have too broad a remit that often conflicts between the needs of domestic abuse victims, and their children's safety. For example, particularly referring to MARACs, she said that social workers' are often caught between following a plan of support set up at MARACs against a particular model of risk and what social workers think of as risk. She said she felt that she and colleagues were often at odds with other practitioners because social services are perceived to have specific objectives around risk, either being told that they are risk averse on the one hand, or too controlling on another. The Case for Change Review commissioned by the Department for Education looked at the life experiences of children in contact with the social care system, alluding to the inconsistencies in social care responses to cases where children are at risk. Whilst acknowledging the role of other professionals, it emphasized that the safety of children and families must feature more for social workers than police (MacAlister, 2020:10). The report highlighted that despite tools to ensure consistency, these are open to variable decision-making and interpretation, which can be problematic when assessing risk. This was a point raised by CSP8 who said that the assessment of risk and reliability of the DASH risk assessments for example, can be unreliable particularly from the police:

*"We all do DASH forms and I'm not saying we're perfect but they can be not properly completed or a bit shoddy so we have to make our own judgment on it. This is even though it would have been checked by another police officer. So many MARAC referrals are either not high risk or should be high risk if you know what I mean. This is a problem if there are children because we all have duty but ours is the most important so it gets difficult and we are seen as if we are being awkward if we question it".*

(CSP8, Social Worker)

MacAllister (2020:40) reinforces this point claiming that there is an over reliance on simplified risk assessment models and systemic issues around interpretations that lead to potentially harmful consequences for families. The point is made that despite tools being available to limit inconsistencies, disparate working models and silo thinking create narrow, inward organizational thinking that results in them being either risk averse or the opposite. The issue of inconsistency was a point made by CSP8, particularly regarding risk and was cited as a factor causing a feeling of isolation for social workers that she said, "*already get a bad press*". This suggests a level of fracturing between agencies rather than the collaboration and conjoined risk management process intended through the DASH and where relevant, subsequent MARACs, a significant tool in the VAWG policy framework.

The general partnership approach for implementing interventions and monitoring quality was however, seen as beneficial by 25 of the 30 interviewees. CSP1 outlined how he felt things had changed and attributed this to mechanisms like local community safety partnerships and MARACs:

*"I think that we are pretty good at partnership now and the MARACs for example have been a good mechanism of pulling partners together to spread the responsibility across agencies who can pick up the elements that the police can't do on their own. We have your staff working in the North (of the area) and I think this helps the VITs to understand more about domestic abuse and what it is – I think how to respond. I think we recognized after the big HMIC report a couple of years ago – maybe a bit more than that actually – that we all needed to pull our socks up and really get to grips with the way we were handling it – well a lot of things – we knew that we needed to do better and I do think we are open to learning. I do think we've done that but I am also realistic and we aren't perfect. I think the whole process of dealing with domestic violence has improved since the VITs started although I do recognize that there is still work to do".*

(CSP3. Police Inspector)

CSP3 acknowledged that the police are not equipped to deal with domestic abuse without the co-operation of other partners but there was evidence of models that worked well with multi-agency involvement. The two social workers in this cohort referred to the Signs of Safety concept that crossed over with domestic abuse interventions. This they said had demonstrated the benefits of bringing relevant agencies into the mix at appropriate times to support families and how successful this had been in overall terms. The Signs of Safety model is an integrated model for managing the safety of 'at risk' children and young people, but relies on a clear understanding of a service user's experience and the impact on the family (Sheehan et al., 2018). Fundamentally, whilst the application of cultural capital is vital in terms of applying the rules of the social work 'field' in this model, it must

surely raise the question of how a service user's habitus is understood by multi-agency partners and considered in any given situation.

As with practitioners, the habitus of a victim of domestic abuse will have been shaped by their experience and living with the perpetrator and their response to practitioners will inevitably reflect this. Bourdieu (2000:170) suggests that victims become complicit in their abuse albeit he says unwittingly, because the abuse becomes so deeply embedded that it becomes internalised. Whilst Bourdieu is rightly criticized for aligning interpersonal abuse with wider economic domination rather than the coercive oppression and threat of personal violence that constrains a victim, it does raise an important point about the internalization of a lived experience and a victim's coping strategies. A victim will have developed a particular habitus that enables their social world to appear to be 'the natural order of things'. This is described by Bourdieu as being a 'doxic' experience that maintains the perception of legitimate social relations (Bourdieu, 1977:164).

Therefore, it is essential for social workers and other practitioners involved in assessing appropriate interventions for victims, to consider the interacting relationships between habitus, capital and the field in these circumstances. Houston and Swords (2021:1940) refer to 'structural empathy' which links a victim's experience with wider social responses and challenges, which could include stigma, shame, guilt and fear. It could also impact on risk and the service user's struggle with competing pressures to safeguard their own position and protect their children, maintain their economic position for fear of worse repercussions for the family than would be the case if the victim remains or returns to the perpetrator. To this end, Houston and Swords (2021:1946) suggest that all practitioners should consider the extent to which 'lived experience' impacts a victim's habitus, their journey through a range of criminal justice 'fields' and how those experiences promote equal rights, opportunities and appropriate support when the victim's response might be misinterpreted because of their individual habitus.

According to Stevens (2013:6) the concept of partnership working particularly around safeguarding adults suffering abuse has been well documented following the publication of 'No Secrets' by the government in 2000. She highlights that this set out the workings of multi-agency working and provided a model for understanding the challenges and benefits of partnerships. The main issues creating poor success outcomes for multi-agency partnerships were identified as,

a lack of clarity of roles and responsibilities, poor communication and information sharing between agencies, differential power relationships between agencies and competing and conflicting priorities. What is missing is the voice of the victim, which will be discussed in the next chapter.

CSP1 (Chief Inspector) referred to the implantation of 'informal partnerships', or informal arrangements that were usually the product of interested and committed individuals willing to work together and with the power to "take a few chances" in order to resolve problems and support victims. Interestingly, for 13 of the 30 interviewees, the issue of personalities was also seen as a significant factor within even more formal frameworks to tackle domestic abuse in the successful running of projects, initiatives and general policy implementation locally. CSP20 providing an 'outsider' perspective, felt that the effectiveness of operational partnerships directly correlated with the personalities in local councils and on the police teams at any given time:

*"I think that the concept of partnership is good and we are better when we work together for the good of our service users and I mean that in the context of all of our organisations. I don't think we are as collaborative as we should be and that the contract (referring to the centrally commissioned contract) has taken away some of our fire really. We do great locally but mainly because we have a really committed team of people in the local authority that feel really passionate about domestic abuse and violence against women and girls. We have a local steering group for front line practitioners and I actually think that's what makes the local partnership so good. Social services aren't so involved, don't see health but there is a hospital connection now with an advocate in place so that's helping the missing link there. Mostly though it's housing that have the contract for half the county but its local charities that work together all the time. We are doing some good work and the police come along as well. We have a dedicated VIT Sergeant that works with the VIT IDVAs. They change so quickly though as it's usually a stepping stone post so can be good for 6 months and then you get someone that isn't interested. Add that to short-term funding and there is always a turnover of staff and its frustrating to be doing something really well and helping people and then bam its gone and we have to start again".*

(CSP20, DA Charity Team Leader)

This statement identifies a number of issues including the effectiveness of collaboration, the involvement or absence of agencies in the partnership but also the positive work through more committed sections of the partnership. The issue of particular personalities suggests that not all practitioners are shaped by organisational habitus and retain their own when adapting to the field. As such, their own stock of capital is interpreted in a way that challenges accepted rules and processes (Mohr, 2013:6) to meet practical challenges (Swartz, 2002:685). This may be the result of differences in organisational or 'group habitus' creating positive or less positive practices and outcomes.

CSP8 (social worker) pointed to the framework of partnership forums around domestic abuse, social workers simply did not have time to attend, which meant that they were "*often kept out of the loop*". She qualified this by saying that even if they were involved in lines of communication, it becomes difficult when they get used to one social worker who then leaves, only to be faced with another who is getting up to speed with cases and has to then spread time between numerous different responsibilities whilst familiarizing themselves with the area at the same time. So through constant changes and the turnover of social work staff, the way that capital is applied to the field in these circumstances, can vary as individuals coming into the field learn the culture of the team, group and/or organisation. An individual will take time to adapt to internalize systems and predispositions that generate organize practices (Bourdieu, 1990:53). New staff will take time to enable cultural reproduction and prevent 'continuous maintenance of capital' thus impacting on the consistency of support for victims (Bourdieu, 1984:98).

CSP8 said that she felt that every agency was doing their best but the reality is the lack of resources and competing priorities inevitably undermining what each organisation should be doing. This does resonate with Bourdieu's concept of the role of habitus as a structure, but also as a structuring entity 'always oriented towards practical functions', thus enabling adaptation to changing circumstances in the field and the impact of capital in the form of resources (Bourdieu, 1990:52). Whilst economic capital in Bourdieu's theory relates to this as an element of position in overall social structures, the same could be true for groups within micro structures and access to economic capital relevant to a given field setting the position of an agency within that structure.

Swartz (2002:655; Bourdieu, 1990:53) point to fields as 'competitive arenas of struggle' in relation to different forms of capital and valuable resources to underpin them. For Bourdieu, habitus does not drive human activities on its own and is completely reliant on the intersection between habitus, capital and the field to ensure consistency in practice and the changeability of responses where situations require it. So 'dispositions of habitus' may act as a component of differential culture but can only do this where constraints and opportunities in those organisations remain constant. The very nature of habitus or 'habitual' behaviour is founded on consistency and predictability, it is only by altering the dynamic between habitus, the field and capital that anything can change, it is not just about changing habits (Bourdieu and Wacquant, 1992:18). Different practitioners operate in different fields with an element of political and economic

capital and as such are in a differential position of power to that of the victim (Garrett, 2007:240). This in itself can create negative symbolic capital for service users, in terms of judgement of them and a reductionist approach to the abuse they have suffered.

Whilst economic resources are a problem for agencies, the level of resourcing between agencies was stated as being "wildly different".

*"We're not perfect, we get a lot of scrutiny, a lot of stick but in reality you have to look at the scope of what our officers are tasked with doing and the amount of different knowledge that they need to do it. There really are high expectations but we can't be all things to all people all of the time. Throw a lack of resources into the mix, some – well quite a bit actually – reluctance to just be doing DA on the VITs and probably not enough training particularly on coercive control and there are going to be problems. Not excusing it, we need to be the best equipped we can be but I'm not sure partners or the public really get that".*

(CSP2, Police Sergeant)

Of the 30 interviewees, 28 commented on the issue and variability of resources against competing priorities and the impact on service delivery against VAWG requirements. For managers (14 of 30 interviewees), this was the most significant issue. For police managers particularly, they felt that this was another reason that partnerships are so important in terms of sharing resources and effectively, social and cultural capital in pursuit of more effective VAWG responses.

## **7.2 Competing resources and contractual issues**

One of the problems identified was the issue of contracted and non-contracted services. This was a particular issue raised by three charity managers and two local authority managers. CSP17 provided an overview of the problem. Whilst generally positive about MARAC partnerships in particular and the efficacy of multi-agency working in the case study area, she highlighted the limitations of the centrally cross authority commissioned contract:

*"I think that locally there is a lot of enthusiasm – commitment around the strategy – everyone knows what they need to do but I think that the lack of resources – the lack of funding makes it more difficult. I think it's also complicated a bit by the problem with contracted, sub-contracted and independent service providers. You know where you want to go with specific cases but you are chastised from County level if you go with the local charity, which is almost always the best option. That said though, we have people in the business whose heart and soul are in it – mainly specialist services – not for profits really are the life blood. Statutory services – the government as well – have relied heavily on the 3<sup>rd</sup> sector to step in on a shoestring and because of them they have got away with*

*underfunding DA services. I do believe that if we lost those services, there would be a lot more deaths, children harmed and in care and so on. I don't think that the government really understand the depth of it, the hidden damage, the impact on the future generations".*

(CSP17, Local Authority Officer)

Many 'voluntary sector' organisations that specialise in domestic abuse have been forced to develop their organisations into more professionalized, business like entities, to compete for contracts. This pitches them against other charities and larger organisations, often with significant economic, cultural and social capital including resources and tendering expertise by comparison to their own. If a charity fails to secure a contract they have held consistently over many years and are seen as a 'go to' specialist resource, this becomes problematic when the successful contract holder will only operate within the parameters of a contract. Specialist services are then excluded from the main partnership enterprise but remain relied upon for specialist services, despite the absence of statutory funding. So charities hold significant cultural capital but their position in the 'social order' of the domestic abuse partnership framework' is demeaned due to their lack of symbolic capital amongst partners in any other sense. A respondent from the charitable sector commented that they are "*like the poor relation*" but underpin all other partner services.

CSP20 highlighted the importance of leadership by the council who hold funding and the power to determine VAWG direction and expenditure, but also interaction with non-contracted charities, which was a strong feature across the interviews generally. CSP20 also alluded to the inconsistency of attendance at forums of social services, some housing staff and health representatives, all of whom play a significant role in the institute actions under policy initiatives and are funded by statutory agencies. There are two issues here regarding capital in all forms. Bourdieu's economic capital is more often used to explain the position of individuals within social structures, the amount of social, economic and cultural capital an individual possesses and the interplay between them, determining their position on the social stratum (Bourdieu and Wacquant, 1992:99). The more an individual and/or the groups that they belong to have in assets within this framework, also relates to the power position they hold. This theory could be applied to first tier authorities that hold high levels of social, cultural and economic capital in relation to the fields that they operate within and have the overarching structure of power to determine its use and distribution (Bourdieu and Wacquant, 1992:103). In and between partnership agencies therefore, differential positions of power and resources determine an agency's position in



the hierarchy of power that arguably directly relates to the distribution and possession of capital in the multi-agency framework.

An example of this can be seen from the comments made by local authority and charity sector respondents. Housing were said to hold a significant part of domestic abuse service provision through the awarded contract, but were reported to be more disconnected from partnership working than local charities, who said that they 'picked up the slack'. Without this flexibility, they said, the contract would fail but they believed contracted services were being propped up by organisations not funded and not gaining the recognition, whilst contract holders are seen to be functioning effectively. This arguably skews the true cost of services and suggests the possibility of under budgeted service plans not thoroughly understood or assessed at tendering stage.

This was a common theme across third sector participants particularly, but was also a point made by the female police inspector who felt that the housing association's rigidity around contractual boundaries meant that there were gaps in provision that had to be picked up by the specialist DA service provider who did not receive any council funding. Charities were largely funded by fixed term project based grant funding from funders such as the Big Lottery, to support their activities. CSP27 also exemplified this observation:

*"How can domestic abuse be a priority for them when they aren't specialists? I just find it ironic that they think they can deliver services that local specialists have been doing since year dot and it's their lifeblood. There's no doubt that they can buy in staff who have experience but the organisation has other priorities and we live and breathe what we do.....and we do it to a high standard. We prove that by getting quality marks and accreditations that they don't have other than generic housing ones. What we don't have is a team of people that just write bids for a living. It's a corporate machine – how do you compete with that? And we know that service users don't get the same service. Funny how they want us to run some of what we used to run because they aren't meeting the outcomes. It's just ridiculous".*

(CSP27, DA Charity LGBT/Male IDVA)

CSP27 indicates a high level of focus on organizational habitus in terms of the way that practitioners operate within the organizational context, 'buying in' expertise or 'capital' was not seen as a way to override the influence of the competing priorities that a non-specialist service provides, as opposed to 'local specialist doing it since year dot'. CSP17, local authority DA Officer appears to further validate this view claiming her disappointment that the county had awarded the contract to a housing association that did not have the same level of specialist knowledge that charity partners provided. She expressed frustration

that the contract compromised local needs and initiatives, which she likened to "handcuffs" when trying to innovate and deliver local projects. Housing providers, she said, were not geared for that kind of development work and only worked within boundaries defined by the contract with no flexibility:

*"They only get paid for what they are required to deliver against the contract and won't put money or time in to do anything else. It's very much a corporate mindset. The local charities meet regularly with the council and are always trying to fill gaps in service and will do whatever it takes. I know that they need to get funding to keep going but they were always like when they had the contract so I don't think that's the motivation. The other thing is that you have a housing provider delivering services but we get no real benefit when it comes to housing victims as it all goes through the housing team here like everyone else so I just have to wonder, other than price, how they got the contract. It's just done by faceless people who don't really understand what we need".*

(CSP17, Local Authority Domestic Abuse Officer)

Interviewees from the housing provider however, had a different perspective. All housing interviewees considered the contract to be in the best hands. Reasons for this were given as 'economies of scale' when keeping costs down, offering both housing support services in conjunction with domestic abuse knowledge. However, as the background discussion revealed, experience on the team would not constitute specialist domestic abuse capital generally. In addition, the costs were said to be quite high, and the contract allowance was limited. Nevertheless, the Team Leader believed that the organisation was in a good position to negotiate rates under the 'economies of scale' heading, thereby drawing on wider forms of capital within the organisation. However, with regards the balance of cultural capital in the form of knowledge, skills and awareness of VAWG specifically.

It should be noted that the most recognized IDVA training is delivered by Safelives and costs £2400 per person. It is subsidized for charities with between £500,000 and £1 million turnover, who pay £1950 per learner and 'super subsidised' for charities with income under £500,000 who pay £950 per learner (Safelives prices quoted at the time of field work activities). It is, therefore, unlikely that a large housing organisation could secure a lower rate and the contract would be unlikely to cover full costs to up skill a workforce that would have been expected to meet a level predicated in contract tendering criteria. Given the scope of the role as a specialist advocate, the need for training must be considered a significant factor in ensuring effective practice.

Another issue raised by local 2 of the local authority staff and five staff from the domestic abuse charity was the limited attendance by the housing provider at

partnership forums. This may be due to the lack of specific functions for housing in the VAWG strategies, but was found to be concerning given their position as the Domestic Abuse Service delivery contract holders. There was a similar pattern of dissatisfaction from both the local authority team and the domestic abuse charity team. Reflecting on this, it may be that the long history of service delivery and partnership between the local authority and the domestic abuse charity in the case study area could influence their responses regarding the matter. However, some of the points made are valid with regard to corporate structures, expenditure or activities outside of the contract boundaries. This element was confirmed by the Housing Support Manager. However, she made the point about accessing housing remedies and being able to problem-solve outside of the local authority framework, to provide safe housing for victims ready to move on. This, she said, however, would largely be the result of individual team members with particular skills and knowledge to understand this process.

Nevertheless, CSP21 also outlined the issues with contracts from the charity sector perspective. She felt that effective VAWG policy implementation had been over complicated by the new contract arrangements. She referred to tier two local authority areas covered by one contract, having to undertake local tendering against external funding to tackle any problems not covered in the main contract. Different contract holders therefore, operated within their own interpretation of contract conditions and funding, which did not properly reflect the problems across the area. Again it highlights the variation of problems not properly understood by commissioners:

*.....the commissioned service that is supposed to be for the area will only work within the boundaries of the contract. The area is pretty well organized compared to other areas and does take DA really seriously, because it has a really mixed demographic and some very serious problems because of the mix of communities in the area. They have been very badly affected by young girls being trafficked by gangs and being put on the street to make money. This in turn links to drugs and other crimes. There is also a problem of modern day slavery although this is more about male than female victims. There is a significant Asian community and more recently an increase in Eastern European communities. The council works closely with adjacent councils as the issues they face cross those boundaries so it is a problem across them".*

(CSP21, Senior Manager Mental Health Charity)

The issue here however, is one of evidence and data not properly underpinning local crime and community safety planning, which necessarily incorporates domestic abuse. CSP9, a Housing Support Manager and part of the contracted service, working across the case study area believed that the local councils working under the overarching contract awarded by the Tier 1 county council, had

lost autonomy to some degree and their areas were not well served by a generic arrangement. She highlighted that the issue was more about inadequate coordination and cross fertilization of information across the area and surrounds, resulting in a silo approach to project development and associated funding:

*"there is still a poor understanding of the actual needs of the different councils and their communities so although one area is really well organized and makes the most of money that comes up, the adjacent areas have quite often missed out because of it. Sometimes they just get the benefits but haven't engaged in the programmes but then also take credit when they realize it, it's kind of like he who shouts the loudest and that's not a very effective way of delivering local services".*

(CSP9, Housing Support Manager)

Some of this could be attributed to the overall governance structure for multi-agency working at county and local level. The county had structured the partnership governance around the contract and acted on the basis of primary and sub contract partnership arrangements. The strategic partnership had been restructured to reduce membership to include statutory partners and contracted services only. Local authorities across the county were required to contribute to the contract costs and were expected to work within the specified framework. Any projects to meet local needs were restricted unless partnerships were set up between the local authority and local providers and grant funding or specific government funding pots could be accessed. Government pots however, could also be restricted at county level.

### **7.3 Policing VAWG at Local Level**

Policing as a first response organisation, has been identified in the literature review as one of the most significant areas for continued scrutiny (Newburn, 2016:841). As has been demonstrated, the HMIC 2014 report and subsequent follow up inspections (HMIC 2014, 2015, HMICFRS, 2019, 2021) highlighted continued and systemic problems with police culture, attitudes and behaviours towards victims of domestic abuse and the existence of misogyny, sexism and racism generally. The prioritisation of domestic abuse and responses to it were found to be a serious deficit in organizational operations.

When discussing policy in practice, the issue of MARACs was raised as a key example of policy in action. This policy initiative is aimed at achieving coordinated interventions for very high-risk victims relying entirely on the principle of collaboration and shared knowledge around the victim and perpetrator. However, all managers from the police, housing and third sector felt that the concept

should be a critical factor in the management of standard/medium risk cases. One interviewee (CSP17) considered "*the slow burning undergrowth of potential escalation*". 5 interviewees agreed with this notion and expressed concerns regarding the "*main focus on high risk*". CSP17 and CSP14 were both particularly worried about the "*lack of real partnership effort*" (CSP14) when cases like these were identified.

For the police interviewees, they were almost unanimous in their views that policing domestic abuse did take account of the different risk levels, but admitted they were more likely to assign resources to immediate risk than lower risk cases. The view of three police officers was that partnerships are there to enable referrals to relevant agencies. All other participants felt that MARACs were about more tailored responses 'surrounding the victim' to reduce risk, manage 'aggravating' factors such as substance misuse or mental health and resolve any other issues that may impact on their safety. The police officers interviewed did have a robust understanding of the mechanisms that the police are involved with, including MASH, MARAC and DASH and did demonstrate an understanding that domestic abuse is not a straightforward phenomenon. One PC (CSP6) said:

*"It's all a part of training and on a practical level, you are briefed and guided by the skipper and our Inspector. She's really good for getting a steer and we have the IDVAs that work with us to take cases on referral, or come out with us. To be honest, sometimes I think they actually know more about what we have available to us than we do (laughs). These (domestic abuse) cases aren't always what they seem to be at face value and I've learnt that I have to dig a bit deeper and have my head on because it's not very often what it seems to be. I do feel sorry for these women, you can see how scared they are and you just know they want to tell you more but can't. Some of them just look like rabbits in the headlights. There's usually two of us so one of us will get the guy out and speak to him and the other will talk to the woman. It's better if we have an IDVA there though because they are more likely to talk to them".*

(CSP6, Police Officer)

CSP6, also a PC made very similar comments and referred to the completion of DASH forms as sometimes being 'difficult'. Robinson et al (2016:4) point to the use of DASH as having varied results driven by issues such as lack of investigative rapport with victims, lack of understanding or empathy in relation to the victims and/or domestic abuse itself, particularly a lack of understanding of coercive control. CSP6 reflects the frustrations with the DASH as a tool but at the same time indicated that it was a useful mechanism for understanding the scope and extent of the abuse:

*"Most of the time there will be two of us that attend an incident so one of us will speak to the vic and the other one will take the perp out of the situation and talk to him. If the perp is lary you know, agitated, then we*

*make a decision to arrest him. An admin person on shift will drive to the incident and come back with the arresting officer and the other one of us will stay and talk to the victim using the DARA (Domestic Abuse Risk Assessment) form. It gives a decent picture of what's been going on, over how long, what type of abuse you know, whether it's coercive control, what type of violence. It helps you and the victim work through everything. We still do the DASH but this one is more informal even though you get the risk info, it is more rounded and 'human'. The DASH could be a bit frustrating and some of the questions make it difficult to do on the spot so we do it afterwards which is not ideal because you have so much going on you don't always remember everything. It should really be done with the vic at the time and it's not that user friendly I don't think".*  
(CSP6, Police Officer)

However, using this tool requires a significant level of understanding, empathy and the use of discretionary decision making to fully represent the situation. Ariza et al. (2016:3) refer to the problematic use of DASH as a risk assessment tool requiring police officers to 'diagnose' the problem in often fraught and rushed conditions. They highlight that police are not trained clinicians, nor are they social workers, so there is an issue immediately evaluating the level of risk when confronted by an immediate and largely undetermined picture of abuse. They also highlight the fact that the situation can be further complicated given that the police officer(s), the perpetrator and the victim could be of different genders and/or ethnicities and professional backgrounds so there is an added complication of perspectives. This in turn they assert, leads to misunderstandings, judgement errors and procedural mistakes and these issues have been well documented in a number of DHRs in the last few years (Ariza et al, 2016:4).

Turner et al. (2019:1015) also consider these factors and consider the use of discretion which they say can lead to errors of judgement, misunderstandings, or the application of personal judgments dressed up as professional assessments, and the impact these can have on risk and interventions appropriate to it. They say that it can have serious repercussions if the level of risk is incorrectly assigned and at best, very real and potential negative implications. Referring to the HMICFRS 2019 report (ch.3, p19), these assessments also set out a version of the 'truth' in the way the abuse is documented, including the assessments of a victim's mental health, drug and alcohol use for example, which then acts as a baseline for subsequent decisions about risk and interventions. They point to studies that have found the DASH tool to be inconsistently applied at the frontline, that errors contaminate the process and ultimately that it is not an accurate predictor of serious risk or homicide.

CSP2 (Police Sergeant) was vocal about the issue of discretion and the DASH in terms of consistency, believing firmly that the two are completely compatible and in fact, he felt that as long as there are checks and balances, the use of discretion was to be encouraged to overcome the "straight-jacket" of DASH:

*"Well the main things that fall out of VAWG are the MARAC and DASH which are good and bad in a lot of ways. MARAC is fine when you get buy in and DASH is variable depending on who's filling it in. So they kind of work but not always as well as we expect. I guess it's typical with all public services one size doesn't fit all and you have to use it as a tool but bend it and shape to meet the real life contexts that you face when using them. DASH is a pain to be honest, bain of our lives – 1 crime might involve 4 crimes say threats to kill, if it's on a text then it's malicious communication, harassment, common assault. It's run as one investigation but needs 4 reports so it's created a big admin burden. We need to be able to look at things logically and problem solve to get the best outcome and I am not sure that's what we're doing right now".*

CSP2 (Police Sergeant)

CSP2 and CSP6 referred to a new DARA (Domestic Abuse Risk Assessment) model that was being piloted in the area, which was said to be more focused and easier to identify coercive control and risk. This was welcomed by CSP6 (Police Officer) because she said that she felt the DASH was too open to interpretation and had highlighted problems with inappropriate referrals to MARAC, for example. CSP3 agreed but also repeated what he felt was the value of on scene discretion. Discretion however, was seen by 3 interviewees (CSP14, local authority, CSP18, DA Services Charity Manager and CSP20, DA Services Charity Team Leader) as part of the problem regarding standard and medium risk cases. They were particularly concerned at the variations in DASH risk assessments and the fact that the difference between standard or medium and high risk could sometimes result in unnecessary harm where it had been downgraded because of the use of police discretion.

Interviewee CSP2 (Police Sergeant) had alluded to these issues but mitigated them, pointing to 'a robust quality control process', whereby supervising, designated officers would have the final decisions on the risk assessment following review of forms so that the right cases are referred on to MARACs. This, however was disputed by one PC who said that there was a process for "rubber-stamping" risk assessments, but this was undertaken randomly to "quality control" the assessments, rather than go through every form. It would seem that this is more likely to be the case given time constraints and the quality of referrals to MARACs was criticized by two of the housing interviewees (CSP11 and CSP13), as well as one of the social workers (CSP8) and the two managers from

the specialist domestic abuse charity (CSP18 and CSP19), both of whom chair MARACs, in the case study area but also in other areas when requested.

On scene assessment of risk is the central tenet of subsequent processes for victims and appropriate classification is critical for appropriate pathways to be determined (Phillips, 2018:19). Discretion is seen as a fundamental aspect of policing practice, to enable appropriate and often immediate strategies to be applied in any given operational situation (Ganapathy and Cheong, 2016:325). Ganapathy and Cheong highlight that police discretionary decision making is therefore not necessarily undertaken in the framework of legal rules, but taken from an 'informal repository of knowledge' drawn from policing habitus and the 'rules and rituals' passed on to them by longer serving colleagues. Again, they point to the organisational shift from 'codes of silence' to a discourse bounded in professionalism and 'whistle blowing' in relation to misconduct, as disrupting existing habitus, changing the structure of the field and value on different forms of capital, rather than the 'macho, crime fighting, solidarity' model that prevails. This implies a necessity to break up the solidarity of groups and thus group habitus in policing contexts, encouraging a more individualistic and professional discourse towards changing 'working personalities' that have developed over time. New officers have not been exposed to the longevity of typical policing practice but respondents highlighted the lack of commitment by them when joining the VITs. It is difficult to determine whether new officers have been influenced by preconceived ideas or have become quickly absorbed into local police subcultures.

CSP3 also lamented the lack of real commitment from police officers assigned to working on the VITs for specified time frame of 6 months, some of whom were relatively new recruits and she worried about how perceptions about domestic abuse could be set by their experience in this setting. She referred to their knowledge and skills, or cultural capital in relation to domestic abuse as being limited in this field and that their 'will' and capacity for assessment of incidents and ability to find solutions was be affected by this. CSP3 went further to voice her frustration by the often limited scope for problem solution policing as a consequence of the short term assignments and limited skill base:

*"In my book, prosecution is what prevents repeat victimization and the problem is that MARACs don't focus on the perp and it's a bit narrow then with regards nailing them. There's not enough out of the box thinking either. Let's give you an example. So we know we have repeated incidents of domestic abuse at a particular household. The victim has been left with the perp's dog and it keeps getting out. The vic keeps getting notices from the housing association and in the end is getting fines pretty much every 3 or 4 weeks from the dog warden. Every time this happens the perp comes*



*back to pay the fine and there is an incident of assault, verbal abuse – loud – so the police get called. It goes to MARAC because of the repeated abuse and incidents of assault, the vic is on notice because of anti-social behaviour around the dog with the housing association. Everyone at MARAC focuses on the vic, the risk, measures to protect her. I get to see the case and immediately say “put a fence up for god’s sake”. The dog doesn’t get out and the perp has no need to come back, get a non mol or whatever and the vic is protected because then the perp can be arrested if he comes back. Do him for the assault – not rocket science. We get too tied up with risk and safety and don’t see what’s in front of us. It’s all down to thinking about the bigger picture but the first thought for everyone is ‘repeat incidents’, ‘risk to the vic’ and not the solutions which aren’t prescribed. Nothing’s prescribed, everything is a balance of what’s in the policy and what’s happening in real life, it just irritates me when I have to keep telling them that”.*

(CSP3, Police Inspector)

She highlighted that VITs were not seen as sufficiently exciting and viewed as a mundane policing role. Chan (2004:344) points to the perspective of traditional policing as a ‘crime fighting’ model and that the shift to ‘community based policing’ and a ‘problem-solving’ model has been problematic. In other words, the shift has taken the form of reconstructing professional policing and these components as an alternative for of symbolic capital. This alters perceptions as to what is a ‘cop’s’ notion of good policing and what a professional model of policing looks like to police officers. Symbolic capital is derived from and aligned with reputation, experience and rank for example whereas a professional model of policing as shaped by deficiencies in domestic abuse responses, may be understanding and empathy with victim experiences, problem solving and sound process alignment. The HMIC and subsequent HMICFRS reports have implicitly set these requirements out.

### **7.3.1 Misogyny, Sexism, Racism**

CSP2 said the he had spent time evaluating understanding and knowledge amongst officers, along with the impact that this has on effective practice:

*“Well I suppose that everyone talks about police culture – macho attitudes and I think there is that. It’s something we’ve talked about a lot over the years and I still see it. Domestic abuse is seen as a pain in the – well a pain in a lot of ways because it can be really time consuming when you’re under pressure and for very little positive outcome. You still see that there are variations in the way incidents are dealt with, even though the system prioritises domestic abuse for attendance. I think that some PCs do resent getting involved in them because they think it isn’t as good as going to something on the streets. I think we have made a lot of good progress but police culture is so ingrained really that it’s not an overnight fix. Older officers perpetuate a lot of negative thinking, so on the face of it they do act appropriately but banter in the office suggests otherwise. New officers come in with their own ideas of it so you’re also contending with that”.*

(CSP2, Police Sergeant)

This points to the pre-dispositions that joining officers bring to the force but CSP2 also talked about the way that older officers could and should challenge inappropriate behaviours. When talking about misogyny, sexism and racism he said that he felt negative about what he referred to as a 'constant challenge' and that he sometimes felt 'a bit depressed' about what he felt was an 'arduous hill to climb'. Better understanding he said, comes from experience "*but it has to be the right experience*".

Police culture has been cited by Reiner (2019:174) as the combination of the nature of police work, the need for solidarity and camaraderie, alongside interpersonal reliance on colleagues as a protective mechanism on the streets. Chan (2004:328) concurs pointing to the high level of 'mutual dependence and reciprocity' between officers and their immediate supervisors. Part of this involves the accumulation of social capital in the form of knowledge, operational performance and capability. CSP2 refers to the disparities in the way that incidents are dealt with in spite of the prioritization of domestic abuse. Police officers and third sector staff highlighted the fact that the VITs were largely made up of relatively new recruits, many on probation. Third sector staff talked of officers 'being sucked into' the prevailing culture that demeaned incidents of domestic abuse and that when discussing them, the victims became almost invisible when incidents were considered in the framework of 'crimes'.

Chan (2004:329) however, points out that this assumes a stable, consistent and homogeneous environment where new recruits are inevitably drawn into the existing culture. She negates this by drawing on Bourdieu's theory of practice and the criticality of agency when evaluating the field and habitus in these circumstances. New officers join the police role with predisposed habitus generated by the previous fields they occupied. Bourdieu (Swartz, 2002:635) says that habitus adapts to a social environment to feel like a 'fish in water' whilst it has meaning and interest but can change as these unconscious dispositions become disrupted and an agent reverts to conscious strategies to adjust to new conditions. Therefore, this raises the possibility that habitus can be a vehicle of change in relation to field changes. However, Bourdieu (Bourdieu and Wacquant, 1992:134) also highlights that early learning such as male female roles in society, which he says are linked to sexual division of labour and gender demarcation within the wider social structure, as primary social experiences, may hold a significant weight in this process. He cites gender domination as a paradigm of all

domination, deeply and historically embodied. This in itself could hold resonance with the longevity and continued issues of misogyny and prejudice within police culture. CSP18 (DA Charity Manager) talking about experiences of officers when attending scenes with them, provided some practical insight into how this translates into the experience of working with the police at domestic violence incidents:

*"I think that it has changed and that there is a better understanding thanks to training and a much higher profile. It is certainly a lot better than it used to be but that's not to say there isn't a very long way to go. I think that the HMIC reports have nudged the police into realizing just how much attitudes and their approaches worked against the victim and their role is certainly more understood by officers. I work directly in the police station and do visits with them – I have to say that they are pretty well scripted in the way they deal with the victim and the immediate situation most of the time – it's improved – but you still get the snide comments when you come away – the jokey blokey behaviour back at the station. Even the women officers join in – so we are certainly not there yet".*

(CSP18, DA Charity Manager)

This further reinforces the notion of superficial change and that even with a prescriptive framework and training, the ingrained attitudes are not shifting markedly. This has implications for the ability of practitioners to understand the scope of domestic abuse for any given victim, the nuances of their experience and the potential ongoing and future journey they could be facing. CSP14 exemplifies this:

*"Well there used to be a lot around police culture and attitudes to DA that weren't that positive. There's a whole lot of literature that demonstrates what victims have experienced. They've come a long way without a doubt but it's still not the sexy part of the job, it's not the adrenaline rush type stuff and can be very time consuming for very little result. So they are better at it but there are so many constraints around the crime you know – is it an assault – I mean it is clearer with the law changes but that will take time to filter through and it will need more senior officers that really understand DA and the law to make sure they all get it and that there's a continuing culture change. I mean the perp could be a violent thug so they arrest and prosecute, keep the victim safe but it's not actually solving the problem only a part of it. It has to be solved, or they at least know the pathways so that it can be. You know a combination of measures – they can't just do it by policing it generally. You never know the extent of what's going on behind closed doors so you just can't take one approach – it has to be a collaborative thing. The other complication is that both the perp and vic go into protection mode. She is terrified how she'll cope if he gets arrested and there's no money coming in or the tenancy's in his name, the rent won't get paid or other complicating issues around drug supply or whatever. They also worry about the kids being taken away – their whole security – however skewed it is - is all that they'll be thinking about. This will have a big influence on what either of them will admit to, so you won't necessarily get the full picture. If you're going to work with the family then you need to understand that what's in front of you is not necessarily the reality of the situation".*

(CSP14, Local Authority Manager)

She possibly has a point in that training for example, as one mechanism for improving perceptions and behaviours in these cases, cannot provide answers to all of the intricacies officers' face. Brennan and Myhill (2017:13) in their evaluation of domestic abuse training for first responders, found that following the training largely focused on attitudinal change, there was a positive impact on knowledge, attitudes and the understanding of contradictory behaviour of victims on scene. They also found that officers prior to training, possibly as a consequence of the introduction of coercive control as an offence in 2015, had slightly enhanced knowledge of this as a risk factor rather than the previous focus on physical harm as the main indicator. However, Brennan and Myhill (2017:15) suggest that whilst training can improve responses, it is behavioural change and attitudes monitored through the measurement of increases in the use of police powers in tackling coercive control that would be a more effective development tool for future training.

The issue of police culture and domestic abuse a specific crime in the overall structure of crimes could be attributed to the level of 'kudos' domestic abuse generates in the overall framework of policing. This provides another perspective of how VAWG policy looks in reality and resonates with the belief that domestic abuse has no 'kudos', as highlighted in the 2014 HMIC report. Officers give the impression of following mechanisms for dealing with the incident effectively, but the approach is one of reluctance to follow-up post visit, the process becomes disjointed, creating difficulties for the victim and not just the likelihood of harm to them but subsequent reluctance to engage with support provision.

In relation to policing domestic abuse and CSP20 was asked to what extent VAWG policy is working locally? CSP20 responded by saying that it is and it isn't, despite specialist teams being set up in response to the HMIC findings:

*"Well the new VIT teams are made up of officers that don't want to be there. I have had a lot of comments from them around the fact that they are having to do it to get to where they want to be, or can't wait to move on and do proper policing, they say they'd rather be on the streets etc. A lot of them are only young and have only been in the service for a year or so and it is a part of them cutting their teeth. They really want to be doing reactive policing like robbery, burglary you know, more exciting front line stuff. The joke is that a lot of their daily work on the streets is actually a bit mundane, so DA must be pretty low down the list. To be fair to them though, DA is a lot more admin for very little result. We have seen a reduction in prosecutions because they are giving victims civil remedy options rather than going to court. The uniformed officers did not volunteer but were put into the roles with no real choice so they are reluctant participants. The victim gets one officer at the point of the incident, they give an account to that officer who brings it back to the*

*station. Someone else goes back to take a statement so the victim gets bombarded. The DASH is just a tick box exercise and is not personalized. Officers want it sorted by the end of the shift so don't tend to want to revisit the problem. Letters are sent to the perp telling them that they need to come to an appointment at the police station. This gives the perp time to pressure the victim and come up with a plausible story and it prevents them being arrested. This puts the victim at greater risk because now the perp knows the allegations against them. If they had been arrested and were on bail, there are conditions set around not contacting the victim, but if they get a letter re the appointment to attend, it gives them time to intimidate the victim and they get no consequences for doing that.*

(CSP20, DA Charity Team Leader)

CSP17, a local authority officer provided a more positive outlook, talking about the IDVA programme and how effective the in house IDVAs at the police station had been in not only training officers through practice but how service users had fed back on how well they had been supported by both police and the IDVA. She was also keen to stress the all round benefits for the local authority, the police and other agencies with more appropriate referrals, along with wrap around support for victims through another project run by the domestic abuse charity providing IDVAs. The problem however, she said, was the short term nature of grant funding that was like 'leftovers' towards the middle of a financial year, when spare money saved on something else had been allocated to local areas. For example, CSP17 highlighted the Police Station IDVA project, which was set to run for 6 months, but the additional money had been secured from the local council to run it for another 12 months after the financial year end. It's future was again in jeopardy after the financial year end and this was not helped by the fluidity of the VIT which saw police officers move on every 6 months and sometimes sooner, resulting in inconsistent service provision:

*"The IDVA programme is hugely successful although like most things it seems that it's now going to change again. The thing about them is that they get known by the local community and other local agencies who know what they do, what's available, so they can do effective advocacy for the victim, working with the police more closely, working in the police station, building relationships and better awareness, challenging perceptions and helping with risk assessments and other processes that police can find time consuming and a bit boring. These relationships are key to get the best support and outcomes for the victims. The trouble is that in reality the VITs change personnel and leadership every 6 months, or less in some cases, due to promotion, retirement, etc. It tends to be a stepping stone of reluctant temps waiting to get it over with. There need to be really strong advocates who are able to break down barriers and challenge attitudes, helping with better engagement and so on, they are what benefit the victim the most".*

(CSP20, DA Charity Team Leader)

This demonstrates that where systems are developed and embedded successfully, they are at the mercy of changing personalities and funding frailty. The

inconsistency of short term placements to the VIT teams does not show a real commitment by police management to tackling domestic abuse in an efficient way, yet seems to be a significant opportunity for the police to gain some ground for building trust and confidence. CSP3, (female police inspector) provided some insight into the problems with consistency referring to the mandatory nature of placement. She also referred to the majority of officers on the team at any time as being male and with limited connection to the plight of women. She suggested that female officers might provide this but that the issue needs to be tackled by men for a cultural shift to take place with regards what she felt were 'gender negative' attitudes.

The consistency and continuity of VITs poses a significant issue with regards challenging attitudes towards domestic abuse and women, as well as the bigger picture regarding different communities and the impact of domestic abuse in different settings. Bourdieu (Navarro, 2006:19) asserts that, there is a passive subordination to dominant discourses, which are so deeply rooted that they become naturalized, so could be applied in this circumstance around these issues. Habitus he says, is so ingrained that it relies on social change as much as organizational change for transformation to be achieved. Chan (2004:332) refers to the credibility sought through symbolic capital for officers to be a part of the collective habitus and the shift from the macho, crime fighting model, to that of professionalization, community and victim focused policing and problem solving, as redefining policing habitus and providing alternative symbolic capital. However, she warns that it will take symbolic power drawn from more equitable social hierarchies, for this to succeed. So however constant an organisational habitus appears, it must be absorbed and re-enacted on the basis of a 'negotiated' order, or 'invisible power' drawn from interactions between people against a consensual set of codes, rules and practices (Bourdieu, 1991:166). Chan (2004:337) points to police doxa, or the acceptance of 'things being done the way they have always been' as creating a challenge to the new and necessary way of thinking.

Changes in the field therefore require an understanding of the concept of domestic abuse, which is fundamental to the provision of effective services for victims of domestic abuse, and this necessarily involves an empathy for victims (Kennedy. 2018:17). Robinson et al. (2018:190) point out that this is the starting point for any assessment of a domestic abuse case, the level of risk to a victim, harm to children and so on. It is argued therefore, that understanding the concept of domestic abuse is fundamental for the determination of appropriate

responses, courses of action and meaningful interventions. Non-police participants all demonstrated an understanding that domestic abuse is a complex issue that can be multi-dimensional and intersectional but this was not the case amongst officers from the VIT. This raises a significant problem with regards the high level of discretion that officers have in relation to front –line decision making. The general feeling was that the understanding of the complexities involved in responding to domestic abuse was not always well understood by all partners and often led to inappropriate referrals to domestic abuse services but mainly in relation to MARAC, risk assessment and management, responses on the scene by police officers when reporting and making decisions regarding progressing a case or not.

Some criticism was leveled mainly at the police and social services, who were said to apply a more practical 'matter of fact' interpretation of domestic abuse definitions. CSP25 referred to the picture that police officers face when attending a domestic abuse incident:

*"There are so many mis-arrests and mis-identification of victims as perpetrators. The male's calm and controlled when the woman is often hysterical, emotional, crying, screaming, shouting....so the perp is able to control the situation and paint a negative picture of the victim. The police will automatically report if they think the children are at risk and the woman is held responsible for protecting those children and under threat of losing them to the care system. Social services don't like to admit it but this is the premise they start from and not the domestic abuse that pervades every aspect of that family and the children's well being. The victim is terrified of the perp and needs help but now she is terrified of the police and social services".*

(CSP25, Senior Manager, Women's Charity)

This appears to be borne out by the findings of Myhill's study (2018, 'Renegotiating Domestic Violence', Police use of Body worn Cameras Conference, University of Leeds presentation). He refers to an actual case whereby the police attended and incident that was followed from the initial call to Command and Control through to Incident Report and corresponding decisions made by officers at the scene. This demonstrates further, the point made by CSP25. Myhill provided the following example that helps to frame the problem:

'The female was screaming and telling the perpetrator to leave. The perpetrator called the police, saying 'oh look, I've already called the police' and hung up. Officers were dispatched to the address where the perpetrator claimed the women had pushed him,, so in self-defence, he grabbed her neck and pushed her. The interesting element of the police response is the report given by officers that the women was 'not co-operative', 'rude' and not listening to officers'

instructions. They reported that the perpetrator remained calm throughout. Neither party was found to have injuries and there was no history on the system. Officers reported that they considered it a 'one off' incident and could not see evidence of any control'.

This exemplifies a common and well-documented issue that CSP25 refers to. The fact that the perpetrator had controlled the whole incident, from making the call to show the victim he was in control, through to the point of maintaining his demeanor in front of the police in attendance, creating circumstance where the victim appears out of control, thus frustrating her efforts to be heard and leading police to believe it was an argument that got out of hand. Myhill (2019:64) points to the issue of policies such as presumptive arrest being subverted through what he refers to as the 'craft work' of policing, whereby officers may 'craft' their reports to indicate that there had been no crime. CSP1 (Chief Inspector) highlighted that reports taken at the time or moment of crisis make the issue of misconception far more likely, *"it's easy to miss conversation details and you get a different perspective in the middle of a crisis situation"*. Myhill (2019:54) points to Hoyle's suggestion that the attitude of officers may be one aspect of assumptions made on scene but that other factors such as the seriousness of the situation, sensitivity and wishes of those at the scene, will also play a part in decisions to act.

CSP25 considers this to be a broader problem that extends to other statutory agencies, who she said dealt with domestic abuse but for whom it wasn't their primary function:

*"There is an issue about women being taken seriously or even the seriousness of what they have been subjected to. I think that even with the training that the police, social workers, courts and other statutory organisations receive, it doesn't seem to change those behaviours. I have actually heard courts and social workers saying things like 'the abuse stopped months ago so you need to let the children see their father now'. It's a complete contradiction because the relationship is often a dichotomy with regards to risks. There are also circumstances where couples want to stay together and we do have to respect that this can be a scenario. There are often good reasons for this and it is the individual's choice even if we don't understand it. I mean really how far do agencies have to go before it becomes another form of control"*.

(CSP25, Senior Manager, Women's Charity)

This raises a question around the level of expertise needed for effective response. Interviewees from the third sector and particularly the specialist domestic abuse support service providers all talked about their more in-depth level of understanding, compared to non-specialists. They were also more conscious of the influence of gender on how they understand gender and apply significant



empathy as a result of their specialist experience. The perspective above indicates the complexities of relationships and contexts faced by victims, particularly where children are involved. Trickett (2018:158) refers to 'silo' thinking between agencies and within the police and highlights the essential nature of relationships and collaborative problem solving to meet the diverse range of victim needs. This however relies on sufficient understanding to recognize that diversity and the complexities presented by domestic abuse cases and where a victim might be on their journey with criminal justice and support agencies. However, the implication of these narratives is that the issue is not just about the domestic abuse element. Again, it is about the capability of officers and practitioners to unpick the scenarios that they are confronted with and how domestic abuse is connected and recognized. CSP9, a Housing Manager also referred to what she called "a lack of connected thinking" and gave another example of a more complicated problem which had not been seen as based on domestic abuse:

*"I can think of a case where a person is in a property and has recurring maintenance call outs and rent issues. It transpires that there are no windows in the property because they have basically all been smashed in by perps brother, perp and brother come to the house and beat her up taking her money so there is no electric because of financial abuse and she has got someone to wire her up to the electric – illegally yes – but because she's got no lights and no heat because she's got no money to pay the bills and has been cut off. This then gets seen as fraud but in her mind she is trying to keep as much as possible going for the kids because the perp has threatened to take them and report her for neglecting them because the house is a sh\*\*hole – because of him. Her benefits have been stopped and she is hardly in the state of mind to make the best decisions. The stealing of electricity is seen as theft – so she ends up with a criminal record, so she is evicted and seen as purposely making herself homeless because she stole the electric and the house was wrecked which led to her being kicked out. And no-one picked it up and dealt with it properly along the way. Police involved, she's on the social services radar, school must have seen the state of the kids, we should have put two and two together about the rent arrears and regular repair jobs. Because no one connected anything together or checked the file, now she has major problems getting herself sorted and she's homeless".*

It is difficult to see how awareness and basic domestic abuse training can address the wider scope of individual cases. From a housing perspective there is a clear connection between patterns of property damage, linked to rent arrears and often repeated anti-social behaviour that should automatically flag potential domestic abuse households. But even in one housing organisation, these indicators are missed because they sit in separate departments. CSP12 (Housing Support Officer) said:

*"These cases can be glaring but if no-one is on the ball, it doesn't get flagged up. More often than not, the only time the dots are joined up is when the family gets referred to another agency like social services and*

*usually after another incident. They've probably had threats of eviction or whatever for non payment of rent or anti-social behaviour, the kids are often also on file for neighbour nuisance and getting into trouble probably when they're meant to be at school but no-one puts it all together until it becomes a big problem to unpick. We have systems.....well there's no excuse really".*

(CSP12, Housing Support Officer)

This highlights the importance of domestic abuse as 'everyone's business', reverting to the HMIC 2014 police inspection report. It crosses boundaries and rarely sits with one agency alone but is not necessarily seen in this context, it is more about the immediacy of a problem than the wider needs identified. Most of what has been demonstrated here is that for lower risk cases in the standard/medium categories, escalation could be avoided with more timely interventions and although VAWG encourages multi-agency involvement across the spectrum of domestic abuse, high risk cases are the most likely focus of policing and statutory agency initiatives.

CSP 18 and CSP19 had both individually highlighted the lack of trauma-informed practice amongst partners. CSP18 said that she felt that all practitioners should be required to undertake trauma-informed training, which she felt would help anyone coming into contact with domestic abuse or sexual violence understand the complexities and dynamics of victims' experiences. The trauma-informed approach places practitioners within the world of the victim through understanding the extent of trauma and consequences from a more personal and individual perspective, as CSP19 puts it "*it's a walking in someone else's shoes for a mile type scenario*". CSP18 said that the nature of this approach helped put the practitioner at the heart of a victim's experience and to fully understand the consequences of victim experiences from the perspective of their individual trauma. This, she believed would be a major step forward in thrashing out the realities of domestic abuse for someone.

CSP3 said that she thought it was important for leadership to drive policy intentions and that, in many respects, it can't always fall to the police to be "*the butt of all things that might come our way*". She said:

*"There needs to be clearer leadership at all levels and more than anything a very clear understanding of where DA sits – who's responsible for it – where do the results return to? Who owns the policy and it's outcomes locally? The only policies we really need to focus on are local police priorities and we hope that they fit rather than VAWG being the driver. We can only worry about local need really and it's the leadership that needs to keep its eye on the ball for government policy. To be honest I don't think there is an obvious police strategy that's actually based on VAWG and I don't know of anyone that really sees it as featuring in our own policies and strategies for actually tackling it. There are county-wide strategy*

*influences local borough or district strategies but again, that's fine but each area may have a different demographic, different levels of DA, so it's just not that straight forward. Ask me how many officers here know what the strategy looks like for DA – probably none. Do they get training and instruction on dealing with DA? Yes, they get training but not all of them – other than basic and it's in amongst training for every other eventuality”.*  
(CSP3, Police Inspector)

CSP15 spoke at length regarding the wider context of domestic abuse and violence against women and girls. She said that she felt that the issue of domestic abuse is the tip of the iceberg and said that the local authority was seeing an alarming rise in associated crimes but feared a disconnect between domestic abuse as a 'private space crime' and everything else as public domain crimes, which she didn't believe was helpful in capturing the whole range of issues that can arise from attending an incident. She said that she felt that there was a need to change attitudes to domestic abuse for all sections of the community, but more than that, she felt that it needed to be a “massive reset” of public and professional attitudes about the intersectional and interconnectivity of VAWG crimes:

*“But for me, I think it also requires our own behaviour change. This has been a problem in the past and it will take time to change radically but we are making inroads into police culture, but more than that, the understanding and awareness around domestic abuse as a crime and with crimes sitting around it. It's no longer just a domestic – it has links to a lot of other elements of our work. Some may be a domestic abuse case but are more self-contained, but in this we have a lot more insidious crimes that include coercive control of young girls, threats of violence and violence itself towards girls who are seen as possessions or property so are exploited and used. They get into crime for perpetrators, perpetrators are a part of other crimes and use women as a diversion or to do their dirty work, that's just an example. The point is this often isn't just a domestic”.*

(CSP15, Local Authority Manager)

For CSP15, she felt that the issue of police culture had serious implications for the changing dynamics of domestic abuse, the fact that it could be at the heart of a victim's problems or it could be part of a wider network of criminal activity. Her point was that if the police are not appropriately “*tooled up*” for domestic abuse itself, then how effective will any of the agencies be in recognising and responding to wider sexual violence, exploitation, modern slavery and trafficking.

#### **7.4 Summary**

This chapter has outlined the nature of multi-agency partnership working to respond effectively to domestic abuse. Applying Bourdieu's theories it has been possible to explore the issues raised by respondents and the variabilities between

agencies or fields in terms of habitus and capital creating a hierarchy of structural power. Access to resources and the level of symbolic power impacts on service provision differentially and current models of resource distribution indicates disparities between specialist service providers and those who have had sufficient economic and social capital to secure domestic abuse contracts. The next chapter will explore these issues further.

## **Chapter 8**

### **Key Findings – Ethnicity, Gender, Policy and Victims’ Voices**

#### **8.0 Introduction**

This chapter continues the findings, drilling down to more specific issues surrounding issues surrounding VAWG policy implementation. The health service have been identified as largely absent from the multi-agency framework but acts as a significant location for first response opportunities and identification of domestic abuse. This area of work will be explored first, followed by specific findings around VAWG and the issue of gender and gender identities, ethnicity, public opinion in relation to policy and the voice of the victim. .

#### **8.1 Health Services and VAWG policy interventions**

Health services such as A&E, maternity units and GP surgeries are also significantly likely to be the first service a victim of domestic abuse will engage with, usually at the point of crisis or for maternity units specifically, as part of an ongoing process throughout pregnancy (Abdulrahman et al. 2021:3). Health services are therefore arguably a key partner in a multi-agency approach to domestic abuse. However, respondents were unanimous regarding health services as an absent partner in the domestic abuse multi-agency framework.

Referring to health services following the introduction of an ‘in house’ Hospital IDVA/Project Officer. The Manager (CSP18) of the domestic abuse charity, had made reference to the difficulties of getting projects into what she called “*boundaried institutions*”. A project had been set up, outside of the countywide contract, using money from government to fund an ‘out of hours’ IDVA in the Victim Investigation Team, at the local police station. The local authority had also found some additional money, from a short-term government fund to pilot Hospital IDVAs. The local authority would not work directly with non-contract holders, so it awarded the short-term grant to the housing organisation that had won the domestic abuse contract. They then ‘contracted out’ the project to the domestic abuse charity in the area. This created problems with regards accountability and communication but also what CSP18 referred to as ‘normal’ project management principles.

During her interview, CSP18 had spoken about the project and had undertaken a good deal of research prior to ‘going live’. The local project had been based on a

similar project running at a London Hospital, which had been operating for 10-years. CSP18 and another manager had visited this project to understand the positives and potential pitfalls, in what she referred to as a 'knowledge mission'. She said that she felt "*well equipped to hit the ground running*". What she said hadn't anticipated was the resistance by middle managers and A&E staff themselves, who CSP18 said were "*outwardly hostile*". This shocked her, mainly because she said she "*thought we were all on the same page*". At first, they were refused any specific location to base themselves (i.e. a desk and a confidential office to speak to victims following disclosure). They were told that they would be given access to the hospital IT systems, so that they could become "*one of the team*" for what they believed would be a "*seamless process*" with good communication, seen as key to managing cases.

The IT department was staffed entirely by men, she said "*they actually told us that we were a low priority and would get around to it when they had a gap in their planned work schedule*". Despite senior management reassurances, the problem persisted for several months and middle managers even put together a proposal for the NHS to take over running the project because the project was 'failing'. This resulted in a round table discussion and resulted in better co-operation. At the point of the interview, outcomes had improved but there was still suspicion and difficulties with some staff, particularly NHS managers, she said and they weren't achieving fully what had been planned against the funding.

Good project management in any setting requires strong communication and agreement from the beginning (Charvat, 2003:11). The whole process requires engagement and involvement of all stakeholders and should be developed and implemented through a steering group (DBIS, 2010:17). More importantly, according to Pollack and Gordon (2018:4) any new idea or project requires an element of organizational and behavioural change. The issue of consultation, communication and agreement appears to have remained with just one level of management and became disjointed in the roll out. This seems to validate the points made by Charvat (2003:11) and the features of effective project management led to a number of failures in implementation. There was no governance model in place and domestic abuse awareness proved to be disparate. Some of the problem was attributed to the lack of internal communication regarding the project and its benefits. CSP18 said that the project was set up in two areas at the time and were the subject of small scale, time limited funding which does not necessarily reach the strategy groups.

CSP26 had also found setting the project up from within the hospital site itself, to be problematic. She admitted that her expectation was that they would embrace the project because it had the backing of senior managers:

*"It's such a relief that the definition is properly in law now, a relief because it actually finally made it something, something real and that no-one can minimize. The NHS is huge and probably gets more insight and more opportunities for disclosure than the police but it's like turning a tanker in the Suez, just so slow and actually so defensive, like they know that they could have been at the forefront much earlier. Staff have been so resistant to 'outsiders' as well, like 'we own the place so don't come in here showing us up' instead of putting victims first. It's a bit shocking. Some of it is about communication though because we got the go ahead from senior managers for the project but middle managers weren't involved so have been quite obstructive by restricting access, not communicating with us so we miss referrals so that affects outcomes. The silly think is, they have even tried to take the project over but by undermining it can't make a case for NHS resources. It's a bit better now we've been there a while and I would say about half the staff have accepted us and how we can make their work easier so work with us. But the others are suspicious and still don't follow the referral process. It can be very depressing but we won't give up. Joke is that they will hold it up like a banner when you get some MP coming round or they need to do a report or something".*

CSP19 also commented on the NHS being "late to the table" and "a bit of a dinosaur". She said that the research that her and colleagues had undertaken at the London hospital prior to setting up the project, had shown that even though the project there had been set up in 2007, there had been a number of issues that still remained until the NHS started funding it in the last few years. CSP19 followed on to say:

*"I don't think they like outsiders. The NHS has a very prescriptive way of working and everything seems to take a long time to filter through. I think they like to control everything themselves. This project has loads of evidence that shows how much it benefits not only victims but actually the staff as the project provides vital back up if there are follow up issues that are out of their remit. It would have been more on their 'to do' list. You'd think they would bite your hand off but I think it was about not being in control of it. It really is a major change for them to get their head around. They work with private sector but not us, it's just a strange way to look at it. It is changing and we are getting there slowly, you know it's a win win for them but they may be carey but not sharey. They do like to own these projects, so you are always an outsider".*

(CSP19, DA Charity Manager)

The Safelives report 'We only do bones here' (2021:7) estimates that the costs to health services of dealing with domestic abuse amounts to approximately £433 million and victims will have accessed hospital services, GPs, mental health settings and other health services every day. One of the barriers to effective integration of IDVA service provision came from a lack of understanding of domestic abuse but also the fact that there is no specific strategy that includes a

'whole health' approach to the issue and a lack of collaborative planning, which substantiates the view of the NHS being 'late to the table' (Safelives, 2021:14). Along with the police, health services are usually one of the key statutory agencies that will see victims of domestic abuse in different situations such as GPs, maternity, A&E, mental health or physical injury (Heron and Eisma, 2020:613). CSP26 however provided some positive outcomes for the project:

*"One good thing that's come out of all this is the fact that disclosures within the hospital have dramatically increased. This is actually more important than you think because a lot of relationships are in the same hospital and when there are.....let's just say, difficulties between two people in the same place, it can cause huge problems. Firstly, one has to be moved or leave so all that training investment and expertise that the hospital has put in, is lost. They may have a lot of sick days which impacts on resources. People take sides and believe one over the other, so it causes divisions in teams. It really isn't something they want so it has been really important in providing safe, confidential space for the victim to talk to someone independent and for the hospital to work out solutions. Not easy though and I think this has helped them see the value of us there in one sense at least".*

(CSP26, Hospital Project Worker)

Nevertheless, despite the difficulties in establishing and maintaining the project, a training plan and awareness programme had been installed with a view to tackling some of the operational issues. However, despite the clear benefits for both staff and victims presenting in health settings, the issue of inclusivity was continuing to prove problematic. Overall, the issues experienced with regards engagement across a number of fields in the overarching institution of health services, indicates a resolute, recalcitrant institutional habitus. Respondents talked of resistance to 'outsiders' and adherence to specific systems or modes of operating, hostility regarding ownership of the project. Collyer (2017:118) points to the significance of symbolic capital in healthcare settings and of the institution as a whole. The organisation holds a significant position of power and agents within it, considerable capital advantage. Collyer suggests that the field or fields within the service are founded on significant capital as the subject of systems and processes that necessarily shapes the social action within it. Services generally operate within 'closed' structures with specific specialisms, making practitioners more insular as individuals and groups than they would otherwise be. As a social structure, the health service has considerable power in determining the trajectory of patient outcomes, but also potential for reinforcing inequality in the same way that police cultures and subcultures have been found to do (HMIC 2014, 2015, HMICFRS, 2019, 2021). High levels of expertise and professional relationships within this sphere provide most practitioners with significant social and cultural



capital and unique social practices that bind them to a unique system of power and a fundamentally polarized organisation (Collyer, 2017:123).

## **8.2 Ethnicity and Difference in the Framework of VAWG**

This section provides a useful insight into the intersectionality of domestic abuse but also assumptions and categorisations around ethnicity and cultures within different communities. Participants demonstrated that these can limit interpretation and understanding of the experiences when applying VAWG within different ethnic communities and create further inequalities for those experiencing domestic abuse. The HMIC 2015 progress report 'Increasingly Everyone's Business' highlighted the lack of recording regarding ethnicity in cases of domestic abuse finding. Six years later, the HMICFRS Final Report (2021:37) into police responses to domestic abuse highlighted that intersectionality was not well understood, and data regarding diversity was still not being recorded. CSP6 provided an interesting perspective regarding the police and their response to minority ethnic communities:

*"I didn't think that my Asian background would impact on my job as much as it does – well in some ways anyway. I don't think that colleagues and senior officers understand that Asian culture is more complicated than just being Asian. I don't think there is overt or intentional racism – not at all – and I haven't experienced that but I have been, well not exactly picked on but picked out when there are Asian people involved – I am kind of pushed to the front as if being Asian will help the situation. But it's not as simple as that. There are sub cultures within Asian communities, things that make us different you know, not just religion but other things that give us different traditions, perspectives sort of thing. You also have the complexity of police and public relations. Asian people can be very untrusting of people outside our communities, especially police or social services – statutory authorities. So being an Asian officer can play out well or not depending on the culture or sub culture within a particular community or household even. If I go into a DA situation it can often be worse for the woman because then she is like caught between a devil and a demon. More often than not she will err on the side of family so it can actually make things worse. I think a lot of assumptions are made. I never thought I would be in this position or that my Asian-ness could be a curse or a benefit. I don't think that any of my white colleagues really get that – that it comes with added complications that they don't even have to think about".*

(CSP6, Police Officer)

The issue here is not necessarily about overt racism but it does seem to identify the notion of difference and separation from the 'norm'. Instead of being seen as a police officer, this interviewee highlighted the notion of 'difference' and presumptions about her role in particular scenarios that would not be the experience of other police officers generally, which would indicate implicit and/or unconscious racism (West et al., 2021:1139). It appears that this officer was

being singled out because of her ethnicity rather than that of managing situations to officer's strengths as they might possibly do in the general sense. This suggests that implicit bias exists but it is being packaged in a way that is seemingly geared towards a better experience for those being policed when in actual fact, the officer is being put at risk and at best uncomfortable situations that bear no benefit to her or the victims (Spencer et al., 2016:51).

CSP6's reaction could be related to her 'doxa', or acceptance of this situation and suggests an internalisation, or acceptance of her ethnic identity as a mechanism for undertaking police work with other ethnic groups associated with her own (Singh, 2021:143). Singh argues that individuals take on new dispositions, a 'sense of one's own place' and cultural capital, to carve out their position within a racist discourse. However, Singh also presents the argument that for a dominant habitus, perception of race becomes innate whereas for people of colour, they make conscious adjustments, through 'trial and error', to fit into the dominant racist discourses around them (Singh, 2021:154). Bourdieu does not offer a specific reference or analysis of his concepts in relation to racism but does say that habitus is not finite, not a destiny and can allow for differences in individuality and identity on that level (Devine-Eller, 2005:15). Devine-Eller argues that only by separating habitus from capital and applying the dimension of fluidity to race, gender and other identities that Bourdieu suggests, can enable an individual to negotiate with organisational habitus to initiate change (Devine-Eller, 2005:23, Bourdieu, 2000:161).

A similar point with regards understanding ethnicity and difference was made by one of the social workers who raised the issue of cultural differences and the impact it can have for practitioners dealing with domestic abuse. She indicated concern at having witnessed an "over simplified view" by fellow workers when working with women from ethnic minority communities:

*"One of the problems of understanding domestic abuse and how it affects different people differently is the way that different nationalities are just lumped together. I come from Bulgaria and domestic abuse is more or less just accepted. It's still a communist country and things like domestic abuse, child abuse or sexual abuse and violence are not recognized like here. It's a very different culture but also distinct from other eastern European countries. The problem is that we all get labeled 'eastern European' like we're all the same. It's an issue because domestic abuse is so much more complicated than that and it means that not only are women at risk of not being properly understood but their background becomes another obstacle or barrier to getting the right support".*

(CSP8, Social Worker)

CSP23 also referred to the lack of understanding about different ethnicities and that for Asian women there added complications around cultural expectations. She asserted that the problem of domestic abuse is a lot more prevalent than the statistics demonstrate and that even when police officers have an understanding of domestic abuse, it is one-dimensional. She gave examples of why she felt this:

*"The police are our allies when we are dealing with domestic abuse in our communities but they can be clumsy and a bit ignorant of how they are seen by different communities. Firstly the categorization is limiting because we have a mix of Muslim and Hindu communities and they are very different to each other, plus there are different castes and subcultures within these communities and those that came as a first generation and their families and generations after them. This can complicate matters because they have different traditions and perceptions of behaviour that don't always marry with western culture. Most agencies don't see this, they just see 'Asian'. This has a big impact for reporting in the first place, then support options but also understanding when there is a DHR or suicide and we have big problems of suicide amongst young 16-24 year old girls. Police turn up to calls in uniform and that is an instant barrier, they don't trust the police and uniforms will force women towards the family rather than coming forward to say what's happened. You have to remember as well that for Asian communities, it won't just be a husband but the whole family involved in the abuse, so police turn up in uniforms and it makes them really visible, so victims retreat and say that they've made a mistake. The opportunity to help them is lost as it will take a lot of courage to call them again and they don't think they will be believed a second time".*

(CSP23 (Senior Manager Mental Health Charity))

CSP8 felt that there was a greater understanding that domestic abuse is not just about violence or one incident. She said that many of her colleagues were better equipped to understand that it happens over a long period of time and that they understand much more about the tactics of perpetrators who are good at deflecting blame onto the victim. CSP8 also made reference to inconsistencies and variations in knowledge about violence against women and girls across different areas and different expectations by departments in different councils in relation to it and pointed to significant variations not always tied to local needs. She said:

*"I think there is better understanding of HBV (Honour based violence) but it depends where you work. When I was in Brent we came across it more so there was a better understanding. I don't think it is locally here though, it seems to be variable depending on which area you work in but there are also very different politics".*

(CSP8, Social Worker)

This highlights the differential issues faced from area to area and the wide ranging disparities in demographics and the complexities that may arise from them. To this end, CSP14 referred to political decision making as being driven by public centred priorities and it would seem that this is a point of note with

regards support for the implementation of policies locally and the likelihood of success. Different areas have different demographics, which can impact in local priorities for the communities that live there. CSP23 (Senior Manager Mental Health Charity) had referred to the plight of Asian women in a mixed Asian community and the pressure by local community leaders to prevent funding for the charity's development. It is clear that the influence of these issues can substantially impact on local authority support for organisations particularly where contracted services have not sufficiently accounted for the diversity and concentration of different communities in any given area.

CSP15 also highlighted the challenges of a diverse community with mixed ethnicities adding extra dimensions to an already problematic issue, without the resources to appropriately respond:

*"The biggest challenges are where the demographic has changed and it's harder to break down barriers with certain communities that have settled in the area. There are significant cultural issues regarding the acceptability of domestic abuse and attitudes towards that are very backward. I am talking about Eastern European communities where there are very gender specific roles around money and work. It is still very male dominated and it presents real issues for middle aged and older women in particular who have poor English language skills, many are illiterate even in their own language. It is really difficult to infiltrate these communities, there are no identifiable community leaders and to enable them to come forward – I think that this would be really difficult. It's very different from the Asian community who has a culture based around compliance and a focus on children's education. Eastern European culture is not so concerned about education and improving opportunities, so there are issues around sending their kids to school and all of the associated problems in relation to anti-social behaviour in the areas where they live, but more the longer term impact of economic disadvantage for them. They have a massive lack of trust in statutory authorities, particularly the police – mainly because they are not trusted in their own countries. The trouble is, with the cuts in resources and reduction in services, this problem will continue and become a bigger problem in relation to all of these issues".*

(CSP15, Local Authority Manager)

These practitioners have identified the difficulties and resource implications of a changing demographic, but also the complexities that exist within that framework with regards ethnicity labeling and cultural complications for the implementation of VAWG policy. The issue of different dimensions to the VAWG agenda itself have also been highlighted. The problem of determining ethnic minority groups and generalized labeling could be seen as detrimental to the way that agencies profile them and how language and categorization diminishes their opportunity to receive support and action if their circumstances and cultural nuances are not well understood (Bowling et al., 2010:530). It also maximizes the likelihood of serious offences being missed and significant harms leading to injury or as CSP23

has highlighted, suicides that are not necessarily statistical or investigatively connected to domestic abuse.

Bentley (1987:41) highlights that the role of habitus in sustaining ethnic divisions and inequality relies on relations between leaders and followers. The continuance of ethnic divisions relies on the dispositions of the group interpreting unacceptable practices as acceptable and taken for granted (Bourdieu, 1977:196). However, the ongoing unity of collective habitus cannot be assumed and is capable of adjusting to changes in social acceptability and structural shifts in society as has been demonstrated by the work of domestic abuse organisations and activists and the increased focus on domestic abuse since the 2014 HMIC report. This is not to say that there is not much work to be done given the continual evidence of sexist and racist police practice.

Respondents have identified key issues regarding the lack of understanding of multi-dimensional complexities that impact on any given domestic abuse experience. Black and minoritised women face many levels of inequality in relation to and in addition to domestic abuse and harmful practices yet the Domestic Abuse Bill excludes minoritised women, exposing those with the added vulnerabilities of uncertain and insecure immigration status to much higher risks than would otherwise be the case (Simon and Banga, 2020:3). This does not correlate with a will to challenge and tackle organisational habitus in relation to race, faith and ethnicity and neglects the opportunity to provide a fully inclusive, intersectional model of policy implementation.

### **8.3 Domestic Abuse as a Gendered Issue**

Of all interviewees, only two challenged the idea of domestic abuse as a gendered phenomenon. Both of these participants openly identified themselves as being from the LGBTQ+ community. CSP24 (Senior DA Charity Manager) was skeptical about the validity of the statistics and the focus on VAWG. He highlighted that all minority groups are under-represented in the figures and are much less likely to report violence and abuse to the police because of fear and stigma. He said that he believed the constant focus on women's experiences probably exacerbated the problem of men and other gender identities coming forward:

*"There is no doubt that the stats say that it is a gendered issue.....and it may well be, but to be fair they only have the stats around this because it has grown in stature as a crime and through awareness. There is far less about young disabled people who are disproportionately at risk, or LGBT who typically don't come forward as often as they would if the same amount of activism had applied to them too. So it's not all known at an*

*official level, but we know as practitioners what goes on and no-one really investigates that. I'm not criticizing because I think it's a difficult one, but we do need to evaluate our approaches and make extra effort to capture these and anyone we know could be at risk where policies don't necessarily account for them".*

(CSP24, Senior DA Charity Manager)

The discussion went further to talk about whether VAWG as a policy is gender neutral.

*"Well the clue is in the title isn't it, VAWG focuses on women as victims but doesn't reflect the complexities of the concept, both for women's experiences, but for the other groups. It's very women focused and fairly bounded around this. So I guess it would cover girl on girl violence, same sex scenarios, but it is a bit exclusive when policy should be about equality and domestic abuse is across boundaries. Making it a more generic approach wouldn't diminish the imbalanced, gendered nature of domestic abuse, but it would be more inclusive and less isolating of those that are exposed to the same abuse but are not accounted for.....that can only be win win I think. It's a problem when men can't access one stop shop for example, because there are women there and they take priority always. You know it raises real issues about the nature of relationships in modern society and really questions what VAWG actually means and where it sits in the current framework of things. Really it exacerbates the problem for anyone other than women. Commissioning is based around it and anything for men, LGBTQ - well anyone that doesn't sit within conventional thinking really - ends up as - well - like a bolt on - an extra. It's not a cohesive all embracing approach - so surely it has to be seen as contravening equality - surely?"*

(CSP24, Senior DA Charity Manager)

CSP24 raises an interesting issue regarding the support mechanisms for women that can also discriminate against men who need the same support. The ONS statistics state that 3.6% of men compared to 7.3% of women suffer domestic abuse (ONS, 2019). Neiling (2020:11) argues that habitus as a curator of knowledge, skills, behaviours, beliefs and values, is very much affected by an individual's position in society. By the same token, where habitus is developed around a dominant culture, it can be formed around a counter culture such as those identifying with a different identity and become a form of protest rather than one of conformity with the prevailing and dominant social system. However, this essentially excludes them from mainstream language and explicit references in their own right. As with the ethnic 'groupings' highlighted in the previous section, these identities are created as sub groups.

Huntley et al. (2019:1) furthers this, highlighting that services for men (and LGBTQ+ groups) have been few and far between, although increased awareness has led to an increase in provision. Commissioned contracts for domestic abuse services set a requirement to provide access to services for these categories, but these are more often pathways rather than services themselves. VAWG policy

claims to be gender neutral but CSP24 stated that these appear more an afterthought than a strategic objective. This was an issue that CSP27 (LGBT/Male IDVA) found particularly difficult. She said that her funding had been what she called as "knee jerk" to growing pressure locally by a men's group and to satisfy government pressure locally to demonstrate equality.

*"We really don't know the extent of domestic abuse as a gendered crime if others aren't in the stats mix do we. So VAWG can't be considered reflective of reality because that reality isn't specifically – quantifiably – known. But we do know that anyone else accessing services is a lot less. But at the same time we also do know that there is inequality of access. We know that providing specific services are limited because they rely on small pots of funding for only short periods of time and that the contracts are too generic, but with an expectation to 'pick up' (finger speech marks) the undefined 'stragglers'. The mainstream services are not geared up for minority groups – just aren't. VAWG does not adequately account for the different needs and complexities of different communities and it should be about ungendered access because different life experiences can be misinterpreted if services are too polarized".*

(CSP27, LGBT/Male IDVA )

This is another reference to the generic nature of domestic abuse service provision derived from VAWG policy and lends evidence to a trend in generalisations in definitions and interpretations of domestic abuse and support needs of wider communities. This essentially leads to the possibility of discrimination and risk for vulnerable groups. CSP24 talked about how this could be evened out and I asked whether he thought that risk and services offered are moderated and accounted for in the tools provided through the VAWG framework.

*"No – well not really I don't think. There is no real accounting for different types of relationship and judgments are made about cases based on prejudice, or a lack of understanding of lifestyles that go with particular groups. These are often as a direct response to the way society has trained them to be and what is seen as acceptable, normal – whatever that is. You only have to look at the language used, which tends to be heterospecific. The DASH and MARAC are really designed to mould with statutory obligations I think – is it really to make a difference? You talk about stuff being designed around men but in this circumstance I think it's the other way around".*

(CSP24, Senior DA Manager)

CSP27 (LGBT/Male IDVA) said that she felt that the needs of LGBTQ+ service users and male victims were not well understood and didn't have the same "loud voice of women's groups". In her opinion, she said that she believed that the only reason services were funded to make it 'look' like these minority groups are taken seriously, but a lack of information or data about the needs of this group and the level of incidents makes it almost impossible to determine how bad things are. She said that her exposure to these groups and her own experience as an LGBT female showed her that for LGBTQ+ people, they tended to have much riskier

lifestyles due to staying "under the radar" and were far less likely to report incidents of violence or abuse, which she said was "fundamentally different to the experiences of men as victims and women as victims". She felt very strongly she said, that the problem for all groups was "the biases that people have but don't know they have" and that this "makes it impossible to train people to truly understand what domestic abuse means for anyone that experiences it, as it is different for everyone".

Interestingly, the majority of other interviewees (19 out of 30) agreed that the VAWG label inferred the exclusion of other minority groups. 24 felt that local contracts that were based on VAWG objectives had failed to adequately include minority groups and that maintaining those services was mainly a result of a proactive local authority community safety team in the case study area.

#### **8.4 Public Attitudes – Impact on Policy**

Flood and Pease (2009:2) point to attitudes as shaping violence against women and girls and the responses to it as the subject of social and cultural conditioning. Following Foucault's train of thought, they claim that institutional and collective reinforcement serves to 'normalise' domestic abuse alongside wider, multi-level issues relating to gender and sexuality. Flood and Pease also point to the nature of violence against women and girls as consistently evidenced to be the product of "traditional, rigid and misogynistic gender-role attitudes" and that this is replicated at both individual and community levels. Typically they say, there is a consistent relationship between patriarchal and sexist attitudes and violence against women. This, they assert, does not stop at the point of perpetration of violence and abuse but also the victim's perception of the abuse. The more that victims submit to violence supporting attitudes, the less they are likely to recognise abuse and/or report it and seek help if they do (Flood and Pease, 2009:3). As has been discussed previously, Bourdieu's theories (1984:101) centre around the shaping of individual behaviours and attitudes as the product of habitus and dispositions drawn from the social culture around them. Evidence was sought in discussions as to the validity of this as a factor in policy implementation. CSP30 who monitors local responses to domestic abuse gave a perspective on public attitudes to VAWG that aligned with this but was somewhat generic in nature:

*"I think that it must have an impact really. Where you come from and your life experiences must have an impact – there are so many things that we are all exposed to and this must affect thinking and influence our decision making – I guess that everything falls out of this so we always*



*have to double check that we are doing our utmost to be as equalitative as possible – if that's an actual word. What I am saying is that we all have to apply reflective practice in everything that we do when we are dealing with such a wide and complex subject that affects so many people, that is women really, who also come from a wide range of backgrounds, you know, upbringings and experiences. We do have to try not to judge based on what we would do or think. Domestic abuse can happen to anyone and you just never know. The government is aware of this and is really looking for local agendas to build innovation into their domestic abuse strategies to enable better management – really a better response and experience for victims”.*

(CSP30, Senior Central Government officer (Domestic Abuse))

This presented quite a generalised view and did not offer any possible solutions to challenging the impact of variable viewpoints that might undermine VAWG objectives. CSP14 provided a more localized perspective highlighting the difficulties that attitudes can have on agency responses to domestic abuse:

*“We're all a product of our own lives aren't we and that means we are like layers of our experiences and influences. I do think that this plays a big part on the thinking and approach by police, social services and all staff really. I think that the different pressures and priorities certainly impacts on the way that some crimes and problems are seen. I think on balance the police do a good job and are really trying to be all things to all people. There is however a mixture of starting points for police officers and it is kind of a micro-society within the wider sphere. I think it is what creates the variations we see in reports about victim experiences and the number of times that they experience the abuse before finally seeking help. There is no doubt that statutory agencies can be more intimidating and possibly have less time with victims – so I suppose that the better access points might be smaller specialist agencies and refuge providers. That said, not everyone needs refuge and really, it is better to try to manage a risk and situation than almost force people into a crisis response”.*

(CSP14, Local Authority Manager)

These comments resonate with Bourdieu's concept of habitus, dispositions and pre-dispositions developed through exposure to different habitus and in different fields or contexts. CSP14 makes interesting points regarding the differences in reports about domestic abuse victims, how victims are engaged with, behaviours are viewed and how this is reported and presented to other agencies. CSP24 exemplifies this referring to the way that judgments may be formed, but adds an additional factor of social media and how it can shape, or skew opinions and attitudes. She spoke in particular about the complexities that arise from public opinion and media categorization and the wider impact this has on effective practice and funding:

*“Well I think that there is a one dimensional approach – whether it's about money or the necessary understanding of all the issues – I don't know really but we all know that people make judgments and assumptions based on what they see and hear in different social locations – and that's broad now isn't it – what with social media – such an influential platform. If a woman is seen as putting it around or alcoholic or using drugs, living*

*in a dump so not 'keeping house' – there are still, yes even now – about those sorts of things – I mean, where does that come from – still, now – just shocking really. There are so many views about why she doesn't leave, why she says she still loves him – why she isn't putting the children first. The perpetrator gets an easy ride because he isn't expected to worry about those things – it's just ridiculous. If you are LGBTQ – well – even worse – that one still hasn't penetrated those long-standing prejudices. It just shouldn't happen but it does”.*

(CSP24, Senior Manager, DA Charity)

Ignatow and Robinson (2017:952) refer to the influence of social media as 'digital capital' and a secondary dimension of the field in an 'on line' format. Habitus, as the internalization of the field, is therefore susceptible to the influence of digital information. This can be seen as negative in some sense. CSP18 highlights what this means for victims:

*“I think everyone has different ideas, different backgrounds.....they're exposed to different things in their life so they have embedded views of what domestic abuse is, they see domestic abuse differently so it isn't seen as a crime – it's a problem – they don't take the time to think about the wider impact or the collection of issues that has affected a family. They blame the woman for letting it happen, not getting out, putting their children at risk – they don't see the traumatised victim that has learned how to cope with being constantly diminished – put down, manipulated, isolated, made to feel like a rubbish mother, wife, person. They are in a bad place and it can impact badly on the way that they react to agencies particularly as they think that they will be judged and that their children will be taken away – because this would be used as one of the threats by the perp – you can pretty much guarantee it. It is about breaking down that stigmatization, those judgments and seeing beyond it. These people are as far down the hole as you can be – they are trying to get out and all that judgment does is throw water down and make even more difficult to climb out”.*

(CSP18, DA Services Charity Manager)

There was a consensus amongst all interviewees that public attitudes are a significant factor influencing the level of priority assigned to domestic abuse in the area, the way that communities accept, understand or deny it, the way that it is treated within communities locally, the way that agencies are able to manage it, the responses of practitioners generally and confidence in being able to make a difference. The issue as to what complicates responses of both victims and practitioners was discussed with all of the interviewees:

*“The indigenous white population – well people are much more aware, informed – there is clarity about what DA is in terms of coercive control – much more information about this – that it's not just violence but can be financial control, emotional and psychological control – the whole gas-lighting thing for example. Past generations would never have understood this and would probably – well they did – accept it. A lot of people put up with being hit and worse because they thought it was them, or that other people wouldn't understand, they would be stigmatized or whatever. We're seeing some of this outdated thinking in different communities who are*

*sometimes stifled by community expectations, insular communities that are embarrassed by it and still see it as something that should be kept low key or private. It has taken quite some time to educate people and society has changed – women are much more independent, stronger, have more opportunities available to them and higher expectations around their own lives. This doesn't always sit well with some communities where reluctance to accept this and the idea of women succumbing to authority of the male in the household remains".*

(CSP15, Local Authority Manager)

The complexities of domestic abuse are seen as further complicated by the diversity of society and add a further dimension to the difficulties agencies have in understanding the problems people face. CSP24 considered these complexities as significant considerations when contemplating appropriate measures for support and safety:

*"Oh definitely – attitudes have definitely changed. People are so much more aware of the issues around domestic abuse. I think that VAWG and the government's more proactive stance has really helped that shift. That's not to say though that we don't still have a long way to go and I think that whilst we know now that from the information we have it's a gendered crime – we can't say exactly to what extent because there are so many different lifestyles – relationship combinations, cultural implications to name just a few. I think that these victims and the extent of the abuse is still not properly understood".*

(CSP24, DA Charity Manager)

Another significant issue was raised under the category of public attitudes, but not just those of the public. Nine of the ten third sector interviewees, three of the four local authority staff, two of the housing staff, one of the social workers and two of the police officers referred to misogyny as a key element in the commission of domestic abuse and that it was also linked to agency responses to the issue. Misogyny is increasingly recognised as a key element underpinning crimes against women, with a number of police forces beginning to treat misogyny as a 'hate' crime (Mullany and Tricket, 2021). Dunlap (2016:778) highlights that overt misogyny is one thing, but for the most part, women are subjugated by what she refers to as 'soft misogyny' whereby misogynistic biases are ingrained in the subconscious. In this assessment, misogyny is seen as implicit and manifests in behaviours that are dismissive of women, subtle and harmful but are found in the very system established to protect women.

Anderson (2015:144) points to two types of sexism, hostile sexism and benevolent sexism. Hostile sexism requires overtly condemning 'non-traditional' women who do not comply with traditional notions of gender roles and associated stereotypes, along with social dominance, which endorses gender-based hierarchy. Benevolent sexism is in some ways a more difficult concept because, on the surface, attitudes towards women are positive but endorse the notion of

women requiring protection manifesting in 'patronizing and disempowering' behaviour through 'chivalry'. Either way, women are demeaned either subtly or explicitly, and training becomes more complex where misogyny is benevolent and chivalrous, because it is more subtle and nuanced. CSP22 refers to the way that 'soft misogyny' pervades responses to domestic abuse:

*"Misogyny is so ingrained in our psyche, we are so used to it so we just don't notice things and inadvertently accept it, enable it even. At least it's being recognized in government now but I do think it's going to take a long time to break that down. Training is good for pointing it out and making people see how it affects women particularly and how they have to adapt their lives, our lives, around this thinking. Can it be trained out - I don't know".*

(CSP22, Domestic Abuse Counsellor)

This concurs with Mullaney and Trickett's (2018:14) which highlights the implicit acceptance by members of the public in relation to overt harassment of women in public space. Implicit bias explains some of the variations in responses to victims and the processes under which reports are made and action determined.

### **8.5 Voice of Service Users/Victim Survivors**

Service users have the least capital of all those involved in determining outcomes for victims going through the criminal justice system. Typically, as has been shown, victims will create their own habitus shaped by the experience of abuse and coping strategies to maintain their own normality within daily life (Morgan and Bjorkert, 2006:442). Of the 30 interviewees, the issue of service user involvement was very detailed amongst the ten third sector staff, five housing staff, one Social Worker and four local authority staff. This is possibly due to the focus on service user involvement required in contracts and funding grant terms and conditions. Understanding around the value of service user involvement was acutely recognized by all of the twenty interviewees mentioned.

The involvement of service users was said to be included in tenders and grants as a key element of performance and a 'quality kite mark' of good service provision (Fish et al, 2017:3). The objective is that service users shape services to meet their specific needs, through feedback, engagement and other measures of satisfaction or individual case outcomes. It is a legal requirement for councils and government contracts to be monitored and for performance and financial value to be sustained. Outcomes for service users is just one measure for ensuring that the money is being spent in the most appropriate way and with optimum efficiencies, evidenced by key performance indicators written into the terms of the contract. Fish et al (2017:21) is essential to ensure services actually meet the

needs of service users, not least to hold those services to account. It is therefore important that service user feedback is used to ensure policy and its implementation is effective. However, as Fish et al (2017:24) highlight, the issue of meaningful service user involvement is notoriously difficult and not always well understood by practitioners.

CSP16 considered service user involvement as more about being seen to be gaining service user insights, than meaningful engagement with them. From a local authority perspective he and his colleagues all referred to themselves as being detached from service users because they have no real involvement with them on an operational level. CSP16 said that he felt their knowledge of service user needs necessarily came from front line practitioners and that their own means of gaining service user insight was very difficult:

*"When I started out we were able to engage more with ex clients to understand what worked well and what different but changes to our funding streams and to the benefit system as far as clients are involved have made this more difficult. So I would say that this is more piecemeal than planned now and there is a tendency to be honest of wheeling ex service users in when there is some specific function, like an inspection or a visit by someone important or funder or something. The media also have no understanding of the need for confidentiality or anonymity so it makes it more difficult for us and less attractive for ex service users to get involved in situations where they could use our voices effectively – so interviews or pieces tend to be more bland than useful".*

(CSP16, Local Authority Commissioning Officer)

Morgan and Bjorkert (2006:444) highlight that day to day life and social dynamics are the subject of inherent gendered inequalities and 'micro-contexts of local power'. However, they also point out that the fact that their experiences have become normalised and naturalized means that responses may not be as beneficial as they may seem. It is therefore more useful to think about the service user voice in the context of their own unique experiences, how those experiences have manifested and to unpick those every day processes through ongoing work with the victim. McNay (1999:99) provides the view that where experiences are essentially embodied and as such, it can be difficult to determine the meaning of emotions that appear natural as they could be non-lingual markers of the individual's experience. Bourdieu specifically highlights reflexivity in practice to introspectively evaluate one's own judgments and practices (Bourdieu and Wacquant, 1992:40) including the process of social enquiry. However, there appeared to be no meaningful exchange regarding the performance of agencies in daily practice, even though there was recognition of the need to understand victim experiences in relation to their own performance.

CSP20 who worked directly with victims of domestic abuse explained that there was a process of evaluation during programmed work with standard and medium risk service users and that it was more about the service they had received than their direct experience and informing the bigger picture:

*"I do think that there is a real need to get feedback – so we do use this when we start cases – somewhere in the middle and always when we close cases to make sure that we have performed to expectation – and hopefully beyond, I would like to think. The trouble is I think that we all do capture information and data about performance – we have to for our various funding grants and contracts and stuff – but we don't really use it to inform our services".*

(CSP20, DA Charity Team Leader)

CSP23 said that she felt embarrassed that service users were not really included in key forums. She said that the problem was usually gaining interest from them or that forums were in the middle of the week at times incompatible with working or child-care. She said that when they were involved, usually in the course of inspections mainly, they did highlight where services could improve but in reality, there was no plan for change generated by their feedback.

*"You know as far as service user feedback and input is concerned they should be really shouldn't they? I mean it does sound bad when you discuss it like this. I feel quite bad about the fact that we don't do enough. The forums we attend are really about services and money but really it wouldn't be unreasonable to include their feedback. Maybe it's because it is quite difficult to get service user participation and we are all so up against it that we think we don't have time – because it isn't straight-forward. There is a lot of material out there that tells us what's going wrong and you know with the police inspections and local authority inspections like the JTAI (Joint Targeted Area Inspection) around their DA and family support".*

(CSP27, LGBT/Male IDVA)

CSP27 went further to highlight that gaining sufficient trust from LGBT or Male victims was "nigh on impossible" because of stigma, lack of trust and the belief that their voices are less important because of the emphasis on domestic abuse as a gender based issue. CSP24 was also concerned that for all other victims of domestic abuse, gaining a platform for groups other than women was not only difficult but more complicated because of the "very different lifestyles and circumstances". He advocated what he referred to as a more "equalitarian" approach designed to encompass a much broader recognition and understanding of need:

*"Well those giving feedback and willing to be involved in focus groups or surveys are one type. Those we really need to hear from – that we want to get involved – are those that don't tend to give it because they are traumatised to such an extent that they can't or won't engage, don't trust anyone, are embarrassed or feel stigmatized – or all of the above – or any other reason that makes them harder to reach other than direct and immediate help. It's actually a bit more complicated than that as well because what we really need is for service users to design methods of*

*feeding back, what to ask, what language to use, what the sensitivities are. Otherwise how valuable is the information going to be – it will be from skewed perspectives and we will get the answers we think we want rather than the answers that will make a difference – that we can work with. Above all else there needs to be a genuine personal connection. Service users can bridge the gap between services and approaches and so on”.*

(CSP24, Local DA Manager for a National Charity)

CSP21 said that she felt that the term ‘service users’ was too generic and really held no meaning. She said it was a term “bandied about by people trying to sound inclusive”. In reality she said, service user input was minimal, not representative, usually directly relating to one project or service and to use as examples of involvement for grant monitoring reports. She was “disappointed” she said, that it isn’t taken seriously and there is no real idea of how to do it or more importantly, how to use it if they do capture the right people and the right information:

*“Trouble is – how do you know who should or could be involved – the danger is excluding a lot of service users that could be valuable in getting things right really. Asian women won’t talk to agencies generally but especially those that represent them voice wise, mainly because they are a tight knit community and know people in that community. The One Stop Shop they set up is working in isolation. So essentially the representation and voice of different communities is not being heard even with the best intentions. This area has a very diverse and I would say fairly challenging population but they don’t even know about forums to get themselves heard. The organisations that represent them seem quite guarded and maybe that’s because of trust or confidence in local authorities or the police or wider society – I don’t really know. To be honest even where there are agencies that could attend forums on their behalf there aren’t many that do particularly for the eastern European communities where there are differences within them even. I don’t know if it’s about how they are promoted or by whom – it’s difficult to know but there are barriers to getting better engagement for some reason and a lot of assumptions are being made regarding membership”.*

(CSP21, Senior Manager Mental Health Charity)

CSP22 also commented on the idea of service user involvement as being more about “going through a process and less about actually using what we hear”. CSP22 spent much of her working day talking to service users and perpetrators and felt that gaining service user insights was critical but also that it needs to be undertaken by practitioners that actually understand how to get the best from service users, show personal interest and have the ability to “make it real and meaningful”.

*“We really need to get heard to reach service users because those who are willing to engage will more often than not just say what you want to hear and it’s also better to be face to face. The people that you need are the right people and by that I mean those that understand the issues and have the right skills to get the best responses – the more real, honest things we need to know and not just the comfortable things”.*

(CSP22, DA Counsellor)

Research into domestic abuse service user feedback specifically is scarce, which may be reflective of the way it is perceived. Of the 19 interviewees that discussed these issues, all agreed that it was more about 'lip service' than a meaningful commitment. Of the remaining 11, the issue was not seen as directly related to their roles which is somewhat concerning given that for the police, all inspection reports from 2015, relating to domestic abuse responses have called for the police to employ mechanisms to "hear the voices" of victims (HMICFRS, 2021:41). For social workers, the involvement or 'participation' of service users in the planning, delivery and design of services and forms one of the key principles of social work (Goossen and Austin, 2017:38).

According to Goossen and Austin, the idea of 'nothing about us without us' has become a significant element of government policy to promote a 'participative democratic process'. They point to the fact that there has been a requirement to involve service users since the 1989 Children's Act and the 1990 NHS and Community Care Act. It has been further reinforced through subsequent amendments and again in the 2006 National Health Act (s242, 1B). However, as Goossen and Austin highlight, there is a difference between 'involvement' and 'participation' and was largely developed to make it easier to undertake personal budget planning, direct payments, service delivery and advocacy (Goossen and Austin, 2017:39). Therefore, individuals are involved or participate in their own plans but the extent to which this translates or that they are further involved in shaping services is unclear. CSP8 may provide some insight with regards this aspect of social work in relation to domestic abuse victims:

*"When we do an audit it shows where we lack skill sets and looks at the way that we've worked with parents. Part of this is to call service users to understand how social workers have performed in those cases but the questions are set within boundaries so it's hard to see the real value. We are meant to include service users in their own pathways but in reality, they tend to just follow what's set for them.....or not. The problem is that some social workers almost collude with parents because it's easier and then risks are minimized but the parents feel that they are getting what they want, or one is, so they don't necessarily tell the truth and say what they think you want to hear. There is a big issue around the power differential as well because you have power over them, or that's what they think, so they are more compliant and not really honest. It doesn't really improve anything for them and I don't see much change in what we do going on really".*

(CSP8, Social Worker)

The matter of barriers to effective service user involvement appear to stem from a number of issues highlighted here but predominantly it seems that service user involvement in any meaningful and purposive capacity is largely left to chance. The process of involving victims in improvements, according to two DA Charity



Managers is largely about meeting either quality mark and accreditation standards and/or grant conditions rather than there being a true commitment to service user engagement in any constructive way.

## **8.6 Summary**

The interviews produced a rich pool of qualitative data from a range of disciplines and levels. The local authority is seen as progressive and supportive, largely due to a committed team and the pro-active personalities within it. There were obvious frustrations with the governance of the cross local authority integrated domestic abuse contract, even from contract holders and reference was made to the constraints that this new way of working has placed on local service and project development. Issues such as connectivity between services, organizational priorities, understanding of and attitudes towards domestic abuse were also cited as problematic. Whilst the police were referred to more than most agencies, they are the subject of greater scrutiny in relation to performance and professionalism but many of the issues raised could be found across all organisations to some degree which suggest that individual and organizational habitus is more prevalent in shaping practice than not. Training was seen as a way of resolving issues around understanding and awareness, but as has been identified in the findings, this may not result in changing deep-rooted beliefs and attitudes, which raises the question as to how far can training re-shape this thinking, or to what extent we can expect them to change to ensure equitable practice for victims. This does not resolve the underlying causes and power structures that impact on equality and that sit at the heart of domestic abuse itself.

## **Chapter 9**

### **Conclusion**

#### **9.0 Introduction**

This thesis has explored the implementation of violence against women and girls policy in relation to domestic abuse, an issue that has developed over the course of 50 years and has finally resulted in legislation providing a structured framework underpinning national government policy commitments. The research for this thesis started shortly after the first HMIC report (2014) was published, highlighting significant failings in their handling of the issue and just in time for the 2015 progress report, which demonstrated a willingness to improve their performance in this regard. Much has moved forward and at a faster pace than it ever has previously, but evidence demonstrates continuing issues with perceptions and understanding of domestic abuse and victims continue to meet considerable challenges and difficulties when coming into contact with the police. As the key agency for maintaining law, order and public protection, the police come under intense scrutiny to ensure balanced and measured responses to all crimes. However the nature of organisations in any given society suggests that other agencies involved in delivering policy at local level, are also likely to develop and hold similar beliefs and attitudes in relation to domestic abuse.

The research set out to establish the extent to which VAWG policy is translated into practice and implemented in local authority settings, unpicking possible reasons for the persistence of difficulties in service delivery. The objective was to determine potential barriers to effective policy implementation and service delivery within the VAWG framework. Applying the work of Bourdieu to understand the way that social structures relate to the actions of individuals in the context of domestic abuse policy implementation, it was necessary to discover how practitioners behave towards the issue of domestic abuse and violence against women and girls within this framework.

Bourdieu (1993:58) cites both individual experiences and organizational influences on the development of identities, culture and orientations. As was discussed in Chapter 3, applying Bourdieu to policing skill-sets and experience suggests that police officers are subject to continued socialization and shaped by highly unpredictable and varied experiences in their day-to-day habitus (Chan, 2004:328). This assumes passive resistance to culture and practice, but as Chan

points out, police officers rely heavily on a network of colleagues for support within the organisation in terms of social capital and cultural capital. They need to fall into line with their colleagues and need support within the organisation in the case of management practice and discipline, but also external to the organisation in the process of decision-making and actions in the course of their duties. Cultural capital is needed to acquire knowledge and professional competence. This represents a powerful combination of pressures with regards to cultural compliance, but underpins symbolic capital, which relies on trust, legitimacy, consent and confidence in the police as a professional body. These observations extend to other agencies who are responsible for working in partnership with the police and each other towards a cohesive and collaborative victim centred model of working. These are brought together under policy initiatives such as MARACs, using prescriptive tools such as DASH to maintain consistency and continuity. The evidence within the findings has shown that these tools provide mechanisms within that spectrum but outcomes for victims remain variable and subject to discretionary interpretations, overt and implicit bias, lack of understanding or insufficient knowledge to look beyond the immediate scenario.

### **9.1 Understanding and knowledge of Violence Against Women and Girls Policy**

The findings indicate that agencies do not necessarily have a developed working understanding of VAWG policy, or adapt and develop services according to local needs. The relationship with VAWG policy appears to be more by default than design, suggesting problems with disseminating the relevant details and roles that agencies play in implementing policy and strategy at the local level. It is unclear who is involved in translating government policy into local strategies, but there was evidence that, this may not be undertaken with the full involvement of all agencies in the process of delivering VAWG services, as varied understandings of domestic abuse policy both nationally and locally, were evident. In this case study, the local authority was particularly supportive of all organisations working with them to deliver and improve domestic abuse services and fully inclusive of local third sector specialist organisations to undertake what they referred to as 'rolling development'. Both the local authority staff and third sector interviewees had an extensive, detailed understanding of domestic abuse, whereas the remainder (police, social workers and magistrates) had moderate and more superficial levels of understanding with regards to victims' needs and the variations of circumstances they face. The issue of coercive control and intersectionality for these interviewees was also not fully understood.

This research has shown disconnections between agencies, which can be attributed to differences in the purpose, nature, culture, priorities and resources. There were a number of references to leadership as having a significant role to play in changing culture and challenging attitudes, but also there are questions around how VAWG commitments are disseminated through organisations. The Institute for Government provides basic guidance on the principles of effective policy in practice, including defining common objectives, wide consultation, roll out plans for organisations and so on (Institute for Govt.). But again, there is little evidence that this is followed through in any meaningful way to local authorities, contract tendering and subsequent governance processes. This is a common theme from interviewees that management and governance of contractual funding were problematic. The model prior to the contracted integrated model was said to have worked well, but the structures that made it effective had been dismantled, and non-contracted key agencies had been excluded from the new domestic abuse service management framework. Any government funding was largely directed through the contract framework making local innovation and service improvements very difficult.

Hudson et al (2019:2) highlight that contributors to policy failures can be overly optimistic expectations, implementation in dispersed governance and lack of collaborative working in the policy framework. Expectations manifest into objectives and these can be formed from misunderstanding of the nature and capacity of other organisations. All of the organisations involved in this research have roles to play in the effective implementation of VAWG policy, but it is not the main priority of any of the organisations that were included, other than the domestic abuse specialist charity. Hudson et al (2019:4) assert that collaboration to capture the skill sets and contribution of agencies requires consideration of the many levels and multi-faceted nature of organisations and “connects actors vertically and horizontally in a process of collaboration and joint deliberation”. It is not difficult to see how the organisations in this study are working in silos rather than establishing work-plans that incorporate domestic abuse as a significant thread that joins them in implementing VAWG. This represents a significant issue for effective service delivery and cost effective outcomes.

Partnerships between providers were said to be variable, linking back to organizational purpose, the scope of work and priorities. Some organisations were not this area specific with wider remits. This contributed to significant variations between organisations based on purpose, roles and responsibilities,

creating different power dynamics but also prescriptive and non-prescriptive ways of working, particularly rigidity around contractual performance funding, project development and purposive involvement. Health in particular, was seen as unilateral with regards to domestic abuse and less aligned with control and information sharing, possibly due to the confidentiality that prevails in patient care, but the difficulty in relinquishing power and control to an outside agency is baffling, given the very clear benefits to victims of domestic abuse, the health service in treating their physical and mental well-being and the wider multi-agency network in reducing risk, harm and promoting empowerment. These are key elements of the work of health services (Veitch, 2010:320), but also for all agencies crossing paths in the process of supporting and protecting victims.

## **9.2 Local multi-agency partnership working and governance structures**

This research has shown disconnections between agencies, which can be attributed to differences in the purpose, nature, culture, priorities and resources. There were a number of references to leadership as having a significant role to play in changing culture and challenging attitudes, but also there are questions around how VAWG commitments are disseminated through organisations. The Institute for Government provides basic guidance on the principles of effective policy in practice, including defining common objectives, wide consultation, roll out plans for organisations and so on (Institute for Govt.). But again, there is little evidence that this is followed through in any meaningful way to local authorities, contract tendering and subsequent governance processes. This is a common theme from interviewees that management and governance of contractual funding were problematic. The model prior to the contracted integrated model was said to have worked well, but the structures that made it effective had been dismantled, and non-contracted key agencies had been excluded from the new domestic abuse service management framework. Any government funding was largely directed through the contract framework making local innovation and service improvements very difficult.

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domestic abuse specialist charity. Hudson et al (2019:4) assert that collaboration to capture the skill sets and contribution of agencies requires consideration of the many levels and multi-faceted nature of organisations and “connects actors vertically and horizontally in a process of collaboration and joint deliberation”. It is not difficult to see how the organisations in this study are working in silos rather than establishing work plans that incorporate domestic abuse as a significant thread that joins them in implementing VAWG. This represents a significant issue for effective service delivery and cost effective outcomes.

Partnerships between providers were said to be variable, linking back to organizational purpose, the scope of work and priorities. Some organisations were not this area specific with wider remits. This contributed to significant variations between organisations based on purpose, roles and responsibilities, creating different power dynamics but also prescriptive and non-prescriptive ways of working, particularly rigidity around contractual performance funding, project development and purposive involvement. Health in particular, was seen as unilateral with regards to domestic abuse and less aligned with control and information sharing, possibly due to the confidentiality that prevails in patient care, but the difficulty in relinquishing power and control to an outside agency is baffling, given the very clear benefits to victims of domestic abuse, the health service in treating their physical and mental well-being and the wider multi-agency network in reducing risk, harm and promoting empowerment. These are key elements of the work of health services (Veitch, 2010:320), but also for all agencies crossing paths in the process of supporting and protecting victims.

### **9.3 Attitudes and perceptions of practitioners**

Attitudes and unconscious bias were considered significant issues, particularly with regards to the police, but recognition was given to the breadth of police duties and required knowledge. Misogyny was cited as a lingering issue within police services and has been particularly scrutinised since the murder of Sarah Everard by a serving police officer. It appears that it also remains problematic within other institutions and is evident in this micro-study. Susannah Fish, former Chief Constable of Nottinghamshire Police, established a system to ‘recognise, record and investigate misogyny as a hate crime’ in 2016 as a way of trying to restore faith and trust in the police but also because the leadership agreed that it was more far-reaching and that misogyny is at the root of domestic abuse (inews.co.uk, 01/10/2021). She says that even after years of equality, diversity and domestic abuse training, “police culture remains stubbornly misogynistic,

inward looking and defensive". Fish claims that by making misogyny a hate crime, it created a platform for conversations around misogynistic behaviour and attitudes. The policy evaluation in 2018 found it to be an effective mechanism for challenging and changing behaviour and that it should be rolled out nationally.

Bourdieu (1993:58) cites both individual experiences and organizational influences on the development of identities, culture and orientations. As was discussed in Chapter 3, applying Bourdieu to policing skill-sets and experience suggests that police officers are subject to continued socialization and shaped by their highly unpredictable and varied experiences in their day-to-day habitus (Chan, 2004:328). This assumes passive resistance to culture and practice, but as Chan points out, police officers rely heavily on a network of colleagues for support within the organisation in terms of social capital and cultural capital. They need to fall into line with their colleagues and they need support within the organisation in the case of management practice and discipline but also external to the organisation in the process of decision-making and actions in the course of their occupation. Cultural capital is needed to acquire knowledge and professional competence. This represents a powerful combination of pressures with regards to cultural compliance, but underpins symbolic capital, which relies on trust, legitimacy, consent and confidence in the police as a professional body.

The issue of training was also discussed extensively with interviewees for this research and was seen as significant in terms of instilling awareness and understanding of the complexities and possible scenarios they will encounter when working with victims of domestic abuse. However, when discussing training, there was recognition that it may not be possible to shift the stubbornly deep-rooted beliefs held by the police and that achieving fair, sympathetic, empathetic treatment for victims may be as much as can be expected. The O'Reilly, CEO of the College of Policing released a paper on 21/03/2021 that appears to follow this idea. Responding to the public outcry and many criticisms leveled at the police after Sarah Everard's death, he cited a 'randomized controlled trial' designed to eliminate bias. He referred to a trial of officers routinely using body-worn video when responding to domestic abuse calls in 2018. This, he said, would lead to more effective evidence capturing to enable increased prosecutions without a victim's evidence. Whilst he talks about officers being trained to spot vulnerability, this now seems somewhat outdated in terms of current trends of domestic abuse responses and does not address the issue of deep-rooted sexist and misogynistic beliefs. Nor does it address the culture of comradery that

prevents officers from reporting the unacceptable behaviour of other officers (Mullaney and Trickett, 2021:3).

Trauma-informed training has been developed by Safelives, with input from service users to challenge beliefs, perceptions and attitudes and provides an understanding of the concepts with VAWG and domestic abuse and, to some extent, an overview of the impact on victims. It relies heavily on the understanding of a victim's lived experience and underlying impact on surface-level behaviours and needs, on the scene or when reporting, for example. This is not a mandatory training programme and has not been rolled out universally across England and Wales. Officers receive training including for coercive control, but there are still deficits in responses and, as the Sarah Everard case highlighted, serious issues regarding sexism and misogyny. But is training in its current formats enough to change deep-rooted issues such as misogyny and a society founded on patriarchal structures? One of the participants said that it was like turning a tanker in the Suez and perhaps she has a point. If the biases that exist are beyond the layer of consciousness, how effective can training be in turning the tanker? Training in the concepts of domestic abuse is offered by Safelives on a national scale and by smaller local charities in their own areas to raise awareness, challenging perceptions of domestic abuse and its victims. It is therefore not a consistent programme of delivery but is it a model that goes far enough? Evaluation evidence suggests some success in behavioural and attitudinal change for attendees when subsequently surveyed about how the Safelives training has influenced their practices, but whether it has impacted on deeply ingrained notions surrounding women, same-sex partners, or other identities is not yet fully understood.

Stanko and Hohl (2018:167) claim that police training is essentially police-led and 'police train police', with any external scholarship, performance or HMIC inspection information kept at arm's length because there is no mechanism to deal with these issues from within the force. They do say, however, that most police now recognize gendered nature of domestic abuse. With regards to training, they also point to the fact that inspections and performance reviews have a tendency to presume that the best training is available to solve the problems raised. Their general view is that training does not work in improving attitudes largely because it is delivered by former operational police officers who can bring the benefit of their 'lived experience' and pass on the baton of the 'craft of policing'. So it is essentially an inside job and rarely observed in situ by anyone external to the police (Stanko and Hohl, 2018:173). They say that there is a gap



between academic language and practitioner language which hinders anything from outside the force. Bourdieu's ideas could therefore be applied to confronting internalised dispositions and pre-dispositions as a means of restructuring and reshaping unconscious bias and this is worthy of further consideration within training design models.

#### **9.4 Equality and Diversity in local service delivery and policy implementation**

The use of 'gendered' language based around domestic abuse as male on a female was shown to be problematic and was seen as a potential barrier for LGBTQ+ communities and for male victims to report domestic abuse or engage with services. Services for these groups were believed to be more of an 'add on' to women's services rather than a well-researched reflection of the broader nature of domestic abuse victimology and not conducive to a framework of equality. In this regard, it was seen as a failing element of VAWG policy. Language and terminology were identified as skewing perceptions of risk and vulnerability as was the classification of 'difference' when discussing ethnicity and the assumptive groupings of ethnic identities such as 'Asian' or 'Eastern European', when each category had very different dimensions in relation to nations, nationality, cultures, religions, attitudes to gender and lived experiences.

Applying Foucault's concept of classification as a transmitter of discourse, these findings indicated that classifications of difference could lead to misunderstandings. Assumptions and judgments that diminish the quality and appropriateness of responses to the needs of different groups. The danger is that this creates potentially greater risks for a victim, or prevents reporting whilst serving to reinforce their difference and inequalities in service provision. These findings highlight a significant gap in the implementation process and the deficits in understanding the communities that experience domestic abuse. Coercive control is a complex phenomenon with multi-faceted, variable patterns of behaviour and harm. When combined with other factors relating to sexuality, gender identities and ethnicities that will have additional specifics attached to them, the prospects of appropriate responses are further complicated.

#### **9.5 Personalities of Professionals in the Implementation process**

Tummers et al. (2010:3) suggest that the role of professionals and their personalities play an important role in local implementation. The willingness or

unwillingness to implement policies according to them will undoubtedly impact on the effectiveness of those policies, the goals they set out to achieve and the way that the practitioners interact with partners and victims. Despite constraints caused by the integrated contract framework in the case study area, initiatives directly related to VAWG policy and strategy commitments had been seen as more progressive and effective as a result of committed leadership personalities within the local authority, shaping them to meet government funding streams and negotiating with adjacent areas to submit funding bids in support. The findings highlighted that this had a positive impact mainly on services specifically for local benefit.

## **9.6 Funding**

Funding has always been variable and problematic, but particularly since the lifting of the ring-fenced supporting people funding in 2011 (LocalGov, 2008, LocalGov.co.uk). This resulted in councils deciding priorities for funding allocations and thus reduced funding available for domestic abuse in the absence of statutory responsibility. Interviewees for this thesis research referred to funding and the impact of budget cuts on resources. Funding streams were considered unsustainable over long term periods, relying on surplus budgets within central government or the local council to maintain projects. The 'Out of Hours' service was a particular example in that it was playing a significant part in providing much-needed support and 'on the job' training for police officers assigned to the VITs and had become embedded over a short time period of 18 months. The funding was coming up for renewal, and unless alternative funding could be secured, the specialism and training aspect would be lost.

In November 2020, the government announced 'a major funding boost for victims of rape and domestic abuse, of £11 million to support victims through 'winter and beyond' and £7 million for innovative programmes to stop domestic abuse happening in the first place (Gov.uk, 18/11/2020). In February 2021, a further announcement was released, setting £125 million to be allocated to councils to support victims and children in safe accommodation. It is not clear whether that included the previously announced monies or whether it was a new pot of money. Women's Aid and Refuge (Women's Aid, 03/03/2021) claimed that this would leave a £200 million shortfall in the actual funding needed to provide the right level of service. According to interviewees in this study, funding for those operating outside of the wider integrated contract would not have access to any funding unless they were subcontracted by a contract holder, or the local

authority in the case study area was able to bid for additional funding from the county council. This inevitably leads to a disjointed allocation of funding and it is not clear whether the money is specifically ring-fenced for VAWG initiatives. Specialist agencies outside the contract framework are surviving on funding from various grant-making bodies to deliver projects and services from which the commissioning body benefits as 'added value', yet these agencies are not involved or consulted on strategies and action plans which 'assume' those subsidies. It would seem that the structure of funding falls short in a number of ways but a realistic model of funding that spans partnerships rather than stand-alone contract holders, which is essentially happening but with one dominant provider, might better achieve local objectives.

### **9.7 Service User Involvement in policy implementation**

It seems that service users are mainly involved at a superficial level for most service improvement and delivery models. This can result in a model of 'doing to' rather than 'doing with'. The use of surveys or evaluation questions following an intervention may provide some insight into performance and possibly service improvements but does not constitute meaningful service design and lived experience of the service itself. Service user involvement is important because it lends credibility and legitimacy to services seeking to present a professional image and illicit trust (Curvers et al., 2018:2). The impression given by interviewees was that service user involvement is largely tokenism to support grants, contract performance measures and bids. Considering that service users are at the heart of VAWG policy, it is surprising that they are not and have not been fully involved in shaping services given the considerable value real life, lived experience can have when training practitioners and improving service delivery whilst attaching meaning to data and key performance targets that provide positive impact on the lives and futures of service users.

Failure to understand the narratives of victims in all settings may infer the perpetuation of power dynamics and a loss of control for victims of domestic abuse, who submit to agencies in return for support and protection. This resonates with the Foucauldian notion of knowledge and power as discussed on page 120 of this thesis regarding the provision of knowledge by service users through documentation and narrative, to those who have the power to determine courses of action based on categorisation of risk, reliability and believability. The interpretation becomes a tool of control with regards the pathways of support depending on level of risk or other determining category. The truth of a victim's

experience becomes the truth as defined by another and further disenfranchises the service user. Meaningful involvement can influence and change the way that their narrative is heard.

Social work education has actively engaged with service users and secondary service users (carers) within their professional education programme (Goossen and Austin, 2017:41). The involvement of service users has been mandated by the UK government since 2003 and requires them to be involved in all aspects of social work implementation, practice, training and evaluation. Service user experience is seen as a key source of experiential knowledge, and social workers are encouraged to incorporate their perspectives into professional curriculums. The 'Out of Hours' project mentioned by one of the interviewees has demonstrated the benefit of specialists with service user experience working alongside police and providing 'on the job' training, challenging perceptions and sexist, racist or homophobic 'banter' and working alongside officers 'on scene. This was acknowledged by the officers on the team and managers as an effective mechanism with good feedback from victims, more effective support plans and risk management. This may go some way to reducing the deficits and gaps highlighted by Stanko.

## **9.8 Conclusion**

This thesis has reviewed available literature and identified a gap in research, which largely focused on the experiences of victim-survivors but not through the lens of practitioner perspectives. This research has set out to understand how VAWG policy translates at local level and variables relevant to it. It has tried to explain the issues identified during fieldwork, through the work of Bourdieu as a toolkit for unraveling the mysteries surrounding sustained deficiencies in responses to violence against women and girls. The earlier chapters looked at these in detail through a comprehensive literature review and although many of the findings reinforce earlier research findings, this work has sought to deconstruct what sits beneath. The limitations of current arrangements and changes required to enable more effective implementation models may be seen as both barriers and opportunities. Whilst domestic abuse presents as a gendered crime and is supported by evidence in this regard, the terminology within VAWG policy almost presents a framework of inequality in itself by tipping the scales in the opposite direction. The variability of leadership and partnerships in local areas has been shown to contribute significantly to the success or failure of policy initiatives, the findings herein indicating this as a continuing issue. Whilst the

case study area has many positive partnership components, key features include commitment, active involvement of key contract holders and competing priorities within organisations as barriers to effective policy implementation, development of new initiatives, quality standards and service-user involvement to meet VAWG objectives. Fundamentally however, it is attitudes, beliefs and perspectives that drive interpretation and judgement in the field. The categorization of communities, groups and individuals has the potential to reinforce and recreate inequality through the generalization of identities and vulnerabilities, underestimating risk and the nuances that exist within different contexts. The drive for consistency through prescriptive tools as regulators of individual influences indicates that even with a perfect 'scaffold' of measures around the victim, overt and implicit misogyny, negative gendered and intersectional biases have prevailed to undermine the VAWG agenda.

Quinlan (2021:200) highlights that the analysis of resilient habitus enables a more coherent understanding as to the variations and complexities of organisational and individual practice. Such examination has indeed identified the stubborn recalcitrance of habitus, particularly in the sphere of policing despite its exposure in recurring inspections and dramatic changes in the domestic abuse arena. Chan (2007:342) offers some glimmer of hope, reflecting on the nature of habitus as 'a process for adjustment that relies on cultural frames for cues and interpretations'. Her work centred on shifting representations of symbolic capital related to the traditional 'macho, crime fighting' police ideal to that of professionalism, accountability, community based, problem solving models more reliant on individual performance (Chan, 2004:344). She demonstrated that changing the reference point, a sanctuary for traditional cultures, could encourage individuals through the 'sense-making' process to adopt a new ideology and both behavioural and cultural re-adjustment. This suggests that habitus can be a dynamic entity with the possibility of collective forms of habitus converging under a common 'partnership habitus' centred around coordinated community response models that provide a coherent framework to merge capital and create a combined field aligned with common principles around VAWG. However, as Mullaney (2022, PIER) points out, there needs to be a 'seismic shift' in the collective social conscience; and that remains elusive.

**Word Count - 99921**

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# **APPENDICES**

## **APPENDIX 1 – CCCU ETHICS APPROVAL**



2 May 2017  
16/SAS/367C

Ref:

Andrea Kilvington  
c/o School of Law, Criminal Justice and Computing  
Faculty of Social & Applied Sciences

Dear Andrea

***Confirmation of ethics compliance for your study “Policy to Practice – Investigation into the local implementation of the ‘Ending Violence Against Women and Girls’ (VAWG) National Domestic Violence Policy (England & Wales)”***

I have received your Ethics Review Checklist and appropriate supporting documentation for proportionate review of the above project. Your application complies fully with the requirements for proportionate ethical review as set out in this University’s Research Ethics and Governance Procedures.

In confirming compliance for your study, I must remind you that it is your responsibility to follow, as appropriate, the policies and procedures set out in the *Research Governance Framework* (<http://www.canterbury.ac.uk/research-and-consultancy/governance-and-ethics/governance-and-ethics.aspx>) and any relevant academic or professional guidelines. This includes providing, if appropriate, information sheets and consent forms, and ensuring confidentiality in the storage and use of data. Any significant change in the question, design or conduct of the study over its course should be notified via email to [red.resgov@canterbury.ac.uk](mailto:red.resgov@canterbury.ac.uk) and may require a new application for ethics approval. It is a condition of compliance that you **must** inform me once your research has been completed.

Wishing you every success with your research.

Yours sincerely  
Carol Clewlow

Carol Clewlow  
RKE Co-Ordinator  
Tel: +44 (0)1227 922893 (direct line)  
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cc: Dr. Steve Tong

## **APPENDIX 2 – QUESTION FRAMEWORK**

### **Interview Plan**

Introductions/Topic Overview

Domestic abuse policy, its implementation at local level and its application in practice.

#### **1. To get us started I would like to ask you a little bit about your background and how you became involved in this area of work?**

*Is this something that you always wanted to be involved in?*

*Have you always worked in the field of domestic abuse or been connected with it?*

*What do you find particularly interesting in this job/role?*

#### **2. What awareness of domestic abuse did you have when taking on this role?**

*To what extent have your views developed and/or changed during your work in the field?*

*How have they developed or changed?*

*To what extent do you think attitudes towards domestic violence and abuse have changed generally?*

#### **3. What is your knowledge of domestic abuse policy?**

*What role do you play in the development of policy and how it is implemented?*

*What is your involvement in the development of strategies and action plans (adapt for role and job level)?*

#### **4. What is your personal understanding of VAWG policy and associated initiatives such as MARAC, CAADA DASH, IDVAs, Troubled Families?**

*How do these work in practice?*

*Can you think of any other initiatives that have developed as a result of VAWG?*

*What are the strengths and weaknesses of these initiatives?*

*What variations, if any, can be seen between organisations?*

#### **5. In your opinion, how well do partners understand and apply the principles of the VAWG policy?**

*How well do you think agencies work together to deliver VAWG policy?*

*What training do you and other partners have in domestic abuse and how does it relate to policy?*

*What are the challenges of partnership working?*

*What are the challenges that you face regarding service delivery?*

*Within agencies that you work with, to what extent is domestic abuse 'weighted' against other priorities and why or how is this applied?*

**6. How do you know that the (VAWG) policy and initiatives generated from it are working effectively at local level?**

*How useful are the tools and interventions available?*

*How do you monitor performance at national and local level regarding the policy and initiatives?*

*How well do you think it is working?*

*What could be improved and why?*

**7. To what extent do you think that the experiences of victims and service users are included in the development of VAWG Policy and how it is implemented?**

*To what extent are public views and opinions considered?*

*In what way could this be improved?*

*To what extent does government policy and local implementation differ, if at all?*

*To what extent have attitudes and approaches changed with regards to domestic abuse over say, the last 5 – 7 years?*

**8. What do you think are the priorities for local authorities and councils and how much might these be affected by budgetary and resource considerations?**

*What do you consider to be your organisation's priorities?*

*To what extent do you think that your organisations priorities match those of your partners and/or other organisations working in the field of domestic abuse?*

*How does this affect partnership working?*

*What in your opinion, should be the priorities and why?*

**9. The Good, bad and the ugly - If you were providing ministers with a picture of local services – what's being provided and what needs to change – what would that picture look like?**

## APPENDIX 3 – ACCESS LETTER



Dear

**Ref: Canterbury Christ Church University PhD Research Study**

I am a PhD student at CCCU undertaking research into Violence Against Women and Girls policy development and the process of disseminating and implementing this policy, along with associated tools or interventions, at local level.

There is considerable research into the views and experiences of service users but very little, if any, focus on the experiences and views of policy makers, managers and front line practitioners. This research seeks to address this issue and understand the process from the alternative perspective, providing a voice for those implementing policy, developing strategies and action plans, delivering domestic abuse services and/or working within the criminal justice system dealing with cases, victims and perpetrators.

My research therefore, necessarily requires the opportunity to interview a range of staff and practitioners from all levels of the agencies involved in the policy to practice journey. I am contacting you, as I believe that your contribution towards understanding the experience of professionals in the field would be an invaluable addition to the overall study.

I am therefore writing to you to respectfully request your participation in an interview lasting approximately 45 minutes to a maximum of 1 hour, at your convenience.

I have attached a background information sheet for your perusal and a consent form, which provides further details regarding the research process. I do hope that you will find this of interest and will be amenable to meeting with me in the near future to discuss the matter in hand. I thank you in anticipation of your agreement to participate and look forward to meeting you very soon.

Yours sincerely

Andrea Kilvington  
Researcher  
Canterbury Christ Church University

## APPENDIX 4 – CONSENT FORM



### CONSENT FORM

**Title of Project:** Journey from Policy to Practice – Investigation into the local implementation of the 'Ending Violence Against Women and Girls' (VAWG) National Domestic Violence Policy (England & Wales)

**Name of Researcher:** Andrea Kilvington

#### Contact details:

**Address:**

**Tel:**

**Email:**

1. I confirm that I have read and understand the information sheet for the above study and have had the opportunity to ask questions.
2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving any reason.
3. I understand that any personal information that I provide to the researchers will be kept strictly confidential
4. I understand and consent to this interview being recorded.
5. I agree to take part in the above study and understand that any comments of findings may be presented anonymously in reports or other published material.


**Please  
initial  
box**

-----  
Participant reference

-----  
Date

-----  
Signature

-----  
Name of Person taking consent  
(if different from researcher)

-----  
Date

-----  
Signature

-----  
Researcher

-----  
Date

-----  
Signature

Copies: 1 for participant

1 for researcher

## APPENDIX 5 – EQUALITIES FORM

A Kilvington - Canterbury Christ Church University

### PhD Research Study

Equality and Diversity Monitoring Form

The information below is to enable the researcher to gain a profile of participants and maintain impartiality with regards engagement with practitioners. This information is for the purposes of this PhD study only, are anonymised and will only be held until the research is completed. Once completed, this information will be safely disposed of through confidential waste services.

#### Age

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75+

#### Ethnicity

- Prefer not to say

#### Asian or Asian British

- Bangladeshi
- Indian
- Pakistani
- Other Asian background (Please specify \_\_\_\_\_)

#### Black or Black British

- African
- Caribbean
- Other Black background (Please specify \_\_\_\_\_)

#### Chinese and other groups

- Chinese
- Other ethnic group (Please specify \_\_\_\_\_)

#### Mixed race

- White and Asian
- White and Black African
- White and Caribbean



- Other Mixed background (Please specify \_\_\_\_\_)

**White**

- British
- Irish
- Other White background (Please specify \_\_\_\_\_)

**Religion or belief**

- Prefer not to say
- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Other (Please specify \_\_\_\_\_)
- No religion

**Gender**

- Prefer not to say
- Male
- Female

**Sexual orientation**

- Prefer not to say
- Lesbian
- Gay man
- Bisexual
- Heterosexual/straight
- Other gender identity

**Education**

- Prefer not to say
- GCE/GCSE
- BTEC/ONC/A Level
- Informal Training
- Formal Professional Training
- Degree level education
- Post Graduate qualification (Please specify \_\_\_\_\_)
- Management qualifications

- Specialist Qualification (Please specify\_\_\_\_\_)
- Other quals or Domestic Abuse training\_\_\_\_\_)

**Data protection statement**

The information gathered from this form is being used to gain information about participants in relation to this PhD study about Domestic Abuse policy implementation. The researcher is a PhD student at Canterbury Christ Church University and this data will inform statistics for the representation of the categories of individual participants as shown above. All personal information is treated in the strictest confidence and is anonymised in line with current data protection legislation and data protection policies.

In order for the researcher to process this information and to comply with data protection legislation, your consent is required. You are not required to give your consent; you acknowledge that any consent given is freely given. Including your signature below will signify your consent to our processing of this information. Once you have given consent, you may withdraw it at any time by contacting (*Andrea Kilvington, ak318@canterbury.ac.uk*).

Signature:

Date:

## **APPENDIX 6**

### **Summary Findings Profile – themed analysis**

#### The summary of key findings:

- Agencies do not necessarily have a developed working understanding of VAWG policy and adapt and develop services according to local need. The relationship with VAWG policy appears to be more by default than design.
- There are disconnections between agencies which can be attributed to differences in the purpose, nature, culture, priorities and resources. There were a number of references to leadership as having a significant role to play in changing culture and challenging attitudes.
- Attitudes and unconscious bias were considered significant issues, particularly with the police but recognition was given to the breadth of police duties and required knowledge. Misogyny remains an issue within institutions and are evident in this micro study.
- The issue of training was also significant in terms of instilling awareness and understanding of the complexities and possible scenarios they will encounter when working with victims of domestic abuse.
- When discussing training, there was recognition that it may not be possible to shift deep rooted beliefs and that achieving fair, sympathetic, empathetic treatment for victims may be as much as can be expected.
- Varied understandings of domestic abuse were evident. In this case study, the local authority, were particularly supportive of all of the third sector organisations working with them to deliver and constantly improve domestic abuse services. Both the local authority staff and third sector interviewees had extensive and very detailed understanding of domestic abuse whereas the remainder had moderate and more superficial levels of understanding with regards victims' needs and the variations of circumstances and situations they face. The issue of coercive control for these interviewees was not fully understood.
- The use of 'gendered' language based around domestic abuse as male on female was shown to be problematic. It was seen as a potential barrier for LGBTQ+ communities and for male victims to report domestic abuse or engage with services. Services for these groups were seen as an 'add on' to women's services and not conducive to a framework of equality. In this regard, it was seen as a failing element of VAWG policy. Language and terminology can skew perceptions of risk and vulnerability.

- Similar comments were made around ethnicity and the assumptive groupings of ethnic identities such as 'Asian' or 'Eastern European', when each category had very different dimensions in relation to nations, nationality, cultures, religions, attitudes to gender and lived experiences.
- Partnerships were said to be variable, linking back to organizational purpose, scope of work and priorities. There were also power differentials in terms of control over funding, project development and purposive involvement. Health in particular, were seen as unilateral with regards domestic abuse.
- Management and governance of contractual funding was problematic. The model prior to the contracted integrated model had worked well but the structures that made it effective had been dismantled and non-contracted key agencies had been excluded from the new domestic abuse service management framework. Any government funding was largely directed through the contract framework making local innovation and service improvements very difficult.
- Personalities play an important role in local implementation. Despite constraints caused by the countywide integrated contract framework, the case study area had implemented initiatives directly related to VAWG policy and strategy commitments, shaping them to meet government funding streams and negotiating with adjacent areas to submit funding bids in support.
- Funding streams were not sustainable over long term periods, relying on surplus budgets within central government or the local council to maintain projects. The 'Out of Hours' service was a particular example in that it was playing a significant part in providing much needed support and 'on the job' training for police officers assigned to the VITs and had become embedded over a short time period of 18 months. The funding was coming up for renewal and unless alternative funding could be secured, the specialism and training aspect would be lost.
- DASH and discretion were issues that came up across the interviews. The DASH risk assessment was designed to produce a consistent medium for managing risk but is seen as problematic as interpretations are still applied, creating variations and potentially harmful outcomes.