

# Multi-agency Domestic Abuse Guidance

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## 1. Introduction

This guidance is designed to support all professionals in Brighton and Hove working with adults who are risk of, or experiencing, domestic abuse. It provides a framework to promote a consistent, effective, and collaborative multi-agency approach in responding to this complex area of safeguarding practice. No single agency can address all the needs of people affected by or perpetrating domestic abuse. For intervention to be effective it is crucial that agencies work together in partnership to take timely action and adopt a shared responsibility for assessing and managing risk, improving safety, and signposting appropriately.

The guidance will provide information to help identify the different types of domestic abuse with examples of each of these, indicators and behaviours that may indicate domestic abuse is occurring and promotes a multi-agency response to domestic abuse with key considerations that should be taken into account in assessing and managing risk. This includes emphasising the responsibility of all professionals to take appropriate action and raise safeguarding concerns in relation to domestic abuse where relevant, and ensure the correct agencies are involved in responding to this.

The guidance also contains links to a range of other resources, including Pan-Sussex SAB Protocols, that can be used to develop knowledge and understanding in this area, as well as contact details for local and national organisations that may be able to provide additional support as part of a multi-agency approach to domestic abuse.

## 2. Identifying Domestic Abuse

The definition of domestic abuse is set out in the Domestic Abuse Act 2021 and can include, but is not limited to, the following:

- **Physical or sexual abuse**
- **Violent or threatening behaviour**
- **Controlling or coercive behaviour**
- **Economic Abuse**
- **Psychological, emotional, or other abuse**

For the definition to apply both parties must be aged **16 or over** and personally connected. Personally connected is defined in the Act as

- are married to each other
- are civil partners of each other
- have agreed to marry one another (whether or not the agreement has been terminated)
- have entered into a civil partnership (whether or not the agreement has been terminated)
- are or have been in an intimate personal relationship with each other
- have, or there has been a time when, they each have had a parental relationship in relation to the same child
- are relatives

The government have produced a factsheet that provides further information on the statutory definition of domestic abuse.

[Domestic Abuse Act 2021: overarching factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/92121/domestic-abuse-act-2021-overarching-factsheet.pdf)

The pan-Sussex Safeguarding Policy and Procedures contains a chapter on domestic abuse

## 3. Types of Domestic Abuse

The impact of domestic abuse can be devastating and long-lasting. It can lead to life-changing physical injuries or chronic health needs, and mental health issues such as depression, anxiety, or post-traumatic stress disorder.

It can increase substance use, with victims using drugs or alcohol as a coping mechanism that can potentially progress to addiction. Substance use may also be

used by perpetrators to control, coerce, or manipulate the victim with the threat of exposing this to professionals.

Domestic abuse may lead to economic disadvantage, reducing the victim's choices and leading to long-term debt, and there is also an established link with homelessness. Women who are homeless are particularly vulnerable to physical and sexual abuse and the risk of homelessness can lead to victims remaining in abusive relationships.

Types of domestic abuse can include, but are not limited to;

### **Coercive Control**

Coercive control is a pattern of behaviour which seeks to undermine a person's self-esteem or sense of self and restrict or remove their liberty or freedom. It describes a variety of controlling acts including assaults, threats, humiliation, manipulation, intimidation, sexual coercion, and gaslighting used to harm, punish, or frighten their victim.

Emotional, coercive, and controlling behaviour is established as a criminal offence in the Domestic Abuse Act 2021 as well as in Section 76 of the Serious Crime Act 2015, in which it carries a maximum penalty of five years' imprisonment and a fine. This legislation closes a gap around patterns of coercive and controlling behaviour.

### **Sexual Abuse**

When an adult is forced or persuaded to take part in sexual activities when they do not or cannot consent to this. This does not have to be physical contact and it can happen online.

- Unwanted kissing or touching
- Indecent assault
- Indecent exposure
- Deception over, or restricting access to, the use of birth control
- Forced involvement in making or watching pornography.
- 'Rough sex' including the infliction of pain or violence, simulated or otherwise with the aim of providing sexual gratification for the parties involved.
- Rape, and attempted rape, including non-consensual penetration or attempted penetration of the vagina, anus, or mouth.
- 'Corrective' rape (the practice of raping someone with the aim of 'curing' them of being lesbian, gay, bisexual, or transgender – LGBT)
- Intentional exposure to HIV or sexually transmitted diseases.
- Any sexual activity that the person lacks capacity to consent to

## Physical Abuse, including violent or threatening behaviour

- Assaults, including being kicked, punched, pinched, pushed, dragged, shoved, slapped, scratched, bitten, burned, scalded, or poisoned.
- Use of weapons, or objects or objects including knives, irons, or other implements.
- Non-fatal strangulation or suffocation. The new stand-alone offence of non-fatal strangulation was introduced through the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022. It carries maximum sentences of 2 years' imprisonment in the magistrates' courts or 14 years in the Crown Court.
- Harming someone deliberately while performing caring duties through deliberate rough handling, excessive restraint, or inappropriate use of medication.

## Psychological or Emotional Abuse

- Withholding attention
- Turning children and friends against the victim.
- Distorting a child's memories of the victim, their mother or father.
- Keeping the victim awake or preventing them from sleeping.
- Using violence or threats towards pets to intimidate the victim or cause distress.
- Persuading the victim to doubt their own sanity or version of events – known as 'gaslighting'.

## Economic Abuse

- Limiting the victim's access to their own income and requiring them to ask for money.
- Controlling the family income.
- Accruing bills and debts, for example, credit or store cards in the victim's name.
- Refusing to contribute to the household income.
- Preventing the victim from claiming welfare benefits or forcing them to commit benefit fraud.
- Interfering with the victim's education, training, employment or career.
- Not allowing the victim to have access to a mobile phone, car or utilities.
- Deliberately forcing the victim to go to the family courts so they incur additional legal fees to resolve contact and residence issues.
- Interfering with or preventing the victim from resolving their immigration status so they are economically dependent on the perpetrator.
- **Financial abuse** The Care Act defines financial abuse as:
  1. having money or other property stolen,
  2. being defrauded,

3. being put under pressure in relation to money or other property, and
4. having money or other property misused.

## **Stalking and Harassment**

Stalking can be defined as persistent and unwanted attention that makes someone feel harassed. It includes behaviour that happens two or more times, directed at or towards a victim by another person, which causes feelings of alarm, distress, and fear. Individuals may have to change their day-to-day routine in an attempt to avoid contact.

It is a pattern of four behaviours; **fixated, obsessive, unwanted, and repeated.**

These behaviours can include; unwanted communication from the person stalking or harassing the person, seeing the person loitering near the victim's person or workplace, being monitored and spied on, items or gifts being sent or moved, home or personal property being accessed or damaged, goods or services being ordered or cancelled, vexatious reports or complaints being made against the victim.

An escalation in behaviours may occur following a separation increasing the risk of further physical harm or death.

The Stalking Protection Act 2019 introduced Stalking Protection Orders (SPO), a civil order which police can apply for through the magistrate's court. Applications for interim or full orders can be made where:

- The threshold to start criminal proceedings for the committing of an offence has not yet or will not be met. This allows for early police intervention in stalking cases.
- Where a suspect has been charged. An SPO is not an alternative to prosecution for stalking offences under the Protection from Harassment Act 1997. In such circumstances, an SPO can be used to complement the prosecution of a stalking offence.

Within an application for an SPO or an interim order, police can request both prohibitions and / or requirements to protect the victim from the risk of stalking.

## **Technological abuse**

Perpetrators can use technology and social media as a means of coercive control. This is particularly common amongst younger people. Examples of online abuse include:

- Posting false or malicious information about the victim online.
- Creating false social media and email accounts in the victim's name.
- Trolling or 'catfishing' the victim online with abusive, offensive or deliberately provocative messages, or messages to try to obtain details of whereabouts.

- Threats and / or distribution of non-consensual private sexual images and films with the intent to cause the person distress (known as 'revenge porn').
- Hacking into, monitoring or controlling email accounts, social media profiles and phone calls, including blocking the victim from using their own accounts.
- Hacking internet-enabled devices such as games consoles, tablets, smart watches and smart home devices to gain access to accounts or trace information including location, with the aim of controlling and frightening the victim.
- Use of spyware or GPS locators on items such as phones, computers, wearable technology, in vehicles and on pets.
- Use of hidden cameras.

#### 4. Signs and Indicators of Domestic violence and abuse

Domestic abuse can involve different types of patterns and whilst not exhaustive, general indicators that an individual may be experiencing domestic abuse include:

- Changes in behaviour and physical presentation or incongruent behaviour
- Not communicating with or seeing friends and family
- Presenting as withdrawn with symptoms of anxiety and/or depression
- Person is never seen alone without their partner or family member
- Repeated health attendances or missed appointments
- Sexually transmitted infections
- Non-compliance with medication or over-medicating
- Inappropriate clothing to hide injuries, for example, wearing a polo neck or long sleeves in warm weather
- Injuries which may be explained as a fall or tendency to bruise easily

There are a variety of behaviours an adult experiencing domestic abuse may display.

- The individual has low self-esteem to the point they feel dependent on their abuser.
- Self-criticism, thinking they are stupid, fat, unattractive, or lucky to have a partner.
- Believing their abuser is always right, deferring to them or overreliance on them for decision-making.
- Feeling unable to share an opinion for fear of consequences and needing to 'walk on eggshells'.
- Feeling under pressure to change or move the relationship on quickly.

- High levels of stress manifesting in physical symptoms including nausea, butterflies in their stomach, poor appetite, lack of sleep and headaches.
- Not being able to see a future and possible suicidal ideation.

In addition to these general indicators of domestic abuse there are a range of other signs and indicators, and potential barriers, that need to be taken into account as part of an inclusive and person-centred approach when working with specific groups of people.

### **Multiple Compound Needs**

Domestic abuse is one of the conditions that make-up multiple compound needs, which is also described as multiple and disadvantage. The other categories of multiple compound needs are -

- **Homelessness**
- **Mental health issues**
- **Substance misuse**
- **Current or historical offending**

These various needs interact or exacerbate each other, so that several needs are experienced simultaneously.

This definition of multiple compound needs is not exhaustive and professional curiosity should be used to identify those who have a combination of needs and require enhanced support and / or safeguarding interventions.

Disabled adults, and women in particular, as well as those with poor mental health are more likely to experience domestic abuse and are more likely to have previously planned or attempted suicide. Disabled people are also more likely to experience domestic abuse for longer than non-disabled people.

People experiencing domestic abuse may use alcohol or drugs to try to cope with their situation or 'block out' what is happening to them. Access to treatment or prescribed medication may be withheld and they may be forced into drug or alcohol misuse by the perpetrator to intensify control and dependency.

People with multiple compound needs, including domestic abuse, are also more likely to have experienced trauma, in childhood and throughout their lives, and to live in poverty. A significant proportion of people who have multiple and compound needs are also neurodivergent; this includes those with learning disabilities, acquired brain injury (ABI), alcohol related brain damage, Autism Spectrum Disorder (ASD), and Attention Deficit Hyper Disorder (ADHD). Depression and anxiety may be other mental health issues that need to be taken into account.



The identification of multiple compound needs and accompanying factors such as neurodivergence, trauma, transitions, and poverty are key considerations as part of a person-centred approach in identifying and responding to domestic abuse.

### **LGBTQ+ communities**

LGBTQ+ people may experience unique forms of coercive control targeted at their sexual orientation or gender identity, for example, the threat of this being disclosed to friends and family who may not be aware.

Assumptions may be made by professional about their sexuality or gender identity or that partner violence doesn't occur in same-sex relationships. LGBTQ+ people may also have concerns about homophobia or transphobia in service provision or that non-specialist LGBTQ+ services are not for LGBTQ+ people.

### **Culture, Ethnicity and Race**

Whilst there is no evidence to suggest those from some ethnic or cultural communities are at higher risk of domestic violence and abuse, the form of abuse experienced may vary, including forced marriage or female genital mutilation (FGM).

Forced marriage occurs when individuals, regardless of their age, have been forced to marry against their will. A forced marriage differs from an arranged marriage, in which both parties consent to their parents or a third party choosing a spouse. Forced marriage is illegal, and can happen in secret, but can also be planned within the community by parents, extended family or religious leaders. Individuals may be trafficked to marry against their will, and individuals are also trafficked to and from the UK for sham marriages. Forced marriage can be a particular risk for young people, adults with learning disabilities or people lacking capacity. Resistance can result in emotional abuse, coercion, and restrictions on movement.

Honour-based violence (HBV) is defined as 'a violent incident or crime committed to protect or defend the perceived honour of the family or community'. It is designed to punish an individual for behaving in a way not in keeping with traditional or cultural beliefs, or refusal to agree to a marriage. It is often committed with some involvement or co-operation from the family and / or community.

### **Families and inter-generational abuse**

Abuse by family members can involve any relative or even multiple family members and there is no requirement under the Domestic Abuse Act for victim and perpetrator to live together.

This form of abuse include child to parent abuse (CPA), which can involve children of all ages and does not exclusively involve physical violence. If the child is over 16 years of age, CPA is considered domestic abuse in accordance with the statutory definition

under the Domestic Abuse Act. It can include parents, grandparents, siblings, extended families, and carers with parental responsibility. CPA can have serious and at times fatal consequences, and agencies need to be aware of risks posed by this form of domestic abuse and take appropriate steps to safeguard and support those at risk.

## **Young People**

Domestic abuse is one of a number of adverse childhood experiences (ACEs), which can have a long-lasting and detrimental effect on young people transitioning into adulthood. They may struggle to understand healthy relationships and may replicate behaviours learnt during childhood. Specific signs and indicators may include;

- Challenging behaviour including aggression and violence towards partners, family, friends, and the wider community.
- Concerns and pre-occupation around the safety of family members and future relationships, which may also impact on their ability to engage in education or employment.
- Difficulty interacting with others, including withdrawal and fear of conflict.
- Depression and anxiety
- Suicidal ideation and self-harm
- Increased risk of criminal exploitation, which could include grooming, sexual exploitation, gangs and county lines.
- Increased risk of technological abuse through social media.
- Risk-taking behaviours including substance and alcohol misuse, going missing, and sexually harmful behaviour.
- Failure to recognise exploitation or abuse due to any rewards, gifts or status being seen as outweighing the impact of the harm.

It is important to ensure young people at risk are referred to Children's Services, and consideration is given to additional risks with them being a young carer, or a young person, transitioning into adulthood.

## **Older People**

Assumptions being made regarding age and gender can mean that domestic abuse being experienced by older people is overlooked. This could include physical injuries being assumed to be the result of falls or unintentional rough handling during the provision of personal care. An adult presenting as unhappy or depressed may be seen as having health or social care needs without further consideration of the reasons for this.

Particular barriers that older people may face include –

- Not believing emotional and psychological abuse is domestic abuse
- Historic Police responses to domestic abuse
- Dependency on the perpetrator, including lack of economic independence or health needs, as well as traditional generational attitudes towards marriage and gender roles.
- An inability to remember incidents that have occurred because of declining memory and / or undiagnosed conditions, such as dementia.
- Experiencing domestic abuse in a new relationship for the first time and being unaware of how to seek support.

### **Learning disabilities**

Adults with learning disabilities are more likely to experience abuse than others. Research has highlighted women with learning disabilities are between four and eight times more likely to experience sexual abuse, mostly by people who provide their care.

Specific barriers to disclosing for those with disabilities include:

- Lack of specialist provision and accessible environments, including refuges.
- Lack of specific support with communication and advocacy
- Total dependency on caregivers due to lack of capacity
- Fear of being placed in residential care or having children removed from their care.

SafeLives has produced [guidance in relation to disabled people and domestic abuse.](#)

### **Traveller communities**

Ethnic groups include gypsies, travellers and nomadic ethnic groups who have a separate identity, culture, language, and history. The experience of domestic abuse within traveller communities is more hidden and may be compounded as the community is often marginalised within wider society.

**Some of the organisations listed in the resources section of this guidance provide support for specific groups of people.**

## 5. Responding to Domestic Abuse

Where domestic abuse is disclosed, it is important to deal with any immediate needs the person may have such as seeking medical help, police assistance, and access to domestic abuse services that can provide immediate support.

**If a person is in immediate danger, dial 999 and ask for the police.**

When working with victims of domestic violence and abuse the first principle to follow is to enquire safely about violence or abuse. This means ensuring the perpetrator is not and will not easily become aware of the enquiry. This is a key cornerstone of best practice in domestic abuse.

Research has shown that incidence of violence and levels of harm increase when a perpetrator's control is being challenged. It is very important that the perpetrator does not learn about any disclosure or plans being made by the person at risk by accident or without the knowledge of the person at risk.

To ensure safety and confidentiality –

- Always ensure you are alone with the person before enquiring into possible abuse – never ask in front of a partner, friend, or child.
- Make sure that you can't be interrupted and that you, and the person, have sufficient time
- Where necessary only use professional interpreters
- Do not pursue an enquiry if the person lacks capacity to consent to the interview unless you have already arranged an advocate.
- Document the person's response but not (but not in client/patient held records or organisational systems to which the perpetrator may have access).

Where a disclosure is made, care is needed not to ask leading questions and to give the person time to talk about what has happened. It is important to gather an account so appropriate support can be offered, and to avoid compromising any criminal investigations.

Open questions in response to a disclosure or potential disclosure should follow the principle of 'tell me what happened' or 'what, when, why, where and how'.

Those who experience abuse, including coercion and control, and are finding it difficult to disclose their experiences, may want professionals to ask direct questions as it can be easier to respond to a direct question than offer information independently. It is important to ensure questions are open so the person is able to provide an account in their own words. Such questions could include -

- I've noticed you have this injury. How did it happen?
- Do you feel frightened of anyone?
- Do you feel safe living here?
- Who makes decisions about what you can and cannot do?
- Some of the things you have told me concern me. Is somebody hurting you or are you worried somebody may hurt you in the future?

### **Person-Centred Approach**

The importance of a person-centred approach in safeguarding and supporting those with care and support needs is embedded in the Care Act 2014 and the accompanying statutory guidance. It means putting the person at the heart of the process to understand their needs, views, desired outcomes, and wellbeing.

A person-centred approach in supporting and safeguarding those who experience domestic violence and abuse includes transparent communication and consideration of their life experiences, the impact of significant events, and their longer-lasting effects.

If the person's story is not considered this could result in tackling symptoms rather than addressing underlying causes. The following are key elements as part of a person-centred approach -

### **Professional Curiosity**

Professional curiosity means a willingness to engage with the person to explore situations or circumstances holistically rather than making assumptions or accepting things at face value. Being open to new and unexpected information and incorporating this assists recognising, reporting and responding to potential vulnerabilities such as abuse or neglect.

Professional curiosity helps manage uncertainty, and to consider and analyse all possible explanations, and being prepared to 'think the unthinkable'. It also helps understand the ongoing impact of trauma and adverse experiences for those who have experienced domestic violence and abuse.

### **Trauma-Informed Approaches**

Trauma is often the result of adverse experiences including childhood abuse and neglect, parental mental health and substance misuse, domestic violence and abuse and sexual abuse. A trauma-informed approach may be particularly important for adults with multiple and compound needs experiencing domestic violence and abuse.

This trauma may be adverse Childhood Experiences (ACE), historic abuse or neglect, bereavement, imprisonment, having been a child in care, loss of family/children, or multiple traumas leading to post-traumatic stress disorder (PTSD).

For further information on trauma-informed and psychologically informed approaches and safeguarding please see chapter in the Sussex Safeguarding Policy and Procedures

[Sussex Safeguarding Adults Policy and Procedures | Welcome to Sussex Safeguarding Adults Policy and Procedures](#)

NHS England have produced e-learning on trauma informed care which can be found here

[Trauma-Informed Care - elearning for healthcare \(e-lfh.org.uk\)](#)

## **Engagement**

Previous trauma, such as mental health or neurodevelopmental conditions or physical disabilities, social injustice, or oppression may result in challenges for services in engaging and supporting people who have experienced domestic violence and abuse. These challenges may include appointments not being kept, thresholds not being met, behavioural issues, or ongoing substance use.

Some people may be unable to accept calls as they feel unsafe, and an abuser may prevent them from engaging with services. However, subsequent attempts may prove successful. Safelives has referred to the 'One Chance' rule, which may be particularly relevant in forced marriage and honour-based violence and emphasises the importance of using what is sometimes a very limited window of opportunity to work with someone to support them to stay safe.

The Forced Marriage Unit is part of the government and gives advice to victims, those at risk as well professionals.

[www.https://assets.publishing.service.gov.uk.](https://assets.publishing.service.gov.uk)

The Foreign and Commonwealth Office have also provided multi-agency guidance for dealing with forced marriage.

[Multi-agency statutory guidance for dealing with forced marriage and multi-agency practice guidelines: Handling cases of forced marriage \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

It is the responsibility of professionals and organisations to identify and overcome engagement challenges. To promote the person's engagement and involvement consideration should be given to any specific factors that may be influencing this,

alongside any preferences the person may have regarding the location, timing, and format of meetings as well as which professional(s) are best placed to engage with them.

Organisational engagement policies and processes should be followed in the event of ongoing challenges and there should be multi-agency communication and information-sharing before involvement is ceased.

Where the person has substantial difficulty in maintaining their involvement, an advocate must be appointed to provide representation.

### **Think Family**

The 'think family' approach agenda recognises and promotes the importance of a whole family approach to safeguarding. The importance of this is evidenced by the implementation of the Domestic Abuse Act, which specifically provides that a child (under 18 years old) who sees, hears, or experiences the effects of domestic abuse and is related to the victim or the suspect is also to be regarded as a victim.

Think family means a joined-up approach, working with both adults and children to identify need and potential risk to others, taking into account family circumstances and responsibilities. It means building on family strengths, working in partnership with families to recognise and promote resilience and helping them to build their capabilities.

Some of the organisations listed in the resources section of this guidance provide specific support for children and families.

## **6. Legislation**

The legal framework for keeping adults safe from domestic abuse is found within a wide range of statutes, regulations, and policies. These include the Domestic Abuse Act, Care Act, Mental Capacity Act, and Serious Crime Act.

### **Domestic Abuse Act**

As outlined in the second section of this guidance the definition of domestic abuse is set out in the Domestic Abuse Act 2021. It gives police, local authorities, and the courts wider powers and greater accountability to protect those experiencing domestic abuse. It also uses the term domestic abuse rather than domestic violence in encouraging people to consider that domestic abuse can present in many ways and is not just classified as physical violence.

- The extension of the offence of coercion and controlling behaviour. There is no longer a requirement for perpetrators and those experiencing domestic abuse to still be in a relationship or to still live together.
- The recognition of children as victims of domestic abuse in their own right if they see, hear, or experience the effects of domestic abuse and are related to the person being abused or the perpetrator.
- The implementation of special measures for victims of domestic abuse in criminal, civil and family courts, including screens in court or providing evidence via a video link. Perpetrators will not be able to cross examine victims in family and civil courts.
- The introduction of a national perpetrators strategy, including a new Domestic Abuse Protection Notice (DAPN) and Domestic Abuse Protection Order (DAPO) to help prevent reoffending and provide immediate protection for victims.
- A new criminal offence of ‘non-fatal strangulation’, which is punishable by up to five years’ imprisonment.
- A duty on local authorities to provide support to victims of domestic abuse and their children in refuges and other forms of safe accommodation.
- An amendment to homelessness legislation to give victims of domestic abuse automatic priority need status for settled housing, without needing to fulfil the vulnerability test.
- The Domestic Violence Disclosure Scheme (DVDS), commonly referred to as Clare’s Law, being put on a statutory footing for the first time.

## **Care Act**

The Care Act includes a clear legal framework for how local authorities and other parts of the system should protect adults with care and support needs that are experiencing, or at risk of, abuse or neglect. It defines adult safeguarding as protecting adults rights to live in safety, free from abuse or neglect. There are specific adult safeguarding duties under section 42 that apply to any adult who is 18 years or over who:

- has care and support needs and
- is experiencing, or at risk of, abuse and neglect
- is unable to protect themselves from the abuse or neglect

The categories of abuse and neglect identified within the Care Act include domestic abuse and this is defined in section two of this guidance. In situations where an adult is



experiencing, or at risk of, domestic abuse a formal safeguarding concern may need to be raised.

The Brighton and Hove, East Sussex and West Sussex SABs have developed pan-Sussex Safeguarding Adults Threshold Guidance, which provides advice and support on the identification of safeguarding, including domestic abuse.

[Sussex Safeguarding Adults Thresholds: Guidance for Professionals \(bhsab.org.uk\)](https://www.bhsab.org.uk)

For further guidance on domestic abuse and safeguarding see the chapter on domestic abuse in the pan-Sussex Safeguarding Policy and Procedures.

[Sussex Safeguarding Adults Policy and Procedures | Welcome to Sussex Safeguarding Adults Policy and Procedures](#)

### **Mental Capacity Act**

In supporting and safeguarding people who have experienced domestic violence and abuse there may be a range of factors that potentially influence decision-making, meaning consideration and, where relevant, accurate interpretation and application of the Mental Capacity Act (MCA) 2005 is vital.

Whilst the five principles in the Mental Capacity Act clearly identify that professionals should always start with assuming the person has mental capacity to make decisions and have the right to make unwise decisions doubts about capacity may arise due to; behaviour, environment, circumstances, or concerns in relation to a third party.

This can be particularly challenging in domestic abuse situations where the decisions being made by the person may be impacted by duress, coercion and control, or the person may be cared for by, or living with, a family member or partner who is seen to be making decisions on their behalf, and which put them at risk of danger.

Decisions taken with, and on behalf of, people may be serious and have far-reaching consequences, including leaving the family home, ending a relationship with the perpetrator, or having restricted contact with other family members. Where a decision has to be taken in the person's best interests, the individual must be involved as far as possible in making decisions and plans about their safety and wellbeing.

When a person chooses to stay in an abusive relationship, skilled assessment and intervention is required to judge whether they are making that choice free from undue influence of the person who is causing them harm. A decision not to leave may be based on a realistic fear of the behaviour the perpetrator has threatened if the victim were to disclose abuse or try to leave the relationship. It should be considered that impaired mental capacity may be a consequence of cumulative trauma and abuse,

and a thorough assessment undertaken to establish whether a person is making unwise or unsafe decisions, or whether decisions are made under duress, coercion and control.

Further guidance on the Mental Capacity Act, including areas such as fluctuating capacity and inherent jurisdiction, can be found at the BHSAB website here.

[Mental Capacity Act - Brighton SAB \(bhsab.org.uk\)](http://bhsab.org.uk)

## **Equality Act**

**The Equality Act** legal framework to tackle disadvantage and discrimination. People who experience domestic abuse may have rights under the provisions of the Equality Act, for example, if a victim develops anxiety or depression as a result of the abuse. The Act identifies protected characteristics as:

- Age including transition from child to adult and older people.
- Disability including physical, learning disability and mental health.
- Gender reassignment.
- Marriage and civil partnership.
- Pregnancy and maternity.
- Race including race, colour, nationality, citizenship, ethnic or national origins.
- Religion or belief.
- Sex.

## **7. Multiagency Working**

Effective multi-agency working is vital due to the potential high level of risk linked with domestic violence and abuse.

### **Communication and Information-Sharing**

Effective communication and information-sharing enables professionals to develop strong working relationships and networks, trust, and shared ownership of decisions and risk management.

When working together, professionals from across different organisations should seek to understand and respect each other's roles in supporting the person, as well as offering the flexibility which may be required to gain the best possible outcome for the

adult. This will help to set expectations, clarify responsibilities; and avoid any misunderstanding when sharing work.

Confidentiality is an important principle that enables people to feel safe but the right to confidentiality is not absolute. If an adult refuses consent to share information, their wishes should be respected but there are instances where the sharing of information can still legally take place when it is necessary to do so, and there are adequate safeguards in place to protect the security of the information.

Brighton and Hove, East Sussex and West Sussex SABs have developed a pan-Sussex Information Sharing Guide and Protocol, which provides further information in relation to information sharing.

### **[Pan-Sussex SAB Information Sharing Guide and Protocol](#)**

#### **Domestic Abuse, Stalking and Honour-based Violence (DASH)**

An assessment of risk should take place in all situations where the person is identified as experiencing domestic abuse. The Domestic Abuse, Stalking and Honour-based Violence Risk Indicator Checklist (DASH RIC) is a tool that should be used to assess risk, and to make referrals to appropriate agencies.

The form has two sections: the referral form, and a Domestic Abuse Risk Indicator Checklist (RIC). This is a universal checklist which contains 24 questions and identifies and assesses the risks posed to an individual. It is not a full assessment but provides valuable information about risks.

For further information on DASH in Brighton & Hove please see

**[Domestic and sexual violence and abuse, stalking and harassment and violence against women and girls \(brighton-hove.gov.uk\)](#)**

#### **Multi-agency Risk Assessment Conference (MARAC)**

The MARAC is a multi-agency meeting that brings together representatives from a number of statutory and voluntary sector agencies to work together to consider high risk cases of those at risk of serious harm or fatal violence to develop a support plan to reduce risk. Referral can be made for people over the age of 16 who are experiencing domestic abuse. This includes their children and wider networks.

It is key to remember that MARACs are not substitutes for safeguarding enquiries and consideration should always be given to raising a safeguarding concern where it is identified that an adult is experiencing domestic abuse.

A referral should only be made to MARAC if a DASH RIC form highlights that domestic abuse is high risk, or where a professional involved makes a judgement that the risks are concerning enough for MARAC to consider the need for additional safety planning.

Where an adult is the subject of a safeguarding enquiry, the MARAC referral should include information on relevant history, progress of the enquiry, and clarify additional support being sought.

A MARAC referral does not eliminate the risks faced by the individual and does not replace the interventions carried out as part of a safeguarding enquiry. While referrals should not be made for resolving an immediate crisis, high risk cases should always be referred for consideration.

Consent is not always sought to make a referral, but action may be taken afterwards to ensure the victim is informed. This may include raising a new safeguarding concern.

### **MARAC Repeat Referrals**

SafeLives defines a 'repeat' as any instance of abuse between the same victim and perpetrator(s), within 12 months of the last referral to MARAC. The individual act of abuse does not need to be 'criminal', violent or threatening but should be viewed within the context of a pattern of coercive and controlling behaviour.

It should be noted that the requirements around MARAC repeat referrals apply regardless of any ongoing safeguarding S42 enquiry or plan that partner agencies may be supporting the person/their representative with.

For further information on MARAC please see the MARAC guidance on the Brighton & Hove City Council website.

[Multi-Agency Risk Assessment Conference \(MARAC\) operating protocol and information sharing agreement \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/marac)

### **Working with Individuals at Higher Risk of Harm**

Risk assessment should be clear and robust, and include contingency planning if contact is difficult or unsafe to make. This could include identifying safe methods of contact including days and locations for meetings. Flags or warning markers could also be added to recording systems identifying that domestic abuse is a concern and staff should be vigilant regarding this.

## 8. Resources

Below are contact details for organisations both across Sussex and nationally that provide a range of support in relation to domestic abuse. These include both statutory and non-statutory organisations, with some providing specific services or supporting specific groups of people, as well as children and families.

| Local Organisations                   |   |   |
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| Organisation                          | Services Provided   | Contact Details   |
| Police                                | <p><b>In an emergency call the Police immediately.</b></p> <p><b>If it is not safe for you to speak you can use the Silent Solution system – call 999, and if you do not speak you will be diverted to an automated system. You can then press 55 to be diverted to the local Police force.</b></p> <p>In non-emergency situations you can contact the Police on 101.</p> <p>Sussex Polce referrals should be sent to the relevant Multi-agency Safeguarding Hub (MASH) team:</p> <p>If someone is in a relationship and are worried that their partner may have been abusive in the past the Domestic Violence Disclosure Scheme (DVDS) known as ‘Clare’s Law’ either they or a third party can apply for disclosure to obtain specific information in relation to any previous abusive behaviour. This is to help and support making informed decisions on whether to remain in the relationship.</p> | <p><b>Telephone: 999</b></p> <p><b>Telephone: 101</b></p> <p><a href="#">Contact us   Sussex Police</a></p>   |
| <b>Brighton and Hove City Council</b> | To raise a safeguarding concern for someone with care and support needs who are experiencing, or at risk of, domestic abuse please contact Health and Adult Social Care.  | <p><b>Brighton and Hove Health and Adult Social Care</b></p> <p><b>Online:</b></p> <p><a href="https://brighton-hove.gov.uk/report-safeguarding-concern">brighton-hove.gov.uk/report-safeguarding-concern</a></p> |

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|                          | <p>For further information on domestic abuse services in Brighton &amp; Hove please read -</p>  | <p><b>Email:</b><br/> <a href="mailto:hascsafeguardinghub@brighton-hove.gov.uk">hascsafeguardinghub@brighton-hove.gov.uk</a></p> <p><a href="https://www.brighton-hove.gov.uk/help-with-domestic-abuse">Help with domestic abuse (brighton-hove.gov.uk)</a></p> |
| <b>Children Services</b> | <p>It is vital all professionals are professionally curious when working with those experiencing domestic abuse and identify any others who may be at risk and to respond appropriately.</p> <p>'Think Family' recognises and promotes the importance of a whole-family approach. It encourages professionals and services to consider the parent, child and whole family circumstances and responsibilities.</p> | <p><b>Brighton and Hove Families, Children and Learning</b><br/> <b>Telephone:</b> 01273 290400<br/> <a href="https://www.brighton-hove.gov.uk/front-door-for-families">Front Door for Families (brighton-hove.gov.uk)</a></p>                                  |
| <b>Health</b>            | <p>General health information and advice.</p> <p>If there are specific health concerns contact the local GP surgery to arrange an appointment.</p> <p>For further health information on domestic abuse please read</p>  | <p><b>Telephone:</b> 111</p> <p><a href="https://www.nhs.uk/find-a-gp">Find a GP - NHS</a></p> <p><a href="https://www.nhs.uk/getting-help-for-domestic-violence-and-abuse">Getting help for domestic violence and abuse - NHS (www.nhs.uk)</a></p>             |
| <b>Victim Support</b>    | <p>Survivors, professionals, and friends or family of someone experiencing domestic abuse can call the Domestic Abuse specialist service (DASS) helpline provided by Victim Support.</p> <p>Lines are open 9am-5pm, Monday to Friday. If they are not able to answer immediately leave a voicemail message with a name, location and reason for the call.</p>   | <p><b>Telephone:</b> 0300 323 9985.<br/> <a href="https://www.victimsupport.org.uk/live-chat">Live chat - Victim Support</a></p>  |

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|                          | There is also a free live chat support service that is available twenty four hours a day.   |  |
| <b>Stonewater</b>        | <p>The Brighton Refuge is a safe space providing accommodation and support for women and their children who are fleeing domestic abuse. They accommodate up to fifteen women (plus their children) in self-contained accommodation with specialist support.</p> <p>Stonewater also offer a weekly Black and Ethnic Minority (BME) women's day group: 'Crafty Connections'. This provides art and craft activities and refreshments.</p> | <p><b>Telephone:</b> 01293 780419 (To make a referral)<br/> <b>Email:</b><br/> <a href="mailto:Brighton.Refuge@stonewater.org">Brighton.Refuge@stonewater.org</a><br/> <a href="#">brighton-refuge-referrers-brochure-digital.pdf (stonewater.org)</a></p> <p><b>Telephone:</b> 07387 024352</p> |
| <b>Survivors Network</b> | Survivors Network provides specialist help and support for those who have experienced sexual violence and abuse across Sussex. They have a helpline and email service, an Independent Sexual Violence Advisor (ISVA), Children and Young People CYP) Team, and offer counselling, groupwork, and training.  | <p><b>Telephone:</b> 01273 720 110<br/> (Mondays 7 - 9pm and Wednesdays 12 - 1.30pm)<br/> <b>Email:</b><br/> <a href="mailto:help@survivorsnetwork.org.uk">help@survivorsnetwork.org.uk</a><br/> <a href="#">Home - Survivors Network</a></p>  |
| <b>Veritas Justice</b>   | Veritas Justice provides support, advocacy and advice for individuals affected by stalking and professionals supporting them. This includes carrying out risk assessments and devising safety plans.  | <p><b>Telephone:</b> 01272 234 773<br/> <a href="#">Veritas Justice</a></p>  |
| <b>Hourglass</b>         | Hourglass provide advice and support for older people at risk of or experiencing, any form of abuse, including domestic abuse including domestic and economic abuse.  | <p><b>Telephone:</b> 0808 8088141<br/> <b>Text:</b> 07860052906<br/> <a href="http://wearehourglass.org">Hourglass (wearehourglass.org)</a></p>  |
| <b>Flexible Fund</b>     | The Brighton & Hove Flexible Fund can be used for survivors affected by domestic abuse. This can include transport costs, rent deposits, white goods, and other   | <a href="#">Apply for a Flexible Support Fund (brighton-hove.gov.uk)</a>   |

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|                           | emergency expenditure at short notice.   |   |
| <b>RISE</b>               | RISE is an independent, local charity that helps people affected by domestic abuse. They offer practical help ranging from direct advice to refuge accommodation for those affected by domestic abuse. They also offer a translation service on their website.   | <b>Telephone: 01273 622822</b> (Open Mon and Tues 9.30am -12.30pm and Wed 5.00-7.00pm)<br><b>Email: <a href="mailto:helpline@riseuk.org.uk">helpline@riseuk.org.uk</a></b><br><b><a href="#">RISE</a></b>   |
| <b>Safe: Space Sussex</b> | Safe: Space Sussex provides a directory of support for people who have been the victim of crime.   | <b><a href="#">Safe:Space Sussex</a></b>  |
| <b>LGBTQ Switchboard</b>  | Switchboard provide support for LGBTQ people affected by domestic abuse. They are local and national, providing support to survivors through Independent Domestic Abuse Advisors (IDVAs) and can assist with housing and accessing refuge services, financial issues and benefits, navigating the criminal justice system, and assist with mental and physical health needs. Projects they undertake include training, consultancy and research. | <b>Telephone: 01273 359042 or 0800 0119900</b><br><b>Email: <a href="mailto:domesticabuse@switchboard.org.uk">domesticabuse@switchboard.org.uk</a></b><br><b><a href="#">Switchboard LGBT+ Helpline</a></b> |
| <b>Hersana</b>            | Hersana provides black femme survivors with support, access to justice and counselling on all forms of gender-based violence.  | <b>Telephone: 0333 016 9610</b><br><b><a href="#">HERSANA</a></b>   |
| <b>Mankind</b>            | Mankind provides a confidential helpline for male victims of domestic abuse and sexual abuse across the UK with a local point of contact in Brighton and Hove.   | <b>Telephone: 01273 011680</b><br><b><a href="#">Mankind</a></b>  |



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| <b>Brighton Women's Centre</b> | Brighton Women's Centre provides information and support for women who have experienced abuse or discrimination, trauma, bereavement or homelessness.   | <b>General Enquiries:</b><br><a href="mailto:admin@womenscentre.org.uk">admin@womenscentre.org.uk</a><br><a href="#">Brighton Women's Centre</a> |
| <b>Oasis Project</b>           | Provides support for women, children and families in Brighton & Hove and East Sussex affected by drug and alcohol services. The support provided includes a free creche, therapy services, parenting programme, and specialist social work support.   |  |
| <b>Capa First Response</b>     | Capa is a remote organisation that offers support to any family where a child is using harmful behaviours in the home towards a parent or care giver. They offer free advice and support sessions, free 1-2-1 support for the whole family, training for professionals, and network events. |  |

Below are contact details for national organisations, including those providing support for specific groups of people, in relation to domestic abuse.

| <b>National Organisations</b>                  |  |  |
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| <b>Organisation</b>                            | <b>Services Provided</b>   | <b>Contact Details</b>   |
| <b>Refuge National Domestic Abuse Helpline</b> | A 24-hour national helpline to support people experiencing domestic abuse.       | <b>Telephone:</b> 0808 2000 247<br><a href="#">Refuge National Domestic Abuse Helpline</a> |
| <b>National LGBTQ Helpline</b>                 | A 24-hour national helpline to support LGBTQ people experiencing domestic abuse. | <b>Telephone:</b> 0800 999 5428<br><a href="#">Galop National Helpline</a>                 |

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| <b>National Centre for Domestic Violence</b>            | A service for survivors of domestic abuse seeking an injunction.  | <b>Telephone:</b> 0800 9702070<br>Email: <a href="mailto:office@ncdv.org.uk">office@ncdv.org.uk</a><br><br><a href="#"><u>Domestic Violence &amp; Abuse - Emergency Injunction Service</u></a> |
| <b>Suzy Lamplugh Trust/National Stalking Helpline</b>   | A personal safety charity that focuses on lone-working and personal safety training, stalking training, as well as consultancy, campaigning, and support service. The services it provides includes a 24-hour national stalking helpline.                               | <b>Telephone:</b> 0808 802 0300<br><br><a href="#"><u>What we do   Suzy Lamplugh Trust</u></a>   |
| <b>Paladin</b>  | An organisation assists high risk victims of stalking throughout England and Wales with Independent Stalking Advocacy Caseworkers (ISACs) to support high risk victims of stalking and develop coordinated community responses to keep victims and their children safe. | <b>Telephone:</b> 0203 866 4107<br><br><a href="#"><u>Paladin – National Stalking Advocacy Service (paladinservice.co.uk)</u></a>  |
| <b>Karma Nirvana</b>                                    | Karma Nirvana is a specialist charity working to end honour-based violence. They have a 24-hour helpline and provide training for professionals.  | <b>Telephone:</b> 0800 5999 247<br><br><a href="#"><u>Karma Nirvana</u></a>  |
| <b>Home Office Female Genital Mutilation (FGM) Unit</b> | The FGM Unit provides outreach support to local areas to support them in developing responses to FGM.   | <b>Email:</b><br><a href="mailto:fgmenquiries@homeoffice.gsi.gov.uk">fgmenquiries@homeoffice.gsi.gov.uk</a>  |
| <b>Cats Protection</b>                                  | Cats Protection Lifeline is a free and confidential cat fostering service for cats in situations where families are experiencing domestic abuse. They provide temporary foster homes until the cats are able to be safely reunited with their owners.                   | <a href="#"><u>Cats Protection</u></a>   |

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| <b>Daisy Chain Project</b>    | The Daisy Chain Project provides legal advice and education on domestic abuse for people who do not qualify for legal aid. This includes advice, support, and representation on matters including emergency ex-partner injunctions, non-molestation orders, child contact and divorce in domestic abuse situations. | <a href="#"><u>The Daisy Chain Project</u></a>  |
| <b>Southall Black Sisters</b> | Southall Black Sisters highlight and challenge all violence against women and girls. They provide specialist advice, information, advocacy, counselling, and self-help support.   | <a href="#"><u>Southall Black Sisters</u></a>   |
| <b>Sistah Space</b>           | Sistah Space is a community-based, non-profit initiative that supports women and families affected by domestic abuse whilst ensuring that cultural factors are considered and understood.   | Telephone: 020 7846 8350<br><a href="#"><u>Sistah Space</u></a>   |
| <b>IKRWO</b>                  | IKRWO is a charity that provides advice and support to Middle Eastern, North African and Afghan women and girls living in the UK who have experienced, or at risk of all forms of honour-based abuse, including; forced marriages, child marriages and female genital mutilation (FGM) or domestic abuse.           | Telephone: 0207 920 6460<br>Email: <a href="mailto:info@ikwro.org.uk">info@ikwro.org.uk</a><br><a href="#"><u>IKWRO – IKWRO Women's Rights Organisation</u></a> |
| <b>Nour</b>                   | Nour provides advice and support to the Muslim community on domestic violence. This includes access to legal advisors, counselling, and psychological support.  | <a href="#"><u>NOUR</u></a>   |

Below are further reading and resource options that can provide support in relation to domestic abuse.

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| <b>Local Government Association and ADASS</b>                   | <a href="#">adult-safeguarding-and-do-cfe.pdf</a>  |
| <b>Research in Practice for Adults</b>                          | <a href="#">Coercive Control   from Research in Practice for Adults and Womens' Aid (ripfa.org.uk)</a>   |
| <b>Government Statutory Guidance</b>                            | <a href="#">Domestic Abuse Act statutory guidance - GOV.UK (www.gov.uk)</a><br><br><a href="#">Multi-agency statutory guidance on female genital mutilation - GOV.UK (www.gov.uk)</a><br><br><a href="#">HM Government Multi-agency practice guidelines: Handling cases of Forced Marriage (publishing.service.gov.uk)</a> |
| <b>Safelives</b>  | <a href="#">Safelives</a><br><br><a href="#">Resources for Marac meetings   Safelives</a>  |
| <b>National Institute for Health and Care Excellence (NICE)</b> | <a href="#">Recognising and responding to domestic violence and abuse   Quick guides to social care topics   Social care   NICE Communities   About   NICE</a>   |
| <b>Sussex Police</b>  | <a href="#">Advice about domestic abuse   Sussex Police</a>  |
| <b>Brighton &amp; Hove Flexible Fund</b>                        | <a href="#">Apply for a Flexible Support Fund (brighton-hove.gov.uk)</a>   |