

# Centre for Women's Justice evidence to Home Affairs Committee inquiry into policing priorities

23 October 2022

## Introduction

Centre for Women's Justice (CWJ) is a lawyer-led charity focused on challenging failings and discrimination against women in the criminal justice system. We carry out strategic litigation and work closely with frontline women's sector organisations on using legal tools to challenge police and prosecution failings around violence against women and girls (VAWG). We provide legal advice in approximately 500 legal enquiries per year and deliver training to domestic abuse and sexual violence services across England and Wales. Our work enables us to see the broader picture around the difficulties faced by victims and survivors as they go through the criminal justice process.

Overall, a key problem in the policing and prosecution of VAWG is the enormous gulf between political rhetoric and the realities on the ground when women report VAWG offences. Over the past decade a raft of legal measures have been introduced to address VAWG, particularly domestic abuse and stalking. However, there is a huge implementation gap so that legal measures are not translated into improvements in the lived experiences of victims and survivors. Looking at the police response to domestic abuse, harassment and stalking, and sexual offences, there are many common features amongst the reasons why the system fails women.<sup>1</sup> Linked to this is a lack of public confidence, resulting from inadequate policing responses, but also including the way that forces deal with allegations of abuse by officers within their own ranks.

When considering policing priorities across the board, in our view the Committee's inquiry should ask itself whether and how policing delivers the response to VAWG that the public has rightly come to expect. In March 2022 the Home Secretary announced that tackling VAWG would become a national policing priority, akin to terrorism and child sexual abuse. We ask how that reflects in practical changes to address the failings we see. Simply declaring an issue a priority means little without the resourcing to deliver it, as noted in the ground-breaking 2014 report by HM Inspectorate of Constabulary into the policing of domestic abuse. The increased focus on VAWG since the murder of Sarah Everard has resulted in many good declarations of intent<sup>2</sup>, but these may amount to no more than lip service if the fundamental problems in the system are not addressed. We expand on these below.

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<sup>1</sup> CWJ's work is mainly focused on these areas and we have more limited experience of modern slavery, forced marriage and other types of VAWG

<sup>2</sup> In particular the College of Policing and NPCC National Framework for Delivery on VAWG Dec 2021, and the HMICFS inspection into the police response to VAWG Sept 2021

This submission will address the following:

### **1. Evidence of the implementation gap**

We set out a range of examples of how in many areas policing does not come close to providing an adequate response to VAWG in practice.

### **2. Chronic underfunding of policing resources dealing with VAWG**

We discuss the link between the inadequacies seen in the response to VAWG and priorities in resourcing.

### **3. Lack of specialism and training on VAWG offending and legal measures**

We argue for specialist police units for domestic abuse and for sexual offences, without which many of the laws, policies and procedures introduced to tackle VAWG are simply not used in day-to-day policing.

### **4. Link between attrition rates and inadequacies in the criminal justice system**

We show how extremely high attrition rates in VAWG cases are not merely the result of choices by victims and survivors, but a direct response to the failings in the criminal justice system.

### **5. Failure to deal with abusers within the police**

We stress the importance of dealing robustly with police officer abusers, in order to secure public confidence and cultural change within forces. Attitudes that tolerate abusers remaining in their roles are linked to broader minimising and lack of understanding around VAWG offending.

### **1. Evidence of the implementation gap**

The following are only examples, there are many more features of policing of VAWG where laws are simply not being implemented and powers not used.

- Prosecution rates for domestic abuse have been falling alarmingly, in the year ending March 2021 (the last available figures) only 7.9% of domestic abuse cases resulted in a charge or summons.<sup>3</sup> Unlike many other crimes, identification of the suspect is not a problem. This is a steep reduction from rates of 23.2% in year ending March 2016 and 18.6% in year ending March 2017.<sup>4</sup> We know that the Domestic Abuse Commissioner is concerned about

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<sup>3</sup> Office for National Statistics, Domestic abuse and the criminal justice system dataset

<sup>4</sup> HMICFRS update report Feb 2019 on police response to domestic abuse

this, as are many organisations in the women's sector, for example see the most recent briefing by the End Violence Against Women Coalition:

<https://www.endviolenceagainstwomen.org.uk/latest-cps-data-justice-systemstill-failing-women-domestic-abuse/>

- For rape the position is even starker. CPS figures for the five years from 2014/5 to 2018/9 show that the number of cases charged plummeted from 3,648 to 1758 (a reduction of 52%) and the number of cases referred by police to CPS dropped from 4,104 to 3,375 (an 18% reduction). The number of reports of rape soared during over these years from around 20,000 to almost 60,000, so the proportions resulting in referrals and charges dropped even more steeply. Since the Government Rape Review published in 2021 numbers have begun to creep up but are nowhere near the stated Government target of a return to 2016 charging rates. Some 3% of rapes reported are actually charged, with many fewer making it to trial.
- New offences of stalking (both summary and 'either way' offences) were introduced in 2012, however we regularly hear reports that women approach the police with accounts of stalking, but no criminal file is opened, and instead they are advised to obtain a civil injunction. Where criminal investigations are opened by the police, the behaviours are often trivialised, with officers responding to specific incidents rather than looking at the history and patterns of behaviour. Often officers fail to identify the offence of stalking, but rather just look at more minor offences such as harassment, criminal damage, and malicious communications. The offence under s.4A Protection from Harassment Act of serious stalking without fear of violence is very rarely used in our experience. The Joint Inspectorates' report into policing and prosecution of harassment and stalking in 2017 was highly critical of the police and prosecution response to stalking, and a Protocol between CPS and the police was introduced in 2018. However, four years later we continue to hear regular complaints of poor criminal justice responses to stalking and the Suzy Lamplugh Trust, which runs the National Stalking Helpline, is preparing a police super-complaint on this.
- The offence of coercive and controlling behaviour is still little used almost seven years after its introduction in 2015. In the year ending March 2021 such cases made up only 2.6% of all domestic abuse prosecutions – 1,403 out of 54,500 domestic abuse prosecutions.<sup>5</sup> Frontline domestic abuse workers tell us that police still primarily focus on physical injuries, and that they rarely see coercive controlling behaviour even investigated, let alone prosecuted.
- Evidence-led prosecutions were presented as an important tool to bring perpetrators to justice where survivors are too frightened, unwilling or unable to co-operate with the criminal justice process. Frontline workers report that they rarely see these, despite the roll-out of body-worn cameras, and a Joint

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<sup>5</sup> Office for National Statistics, Domestic abuse and the criminal justice system dataset

Inspectorate report on this in January 2020 criticised a lack of such prosecutions.

- There are very extreme inconsistencies in service delivery across different forces. For example, ONS figures for year ending March 2021 show that arrest rates for domestic abuse average at 32% but in some forces are in the teens (the lowest is Staffordshire at 14%) whilst in others they are well over half (67% in Gwent). Victims and survivors in Gwent are almost five times more likely to see an arrest than in nearby Staffordshire. Rates for domestic abuse related incidents and crimes recorded by police show that Durham constabulary recorded three times as many per 1,000 of population than North Yorkshire Police.<sup>6</sup> Charge rates for domestic abuse also vary hugely. Figures for year ending June 2017 show the highest charge rates in Cumbria at around 35%, over four times higher than the lowest, 8% in Hampshire.<sup>7</sup> It cannot be acceptable to have such a post-code lottery in the state's response to violence against women and girls. In our view most forces are not able to meet the needs of all victims and survivors, but clearly there are some forces that are under-performing more than others, and it may be that VAWG is treated as a lower priority within those forces. Despite repeated inspections and updates on individual forces HMICFRS is only able to draw attention to the issue and cannot enforce changes. There is no national system that requires consistent standards.
- Statistics show that Domestic Violence Protection Orders (DVPOs) are used in only 1% of domestic abuse crimes. Centre for Women's Justice submitted a [police super-complaint](#) in March 2019 about police failure to use protective measures in VAWG cases which complained about this failure to use this important policing tool (the super-complaint addressed failings around use of bail, enforcement of non-molestation orders, use of DVPOs and restraining orders). The [outcome report](#) in August 2021 upheld the complaint and presented figures showing that the rate remains around 1%, with variations amongst forces around the country from 0.25% to 2.5%. The latest figures published by Office for National Statistics for the year ending March 2021 show no improvement, but a continued rate of about 1%.<sup>8</sup> Whilst clearly not all domestic abuse cases are suitable for such orders, a level of 1% represents almost negligible use.

The report by the super-complaint bodies made a large number of recommendations to Chief Constables to improve their use of protective measures. The [response of the National Police Chief's Council](#) (NPCC), which collated the responses of Chief Constables, was disappointing in the extreme. Centre for Women's Justice has written a reply to the NPCC

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<sup>6</sup> ONS domestic abuse data tool year ending March 2021

<sup>7</sup> HMICFRS update report Feb 2019 on police response to domestic abuse, we have not found more up to date figures for charge rates broken down by force

<sup>8</sup> latest figures from ONS year ending March 2021 show 9,173 DVPOs and 845,700 domestic abuse offences reported

expressing our concern at the lack of meaningful response, a copy of which is attached.

In brief, the NPCC response simply sets out a range of initiatives by various police forces on domestic abuse and protection orders, but there is no indication whether these pre-date or post-date the super-complaint, or whether any of them were introduced as a result of the super-complaint. Given that the super-complaint outcome report identified that the current position is inadequate, merely repeating what is already being done is not a response. Similarly, the response sets out some examples of good practice amongst certain forces, but makes no mention of attempts to tackle poor practice in those forces who are clearly not delivering. Some of the replies are positively misleading, for example in relation to training on protection orders the response states that a large number of forces take part in the “DA Matters” training, however we know that this does not include training on the range of protective measures. In another example forces were told to gather data on the number of breaches of non-molestation orders (NMOs) reported to the police, but the response points to an ONS dataset which shows the number of prosecutions for breach of NMO. This entirely misses the point which is to examine the gap between the number of breaches reported and the number prosecuted. Overall, our impression is that the response of the police service to the super-complaint recommendations is an exercise in lip service and not a genuine attempt to secure improvements.

It is also important to note that without fundamental change the new Domestic Abuse Protection Orders introduced in the Domestic Abuse Act will meet the same fate as DVPOs and have little impact. This is a clear example of how political rhetoric around the Domestic Abuse Act has trumpeted the high priority given by the Government to domestic abuse, when in reality passing new legislation means little if the provisions are very rarely used on the ground.

- Stalking Protection Orders (SPOs) were introduced in January 2020. We have heard from Paladin, the national stalking advocacy service, that they have seen only a small handful during 2020; Government figures show that only 436 SPOs were issued during 2020,<sup>9</sup> whereas there were some 80,000 reports of stalking in that year.<sup>10</sup>
- We hear from support workers that police often do not act on reports of ‘revenge porn’. One solicitor who specialises in bringing civil claims against perpetrators in such cases informs us that he has not seen any policing action in his cases.

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<sup>9</sup> <https://www.gov.uk/government/publications/management-information-stalking-protection-orders/review-of-stalking-protection-orders-accessible-version#national-stalking-consortium-feedback>

<sup>10</sup> <https://eachother.org.uk/pandemic-sees-huge-rise-reports-stalking/>

In rape investigations we see widespread failures to apply the correct law and guidance on the part of police officers in the very many cases of Victims Right to Review that we assist with, and requests for advice we receive on excessive data requests from victims during police investigations:

- Cases are closed by police officers without a referral to CPS on the basis of reasons that include rape myths. The CPS guidance on rape and serious sexual offences now includes an Annex setting out 40 rape myths, but it seems that many police officers are not aware of this.
- We frequently see cases closed by the police without referral to CPS on the grounds that there is no corroboration and that the case is “your word against his” and therefore cannot proceed. This is a fundamental error of law, as section 32 of the Criminal Justice and Public Order Act 1994 abolished the need for corroboration. The CPS guidance on rape and serious sexual offences, available online, clearly sets out the correct position in Chapter 2 with a section on cases involving “one word against another” warning prosecutors not to introduce a corroboration requirement. Given how common it is for sexual offences to take place in private, where there is no supporting evidence, the fact that the police routinely mis-apply the law is a serious cause for concern, especially where only a small proportion of rape cases are actually referred to CPS for a charging decision. CWJ has drawn up a submission on this issue, with a dossier of 20 case examples, which we provided to the NPCC lead for sexual offences and a senior person at CPS, but despite a meeting well over a year ago when they agreed with our concerns, we have not seen any change on this issue.
- There has been a great deal of criticism of the police on blanket requests to downloading mobile phones of survivors who report rape, which breach privacy rights when they are not a reasonable line of enquiry. Following a strongly worded Court of Appeal judgment in 2020, the NPCC has drawn up [detailed consent and information forms](#) for rape survivors, so that such requests are only made where they are a reasonable line of enquiry, and the reasons explained to survivors. CWJ was given the opportunity to input into the wording of the forms, and we believe that they are a good way of addressing this issue. However, we hear from frontline rape crisis staff that many police officers are not aware of these forms, which were introduced nationally in Sept 2021 (after an interim version was made available nationally in Sept 2020) and that officers do not use them in many cases. Therefore in practice many survivors are still facing requests for broad speculative downloads of the full contents of their phones.



## 2. Chronic underfunding of policing resources dealing with VAWG

Levels of reporting of VAWG have increased over the past decade, partly due to greater public awareness, at a time when policing has faced a squeeze in public spending. This has clearly contributed to a system under strain without the resources to respond. Many of the reports we receive are about severe delays and simple failures to respond to requests for updates, with officers telling support workers that they have to prioritise some cases over others due to workloads, and being very difficult to get hold of.

For example, the reasons given for the low use of DVPOs include that they are time-consuming and require legal resources to make applications at the Magistrates Court. The level of resourcing is not there, and one of the super-complaint recommendations was for Chief Constables to consider what legal support they need and secure this (Recommendation 14). Very disappointingly, the response from the NPCC states that all forces were satisfied that they had sufficient legal support. To give a flavour of the degree of under-use of these orders, our super-complaint included a [report from a domestic abuse service in Leeds](#), who estimated that in their daily work in approximately **100 cases per month** heard at MARAC (Multi-Agency Risk Assessment Conference), a recommendation is made for a Domestic Violence Protection Notice. However, when they received the annual force statistics for the number of DVPOs applied for (which should be done in most cases) there were only **3 applications per month** on average. The local police force did have a dedicated unit to deal with DVPOs, but clearly failed to make good use of these powers. The fact that forces have to pay court fees to make DVPO applications has also been cited as a hurdle, which illustrates that resourcing is an important consideration. Forces taking part in the pilot for Domestic Abuse Protection Orders, which are due to replace DVPOs, have asked that court fees be waived for these.

In many rape investigations that we see it can take around two years for an investigation to reach a charging decision, even where the case is never referred to CPS. Given that the vast majority of charging decisions are negative for victims and survivors, this is a huge amount of time for such cases to be hanging over them. In some cases we are involved with, a Victim's Right to Review has been successful and the police have agreed to refer the case to CPS, but over a year later this has still not taken place. The pace of investigations is painfully slow. In the more extreme cases we have seen periods of three or four years to reach a charging decision, especially when lists of further actions are sent by CPS to police investigators, including lengthy requests for third party materials such as medical and social services records which are sometimes wholly speculative and unlawful.

In the most extreme example we have recently dealt with, it has taken seven years for a case of childhood sexual abuse reported in Jan 2015 to reach trial in Sept 2022, and when the trial was adjourned due to the barristers' strike, the survivor could no longer cope with this extreme stress in her life and decided to withdraw her support. Whilst this case is extreme in terms of the total timespan, many of the timeframes for steps during that period are not unfamiliar to us from the many other rape investigations that we see. Here is a summary:

- Jan 2015 report to police and victim's video-recorded interview
- Feb 2015 suspect arrested and interviewed
- Oct 2015 email to victim from investigating officer stating that he has not yet spoken to a witness and highlighting that this has been delayed because of a number of other investigations which he is dealing with that have a higher current risk level and have to take precedence
- Aug 2016 police refer case to CPS
- December 2016 CPS request police to carry out further work
- March 2017 victim informed that a further victim has been identified
- June 2017 victim's counsellor informed her she has responded to police requests for counselling records
- Sept 2017 CPS have asked police to obtain further medical records
- Sept 2018 victim is told by police that CPS are looking to charge the suspect but first want phone downloads from victims
- Nov 2018 still no contact from police to request phone
- Dec 2019 police inform victim that the file was completed some time ago and has been sent to CPS for a charging decision, but they have a large backlog and are taking longer than normal.
- Oct 2020, victim told that the case is still progressing to charge, there have been various further enquiries carried out
- Nov 2020, in response to a complaint about delay, officer sets out the various reasons to date, which include:

As a department we have regularly been running on very low staffing for many years which has stretched all of the investigators here and increased our workloads so we often have to make the difficult decision of which cases to prioritise and while your case is of course very important to us, where other cases present a higher risk especially where there is a child still in a situation they are often prioritised. Your case isn't the only case that has suffered in this way.

- December 2020 victim is told that CPS have authorised charges but some further actions to carry out
- July 2021 victim advised summons to suspect has not yet been sent out by administration of justice dept



- August 2021 suspect formally charged, trial set for Sept 2022

Delays of this kind are staggering and paint a picture of a gridlocked system.

The Joint Inspection by the police and CPS inspectorates into the police and CPS response to rape (phase 1 published July 2021) highlighted delays and chronic lack of resources throughout the report, stating:

“Unacceptable delay is a constant theme throughout this inspection. Previous reports have also highlighted the need to reduce excessive delays, so it is frustrating that so little progress has been made and delay remains one of the main problems.”

### **3. Lack of specialism and training on VAWG offending and legal measures**

Domestic abuse support workers tell us that not only have things not improved but they have seen a deterioration in the criminal justice response over the past ten years. In particular, we hear that in many police forces specialist or dedicated domestic abuse units have been disbanded or are so small that they only deal with the most serious cases. Most routine cases are dealt with by generalist officers with little understanding of VAWG and little knowledge of the specialist tools available.

In areas where most of the work is carried out by a specialist police domestic abuse unit we hear much better feedback from support workers. At one women's service support workers described how, when they feel especially frustrated by the poor response of a generalist frontline officer, they contact their force's specialist unit (which handles only a small minority of cases) and ask them to intervene. They also report that where there is a specialist unit they develop good relationships with the officers, which assists in dealing effectively with cases and communication, but where generalist officers deal with cases, most officers are strangers to the support workers, there is much less dialogue, and it is extremely difficult to get hold of individual officers due to the broad range of their work and shift patterns, so often the only updates that can be obtained are whatever is written on the crime log.

As far as we are aware, the recruitment of 20,000 new police officers promised following the 2019 general election does not include any ring-fencing for VAWG cases. We hear from frontline women's services that many of the more experienced officers have gone and new officers joining lack the skills and knowledge to provide a quality response. We also note that whilst some three quarters of the police forces in England and Wales have taken part in the “DA Matters” training provided by Safelives, this is really an overview and awareness raising on domestic abuse issues over a single day, and cannot cover all the various laws and powers available to the police to tackle domestic abuse.

With such a vast array of new offences and powers it is not surprising that generalist officers are unaware of how to provide a high-quality response. They may have had no training on domestic abuse, or such training is just a small part of a huge range of

training they receive on all the various crime types they deal with. Specialist tools for addressing VAWG, such as DVPOs and coercive control, may be off their radar, or they do not have the confidence or the skills to use them. There is also a problem with myths and stereotypes that need to be addressed through education and culture-change. Delivering a high-quality response to VAWG which utilises the complex raft of powers available requires skilled trained officers.

We believe that the use of generalist officers is a key reason for the implementation gap for many of the new offences and powers introduced over the last decade. We presume that disbanding specialist units is the result of cuts in funding. We believe that chronic under-resourcing is responsible for much of the implementation failure, because we hear that officers struggle to deal with huge caseloads, so it is unsurprising that they are not interested in using all available tools to tackle VAWG, which will only increase their workload. Under-resourcing at a time of rising reporting rates also creates a powerful incentive to under-charging, as staff cannot cope with increased case numbers going to court. In addition, culture change within the criminal justice system requires financial investment, so that police are taught to avoid victim-blaming attitudes and myths and stereotypes around rape and domestic abuse. Many of these issues are addressed in CPS and police guidance but we do not have any confidence that officers are familiar with these documents, or even know that they exist.

For rape and sexual offences there is a higher level of specialist units, however we are aware that a significant minority of forces do not have specialist units dealing with such cases. The Joint Inspectorate report into the investigation of rape published in July 2021 highlighted the problem of unskilled officers dealing with these hugely difficult cases:

*“In more than a quarter of the case files we reviewed, investigators did not have the right training. This means that strong supervisory oversight and guidance was even more essential. One supervisor told us that “new police constables are dealing with rape cases. It’s not good for victims”.*

*In our focus groups, some supervisors spoke of unmanageable workloads that make it difficult for them to do the necessary reviews. A detective sergeant told us they didn’t have the capacity to oversee all investigations because of the volume of cases. And many supervisors don’t have enough experience or the right training to add value to the investigation process.”*

As another example of lack of commitment to upskilling officers, we refer again to the response from the NPCC to the recommendation in our super-complaint that Chief Constables should ensure that their officers understand the suite of protective measures available (Recommendation 13). Again, we refer to our letter to the NPCC which explains why the response to this recommendation is very disappointing. There seems to be little drive to ensure a basic level of knowledge, that frontline officers should be aware of how to protect victims and survivors and how to use the tools that Parliament has given them. We believe that the same lack of consistent training is replicated across VAWG policing.

#### **4. Link between attrition rates and inadequacies in the criminal justice system**

A poor service impacts directly on levels of attrition and outcomes generally, as well as on women's safety.

It is well known that a high proportion of domestic abuse and sexual offences are closed with police outcome code 16 "victim does not support action". In the year ending March 2021 this was 54.7% for domestic-abuse related offences, a significant increase from 35% in the year ending March 2016 and 43% in the year ending March 2017. Attrition rates in rape are also extremely high. Home Office data for the year ending March 2021 shows 42% of cases ending with outcome code 16, and the Government 'scorecards' for July to Sept 2021 has this figure at 63%.<sup>11</sup>

In its last progress report on policing of domestic abuse, HMICFRS expressed concern about the enormous disparities between rates of cases closed because "victim does not support" between forces.<sup>5</sup> Rates ranged from 15% to 58%, which must indicate vastly different service provision experienced by survivors in different force areas. There is no other reason why survivors would take such differing courses of action in different parts of the country. Attrition is not an unavoidable aspect of VAWG policing, although some level is inevitable, it is a litmus test of the quality of the experience of survivors as they go through the criminal justice process.

Frontline women's services tell us that high levels of attrition often result from survivors experiencing lack of support and long delays and losing faith in the criminal justice system. The long delays in rape investigations, and in progressing cases to trial where they are charged, has a significant impact on survivors deciding to withdraw from the process. Spending several years having the stress of such a deeply personal process and the likelihood of a traumatic experience in court hanging over them is more than many people will endure. Survivors feel the need to move on from their experience in order to cope with their day to day lives. Some investigations also involve continuing intrusive requests for personal data from survivors.

For example, we recently supported a woman who reported a sexual assault by a man she knew at a sports club. She decided to report because she was aware of sexual assaults by him on other women at the club who did not feel able to come forward. She was asked to disclose her counselling records relating to her childhood experiences, which were completely unrelated and did not involve any sexual element. We prepared a letter for her to provide to the police and CPS explaining why the request was not a reasonable line of enquiry. She was unwilling to expose her entire childhood, but felt that the process of battling against the police was too stressful, and decided to withdraw. Many of the survivors we have worked with reported rape to the police knowing that this would be a gruelling process, but feeling an obligation to do so to prevent the perpetrator doing the same thing to other

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<sup>11</sup> Home Affairs Committee report on the investigation and prosecution of rape March 2022 para 19

women. As time goes by and the personal cost rises, they feel that they have to prioritise their own immediate needs.

In domestic abuse cases attrition can result from a lack of protection during the criminal investigation, which often follows a separation, when a woman decides to finally report to police after leaving an abusive relationship. It is well known that risk rises following a separation and victims and survivors are put under immense pressure by perpetrators, including threats and emotional blackmail. 52% of domestic homicides take place within 3 months of a separation.<sup>12</sup> Where protective measures such as bail conditions and protection orders are not imposed, or not enforced when they are breached, survivors feel doubly at risk, placed under even greater pressure by perpetrators as a result of having reported and tried to seek protection. Domestic abuse workers tell us that sometimes in this situation survivors disengage from support services. Staff feel undermined when they advise survivors to report breaches, but these are not acted on by the police. Frontline workers report that in the most extreme cases, women can feel so exposed and fearful that they feel it is safer to return to an abusive relationship, to reduce the immediate threats and risks they face, even though this leaves them trapped without a longer term solution.

## **5. Failure to deal with abusers within the police**

A fundamental aspect of successful policing is public confidence, and to secure such confidence the police service must be able to show that it deals robustly with abusers within its ranks. This is important not only for the victims and survivors who report abuse by officers, but also for the public at large, who need to know that if they approach the police to report abuse their case will not be handled by someone who is an abuser themselves.

In a very high proportion of police perpetrated abuse cases no criminal or disciplinary action is taken, and accused officers continue to serve, and even promoted. We are aware of cases where such accused officers work, and have positions of responsibility, in units dealing with vulnerable individuals including survivors of domestic abuse and sexual offences. Police vetting is a serious concern, and it appears that an officer under investigation for VAWG offences is expected to self-report to the force vetting team, rather than the investigators being under a duty to do this. This is not consistent with the position for a civilian perpetrator who has had allegations of domestic or sexual abuse made against them. Even if there is no prosecution, the allegations will usually be disclosed in an enhanced DBS certificate (provided by the Disclosure and Barring Service to prospective employers) where a job involves contact with vulnerable people such as victims of abuse.

Centre for Women's Justice submitted a second [police super-complaint](#) about the way that police forces deal with reports of domestic abuse made against their own officers. The [super-complaint outcome](#) upheld the complaint and expressed serious

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<sup>12</sup> [Femicide Census 10 year report](#) page 31

concerns about the failure to take action against accused officers. They found that in some 60% of cases no disciplinary investigation took place at all. However, they did not recommend an overhaul of the system, to require all such cases to be investigated by an external force, which we argued was the only way to secure some degree of transparency and separation between the investigation and the parties.

The super-complaint was initially based on the common patterns that emerged in 20 cases examined by CWJ. It was lodged in March 2020, but within the following two years over 160 survivors of police perpetrated domestic abuse got in touch with CWJ to report similar experiences. We are still awaiting the responses of state bodies to the recommendations in the super-complaint.

In outline, the behaviours we identified in the cases analysed were as follows:

1. 1. Difficulties in initial reporting
2. Failures in investigation
3. Improper manipulation of police processes
4. Improper responses to complaints/concerns
5. Accused officers' personal links with others in the force
6. Accused officers using their police knowledge, status and powers
7. Improper decisions on criminal charges
8. Incorrect approach to misconduct investigations and decisions
9. Abused women arrested
10. Employment difficulties for women who are police officers
11. Workplace victimisation of women who are police officers

Our key concern is that when reports are made by victims and survivors (a significant proportion of whom are themselves employed by the police) there is a risk of collusion, and of 'sweeping under the carpet', because the accused is within the system that is investigating him. For a more detailed analysis by CWJ of the super-complaint outcome, including the conclusions on corruption and collusion, see our [briefing](#) from June 2022 responding to the super-complaint outcome report.

In light of the degree of public concern about misogyny exposed within the police since the murder of Sarah Everard, only clear and robust action to tackle all officers reported for VAWG offences can rebuild public trust. It is important for police forces to see this not just as a matter of rooting out a few 'rotten apples' but of cultural change across the police service. There is a strong link between the response to reports of abuse by officers, and broader inadequacies in the responses to VAWG offences more generally. Both involve minimising and de-prioritising VAWG in favour of other demands. We urge the Committee to stress that policing must give a much higher priority to tackling VAWG.

**For these reasons, in our view the response to VAWG must be underpinned by a proper commitment to implementation, especially:**

- a) Funding criminal justice agencies effectively**
- b) Creating specialist dedicated police units**
- c) Investing in training of police on VAWG and the legal tools to tackle it.**
- d) Removing officers who are abusers from policing roles and openly addressing misogynistic culture, including victim-blaming and myths and stereotypes.**

**Without this the various official pronouncements on VAWG over the past 18 months amount to little more than empty words that do not make a significant difference to the lives of victims and survivors.**