

POLICE RESPONSES TO COERCIVE CONTROL

This project aimed to analyse police responses to domestic abuse cases since the introduction of the coercive control offence. This research provides a much-needed empirical evidence base on the impact of the new coercive control legislation in the context of policing domestic abuse, to inform academic debate, policy and practice. The study was funded by N8 PRP 1st April 2017- 30th April 2018.

The project involved quantitatively and qualitatively analysing Merseyside Police domestic abuse data from January 2016-June 2017. With contributions from Merseyside Police, Women's Aid and other valued advisors, the project findings have informed the development of a 'coercive control learning tool' to be used by police forces.

KEY FINDINGS

- Low use of the law, indicating issues with police understanding and recording of coercive control
- Potential missed opportunities for identifying coercive control in broader domestic abuse cases, such as ABH.
- Issues identified with police investigation and prioritisation of coercive control offences, compared to other types of domestic-abuse-related crime.
- Particularly low arrest and solved rate in comparison to other types of domestic abuse-related crime, such as ABH.
- Problems identified with effectively evidencing coercive control
- Issues with officers recognising the extent and implications of risk in coercive control cases

INTRODUCTION

Physical violence is now understood to be just one of many methods of domestic abuse, with psychological, emotional, coercive and controlling methods being increasingly acknowledged in academia, policy and practice in the UK. On 29 December 2015, under Section 76 of the Serious Crime Act, engaging in controlling and/or coercive behaviour in intimate or familial relationships became a new criminal offence in England and Wales. The introduction of this offence has been upheld by many as a progressive step, since it recognises the everyday realities of many abuse victims and survivors and provides a means to reform police and broader criminal justice responses to domestic abuse. Particularly, given coercive control's emphasis on the sustained 'web' of abusive tactics (with or without the presence of physical violence) this offence challenges the typically violence- and incident-focussed conceptualisation of domestic abuse present within policing and the broader criminal justice system (see e.g. HMIC 2014, 2015), which overlooks and minimises the harmful, cumulative impact of coercive and controlling behaviour (Stark 2007). Nevertheless, academics have raised significant concerns about the introduction of the new offence (Walklate, Fitzgibbon & McCulloch, 2018; Walby & Towers, 2018). Furthermore, the low and geographically patchy use of the law indicates issues with police identification of coercive control (McClenaghan & Boutard, 2017).

To date, there has been little empirical research exploring how the coercive control legislation is working in practice. The current N8-funded project aims to address this lacuna. The project aimed: to analyse police responses to and actions taken in coercive control cases, using domestic abuse cases (such as ABH & GBH) as a comparison; identify missed opportunities for the application of coercive control; and use project findings to develop a coercive control ‘learning tool’, designed to support police officers in practice.

METHODOLOGICAL APPROACH

The project consisted of three stages. The first involved a quantitative analysis of all Merseyside police domestic abuse data from January 2016- June 2017. The data analysed comprised demographic information, police response/ outcome data and comparisons between crimed and non-crimed data. Stage two involved a qualitative analysis of all coercive control cases (156) and a random sample of domestic abuse-related ABH and GBH cases (102). This enabled a contextual understanding of police officers ability to identify, investigate and respond to coercive control cases effectively. The ABH and GBH cases also allowed an exploration of possible missed opportunities for identifying coercive control. The final stage involved the development of the ‘coercive control learning tool’, informed by project findings, which will be piloted by Merseyside Police, with the possibility of extending to other police forces in England and Wales.

FINDINGS

The project findings have raised various significant and diverse issues that relate to police responses to coercive control.

Police Responses

- Our quantitative analysis revealed that of the 18,289 domestic-abuse related crimes recorded by Merseyside Police over an 18-month time period, only 156 of these were listed as S.76 coercive control offences. This highlights issues with the identification and criming of coercive control.
- We identified that 83% of intimate partner ABH cases analysed featured evidence of coercive control, which was not detected by officers. This suggests missed opportunities for identifying coercive control when responding to domestic abuse cases.
- 62% of domestic ABH cases were attended to within 10 minutes (category 1 response), comparative to 18% of coercive control cases.
- However, this is contrasted when analysing the risk assessment data, where coercive control cases that had a MERIT risk assessment completed tended to be graded higher risk than ABH cases (43% of coercive control cases were risk assessed as gold comparative to 28% for ABH cases). The difference in response allocation between the coercive control and ABH cases could be due to the different contexts in which these crimes were reported to the police. If, for example, a woman calls to report that her partner has assaulted her there and then, the fact that the perpetrator is still at the scene and has been violent would demand a category 1 response. However, if a woman contacted the police to report sustained domestic abuse from her partner over a number of years, or that her partner was harassing her, she might be asked to attend an appointment to make a statement.
- In spite of this potential context, 46% of coercive control cases and 72% of domestic ABH cases resulted in an arrest, and 16% of coercive control cases and 33% of ABH cases were solved. This findings emphasise that despite coercive control cases receiving a higher risk assessment, they were less likely to result in an arrest or be solved in comparison to ABH cases.

Coercive Control Cases

- 95% of victims were women and 74% of perpetrators were men. This supports existing literature, highlighting the gendered nature of this offence (Stark, 2007).
- 76% of coercive control cases occurred within an intimate partner context
- Our qualitative analysis revealed that victims rarely contacted the police to specifically report the offence of coercive control. Coercive control often became apparent as a result of other offences (such as assault or criminal damage) being reported. This suggests that within and beyond the remit of the police, further continued awareness raising is needed regarding this offence.
- Common behaviours in the coercive control cases included use of technology (such as phone trackers, controlling social media usage, barrage of text messages or monitoring phone usage), sexual coercion, monitoring behaviours, isolation, threats, financial abuse, deprivation (depriving access to support) and physical violence (63% of coercive control cases featured reports of physical violence)
- 57% of perpetrators that were interviewed by the police denied all offences, with 25% making a counter-allegation.

Police Investigations

- Most of the successful convictions for coercive and controlling behaviour contained lots of different types of evidence, such as detailed MG11's and physical evidence (such as trackers).
- However, we found that police officers often struggled to demonstrate experiences of sustained, patterned abuse within victim statements in particular. We identified examples of officers investigating isolated 'incidents', such as an assault which led the victim to call the police, rather than effectively capturing a web of abusive behaviour within victim statements.
- When analysing the ABH cases, we found that evidence of sustained, coercive and controlling behaviours in victim witness statements was at times not fully investigated by officers.
- Other evidential opportunities were also sometimes not capitalised upon by officers, such as third-party witness statements, and physical or digital evidence.

IMPLICATIONS AND DISCUSSION

- Our findings support existing research, highlighting both the clear gendered dynamics of coercive control cases and such abuse primarily occurring in intimate partner contexts (Stark, 2007).
- Many police forces have received minimal to no extra funding or training to assist with the implementation of the new coercive control law. The issues with identifying, responding to and investigating coercive control cases highlight the need for further learning opportunities, training and greater levels of resourcing.
- Learning opportunities for the police should focus on issues such as identifying coercive control, assessment of risk, effective case building and maximising evidential opportunities.

Coercive Control Learning Tool

A key output of this project is the development of the Coercive Control Learning Tool, informed by project findings. This is designed to inform police practice and to provide learning opportunities for understanding and responding to coercive control. The tool is designed as a face-to-face training aid, but could also be adapted as an online resource or a library for trainers to suit force requirements. The design process of the tool had input from academics, police officers, Women's Aid and survivors of domestic abuse. This will be piloted by Merseyside Police and made available to other forces in England and Wales once piloted. The tool is split into three sections:

1. Understanding Coercive Control: areas addressed include the concept of coercive control (core dynamics, web of abusive behaviour, impact on victims), the new offence (context in which it applies, example behaviours) and why coercive control is important for policing.
2. Responding to Coercive Control: areas addressed include the identification of coercive control (signs to look out for victims & perpetrators), risk and coercive control, engaging with victims and perpetrators, and crime recording practices.
3. Investigating and Evidencing Coercive Control: areas addressed include strategies for evidencing the various aspects of the coercive control offence, maximising evidential opportunities, techniques for interviewing perpetrators, and preparing for the charge submission.

The Learning Tool includes audio reflections from a police officer who led the investigation of a successful prosecution for coercive control, and from survivors of coercive control, sharing their experiences of abuse and interactions with the police. The tool also contains activities for officers to complete post-learning.

RECOMMENDATIONS

- Provide further learning opportunities to equip police forces in identifying, responding to and investigating coercive control. This requires significant resourcing and financing at both a force and national level.
- Ensure that domestic abuse is seen as a priority across all police forces and agencies

IMPLICATIONS FOR FURTHER RESEARCH

The literature around the operationalisation of coercive control is still in its early stages of development. The current project analysed existing police responses to coercive control by analysing police data. Further research should explore police officers understanding of and attitudes towards coercive control and observe policing practice 'on the ground' to gain a more nuanced understanding of police responses. The PI has received funding from the British Academy/ Leverhulme to further develop this area. Further research should also provide a national picture of policing responses to coercive control, exploring examples of best practice and identifying any areas requiring improvement.

Authors: Dr Charlotte Barlow (Lancaster University), Professor Sandra Walklate (University of Liverpool), Dr Kelly Johnson (Lancaster University), Dr Les Humphreys (Lancaster University), Professor Stuart Kirby (UCLAN)

With thanks to project partners: Merseyside Police and Women's Aid.

June 2018

Further Information – Dr Charlotte Barlow (c.barlow@lancaster.ac.uk)