



Home Office

Evaluation of the Pilot of Domestic Violence Protection Orders

Research Report 76

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Disclaimer

The views expressed in this report are those of the authors, not necessarily those of the Home Office (nor do they represent Government policy).

Keywords

Domestic Violence, Domestic Abuse, Protection, Removal, Orders, Civil Justice

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Executive summary

Background

In 2011/12, a 15 month pilot took place in three police force areas (Greater Manchester, West Mercia and Wiltshire) to test a new civil provision, Domestic Violence Protection Orders (DVPOs). DVPOs were designed to provide immediate protection for victim-survivors following a domestic violence incident in circumstances where, in the view of the police, there are no other enforceable restrictions that can be placed upon the perpetrator. DVPOs aim to give victim-survivors time, space and support to consider their options by placing conditions on perpetrators, including restricting/removing perpetrators from households, and preventing contact with, or molestation of, victim-survivors.

The approach, introduced by the Crime and Security Act 2010, comprises an initial temporary notice (Domestic Violence Protection Notice, DVPN), authorised by a senior police officer and issued to the perpetrator by the police, followed by a DVPO that can last from 14 to 28 days, imposed at the magistrates' court.

Aims and approach of the evaluation

An evaluation was conducted which aimed to address the following:

1. How were DVPOs implemented and delivered across the three pilot sites?
2. What did practitioners, victim-survivors and perpetrators think about DVPOs?
3. Were DVPOs effective in reducing domestic violence across the pilot sites?
4. What was the value for money of the pilot?

A mixed-methods approach was followed, comprising both qualitative and quantitative elements. Surveys, interviews and focus groups were used to gain an understanding of how DVPOs had been implemented, process issues, and the views of victim-survivors, perpetrators and practitioners. The main quantitative elements of the evaluation aimed to provide an estimate of the impact of the pilot on victimisation and assess its value for money.

The impact of DVPOs on re-victimisation was examined by comparing differences in the numbers of pre and post domestic violence incidents between DVPO cases and matched, similar cases where DVPOs were not used. Cases were matched on key variables associated with future risk; however, this approach does not allow us to conclusively rule out an unmeasured factor being responsible for any observed effects. Police incident data were considered the best available measure of re-victimisation, although they are potentially subject to reporting issues.

Key findings

How were DVPOs implemented and delivered across the three pilot sites?

- A total of 509 potential DVPOs were initially pursued by police officers (of which 507 went for superintendent authorisation), 487 DVPNs were authorised, and 414 full DVPOs actually issued by courts during the 15 month pilot period across the three police forces. The vast majority of victim-survivors were female, and the majority of perpetrators were male. Over three-quarters of DVPOs were put in place for the full period of 28 days.

- Very low numbers of breaches were recorded by police forces (1% of DVPOs). However, it is not known whether this reflects actual rates of breaches or if breaches were not coming to the attention of the police.
- Data from support services indicate that 252 DVPO cases were referred to them over the 15 month pilot period (slightly under two-thirds of the victim-survivors). Support services noted that referral practice remained inconsistent and reported problems with data sharing protocols.
- No perpetrator had engaged, via a DVPO, in interventions designed to end their abusive behaviour during the pilot (a small number had attended programmes via other routes). This may be due to a lack of available programmes.
- Overall, DVPO processes were successfully implemented, but were not perceived to be fully embedded into routine practice. Specific challenges identified included:
 - varying levels of police officer support for the DVPO provision;
 - the availability of a senior officer (superintendent or above) to authorise DVPOs, and whether this level of seniority was appropriate;
 - the perceived burden of paperwork for police officers;
 - the timing constraints of the legislation, making it difficult for police officers to complete DVPOs, or to apply to courts for the full order before individuals were released from custody; and
 - a perceived lack of understanding among some officers around DVPO processes.
- The pilot also highlighted a potential need for further training / guidance for magistrates and court staff to ensure an accurate understanding of the DVPO process and to standardise the interpretation of legislation.
- The policing of DVPOs was a further issue identified in the pilot. Police officer research participants felt that they should pro-actively monitor the orders.
- Breaches of DVPOs are a civil not criminal matter, and some participants in the evaluation thought that inadequate sanctions were being applied for breaches.

What did practitioners, victim-survivors and perpetrators think about DVPOs?

- Generally, DVPOs were seen positively by practitioners involved in the pilot (including, police, court and support service representatives).
- Generally, police officer participants were supportive of the use of DVPOs in domestic violence cases. The vast majority of them saw DVPOs as a welcome addition to existing local responses, but thought that DVPOs should not become a ‘catch-all’ for all cases.
- DVPOs were also generally seen positively by the victim-survivors who took part in the evaluation, although there were a minority of victim-survivors who felt that DVPOs had not been useful. Most of those interviewed felt safer, and reported that DVPOs provided them with time and space to consider their options. There were mixed feelings about whether the length of the order was appropriate (i.e. it was seen to be too short or too long), which may suggest a need for greater tailoring on a case by case basis or for better communication by police / the courts to explain the rationale behind the lengths of orders imposed.

- Overall, victim-survivors were relieved to find that the police had the power to remove the perpetrator from their home, and indicated that they would call the police again following the DVPO, should domestic abuse re-occur in their relationships. This finding increases our confidence in the use of repeat police call-outs (some of which may be the result of calls from the victim-survivor) as a measure of repeat victimisation in the analysis of impact reported below.
- Police officers who participated in the research reported that perpetrators initially appeared to accept the DVPO prohibitions when they were informed of them. There were no formal complaints, on legal grounds, made by perpetrators.

Were DVPOs effective in reducing domestic violence across the pilot sites?

- The findings of the quantitative elements of the evaluation overall suggest that DVPOs were effective in reducing domestic violence and abuse. However, it should be noted that we cannot conclusively rule out the possibility that factors other than DVPOs (that we were unable to statistically control) may be responsible for these findings.
- Overall, DVPOs were associated with reduced rates of re-victimisation (measured by police call-outs), compared to similar cases dealt with by arrest followed by 'no further action' (NFA): on average, 2.6 fewer repeat incidents of domestic violence per victim-survivor compared to around 1.6 fewer incidents, respectively. DVPOs were therefore associated with an additional reduction of one incident of domestic violence per victim-survivor, compared to arrest followed by NFA.
- DVPOs appeared to be most effective in reducing re-victimisation when used on more 'chronic' cases (3 or more previous police attendances for domestic violence). The effect associated with DVPOs rose to an additional reduction of 2.2 repeat incidents of domestic violence per victim-survivor (compared to arrest followed by NFA).
- The analysis did not look at severity of incident or longer term effects on re-victimisation (the average follow-up period was just over a year, varying between 9 and 19 months).
- Although we cannot conclusively attribute these effects to the use of DVPOs, the experiences of those involved in the pilot increase our confidence in the positive impact of DVPOs. These analyses represent, to our knowledge, the first time that the impact of 'removal orders' (such as DVPOs) has been evaluated against a comparison sample, and provide the best evidence available for their effectiveness.

What was the value for money of the pilot?

- The DVPO pilot overall cost approximately £1.2 million (taking into account all costs but not any benefits), with policing the main element of the costs.
- The economic analysis of the pilot suggests that DVPOs showed a net social cost within the pilot period. Overall, considering both costs and benefits associated with DVPOs, the analysis indicates that the net economic and social impact of DVPOs was -£896,518 across the three police forces. This is equivalent to a return of 23 pence for every pound spent on DVPOs – i.e. a negative return on investment.
- If DVPOs had only been used in cases where they appeared to be most effective in terms of reducing re-victimisation (i.e. the more 'chronic' cases), the return on investment would have slightly increased but would have remained a negative return.
- However, the approach to assessing the value for money of the pilot was purposefully conservative – for example, it did not include potential increases in severity, or frequency of

harm in violent relationships (in which there had been no intervention). Therefore, it is very likely that the analysis under-estimated the benefits of DVPOs. As an illustration, to break even, the pilot would need to have prevented either one homicide, or 32 sexual offences (e.g. rape), or just under 500 common assaults (based on cost of crime figures). Additionally, projecting forward into the longer term, the costs of DVPO would reduce substantially.

Discussion

DVPOs fill a gap in protecting victim-survivors of domestic violence. DVPOs are associated with reductions in re-victimisation and, when considering these other reported benefits of DVPOs, this evaluation supports a roll out of DVPOs more widely. Although a net social cost of DVPOs was found during the pilot, the analysis did not take account of increasing seriousness of abuse, nor that longer term costs would reduce substantially. We recommend that the use of DVPOs is monitored in order to further understand their impact on re-victimisation, and that the lessons learnt from the pilot are taken into account (e.g. to minimise costs), if DVPOs are rolled out more widely.

Recommendations

This evaluation supports a wider roll out of Domestic Violence Protection Orders (DVPOs), with the following refinements to the arrangements that were followed in the pilot:

1. Streamline processes of recording DVPNs, and materials for courts.
2. Consider lowering the level of approval for Domestic Violence Protection Notices (DVPNs) from police superintendent to inspector.
3. Explore how to increase recognition of extended routes into DVPOs (e.g. third-party referrals).
4. Embed DVPNs into routine responses to include:
 - requiring a statement of reasons when neither a charge, nor a DVPN is issued;
 - proactive monitoring of the DVPO for its duration;
 - that police should routinely seek consent to refer victim-survivors to linked support services; and
 - better integration of perpetrator management into interventions, where perpetrator services exist.
5. Enhance police training to demonstrate the range of cases in which DVPOs can be used.
6. Provide training and advice to specialist and general legal advisers and magistrates.
7. Issue guidance to clarify the relationship between 'no contact' conditions, non-molestation and child contact arrangements.
8. Monitor DVPOs, particularly if they are used as a first or second police response to domestic violence cases.

Over the medium term, it may be appropriate to consider the following modifications to primary legislation that could improve the process and enforcement of DVPOs.

9. Increase the length of DVPN from 48 hours to between 4 and 7 days. This will reduce pressure on the police, provide more time for the proactive contact of victim-survivors by support services and facilitate cases being heard in Specialist Domestic Violence Courts, where they exist.
10. Criminalise breaches of DVPOs.

Introduction

Domestic violence takes an enormous toll on individuals and society. Domestic violence is a volume crime for the police, comprising at least 15 per cent of all violent incidents reported to police in England and Wales (Strickland, 2013). A substantial proportion of such cases involve re-victimisation. The 2011/12 Crime Survey for England and Wales, for example, indicated that there were 2 million victims of at least one incident of domestic abuse, and for 63 per cent of these victims there were repeat incidents (Office for National Statistics, 2013). As such, domestic violence costs both the private and public sectors a substantial amount of money. There are also human costs, to the health, well-being and futures of victim-survivors and their children. Walby (2009) estimated that domestic violence costs £15.7 billion in public services, loss of economic output, and human and emotional costs.

Policing domestic violence

The Association of Chief Police Officers (ACPO, 2008, p.10) guidance on investigating domestic abuse states that “Positive action policies should be applied in all cases of domestic abuse to reduce repeat victimisation and protect victims”. This includes ensuring the effective protection of victim-survivors and children, while allowing the criminal justice system to hold the offender to account – with arrest used to protect children or vulnerable people, prevent the suspect from causing injury, and / or allow for the prompt and effective investigation of the incident or offence. Whilst in England and Wales well-established criminal justice processes for domestic violence are therefore widely supported, it remains the case that only a minority of reported incidents result in a charge and prosecution (Hester & Westmarland, 2006). This leaves a gap in protection following arrest where no charges have been laid and release from custody could mean that a perpetrator is free to return to the home within hours (Home Office, 2011a). In the immediate aftermath of a domestic violence incident, there are victim-survivors who may require protected time and support in order to think through their medium and longer term options. Existing protections provided by the criminal justice system are not always available during this period.

Removal orders

Domestic Violence Protection Orders (DVPOs) provide a civil justice remedy to this problem, similar to an approach often referred to in Europe as removal or ‘go’ orders. Removal orders were first introduced in Austria in 1997, and subsequently spread through much of the rest of Europe and wider afield. They provide the police with the power to require a perpetrator of domestic violence to leave a household for a period of time, usually 10 to 28 days. In England and Wales, DVPOs give the police and magistrates the power to protect a victim-survivor of domestic violence by stopping the perpetrator from contacting the victim-survivor, removing the perpetrator from a household, and / or preventing a perpetrator from returning to a household for up to 28 days. This can be undertaken with or without a victim-survivor’s consent. Removal orders have been promoted as a form of intervention that provides immediate protection (Hageman-White, 2006), responding to what most victim-survivors seek when calling the police – for the violence to be stopped (Hoyle, 1998).

In many European countries, removal orders are the preferred/primary response to police callouts, and are commended in the Council of Europe Istanbul convention as best practice. However, their use in the form of DVPOs represents a major shift in policy for England and Wales, where, for the last two decades, the emphasis has been on improving criminal justice responses through positive action policies, Specialist Domestic Violence Courts (SDVCs), and an increasing focus on high-risk cases through Multi-Agency Risk Assessment Conferences (MARACs) and Independent Domestic Violence Advisers (IDVAs) (Coy & Kelly, 2011). The first major push for the introduction of removal orders came in the 2007-08 report of the House of Commons Home Affairs Committee (2008). Momentum was built by an ACPO review on tackling perpetrators of violence against women and girls in 2009 commissioned by the Government, which proposed a change in the law to allow police to issue DVPOs (ACPO, 2009).

Policy considerations

The two main policy objectives for DVPOs were to reduce repeat victimisation and to provide police-led, immediate, protection to enable victim-survivors of domestic violence to have the time and support needed to consider their future options, including longer-term civil injunctions (ibid.).

The Crime and Security Act (CSA) 2010 was passed on 8 April 2010, with sections 24-33 relating to Domestic Violence Protection Notices (DVPNs) and DVPOs. According to section 24 of the Act, up to five different prohibitions are possible within the order:

- non-molestation of the victim-survivor;
- preventing the perpetrator from evicting/excluding the victim-survivor from a premises;
- restricting the perpetrator from a premises;
- requiring the perpetrator to leave a premises; and
- preventing the perpetrator from coming within a set distance of the victim-survivor (i.e. non-contact).

Some stakeholders initially raised doubts about whether DVPOs would add anything to existing measures, together with an unease that they could function as an alternative to charge and prosecution. Whilst specialist domestic violence support services welcomed the overall provisions, questions remained about the process of referral and the impact on resources. A strong argument was made for emulating practice in other countries, where support service involvement was written into primary legislation to ensure consistency and monitoring. At the parliamentary stage, discussions of the practical model of DVPOs relied heavily on the involvement of support services; however, there was no requirement written into the statute.

Sections 24-30 of the CSA 2010 were commenced from 30th June 2011 for a one-year pilot of DVPOs (section 33 of the Act), which this report evaluates.

1 See, for example, <<http://www.liberty-human-rights.org.uk/pdfs/policy10/liberty-s-cte-briefing-on-crime-security-bill-domestic-violence-and-gang-inj.pdf>; <http://www.victimsupport.org.uk/About-us/Policy-and-research/Position-statements/Domestic-Violence-Protection-Notices-and-Orders>> [Accessed 28/10/2013]

2 HC Deb, 28 January 2010, c. 86.

The Domestic Violence Protection Order pilots: Initial set-up and processes

Domestic Violence Protection Orders (DVPOs) were introduced in three pilot areas – Greater Manchester (GMP), Wiltshire and West Mercia - for a period of 12 months, from 30 June, 2011. This was extended during the evaluation to 15 months. A process assessment was completed by the Home Office Crime and Policing Analysis Unit after the original 12 month pilot period, also including data collected by the evaluation team, in order to inform thinking about potentially using DVPOs in other forces. It did not identify any major issues with implementation (see Annex I).³ The three pilot areas had the option to continue using DVPOs after the (extended) pilot ended, and all chose to do so.

The Domestic Violence Protection Order process

During policy discussions of how to implement DVPOs to ensure the human rights of perpetrators were appropriately considered, the possibility for the level of authority for police decisions to be at superintendent level was raised – i.e. to allow senior officer oversight (e.g. HM Government, 2009).⁴ It was also perceived that compliance with the Human Rights Act would be assisted if the police issued an initial order, which became known as a Domestic Violence Protection Notice (DVPN), and if it was the decision of the courts to issue a DVPO (ACPO, 2009). This differs from most European models.

The DVPN may be served by police on alleged perpetrators of domestic violence, potentially on their release from police custody following an arrest for a domestic violence related incident.⁵ The DVPNs are used in circumstances where the police deem that there are no enforceable restrictions that can be placed upon the perpetrator – i.e. where no further action (NFA) will be taken or where the perpetrator receives a caution/reprimand or is bailed without conditions (Home Office, 2011a). DVPNs are authorised by a police superintendent in situations where the police have reasonable grounds to believe that the victim-survivor remains at risk. Four inclusion criteria are required:

- the perpetrator is 18 years or over;
- the relationship involves a current / ex intimate partner, cohabitant, relative or parent;
- the perpetrator has been violent / threatened violence towards the victim-survivor on this occasion; and
- a DVPN is deemed necessary to protect the victim-survivor from further violence.

3 This evaluation report is supplemented by three technical annexes, intended to provide more technical detail on key elements of the evaluation: the process, the analysis of impact, and the value for money analysis.

4 In particular, Article 8 of the Human Rights Act 1998 deals with the right to respect for private and family life. Protocol 1 Article 1 of the European Convention on Human Rights (ECHR) states that: “Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.” Article 6 of the Human Rights Act 1998 upholds the right to a fair trial.

5 There is no requirement in the legislation that perpetrators be arrested before a DVPN is issued.

DVPNs are in effect for 48 hours during which time the police apply to the magistrates' court for a hearing for a DVPO. DVPOs are similar to DVPNs but last between 14 and 28 days. Both the DVPN and DVPO have up to five different conditions which can be applied in any combination.⁶ (See also Policy Considerations above). A breach of a DVPN or DVPO is a civil contempt of court⁷ and can result in arrest and remand in custody, and is punishable by a fine or up to two months imprisonment.

When the DVPN / DVPO is in place, it offers victim-survivors space to think, no longer framed by fear of abuse. Referral to a specialist domestic violence support service should help ensure it is possible to consider options, including longer term protection measures, such as occupation orders⁸ and/or non-molestation orders.⁹

Variations in processes between pilot forces

Initial guidance from the Home Office (2011a) included a process map illustrating the steps involved in issuing a notice and making an order. This template was adapted to fit the circumstances and resources of each of the three pilot areas, with solutions to implementation challenges being developed as the pilot progressed.

The guidance model envisaged that:

- applications would be heard in Specialist Domestic Violence Courts (SDVCs);
- every victim-survivor would be referred to a support service that would pro-actively contact them;
- all perpetrators would be referred to a perpetrator programme.

Following early experiences, it was found that the 48-hour limit on a DVPN often precluded applications being heard in SDVCs (which may only be in session 1 day a week and indeed are not in all areas), so non-specialist courts were primarily used. Automatic referral of victim-survivors by the police to support services was also adapted to a model in which prior consent had to be obtained. Finally, not all areas had a perpetrator programme, so automatic referrals could not be made.

The pilot offered the opportunity for areas to develop processes to suit local circumstances. Other between-force variations in implementation therefore emerged during the pilot period, which are noted in greater detail in Annex I. The key differences were:

- whether roll out was force-wide or phased in across each police force area;
- who presented the application in court (police legal services, outside solicitors, specialist police officers or specialist civilian officers) – this was a factor in substantial differences in average court and other legal costs between the forces (from £309 to £1,215 per case where a DVPO was initially pursued);
- the extent to which cases were clustered to specific magistrates' courts (for example, to increase specialism, experience and consistency of the DVPO process);
- differences in the referral process and the type of support services offered;
- the extent to which police superintendents were available and whether or not duty inspectors or evidence review officers were used to assess cases before they were passed to a superintendent.

6 Non-molestation of the victim-survivor; preventing the perpetrator from evicting/excluding the victim-survivor from an address; restriction of the perpetrator from an address; requiring the perpetrator to leave an address; and preventing the perpetrator coming within a set distance of the victim-survivor.

7 Treated as a breach of a Civil Order under section 63 of the Magistrates Court Act 1980.

8 Occupation orders can define or regulate rights of occupation at the home.

9 Non-molestation orders can either prohibit certain behaviour or general molestation.

Research Method

Aims

The Crime and Security Act 2010 enabled an evaluation of a pilot of Domestic Violence Protection Orders (DVPOs) to be undertaken to assess the effectiveness of this new provision. The evaluation was also intended to analyse the impact of DVPOs, assess the implementation process and draw out lessons learnt, alongside undertaking an economic analysis to explore whether the pilot was cost effective. Hence, the present evaluation was intended to address the following research questions:

1. How were DVPOs implemented and delivered across the three pilot sites?
2. What did practitioners, victim-survivors and perpetrators think about DVPOs?
3. Were DVPOs effective in reducing domestic violence across the pilot sites?
4. What was the value for money of the pilot?

Defining success

Defining success for DVPOs is a difficult task. For some victim-survivors, success could specifically mean the abuse stopping but the relationship continuing, or relate to more general changes in their well-being. Alternatively, victim-survivors may view success as the perpetrator being convicted for the abuse, which would mean that they would automatically see DVPOs as a less desirable outcome. From an organisational perspective, definitions of success are again complex given the multiple different organisations involved in the process each with their service-specific criteria for measuring success. Participants in focus groups from the pilot police forces and other agencies recognised the need for a balanced approach to be taken when evaluating DVPOs, giving voice to victim-survivors and taking due account of agencies' perspectives.

While this evaluation could not hope to measure everything, we considered a range of sources, focusing primarily on perceptions of the pilot, experiences of DVPOs, and domestic violence victimisation as measured by police attendances for domestic violence.

Research approach

In order to meet the main aims of the research, a mixed methods approach was followed, involving secondary analysis of data sourced from police records, Home Office monitoring files, the HM Courts Service, the Legal Aid Commission and support services, alongside original data generated in the course of the evaluation. The approach included qualitative and quantitative elements, which together provide a comprehensive understanding of the DVPO pilot and add to the evidence-base on the effectiveness of 'removal orders'¹⁰.

¹⁰ All research conducted for this evaluation conformed to the ethical guidelines of the British Sociological Society, the British Psychological Society, the Health and Care Professions Council and the ethics committees of London Metropolitan and Middlesex Universities. Considerable attention was paid to the potential risks and sensitivities in conducting this research, with particular care being taken to gain informed consent and in contacting participants in appropriate manners that would both protect their confidentiality and not expose them to (further) risk.

Interviews, focus groups and surveys

Interviews, focus groups and surveys aimed to gain an understanding of how DVPOs had been implemented, process issues, and views of victim-survivors, perpetrators and practitioners.¹¹ This part of the evaluation included:

- interviews with key implementers and stakeholders from the pilot police force areas and central policy teams;
- focus groups comprising delivery group personnel (e.g. police officers, support workers or legal advisers) and key implementers (e.g. force leads, policy leads, or key representatives from other agencies);
- two-stage telephone interviews with victim-survivors (which could also be self-completed online or on paper if preferred);
- telephone interviews with perpetrators (which could also be self-completed online or on paper if preferred);
- two online surveys to be completed by delivery group personnel, one during the pilot period and one afterwards; and
- one online survey of general police attitudes towards domestic violence and DVPOs.

The qualitative strands of these elements of the evaluation were analysed from a broadly thematic perspective.

Table 1 below summarises the participant numbers involved in each strand of these elements of the evaluation. Apart from the interviews with victim-survivors and perpetrators, targets for sample sizes were met. It had initially been intended that ten perpetrators would be interviewed whilst the order was in force and at six months thereafter. Despite multiple attempts and different recruitment and retention strategies (designed in ways that were approved by the areas and ethically appropriate), we were only able to gain two perpetrator interviews and neither could be traced to participate in the follow up phase. We were able to follow up with nine out of the 16 victim-survivors who participated in the first stage of interviews. It should be noted that most of the victim-survivors were recruited by support services, and so they are potentially more likely to be positive about the DVPO process.

¹¹ We were fortunate to have had exceptional levels of engagement from many police officers, practitioners and other professionals associated with the project. Although fewer in number, we are also extremely grateful to the victim-survivors and perpetrators who took part in interviews.

Table 1: Participants in interviews, focus groups and surveys

Data source	Number of participants
Victim-survivors – 2 stage interviews (during/ close to the order and 6 months after)	16 (9 of whom also participated in follow-up interviews)
Perpetrators	2
Key implementer survey during the pilot ¹	23*
Key implementer interviews post-pilot ¹	9*
Delivery group survey during the pilot ²	154*
Delivery group survey post-pilot ²	155*
Focus groups ^{3*}	34, across 4 focus groups
Police attitudes survey*	341

* There will be some overlap in the ‘during the pilot’ and ‘post-pilot’ groups and the police attitudes survey, but because surveys were all anonymous, exact figures for the number of discrete individuals taking part in the research cannot be provided. A low number of survey participants were also involved in the focus groups. We have taken care in the analysis to try to ensure that the results do not overly reflect the views of individuals who have taken part in several strands of the research.

¹ Those involved in the initial inception and/or playing key strategic roles within the pilot (the police and support services, HM Courts Service, Home Office and Ministry of Justice officials).

² Those directly responsible for delivering DVPOs; the vast majority are police officers, with smaller numbers from HM Courts Service and support services.

³ Both key implementers and delivery group

Evaluation of impact

The evaluation of impact was intended to assess the evidence of the effect of DVPOs on domestic violence victimisation, and to enable the calculation of benefits to feed into the value for money analysis. In consultation with the Home Office, several different approaches were considered for evaluating the impact of DVPOs (see Annex II). Following a feasibility exercise, a matched control study was considered the best of the available options. This involved matching DVPO cases to other domestic violence cases in the pilot areas where DVPOs could have been used but were not (i.e. no further action was taken), controlling for variations between cases.

A case matching approach has implications for how confidently we can link any observed outcomes with the intervention being evaluated. Such limitations with the present study should, therefore, be noted (these are outlined below and in more detail in Annex II).

1. It is not possible to discount completely the influence of an unmeasured factor that has not been controlled for in the matching. If there was an unmeasured systematic bias in the selection of cases in which DVPOs were actually used across the pilot areas, this would weaken confidence in the conclusions.
2. Whilst every effort was made to match closely the intervention and matched (comparison) cases, constraints of the data and data systems meant that the final matched group represented a compromise between what would have been ideal and what was practically possible.
3. Additionally, the measure of victimisation used was police attendances for domestic violence. This had inherent limitations – for example, it is known that not all incidents will come to the attention of the police. Despite these potential limitations, the nature of the DVPO intervention (which is intended to be used when it is not possible to bring forward a prosecution) means that using police attendances was the most appropriate and most sensitive outcome measure available to examine short to medium term re-victimisation.

It is important to consider the potential limitations in interpreting the results of the impact study, while also bearing in mind that the analyses provide the best available evidence about the effectiveness of 'removal orders' (studies in Europe have not used a matched sample to date).

Value for Money assessment

The value for money analysis aimed to assess the impact of the DVPO pilot, taking into account the costs as well as the benefits. Following consultation with Home Office economists, a 'bottom-up' approach to calculating the economic impact of the pilot was followed. This approach attempted to calculate costs and benefits of DVPOs directly, using details of the arrests connected with the DVPO cases. The advantage of this approach is that it uses the empirical data from the evaluation as far as possible in the estimates. However, it is subject to some assumptions and related limitations that are detailed in section 4 and Annex III.

Findings of the evaluation

1. How were DVPOs implemented and delivered across the three pilot sites?

Implementation of Domestic Violence Protection Orders

Over the extended 15 months, 509 potential Domestic Violence Protection Orders (DVPOs) were initially pursued, of which 507 went to a superintendent for a Domestic Violence Protection Notice (DVPN), and 414 DVPOs were actually granted by courts. Table 2 provides a breakdown across the pilot police force areas, and indicates the flow of cases from DVPN applications to a police superintendent to DVPOs granted.

Table 2: Domestic Violence Protection Order throughput for the full 15 month extended pilot*

Force	Number of DVPN applications to police superintendent	Number of cases authorised by police superintendent	Number of DVPOs applied for at court	Number of DVPOs granted by courts	Proportion of orders granted of initial applications to police superintendent	Proportion of orders granted of those applied for at court
Greater Manchester Police	258	250	244	226	88%	93%
Wiltshire Police	195	185	182	150	77%	82%
West Mercia Police	54	52	42	38	70%	91%
Totals	507*	487	468**	414***	82%	89%

* It is possible that some DVPNs may have been started and then not progressed to formal application or to authorisation. The data are, therefore, not indicative of overall effort spent on the DVPO process, but rather of rates of attrition overall once a DVPN application has been formally granted.

** Some cases authorised by the police superintendent did not proceed to DVPO applications for various reasons including, deportation of the individual or charging/sentencing for another offence/breach of licence conditions. In one case it was because a police officer failed to serve the DVPN or notice of proceedings on the perpetrator, and in two cases, the DVPN expired before it could be applied for in court.

*** Where given, a frequent reason provided for denying the order is that the victim-survivor came to court to oppose the order, but this figure also includes cases that were withdrawn or adjourned.

The reasons for arrest in the DVPO cases are provided in Annex III (Table AIII.2). Further details of the 414 cases for which DVPOs were used are provided in Annex II, including the following.

- The vast majority of victim-survivors on DVPO cases were female (399 females, 15 males) and perpetrators male (12 females, 402 males).
- Most of the cases involved co-habiting victim-survivors and partners (66%).
- The risk for each case was assessed using a standard police risk assessment form, the DASH RIC.¹² DVPOs were used most often on domestic violence cases graded as medium-risk (56%), with 19 per cent of DVPO cases assessed as high risk and 23 per cent as standard risk (2% unknown).
- Levels of risk for cases on which DVPOs were used did not differ significantly across forces.¹³

As already noted, up to five different prohibitions are possible within the DVPN / DVPO. The most frequently imposed condition was for the perpetrator not to molest (i.e. using or threatening violence towards, intimidating or harassing) the victim-survivor (93% of DVPNs). Restriction from premises (e.g. a home) and prevention from coming within a set distance of the victim-survivor were applied in a large proportion of orders (90% of DVPNs and 69% of DVPOs). The condition requiring a perpetrator to leave an address was used in just under two thirds of DVPNs, reflecting the proportion recorded as co-habiting at the time and/or that the perpetrator had already left and so did not need to be ordered to leave.¹⁴

Of the 414 DVPOs actually issued, 78 per cent were imposed for 28 days; 11 per cent were for 14 days; and 11 per cent were imposed for some other time variant between the 14 or 28 days intended by the legislation. It is unclear whether the victim-survivors sought longer term protection from domestic violence when the DVPO elapsed, for example via other injunctions (such as a non-molestation order). It should be noted that from our interviews with victim-survivors, a small number had taken out injunctions or were in the process of doing so. The Legal Services Commission reported very low rates of injunctions being taken out overall (see below).

Breaches of Domestic Violence Protection Orders

In the police monitoring data, a small number of orders were recorded as having been breached (two per cent of DVPNs and one per cent of DVPOs). This probably does not reflect actual levels of breached conditions, since some may not have been reported and the orders were not followed up systematically whilst in force (this is discussed further below).

12 The Domestic Abuse, Stalking and Harassment and Honour Based Violence Risk Assessment form, DASH-RIC (2009), is a standardised checklist for identifying and assessing risks. It categorises individuals as standard, medium or high-risk in order to determine interventions.

13 Chi square test for the three forces is 0.259, $p = .879$

14 It should also be noted that if a perpetrator has already left the home, then the restriction from premises could be issued without need to first remove the perpetrator.

Support offered to victim-survivors

Data from support services indicate that 252 DVPO referrals were made during the pilot period (see Table 3 below).

Table 3: Referrals to support services

	Actual DVPO referrals in 15 months*
Greater Manchester (Victim Support)	130 (58% of DVPOs issued in the area)
Wiltshire (Splitz, IDVA, Outreach)	90 (60% of DVPOs issued in the area)
West Mercia (Women's Aid, IDVA)	32 (84% of DVPOs issued in the area)
Total	252 (61% of DVPOs issued in the pilot)

* These were the victim-survivors who consented to referral, and there were a number who did not consent (according to the pilot monitoring data, around 29% of all DVPO cases: Greater Manchester = 70, Wiltshire = 41, West Mercia = 8). This suggests that overall the police pilot forces attempted to refer around 90 per cent of DVPO cases.

Overall, police data suggest that they attempted to refer around 90 per cent of cases, but less than two-thirds of victim-survivors in DVPO cases were actually referred to support services (i.e. the victim-survivor consented to the referral). This attrition may need to be further examined, although several support services also noted that some women had self-referred once the order had lapsed. Support services noted that referral practices were inconsistent and reported problems with data sharing protocols.

All but one of the victim-survivors who participated in the surveys / interviews had been contacted by a support agency during the order (this was one of the ways in which participants were recruited), most commonly Women's Aid or Victim Support, and the majority took up some form of support as a result. Only a low number had accessed support previously. One reason expressed for not taking up support was that they had adequate support from family and friends, or that "I don't want to keep talking about it, [I just] want somebody to help" (Victim-survivor 8, initial survey). This highlights the dilemma faced by victim-survivors, and the related difficulties they may have when engaging with support services.

Victim-survivors' views about the support received were generally very positive:

We're very happy, we could never ever fault the help and support that we've had from the different groups, like the domestic violence team, Victim Support and police have been excellent.

(Victim-survivor 8, follow-up survey)

They were really good, loads of people contacted me to see how I was and give me some advice and support... I felt really supported and safe.

(Victim-survivor 11, follow-up survey)

15 The available data does not allow us to ascertain what degree of support was provided once the referral had taken place.

2. What did practitioners, victim-survivors and perpetrators think about DVPOs?

a) Experiences of the pilot

Overall, national guidance and initial training were sufficient to implement DVPOs within police forces, and practitioners' views of the pilot were generally positive. There was also an indication from the research that more could be done to promote the use of DVPOs, which is discussed below.

The evaluation aimed to identify challenges of the process and any lessons learnt. Although the national guidance produced for the pilot was sufficient to establish the order initially, some key implementers (about half of those who answered the question), rated the guidance as not adequate – citing the absence of sentencing guidelines for breaches, the lack of a clear outline of the court process, difficulties in defining success, and (for a minority) concerns about accommodation issues for excluded perpetrators.

Once in operation, a number of particular challenges emerged, some shared across the three pilot police forces, others site-specific. Data from focus groups, surveys and interviews with key implementers and delivery staff reveal a number of common themes, all of which were considered obstacles to the wider use of DVPOs and which may need to be considered further if DVPOs are to be rolled out nationally.

Complexity of the process

In the first delivery group survey, one-half of initial survey respondents (52%, 72 respondents) thought that the DVPO process was, in the main, straightforward. However, just over one-third (36%, 50 respondents) found some aspects of it complicated and just over one in ten (12%, 17 respondents) found it too complicated. Key issues underpinning these views were:

- excessive paperwork;
- the duplication or 'double hatting' of paperwork to prepare both a criminal and civil case simultaneously; and
- time constraints of the process.

Indeed, a repeated comment (albeit not a feeling shared by all) across participants in the evaluation was that bureaucracy and time pressures were major barriers to the widespread use of DVPOs. Reluctance to use DVPOs was heightened by some lack of understanding of the order's aims or the (in some areas novel) processes around their deployment.

In the follow-up delivery group survey towards the end of the pilot, only one-third of respondents (40 of 120) thought that processes were now more straightforward. The perception of excessive or duplicated paper work featured strongly again, although some local practices that had the potential to reduce the burden of DVPOs had been developed. One sergeant in Greater Manchester Police (GMP) reported designing and rolling out a self-populating electronic version of forms (reportedly reducing the time they took to fill in and circulate).¹⁶ Ultimately, West Mercia devised an electronic system to which all evidence could be uploaded, and that created all the application materials with an automated link to the police superintendents and the magistrates' courts. Whilst on the surface

¹⁶ Delivery survey 2, Police.

this seems an elegant solution to the burden of paperwork, some participants thought that the system was too complex for many officers to use without further training and that the bureaucracy associated with DVPOs was still an issue.

People may be afraid of the electronic system and because it's not measured, then it may go into the "too difficult" basket... It [the DVPO] is an extra tool, but it's very bureaucratic [as a process overall], that's a negative.

(Key implementer interviewee 7)

The complexity of the process was, in part, linked to the short duration of a DVPN – 48 hours – during which time police officers had to gather evidence, complete forms, get approval from a superintendent, then lodge an application at court to ratify the notice to an order. One suggestion for improving the situation was to amend the Police and Criminal Evidence Act (PACE) 1984 requirements to allow extra time for notices to be authorised and issued following a similar protocol to that in place for a Crown Prosecution Service (CPS) decision as to whether or not to prosecute. It should be noted that in this suggestion, the assumption is being made that a police superintendent's authority should be considered similar to that of the CPS.

Police officer support for Domestic Violence Protection Orders

Findings from across the evaluation suggest that more could be done to promote the use of DVPOs amongst police officers. The majority of respondents to the delivery group survey thought that the police were either generally supportive (64%) or sometimes supportive (28%) of DVPOs (this included police as well as court staff, support service and other respondents). For those who were supportive, the overriding sense was that DVPOs offered a solution to problems of dealing with domestic violence when other options fail or are not available.

We are making a positive impact and have other alternatives if CPS decline to charge. We appear to be making a difference to victims and affording them more protection.

(Delivery group survey 1, police)

However, those who were 'sometimes' supportive of DVPOs felt that although it was a useful tool it should not become a "catch-all" for all domestic violence situations.

DVPOs were sometimes seen to be complex in relation to standard practice (as noted above), and hence they may not have been considered in all cases where no charge was laid. The police attitudes survey revealed that a minority of officers viewed the order as disproportionate, especially in some cases of family violence and what was deemed 'low-level' violence. Clearly, this carries the potential for cases to be minimised where there was no serious physical assault, and coercive control exercised by perpetrators over victim-survivors to be ignored.

There may, therefore, be a potential to further embed DVPOs in routine practice to encourage their use. In addition, further training and awareness-raising to address officers' perceptions and understanding might encourage the use of DVPOs. However, while these measures may encourage the use of DVPOs, allowing officers to use their discretion about what to do with domestic violence cases was seen to be important by police participants in the research. It is also worth noting that police attitudes were mostly conducive to the use of DVPOs – with the majority feeling that domestic violence was a public matter (69%) and that positive action should be taken (63%).

Level of police authorisation

The level of authority needed to exclude someone from a home (police superintendent) was an issue of contention throughout the pilot.

...some areas have said that [having to get superintendent authorisation is] at odds with current practice where things have been delegated down to inspector level and there's a question as to whether we would support delegating down to make it consistent with other police procedures. I can see that there is a human rights issue too.

(Key implementer interview 9)

Participants who supported the current (as at the end of the pilot) practice of police superintendent authorisation thought that the nature of DVPOs justified that level of seniority. Those who did not support it felt that the level of authorisation required added to an already burdensome process. The issue was explored on a number of levels during the evaluation. The main challenges that were identified were:

- police superintendent coverage varies across forces - over one-half of delivery group respondents reported experiencing problems accessing superintendents to authorise DVPOs, either some of the time or on most occasions; and
- anxiety amongst junior officers about contacting officers above their immediate hierarchy and particularly 'out of hours' could discourage the use of DVPOs.

Two alternative suggestions were raised by participants in the course of the pilot. First, lower the level of authorisation to inspector/custody sergeant level. This would be consistent with revised and increased levels of PACE responsibility that already allow officers to impose stringent bail conditions on perpetrators who have yet to be charged. Second, have a gatekeeper review system to screen cases before they go to superintendents, which would mean that junior officers could contact someone in their immediate hierarchy, who could then approach a superintendent on their behalf. Both suggestions offer the potential of coverage at all times and might minimise reluctance among junior officers to use DVPOs, although gatekeepers might serve to increase bureaucracy or time taken to process notices.

Inconsistencies at court

HM Courts Service and local magistrates had to adapt and establish systems for these new orders. There were a number of teething problems in the first few months, but by the end of the pilot, these had largely been resolved. Three issues remained:

- some courts were expecting levels of evidence that were more in keeping with criminal charge than a civil protection order;
- inconsistencies in interpretations of 'non-molestation' and 'no contact'; and
- inadequate sanctions being given for breaches.

These issues led to calls from participants for more and better training and/or using specialist benches and for criminalising breaches of DVPOs.

Relatively few applications for DVPOs were refused at court, with 89 per cent of applications being approved. The reasons for non-issuing of DVPOs included missing information on the DVPNs, applications being out of time, and perpetrator factors, such as prior multiagency involvement, bail conditions, or deportation. However, the conditions imposed under the DVPOs were sometimes

being negotiated at court. For example, in some cases a 14-day restriction was agreed instead of the 28 days being sought within the initial notice. One unintended consequence of requiring the court to judge whether or not to ratify police-issued notices, was reportedly that some victim-survivors had been compelled to attend court in favour of the defence – going against the aim of DVPOs not needing to involve the victim-survivors.

Whether a non-contact condition was also needed when a non-molestation condition had been imposed, or indeed whether contact constituted molestation, became a contested issue. Some magistrates permitted what they regarded as reasonable levels of contact, and in some cases, viewed this as necessary – for example, where there were childcare arrangements to consider. Such an interpretation by one magistrate at a Manchester court led to local guidance to the effect that non-contact provisions could not be imposed, as ‘contact’ could not be interpreted as amounting to molestation. Police participants and some other stakeholders viewed this negatively, feeling that it went against the aim of the DVPO to give the victim-survivor breathing space.

Why are we doing it? To give them that breathing space. Not to give them that reasonable contact, 'Oh, I love you darling, and I want us to get back together'? You know, we know how perpetrators manipulate the victim. So that is a real concern.

(Evaluation focus group, police officer, Greater Manchester)

One suggestion to help to overcome this issue was that further guidance should be issued to clarify the no-contact and non-molestation conditions. However, as DVPOs are a civil order, participants felt there was no obvious party with authority to issue such guidance beyond what is written in the Act.

As there is no offence, the Sentencing Council can't issue sentencing guidelines, they really can't write guidance, so all you're left with are High Court guidance on breach of family/molestation orders...It would need an appeal ruling from the High Court and it never will go to the High Court because the courts have the discretion, to fine them or keep them in custody so there's not a legal point there so I don't think that there ever will be guidance. So then that means that it's down to local magistrates' discretion and any legal advice that their justices' clerk gives them. Without criminal breach, you'll never get consistency... [Justices' Clerks Society] can issue guidance or [the] Judicial College for all the magistrates or judges, clearing up ambiguities and contradictions in the Act.

(Key implementer interview 6)

In this opinion there is the apparent switch from no guidance being possible to the mention of guidance being issued. This would be possible, should the Judicial College and Sentencing Guidelines Council be persuaded to do so (in the absence of a legal ruling that would require such guidance).

There were repeated concerns that the court sanctions applied for breach were inconsistent, with 38 per cent of delivery group respondents in the initial survey saying that they were inadequate although others noted that the limits were from the enabling legislation, not the magistrates.

...we've had some really ridiculous fines in [one area], very low which actually undermines the whole process. It belittles the victim who feels 'why am I going through this?'

(Evaluation focus group, court officer)

Many delivery group participants thought that breaches should be criminalised. There were, however some concerns about this raising the evidential requirements of DVPOs, and whether the preparation of a case would then become the responsibility of the CPS rather than police.

Nevertheless, there was the feeling that more effective sanctions for breaches should be explored. In considering this, it should be noted that criminalisation was specifically being suggested for a breach of the order, not for a breach of the initial notice. Also, it could be argued that bringing cases under the remit of the CPS could lower costs overall and potentially achieve greater consistency.

Policing Domestic Violence Protection Orders

Several key implementers, especially within the police, raised concerns about the extent to which the police were monitoring the orders. They felt that there should be more intervention by the police once the court validated the DVPO, in order to ensure that the prohibitions were being followed.

We say we don't get a lot of breaches...but I bet we do. I bet there's a lot of breaches going on because... I don't think it's being policed to that extent... we do restraining orders and non-molestation orders all the time and they're always getting breached.

(Focus group, police officer)

There was also a general perception that continued intervention by the police in DVPO cases was necessary to ensure support for the use of DVPOs more widely, particularly in terms of responding to a public perception of offending, recidivism and risk aversion, as understood by police. According to one participant:

What if we had a victim who [was] seriously assaulted at an address and yet we had a civil order out? It would undermine the whole credibility of these things

(Key implementer, interview 5)

By the end of the pilot period, some areas within the pilot forces were reportedly addressing this concern by operating tracking systems to monitor the 'life' of particular DVPOs.

Continued police intervention was considered to be at the core of the long-term efficacy of DVPOs overall.

If you're going to do DVPOs, you need to manage the victim and the perpetrator in the period that it runs... With the victim engaged and the perpetrator on a programme and they aren't going back to the place, it has teeth. If you issue it, let it run and don't manage it, you'll be doing another one, it won't make it a success.

(Key implementer interview 7)

b) Reactions to Domestic Violence Protection Orders

Although some areas of improvement relating to the implementation of DVPOs were identified by the evaluation (which may be particularly important when considering a wider roll-out), participants felt positive about DVPOs. Victim-survivors generally reported feeling relieved that the police had the power to remove the perpetrator and supported the use of DVPOs. The intention that the removal of the perpetrator creates a 'breathing space' was endorsed by the majority of the victim-survivors who participated in the research.

I would 100 per cent recommend it. It gives you that thinking time as well where you can find out who you are again, because when you're in that situation you don't know who you are any more.

(Victim-survivor 3, follow-up survey)

This adds to the evidence of the use of ‘removal orders’ in Europe, where the pro-active intervention was seen to have increased empowerment by enabling victim-survivors to make decisions or take action, and by helping them take control over their own lives (e.g. Haller, 2005; Logar, 2005). Nevertheless, the pilot offered an opportunity to explore a range of challenges in implementing DVPOs. A number of concerns about DVPOs with implications for wider roll-out were voiced during initial debates about the legislation and in the pilot:

- human rights compliance;
- victim-survivors feeling disempowered by DVPOs;
- DVPOs making victim-survivors less willing to call police;
- DVPOs increasing demand on homeless services;
- support services not being able to cope; and
- the potential for DVPOs to be prioritised over high-risk cases.

The research conducted suggests that none of these concerns were realised in the pilot.¹⁸ For example, early concerns about increasing pressure on support services and prioritisation over high risk-cases had largely dissipated by the follow-up delivery group survey, suggesting that potential issues had been resolved (this was highlighted as a concern within the first 12 months of the pilot that dissipated by post pilot follow up; see Annex I).¹⁹ The impact on support services was influenced by the level of referrals, which is discussed above.

Most key implementers anticipated mixed reactions from victim-survivors to DVPOs, and there was uncertainty about whether or not they would act as a deterrent to perpetrators. However, generally, victim-survivors and the police seem to have reacted positively to DVPOs, and police officers reported that perpetrators seem to have accepted them, at least initially. It should be noted that relatively few perpetrators and victim-survivors participated in this research and we cannot be sure that their views are representative. With this caveat, the data do suggest, however, that some attention may need to be given to referrals of perpetrators to intervention programmes following DVPOs, and ensuring that the length of the orders is appropriate to individual cases.

Police / support services responses to Domestic Violence Protection Orders

The police described their sense of disempowerment and frustration before the DVPO pilot when they had to “let the perpetrator go back” after a decision was made not to charge following arrest. This, in turn, was described as also having a negative impact on victim-survivors’ (and their children’s) faith in the ability of the police to “do anything”, thereby potentially discouraging them from calling the police in future. In contrast, the police saw the immediate protection DVPOs provided as a useful intervention, particularly in cases where a victim-survivor, for a range of reasons, may be reluctant to co-operate in bringing charges against the perpetrator.

All participants across the police forces indicated their enthusiasm for the introduction of a measure that they could impose on behalf of victim-survivors, which would help them to protect victim-survivors of domestic violence in the first instance and provide them with space to access services and gain empowerment from this process. These views were generally shared by support services representatives.

18 Although we did not explicitly measure impact of DVPOs on homeless services, and cannot completely rule out impact of DVPOs on willingness to contact police.

19 Some of the support services reported that they were contacting women whom they might not otherwise have reached; a perception reinforced by data from the victim-survivors.

My point of view working with victims of domestic abuse, I thought it was a fantastic tool that didn't put the onus on the victim and that's something where we get an awful lot where a victim doesn't want to make that decision, doesn't want to be the person who's forcing that on the other person. And it's quite good that we can say to them, 'we will take this one right on your behalf'

(Greater Manchester focus group, police officer 11)

I thought it was a fantastic opportunity to engage with victims and to enable them [to] access services that they may not know even exist.

(Greater Manchester focus group, support service 6)

DVPOs were seen as a starting point for a greater number of victim-survivors to access support services to facilitate and sustain change. Such support might include assistance to take up other civil remedies, or to find routes that might assist the perpetrator to address their issues in situations where the victim-survivor does not want to leave the relationship. This was seen as being similar to working with victim-survivors who had approached support services through other (non-DVPO) routes. Additionally, some support service respondents felt that they may be engaging with DVPO victim-survivors at an earlier point than they would otherwise have been in contact with them, if indeed, any engagement had been made.

Perpetrators' responses to Domestic Violence Protection Orders

While the researchers were only able to make contact with two perpetrators, we are able to draw on other data from the evaluation to provide an indication of their reaction to DVPOs. It is important to emphasise that following such an approach to understand the perpetrators is limited, as it relies largely on the accuracy of others' interpretation of their actions and behaviour. Nevertheless, the data do not suggest that perpetrators generally saw DVPOs as being an unbalanced response to the domestic violence incident, although some may have subsequently not complied with the prohibitions. The data also suggest that, while behaviour was perceived to have improved for some, the perpetrators may not have been able to access interventions designed to work with them to end their abusive behaviour following the order.

Over one-half of the participants of the initial victim-survivor survey reported that the perpetrator had complied with the order, due (in their view) to fear of the consequences, including further action by the police/courts. Just under one-half of the victim-survivors had experienced perpetrator contact during the order – either trying to contact them, coming to the house, or, in one case, being abusive. This level of breaching is higher than that recorded by the police. Follow-up survey participants also confirmed this, with some victim-survivors reporting that their partner breached the order. All those with children said that their children had contact with the perpetrator during the order, although it should be noted that this was not always in breach of the order (in two cases this had been specifically allowed by the court).

Victim-survivors who reported that the perpetrator had complied with the DVPO described them as being angry and upset at having the order imposed, but also that they recognised that their behaviour warranted such an approach. The perpetrators who did not comply with the order were seen by the victim-survivors to have reacted with a combination of anger, indignation and disrespect.

He seemed like, 'Why do I need this order?' He thought there was no need to get [an] order. He said, 'I only hit you, I'm not a killer'.

(Victim-survivor 11, follow-up survey)

He ignored it, I knew he would, he is under the impression he is above the law and he does what he likes.

(Victim-survivor 4, follow-up survey)

There were no formal complaints about the use of DVPOs from perpetrators. From the original proposal of DVPOs onwards, concerns about human rights compliance were voiced, in relation to the power to remove perpetrators from their homes. This led to some initial anxiety in the pilot areas about potential legal challenges from perpetrators to the use of DVPOs. During the pilot period, there were no such challenges in any of the three areas on human rights grounds.²⁰ The two perpetrators we interviewed did not question the principle of the order, and police officers reported that most perpetrators seemed to accept, at least initially (given the victim-survivor accounts above), the DVPN prohibitions.

The follow-up survey with nine victim-survivors asked about the longer-term effects of the DVPO on perpetrators' behaviour; around half of the victim-survivors said that their behaviour had improved since the order, and half said that it had not changed.

The evaluation suggested that during the pilot not one perpetrator had engaged, via DVPO, in an intervention programme to begin to address their abusive behaviour (a few others had attended programmes via other routes). However, it is important to note that not all areas had such programmes available. There were a few referrals to perpetrator programmes but all of those perpetrators (all of whom were male) were assessed by the agencies running the programmes as being too dangerous to work with.

Victim-survivors' responses to Domestic Violence Protection Orders

Interviews with victim-survivors revealed a mixture of views about DVPOs, yet broadly-speaking their opinions about the intervention were positive. While two victim-survivors were critical of decisions being made without their participation – something that could equally be an issue with arrest and charge – the majority of victim-survivors felt that DVPOs expanded their space for reflection and action. Most follow-up respondents talked about using the time while the order was in place to think about their lives, and some followed this through with actual changes, typically separating and/or taking out an injunction. Although some participants in the research had considered taking out an injunction while the order was in place, only two had successfully done so, and one other was in the process of applying for one when interviewed. Unfortunately, the fact that the court outcomes data were not collected systematically by the pilot force areas means that we are unable to measure the proportion of injunctions taken out overall. However, data from the Legal Services Commission indicate that approximately 7 per cent of DVPO cases resulted in an injunction being sought, via legal aid.

Most participants in the follow up victim-survivor survey also said they felt safer due to DVPOs. A some of these had separated from the perpetrator since the order. Professionals in the focus groups, stakeholder interviews and surveys themselves voiced varying opinions on whether they believed that overall, from their perspective, DVPOs ultimately empowered or disempowered

²⁰ Previous challenges to the use of restraining orders following a conviction for domestic violence (such as *R v Major* [2010] EWCA Crim 3016) invoked Article 6(2) of the European Convention on Human Rights (ECHR). Even if such a challenge could be made in the context of a civil order under that Article (which in our view is doubtful), there seems currently (as of October 2013) no groundswell of opposition to the use of DVPOs on these grounds.

victim-survivors. The views of victim-survivors were similarly nuanced. For example, one interviewee initially reported that the order was inappropriate in her case, but subsequently identified positive changes that had resulted:

It makes you stop and think - where you went wrong, why it happened, that you've got to think about your actions, that there are consequences. Once the order was up we sat down and we spoke about what happened. It will never happen again. Things have changed: we don't drink so much; we just go out and have a couple of drinks now.

(Victim-survivor 15, initial survey)

The interviews suggested that victim-survivors involved in DVPOs had been in abusive relationships for a long period of time, and previous police action had not generally been effective in stopping the violence. For most of the 16 initially surveyed, violence had been taking place in this relationship for years (approximately 5 years on average), and frequently. In the majority of cases, the police had previously been called out before the DVPO was issued (for six of these cases, more than five times). Most of the perpetrators on these cases had previously been arrested, but only a handful were prosecuted. These earlier interventions had created few or temporary changes; none of the victim-survivors had taken out an injunction, and only a minority had gained support from specialist domestic violence services.

Victim-survivors had, however, continued to look to the police for help. The most commonly voiced wish on calling the police was for the police to stop the violence. The next two most common wishes reported were for the perpetrator to be removed, and for the perpetrator to be arrested, if not charged.

I didn't want to press charges and create a big drama [...] I just wanted them to keep him away from me and think about a permanent solution.

(Victim-survivor 1, initial survey)

Following the DVPO, the majority of the victim-survivors said that they were relieved to find that the police had powers to remove the perpetrator, and most also felt either a little or a lot safer during the order. All understood the order from the police explanation, when information was provided.²¹

While DVPOs were generally seen positively by the victim-survivors we interviewed, there was some disagreement concerning the optimum length of the DVPO. Most of the victim-survivors found the length of the order 'about right', although there were those who felt it was 'too short' or 'too long'. Of those who said that the order length was about right, in all but one case (where data were missing) the order had been for 28 days. Of the two orders imposed for 14 days, one woman considered it too long and the other too short. These results might be taken to indicate that in some cases the length of orders needed to be more closely tailored for the individual situation, according to the perceptions of the victim-survivors involved. Alternatively, these results may also suggest the need for communication by police / the courts to explain the rationale behind the lengths of orders being granted.

21 One woman was not told that the court had ratified the initial DVPO. So, when her partner subsequently returned home, she did not know that he was in breach of a DVPO and did not report him. This underlines the importance of clear communication by the police to victim-survivors in relation to DVPOs. In the majority of the other cases, police informed victim-survivors promptly of the courts' decisions.

Victim-survivors' view of the police after the Domestic Violence Protection Orders

The reporting of breaches and subsequent offences, and the victim-survivors' views generally indicate that victim-survivors would have called the police again after their experience with DVPOs, and were broadly in favour of the police response. The majority of the participants in the initial victim-survivor survey were either 'fairly' or 'very' satisfied with how the police responded to them in relation to the DVPO, and most were satisfied with the action the police took. The majority also said that they would call the police again if needed, and that they would be happy for another DVPO to be issued if similar circumstances arose. On the whole, the victim-survivors we interviewed saw the orders in a positive light.

I think they're really good for victims because it gives them the security of knowing there is protection from the person who has caused the problems. You know that you can call the police and they'll give that protection. It makes you feel safer.

(Victim-survivor 1, initial survey)

I think the DVPO is the best thing that they have ever done.

(Victim-survivor 3, initial survey)

It is important to note, however, that there were a small number of victim-survivors out of the 16 who were interviewed who felt that DVPOs had affected them negatively, and that they would not support another order. This was due to a perception of a loss of control over their situation and subsequent support that was offered to them.

I've got enough support from my family. I just felt like they [the police] were intervening. I wish we sorted it out between us. I wanted to be the one to make the choice whether I continue the relationship.

(Victim-survivor 2, initial survey)

Very good but zero aftercare once DVPO has expired.

(Victim-survivor 5, initial survey)

Overall responses to Domestic Violence Protection Orders

The major finding from the fieldwork was that DVPOs were generally viewed positively by the majority of police officers, support services representatives, and victim-survivors who participated in this research. While there were areas where the DVPO process might be improved, the pilot (according to participants' perceptions) seems to have been successful. Two of the three most commonly cited lessons that key implementers would pass on to other police forces using DVPOs in the future focused on:

- ensuring that all the relevant agencies were included in the planning and delivery process; and
- ensuring good inter-agency communication and referral procedures. This underlines the importance of good multi-agency relationships and integrated management approaches to the potential success of DVPOs.

3. Were Domestic Violence Protection Orders effective in reducing domestic violence?

Method

In order to evaluate the specific impact of DVPOs on domestic violence re-victimisation, we matched DVPO cases to other 'similar' cases where a DVPO could have been sought but was not (e.g. due to an officer not knowing about DVPOs). The non-DVPO cases were drawn from the pilot force areas and the same time period, as this approach was considered to yield the most comparable group of cases. The final set of matching criteria focused on key variables that were likely to be connected to future victimisation, including the reason for the perpetrator's arrest, the victim-survivor's sex, the presence of children in the household, and the police-assessed risk level of the case. Annex II outlines in more depth how the matched sample was created and identifies limitations of the matching process.

A case matching approach does not allow us to conclusively rule out the influence of an unmeasured factor on any observed effects, and so results should be considered together with the qualitative results reported above. To limit the chance of an unmeasured factor influencing the results, the potential for systematic bias in the selection of cases for DVPOs was explored through analysis of the descriptive statistics of the cases. No evidence of bias was identified. The data were also examined to identify any differences in effects between the pilot forces (potentially due to an implementation bias) and no significant between-force variation was found. The matching process and results presented are, therefore, the most robust that were possible, given the practical limitations imposed by the pilot implementation and available data.

We were initially able to identify a match for 289 of the 414 DVPO cases (70%). Each final matched pair involved incidents that occurred on approximately the same date (within seven days), within the same force area, with similar domestic circumstances. The police files on the matched cases were then examined to identify all prior police involvement and all police involvements following the DVPO (for between 9 and 19 months²²). The length of follow-up varied because some orders were issued in the earliest months of the pilot and others not until its later stages. The different follow-up periods were taken account of in the matching and subsequent analysis.

Although cases were matched on assessed risk, it was not possible to include prior incidents of domestic violence in the initial matching criteria (due to practical difficulties when extracting the data), so the matched data were subsequently examined to explore this. Analysis revealed statistically significant differences between DVPO and matched cases in the numbers of previous incidents recorded on police data systems. This observation suggested that there was a need to control for prior incidents (post hoc). We therefore analysed only the 123 DVPO cases where previous incidents did not differ statistically, which constituted the 'best matched' sample, in order to allow extra confidence in the findings. These data were then examined to see if there were any differences in levels of post-DVPO victimisation (measured by looking at police attendances for domestic violence) between the DVPO and matched cases. Change scores were calculated to examine re-victimisation following a DVPO compared to similar cases where a DVPO could have been issued but no further action (NFA) had been taken by police.

²² The mean number of days from the DVPO incident to the approximate date of extract (i.e. the follow-up period – using the mid-point of the extraction period when this was completed) was around 434 days (standard deviation = 153). The records went back over 25 years, which might be assumed to include all prior police attendances for domestic violence involving the victim-survivor / perpetrator pairs. The time period pre- and post-DVPO / matched domestic violence incident was the same within each matched pair.

A series of analyses was performed controlling for numbers of prior incidents, calculating change scores for DVPO and comparison cases (in the form of post-arrest incidents minus pre-arrest incidents). These were a series of one-way analyses of variance (ANOVAs), which examined the effects associated with DVPOs as a function of the number of prior recorded incidents. In each case, the statistical comparison was between change scores for DVPOs compared to matched cases. It was not possible from the data to match according to length of relationship; however, it is assumed that the overall distribution of relationship lengths is the same for both DVPO and matched cases.

Key findings

The key findings are reported in Table 4 below (and in more detail in Annex II, Table All.10).

Table 4: Estimates of the average change in domestic violence victimisation associated with Domestic Violence Protection Orders

When DVPO is used	DVPO cases change scores	Matched (arrest-NFA) cases change scores	Overall effect associated with DVPO
At first incident	0.47	0.26	0.2 more incidents
At second incident	-0.64	-0.27	0.4 fewer incidents
After second incident	-4.78	-3.01	1.8 fewer incidents*
After third incident	-5.69	-3.52	2.2 fewer incidents**
Combined analysis	-2.58	-1.63	1.0 fewer incident**

* Statistically significant difference is confounded by the difference in number of prior incidents. This means that it should not be treated as a robust finding.

** Statistically significant difference.

From these analyses we conclude that DVPOs were associated with an additional benefit for reducing re-victimisation relative to arrest and NFA. Therefore, DVPOs potentially offer an additional tool for dealing with domestic violence.

- Overall, DVPOs were associated with modest reductions of re-victimisation, compared to arrest followed by NFA – around 2.6 fewer repeat incidents of domestic violence per victim-survivor compared to around 1.6 fewer incidents.
- This means that DVPOs were associated overall with an additional reduction of one incident of domestic violence per victim-survivor (comparing the pre to post period), compared to arrest followed by NFA.
- DVPOs appeared to be most effective in reducing re-victimisation when used on more ‘chronic’ cases. The effect associated with DVPOs increased from a reduction of 1.0 future police attendance per victim-survivor overall in the pilot to a reduction of 2.2 future police attendances when DVPOs were used on cases where there had been 3 or more previous police attendances for domestic violence.
- When used at the first or second domestic violence incident, there was no statistically significant change in re-victimisation. However, since there was an apparent (although non significant) increase in re-victimisation when DVPOs were used at the first incident, this may warrant further investigation and monitoring if DVPOs were used more widely following the pilot.

- DVPOs were not associated with any change in re-victimisation for the victim-survivor unrelated to the perpetrator, nor with any change relating to the perpetrator and different victim-survivors.
- The analysis did not look at severity of incident or longer term effects on re-victimisation (the average follow-up period was just over a year, varying between 9 and 19 months).

These analyses should be interpreted with caution given the limitations noted above and the relatively small sample sizes involved. However, they represent the most comprehensive analysis of the effect of DVPOs that was possible given the constraints of the pilot. When these findings are taken as part of the wider evaluation, they lend support to the view that DVPOs were, overall, associated with positive outcomes.

The analyses suggest that DVPOs were more effective than arrest followed by NFA when used in cases with a higher number of previous incidents of domestic violence – i.e. the more chronic cases. These cases are arguably those likely to cause more harm to victim-survivors and children, but where criminal charges are not being brought. If DVPOs were rolled out more widely, we would recommend that these effects continue to be monitored so that patterns of re-victimisation can be examined in greater depth, over a longer period.

It is important to note again that the measure used to assess re-victimisation is police attendances, which was felt to be the most robust and appropriate measure available.²³ However, it is known that not all domestic violence incidents will come to the attention of police. Therefore, a possible alternative explanation for the effects observed is that DVPOs made victim-survivors less likely to report domestic violence to the police, as they felt that it took control of their situation away from them. Following this explanation, patterns of coercive control may account for the apparent effects of prior history – more controlling perpetrators (potentially those more chronic cases) may decrease the likelihood that victim-survivors will call the police when compared against those perpetrators in less chronic cases. While the qualitative data increase our confidence that this was not the case, we cannot conclusively rule it out. This underlines the importance for monitoring DVPOs if they are rolled out more widely. Monitoring may identify the most effective way of supporting those who have experienced a DVPO intervention as a victim-survivor or as a perpetrator, and also whether particular conditions imposed as part of the DVPO are associated with a greater or lesser impact.

4. What was the value for money of the pilot?

Following consultation with Home Office economists, a ‘bottom-up’ approach to calculate the economic impact of the pilot was followed. This approach attempts to calculate costs and benefits of DVPOs directly, using details of the arrests connected with the DVPO cases. The advantage of this approach is that it uses the actual arrest data within the evaluation.²⁴ However, it should be noted that this does mean that costs of crime including CJS costs as a component are being applied to cases where ultimately, no criminal charges had been brought.

Full details of the value for money analysis reported here are provided in Annex III. The analysis drew substantially on previous work on the costs of crime and of domestic violence (e.g. Brand & Price, 2000; Dubourg et al., 2005; Walby, 2004, 2009), and comprised the following steps:

²³ See Annex II for further discussion.

²⁴ A ‘top-down’ approach was also considered, which attempted to calculate an average cost for all domestic violence cases based on incidence rates in England and Wales, then apply this to DVPOs. However, this relied on average estimates of the component costs of domestic violence, and it was felt better to minimise these estimates within a cost benefit analysis, using bottom-up estimates wherever possible.

1. Collecting cost data from agencies involved in the DVPO process (e.g. HM Courts Service, Support Services and the Ministry of Justice), and working with the pilot police forces to develop estimates of time taken (and related costs) for elements of the DVPO process. The original pilot funding, provided by the Home Office, was also included in the assessment of cost.
2. Calculating the pre-intervention costs of the DVPO cases (i.e. assuming that no DVPOs had been applied) by totalling the cost of the offences that the perpetrators were arrested for, using the Home Office costs of crime methodology. Since some of these offences did not directly match the costs of crime categories, some assumptions had to be made regarding allocating costs to the DVPO arrest categories. The costs of crime figures were then adjusted to better reflect the costs for domestic violence and DVPOs specifically, using pilot cost data and Walby's model for the costs of domestic violence (Walby, 2009), then all costs were scaled to 2012 prices.
3. These pre-intervention costs were then used along with the impact figures described above in order to arrive at a benefits estimate for the DVPO pilot, in terms of the cost of domestic violence that would have been avoided due to the use of DVPOs.
4. The costs and benefits figures were then combined to arrive at the final cost-benefit estimate.

Where there was no direct data from the pilot, some of the costs and benefits have been estimated using the top-down approach (i.e. assuming these are the same on DVPO cases and domestic violence cases in general). For example, an average cost of social services drawn on by a victim-survivor has been calculated using the total cost of social services in England and Wales (Walby, 2009) divided by the number of victims of domestic violence (drawn from the self-completion module of the Crime Survey for England and Wales for 2011, with costs uprated to 2012). Although this is not necessarily representative of all cases, it gives an estimated average cost per victim-survivor that would otherwise not be possible to include in the model.²⁵

The limitations and assumptions for the present model are described in more detail in Annex III. These include the following:

1. The model relies on the impact data from the DVPO pilot, which carry their own limitations, as described above. In addition, it is assumed that the reductions in victimisation associated with DVPOs can be translated into an overall percentage reduction in domestic violence offences.
2. The model assumes that the DVPO arrest categories used in the cost and benefits calculations are representative of the type and relative frequencies of domestic violence that would otherwise have been treated as NFA.
3. The model assumes that all costs are those incurred by the DVPO in this instance rather than costs associated with the victim. (We considered the fact that DVPOs issued after 2 previous callouts may have incurred more victim costs from access to support services previously, but did not model this). Therefore, the costs are only indicative of the incident for which the DVPO was issued.
4. The model is not able to account for the full extent of the domestic violence experienced, including severity and frequency of future incidents.

²⁵ Walby (2004) indicates that her domestic violence estimates should not be used in conjunction with the Crime Survey to derive an average cost, as there is a difficulty with identifying unique domestic violence victim-survivors. However, subsequent changes to the Crime Survey means that there is now a question that provides a reasonable estimate of unique individuals who have suffered this.

The value for money analysis suggests the following.

- The DVPO pilot overall cost approximately £1,165,125 (taking into account all costs but not any of the benefits). As context, to break even, the pilot would have to have prevented, for example, 1 homicide, or 32 sexual offences (e.g. rape), or just under 500 common assaults.
- The average economic and social cost of a DVPO during the pilot period was around £2,814 and the average monetised benefit was around £649.
- DVPOs showed a net economic and social cost. Overall, considering both costs and benefits associated with DVPOs, the analysis indicates that the net impact of the DVPO pilot was -£896,518 across the three police forces. This is equivalent to a return of 23 pence for every pound spent on DVPOs – i.e. a negative return on investment.
- If the DVPOs had only been used in cases where they appeared to be most effective in terms of reducing re-victimisation (i.e. the more chronic cases), their benefits would have been increased. If this had been the case, the DVPO pilot would have shown a net impact of around -£96,080 across the three police forces. This is equivalent to a return of 29 pence for every pound spent.

It is important to note that the method chosen for the value for money analysis was purposefully conservative. For example, the approach assumed that the severity and frequency of domestic violence experienced by the victim-survivor would not increase as domestic violence continues in a relationship. Of course, if cases did see increasingly more harm for the victim-survivor as abuse continued, the financial benefits of DVPOs preventing the abuse would have been greater. At the most severe end of the violence spectrum, a homicide has been estimated to cost approximately £1.8 million.²⁶

Additionally, the value for money analysis did not take into account any effect of DVPOs on overall perpetrator recidivism – i.e. domestic violence involving other victim-survivors. This is because there had been no evidence of a statistically significant change in general recidivism of the perpetrator. If there was a reduction in recidivism, the financial benefits of DVPOs would have been greater.

The analysis presented above also did not taken account of any potential benefits of preventing domestic violence over a longer period. There is evidence to suggest that the average length, prior to referral for multi-agency intervention of domestic violence victimisation (often classified as high risk) is five-and-a-half years (Howarth et al., 2009). Using this as an available proxy for average length of victimisation, albeit a somewhat limited estimate (i.e. using it as a scenario), it is possible to examine the long-term economic and social impact of DVPOs. In doing this analysis, it is assumed that the overall effect associated with DVPOs applies equally to all victim-survivors.²⁷

A simple projection of benefits over five-and-a-half years completed by Home Office economists suggests that the return of DVPOs overall would rise to 94 pence for every pound spent (a net impact of -£70,482) – i.e. a marginally negative return on investment.²⁸ However, if used on the more chronic cases only, the projection over five-and-a-half years shows a return of £1.18 for every pound spent (a net positive impact of £23,877). It should be noted that this analysis is

26 See Integrated Offender Management (IOM) costs of crime model (Home Office, 2011b).

27 For example, it is assumed that DVPOs had the same effect on individuals who had a longer follow-up period in the analysis of impact as those who had shorter follow-up periods, and therefore the effect of DVPOs can be scaled to a year in all cases.

28 See Annex III for projections using alternative scenarios.

subject to a number of assumptions (as detailed above, and also relating to the length and pattern of domestic violence victimisation), but it does indicate that DVPOs may be associated with greater returns on investment when considered over a longer time period.

While the value for money analysis shows a net negative economic and social impact of DVPOs during the pilot, the conservative approach followed means that it is likely to underestimate the benefits of DVPOs. Nevertheless, the results indicate how continued support of a targeted intervention that seems to be associated with reductions in domestic violence victimisation, even at a cost in the short-term, can have financial benefits over a longer period of time. The analysis underlines the importance of appropriate targeting of the use of DVPOs, as using them on the apparently more chronic cases is associated with a greater return on investment and, over the long term, a potential net economic and social benefit. Additionally, all domestic violence interventions will have a cost implication and this evaluation has not sought to compare the cost effectiveness of different types of approach in this evaluation.

Overall, the evidence provided by the evaluation suggests that the Domestic Violence Protection Order (DVPO) pilot was a success.

Discussion

The pilot offered an opportunity to explore a range of challenges in implementing DVPOs, a new tool available to police in responding to domestic violence. These challenges were dealt with in a range of ways across the three pilot police forces, each contributing new possibilities for making the processes more efficient and cost effective. That said, a number of impediments to DVPOs becoming embedded in routine responses remained:

- the need to streamline the process for issuing a Domestic Violence Protection Notice (DVPN) and making an application for a DVPO;
- the length of time that DVPNs last;
- the level of authority needed to issue a DVPN;
- ensuring effective referrals to support services for victim-survivors and access to services that work with perpetrators;²⁹ and
- the difference in impact observed when DVPOs are used in the earliest reports to the police.

Nevertheless, the participants involved in the evaluation were, overall, positive about the pilot and the future use of DVPOs. For example, the victim-survivors reported feeling relieved that the police could remove the perpetrators, and the police felt that DVPOs provided an additional tool to help them to protect victims of domestic violence.

The findings from the matched case analysis support these mainly positive views of DVPOs and, to our knowledge, provide the first matched-case analysis of the impact of such orders that has been published. DVPOs were associated with a modest reduction in re-victimisation relative to arrest followed by NFA, according to the measure of victimisation used in this evaluation. Additionally, the findings contribute to understanding what works, for whom, and in what contexts. With cases where there were three or more prior police engagements, DVPOs were associated with a greater reduction in re-victimisation. It may be difficult to put these findings into operational use, as the information on prior incidents may not be available to frontline officers; however, we think these findings do have a foundation in the existing knowledge base and need to be considered further. Being able to contextualise the history and context of abuse may be important in enabling the police to respond effectively.

One possible explanation for the DVPOs appearing to be more effective in more chronic cases is that there are a proportion of domestic violence cases where a positive intervention by the police, in the form of arrest, appears to deter future incidents, albeit that the measure being used may hide unreported abuse (e.g. Schmidt & Sherman, 1996). Arrest here functions as a 'wake up call'. Where early intervention includes a DVPO, this may be considered by the perpetrator and victim-survivor as a 'disproportionate' response. When there is a publicly documented history of abuse, through multiple police calls, the DVPO is more likely to be considered a reasonable response. The thinking time it provides for victim-survivors and the link to support services are also more likely to be beneficial when this pattern and its impacts are in view.

29 Making use of evidence for programmes that are effective in reducing future domestic violence perpetration (see, for example, Burton et al., 1998).

The value for money analysis shows a net social cost from this policy over the course of the pilot, decreasing if DVPOs had been used only in the more chronic cases. However, this analysis provides a purposefully conservative estimate of the benefits of DVPOs, which assumes that repeat domestic violence in a relationship does not increase in severity. It is therefore likely to under-estimate the full benefits of DVPOs. Future projections of the value for money analysis indicate that over a five-and-a-half year period, the costs of DVPOs drop substantially – meaning that if they were only used in the chronic cases, they may result in a net economic benefit, even using this conservative analysis. It is important to note also that we did not evaluate the relative costs of other domestic violence interventions, which may carry a similar or higher cost to the public purse.

The quantitative analyses, coupled with the additional benefits documented for DVPOs (providing thinking time to victim-survivors, linking them into support services, decreasing police officer frustration and ensuring that a message of unacceptability is delivered to victim-survivors, perpetrators and any resident children), support the wider roll out of DVPOs across England and Wales. DVPOs fill a gap in protection, and (particularly in chronic cases) also appear to be associated with a reduction in re-victimisation relative to arrest and NFA. We also recommend continued monitoring of DVPOs if they are rolled out, particularly in relation to how the response may be viewed by both victim-survivors and perpetrators. Lessons from the pilot could help to ensure costs are minimised if DVPOs are rolled out more widely. Below, we set out a series of further modifications/clarifications of process and practice that are likely to increase their efficiency. In addition, we propose that two issues requiring amendments to primary legislation be considered in the medium term.

Recommendations

This evaluation supports a wider roll out of Domestic Violence Protection Orders (DVPOs), with the following refinements to the arrangements as followed in the pilot:

1. Streamline processes of recording DVPOs, and materials for courts.
2. Consider lowering the level of approval for Domestic Violence Protection Notices (DVPOs) from police superintendent to inspector.
3. Explore how to increase recognition of extended routes into DVPOs (e.g. third-party referrals).
4. Embed DVPOs into routine responses to include:
 - requiring a statement of reasons when neither a charge, nor a DVPO is issued;
 - proactive monitoring of the DVPO for its duration;
 - that police should routinely seek consent to refer victim-survivors to linked support services; and
 - better integration of perpetrator management into interventions, where perpetrator services exist.
5. Enhance police training to demonstrate the range of cases in which DVPOs can be used.
6. Provide training and advice to specialist and general legal advisers and magistrates.
7. Issue guidance to clarify the relationship between ‘no contact’ conditions, non-molestation and child contact arrangements.
8. Monitor DVPOs, particularly if they are used as a first or second police response to domestic violence cases.

Over the medium term, it may be appropriate to consider the following modifications to primary legislation that could improve the process and enforcement of DVPOs.

9. Increase the length of DVPO from 48 hours to 4 to 7 days. This will reduce pressure on the police, provide more time for the proactive contact of victim-survivors by support services and facilitate cases being heard in Specialist Domestic Violence Courts, where they exist.
10. Criminalise breaches of DVPOs.

Annex I: Process assessment of the pilot

Summary

- Overall, the process assessment completed during the first 12 months of the pilot suggested that Domestic Violence Protection Order (DVPO) processes were successfully implemented in the pilot areas. Guidance was developed to suit local circumstances, and processes evolved to overcome issues arising during the pilot. However, the research suggested that DVPOs were not yet fully embedded into routine practice.
- Specific challenges identified included: varying levels of police officer support for the DVPO provision; the availability of a senior officer (superintendent or above) to authorise Domestic Violence Protection Notices (DVPNs), and questions generally about whether this level of seniority was appropriate; the perceived burden of paperwork for police officers; the timing constraints of the legislation, making it difficult for police officers to complete DVPNs, or to apply to courts for the full order before individuals were released from custody; and a perceived lack of understanding among some officers around DVPO processes.
- The policing of DVPOs was a further issue identified in the pilot. Police officer research participants felt that they should be using pro-active monitoring more during the order. The perceived lack of follow-up to DVPOs was seen to have potentially influenced the low number of breaches recorded in the pilot – i.e. the police did not know whether breaches had occurred or not.
- Breaches of DVPOs are a civil not criminal matter, and some participants in the evaluation felt that inadequate sanctions were being applied for breaches.

Introduction

This annex is intended to supplement the independent evaluation of the Domestic Violence Protection Orders (DVPOs) pilots, which assesses the effectiveness of the provision. This report focuses specifically on identifying lessons learnt around implementing Domestic Violence Protection Orders and drawing out areas for potential improvement. Findings are based on the original 12 month pilot period, and some further improvements may have been made by the end of the extended 15 month period. This annex is informed by and draws on material prepared by the independent evaluation team, as well as research conducted directly by the Home Office; it was compiled by Home Office staff.

International research background

DVPOs are a new civil provision designed to provide immediate protection for victim-survivors following a domestic violence incident, in circumstances where there are no other enforceable restrictions that can be placed upon the perpetrator. Research evidence from the application of similar orders in Europe indicate that usage of orders and the number of breaches varied widely but much of the variation is likely to be accounted for by differences in police procedures, definitions and recording practices (Haller, 2005; Logar, 2005; WiBig, 2004). The same research also suggests that there may be some reluctance amongst officers to apply for orders and that this may be linked to attitudes regarding domestic violence (e.g. seeing it as a private matter) or attitudes regarding the role of the police (e.g. not seeing it as their role to carry out intervention work).

The available evidence on outcomes for victim-survivors suggests that the pro-active intervention increased empowerment by enabling victim-survivors to make decisions or take action, and by helping them to take control over their own lives (e.g. Haller, 2005; Logar, 2005). The timing of contact by support services was also highlighted as important, with more positive outcomes achieved if contact was made immediately (i.e. the more time that elapsed before victim-survivors were contacted, the more likely that intervention was rejected - WiBig, 2004).

Aims and Approach

This annex focuses on outlining lessons learnt from the DVPO pilot to inform thinking about potentially using DVPOs in other forces, and highlights some of the key challenges faced by practitioners and pilot forces' experiences of dealing with these. The research aimed to explore:

1. How DVPOs have been implemented and delivered, including local variations across pilot police force areas;
2. Perceptions of practitioners involved in the process about the implementation and delivery of DVPOs.

This part of the evaluation involved a number of strands, findings from which are drawn together and summarised.

- Structured interviews with 19 practitioners from the three pilot police force areas (police officers, police legal representatives, domestic violence support services representatives, and court clerks) to explore early implementation issues.³⁰
- Two practitioner workshop events:
 - an early implementation workshop that aimed to capture early learning from the pilot. This included focus groups with practitioners involved in different parts of the process to explore issues around: streamlining paperwork and processes, legal challenges, engaging with victim-survivors, and training and awareness.
 - an end of pilot review event that included workshops and focus groups³¹ to capture overall experiences of the pilot and role specific issues such as improving police processes, legal issues and the work of support services.

30 17 face to face and 2 telephone interviews were conducted in August/September 2011. The term practitioners refers to individuals who have been involved in implementing and/or delivering DVPOs within pilot areas and includes police officers, support services, legal services, and court staff.

31 Workshops at this second event were run by the Home Office and two sets of focus groups were run; some by the independent evaluators and some by the Home Office. Participants moved between workshops and focus groups, considering different themes in each, this is largely because the commissioning process of the independent evaluation had excluded a process assessment.

- Analysis of monitoring data collected by the police, and analysed by the independent evaluation team.
- Selected results³² from two, primarily online, practitioner surveys run by the evaluation team:
 - delivery group survey completed by 154 practitioners involved in the delivery of DVPOs (as expected the majority of these, over 90%, were police personnel). The survey was cascaded via 11 professionals across the pilot police force areas;³³
 - implementation group survey completed by 23 practitioners (from 27 contacted) who had played key roles in implementing the pilot.
- Informal feedback from the DVPO working group throughout the course of the pilot and discussions with pilot leads from the three police forces.

It is important to note that a number of practitioners will have taken part in more than one of the research exercises, for example the survey and workshop events, meaning that they potentially could influence results more than others. Care has been taken to triangulate participants' perceptions as far as possible, to ensure that findings are based on the feelings of all participants and that countervailing voices are heard.

Process assessment findings

1. Implementation of the Domestic Violence Protection Orders policy and models of practice

Guidance and training

On the whole, the national guidance and training undertaken by those practitioners who responded to the surveys was well received. For instance, two thirds of implementation group survey respondents thought that the national guidance was adequate and the majority (81%) of delivery group respondents found the training to either be 'very' or 'fairly' useful. However, when asked whether any additional training or information could be provided to support any future national roll out, two thirds of practitioners thought that more could be provided. Perceived gaps in the guidance included:

- the absence of sentencing guidelines for breaches;
- the need for a clearer outline of the court process;
- insufficient information about defining the success and benefits of DVPOs; and
- lack of guidance on accommodation issues with respect to excluded perpetrators.

Practitioners were generally positive about the multi-agency training events held in some areas at the start of the pilot – in particular that they provided an opportunity for relationship building. For any new areas implementing DVPOs, consideration should be given to using this training to help establish better links with support services to encourage their involvement as early as possible.

32 Results from a selected number of survey questions are presented in this report. Questions were identified which related to process aspects of delivering DVPOs and any lessons learnt. A more in-depth analysis of results is available in the main evaluation report.

33 Because the survey employed a cascade method to reach participants, it is not possible to calculate a response rate for participation.

Localising national policy

During the evaluation focus groups, police personnel emphasised the substantial work required to translate national policy guidance into local practice. Each of the pilot forces developed slightly different approaches to different parts of the DVPO process some of which required a significant commitment from people 'at the coal face'. Some of the key variations in practice were as follows.

- Referrals – Greater Manchester accepted third-party referrals, whereby information supplied by agencies other than the police could be used to trigger a DVPN application. In practice this only led to a very small number of applications being initiated.
- Use of gatekeepers – West Mercia used a police gatekeeper to review cases before they were passed to a police superintendent, and Wiltshire used evidence review officers to check cases before they proceeded to the Crown Prosecution Service (CPS). In West Mercia only one initial application to a superintendent did not proceed to court.
- Links with support services – processes for referring cases to support services varied within and across the three police forces. For example, Greater Manchester triaged cases via Victim Support before referring some on to services specialising in higher risk cases. Wiltshire split cases on referral, with high risk cases going to their Independent Domestic Violence Advisors (IDVAs)³⁴ and standard and medium risk cases being referred to outreach services.
- Officers presenting in court – due to the costs of using legal services to represent cases at court, and negative feedback about legal teams, Wiltshire decided to switch to using specialist officers to present cases in court.

As part of the evaluation, the independent evaluation team noted further details of differences in implementation between forces. These are provided at the end of this Appendix in Table AI.1.

Although there are some key differences in how the pilot worked across the three force areas, all have been able to set up a process that complies with the existing legislation and fits local practices. Furthermore, some of the variations have helped to highlight interesting lessons learnt during the pilot which have been used to adapt processes over the course of the year. However, it should be noted that officers from each of the areas reported (at the focus groups) that DVPO procedures were not yet embedded into organisational culture, nor were they part of routine practice. This could be problematic in terms of ensuring the longevity of the provision, but does need to be seen within the context of this being a pilot. Processes may take time to integrate into routine practice, and individuals may be reluctant to change their normal activities unless they know that new processes are likely to be permanent.

2. Police processes

Delivery group survey respondents were asked whether they felt police that processes for handling DVPOs were complicated. Despite one-half thinking that the process was generally

³⁴ IDVAs are professional advisors who work alongside high-risk victims of domestic violence to assess their levels of risk and to discuss and develop safety plans.

straightforward the other half found it either ‘on the whole too complicated,’ or ‘some parts straightforward some complicated.’ Key concerns raised were:

- excessive paperwork or the duplication of paperwork;
- time constraints of the process; and
- a lack of understanding of DVPOs amongst colleagues.

These issues are echoed across the evaluation data and further discussion of the evidence around them is presented below.

Paperwork

Whilst most practitioners agreed that there needed to be a complete and accurate record of decisions taken around DVPOs, there was still a perception that, despite revisions over the course of the pilot, ‘paperwork’ (both paper-based and on IT systems) could be streamlined further. Feedback from the focus groups about the initial application process suggested that this was taking around one and a half hours to complete. This was contrary to initial expectations that the process would be more straightforward. Other parts of the paperwork process were also lengthy. For example, police superintendents were taking around one hour to complete their authorisation and preparing cases for court was also a lengthy process made worse when files lacked information that should have been provided.

The time it now takes to deal with a fairly minor domestic dispute has doubled if not trebled...
(Police, delivery survey respondent)

There was recognition from officers at workshop events that some of the burden of paperwork was simply due to a lack of experience of the process. However, it was felt that the burden of paperwork could present a barrier to those new to the process and make it more difficult for DVPOs to become part of routine practice. Some thought that officers did or would avoid initiating the process because of the associated paperwork.

Timings around the process

The time constraints imposed by the DVPO legislation³⁵ have posed significant challenges for practitioners. Practices have developed over the course of the pilot to meet requirements and, by and large, processes have been completed within time constraints. This is highlighted by analysis of police monitoring data concerning the first 12 months of the pilot which found:

- the majority (94%) of DVPNs were authorised within one day of arrest, meeting custody requirements.
- three-quarters of applications to court were heard within 48 hours of the DVPN being issued. A large proportion of the remaining 25% related to notices issued on Fridays, Saturdays or Sundays.
- there were some peak times for arrests at weekends and on Monday mornings (which is consistent with wider evidence around domestic violence incidents) and associated peaks at court on Tuesdays and Wednesdays.

³⁵ Notices to be issued within the 24 hour custody window if they are to be served whilst the perpetrator is in custody; hearings to be heard at court within 48 hours of issue of notice; and breaches to be brought back to court within 24 hours.

The first pinch point in the process was highlighted as the requirement to issue notices whilst perpetrators were in custody.³⁶ As perpetrators are free to leave custody (after processing) following a CPS charging decision, it has become common practice across the pilot police forces to process paperwork for DVPN applications in parallel to the criminal investigation. This process followed learning from some early feedback about cases where paperwork had to be rapidly pulled together after a charge was not supported.

The benefit of parallel processing is that it allows time to consider the merits of the case more fully and negates the need to track down perpetrators to serve a notice at a later date. However, this does mean that paperwork is started on some cases that may then not be required. This has reportedly led to some second guessing of the outcome of criminal charges as to whether to start the DVPN process. A note of caution to highlight is the potential for cases to be missed because officers are pre-empting CPS decision making.

There is a lot of second guessing as to the way an investigation is going and there needs to be a clear[er] set of circumstances in which a DVPN is applied for.

(Police, delivery survey respondent)

I just think that's a bit of a duplication, and I think we're a lot better at making an early decision now about where we feel DVPNs are going to kick in...

(Police, evaluation focus group)

Timings around obtaining police superintendent authorisation and preparing cases for court were also raised as challenges and are discussed below.

Lack of understanding of the process

The final issue raised around the DVPO process was inadequate understanding about it among some officers. Evidence from across the research strands points to inconsistencies in individuals' understanding or application of processes. For example, early on in the pilot there was some confusion over the eligibility criteria for DVPNs (there was one case of an under-18 victim-survivor where a DVPO was granted). Case file review exercises in Wiltshire and Greater Manchester highlighted cases where DVPNs had not been undertaken because officers mistakenly thought that victim-survivors had to support the application (there were also cases where courts did not grant DVPOs for the same reason) or that the victim-survivor and perpetrator had to be cohabiting. Other cases were missed because they did not involve intimate relationships (e.g. they involved family members). There has been work within areas throughout the pilot to address such issues, but there may be value in ongoing dip sampling of domestic abuse cases to ensure missed opportunities to use DVPOs are identified. This would be particularly useful to consider for police forces new to using DVPOs.

An additional barrier highlighted by some practitioners was that officers may feel that they lack sufficient 'specialist knowledge' or understanding about domestic violence to initiate the DVPN process. This has the potential to lead officers to actively avoid engaging with the process. Although a minority view, some officers responding to the survey were unconvinced by DVPOs in general. They suggested that they were an unwarranted or disproportionate intervention in people's private lives. There was also a view expressed by one officer that they could be used by victim-survivors manipulatively to gain control of a property, but this was not reflected in any other responses to the survey.

³⁶ Guidance does allow for notices to be served outside of custody. However, release from custody is a time of increased risk for victim-survivors so ideally perpetrators would have notices before they leave.

Improving processes

Overall, participants in the research highlighted substantial barriers to ensuring that DVPOs are routinely used, and that more could be done to promote their use. Participants suggested that the take up of DVPOs might be improved by having ‘champions’ at different points in the process to ensure that cases were being picked up and to provide support to those undertaking the process. Also suggested was establishing systems to pick up cases automatically – for example, having flags or checks on custody systems to ensure that DVPOs are considered as a matter of course. Finally, there were a number of calls for more information to be publicised about cases, such as reasons why applications may fail, success rates at court, numbers of breaches, victim-survivor reactions, and good news stories.

On the specific point of when to start the initial application within the custody timeline, there was a view that more time was needed to process cases following a CPS decision. Participants felt that two avenues might be explored:

- amending the DVPO legislation to allow for more time in parts of the process; and
- amending PACE requirements to allow extra time for notices to be authorised and issued following a CPS decision.

3. Superintendent availability

The requirement for police superintendents to authorise DVPOs has been an issue of contention throughout the pilot. Those who support the idea think that the nature of DVPOs justifies the level of seniority around the decision. Those who do not, think it adds to an already burdensome process and could be done at a lower level, particularly as the courts subsequently ratify the order. The issue was explored on a number of levels during the evaluation and the key findings around this are summarised below.

Superintendent capacity

Superintendent coverage varies across forces. Over one-half of delivery group respondents reported experiencing problems accessing police superintendents either some of the time or on most occasions. This was reportedly most problematic on evenings and weekends but some difficulties were reported during the day time as well. Concerns were expressed by some about this becoming a bigger problem should the provision expand to areas of forces not yet running DVPOs.

In addition to this, the input that superintendents have on cases varies. For example, some superintendents were actively undertaking research on cases on force systems to find out more information before making a decision – over one-half of officers said that superintendents had requested further information from them either some or all of the time. Other superintendents made a point of speaking to perpetrators in custody to explain DVPOs before making their decision. Those who undertook these actions regarded them as good practice and part of their justification process. But this was not universal, with some superintendents basing decisions entirely on the information included in the application.

Barrier for junior officers

Feedback from early implementation work suggested that the requirement to seek such a senior level of authority could be off-putting for junior officers. This was further explored at practitioner

events and in the delivery group survey. Junior officers reported feeling anxious about contacting officers above their immediate hierarchy, particularly in out of hours situations.

...[there is] a fear factor of 'oh, to get this through I've got to actually phone the superintendent, it might not be my superintendent it might be someone I don't know', where a lot of authorisations go through duty inspectors...

(Police officer, evaluation focus group)

A number of suggestions were made about how to resolve the above problem. The first was to consider lowering the level of authorisation to inspector/custody sergeant level. This was said to be consistent with increased levels of responsibility following changes to PACE and reflected the fact that inspectors/custody sergeants could already impose more stringent bail conditions on perpetrators who have yet to be charged. An alternative suggestion was to have a gatekeeper review cases and then themselves present suitable cases to superintendents.

Participants felt that the advantages of both these approaches was that there was coverage at these ranks at all times, that junior officers were more used to dealing with these ranks, and that the approaches could also be made part of more routine supervision to help identify cases early on.

The final suggestion, were it deemed necessary to still have police superintendent authorisation, was to operate a two tier authorisation system where superintendents only authorise cases that involve restriction from premises. Inspectors/custody sergeants could then be used to authorise cases where this was not to be a prohibition. A potential downside of this suggestion, which was not discussed, is that it could lead to officers avoiding using this prohibition to get applications through more easily thereby limiting protection available to victim-survivors. Furthermore, it should be noted that subsequent analysis indicated that the restriction from premises was used in the vast majority of cases, so any such limit to protection would be of concern.

4. Legal aspects of the Domestic Violence Protection Order process

Legal challenges

Feedback from practitioner events suggested that challenges on the legal aspects of orders had been different from those anticipated. There had been no challenges to date about orders on human rights grounds, for example about restricting a person from their home (this was also the case over the 15 month pilot period). Instead orders were being accepted but the conditions imposed were being negotiated, for example, agreeing a 14 day restriction instead of 28 days, which was highlighted as a concern.

Two other main concerns were raised about the legal process.

- The first was that fewer perpetrators were attending proceedings than anticipated. Although the notices contain information about the hearing and include a court summons, there were suggestions from some practitioners that perpetrators may not understand the difference between the notice and the order and not realise that they were supposed to appear. Orders can still be granted without perpetrators being present but some were concerned that there were occasions where hearings had been delayed in case the perpetrator turned up later. This also raised the concern that perpetrators may not fully understand the prohibitions against them if they were not present at court.

- The second related to a minority of situations where victim-survivors had been compelled to attend court in support of the perpetrator. This was reported as one of the unintended consequences of the court process by implementation group survey respondents.

Suitability of conditions

As mentioned above there had been fewer challenges than expected about the orders themselves but the conditions of orders and interpretation of the legislation had led to some debates in court. One key concern raised was around the interpretation of the wording (which varied across courts) around the non-molestation condition and whether this enabled imposition of no contact provisions. Within the pilot areas, it was generally accepted that non-molestation included no contact either directly or indirectly, but there were some who argued that reasonable levels of contact were acceptable, and in some cases necessary – for example, where there were childcare arrangements to consider. Such an interpretation by one judge at a Greater Manchester court led to guidance being issued to legal advisors that a condition of no contact could not be imposed, since contact would not always amount to molestation.

...the other issue is this issue with allowing contact if it's 'reasonable contact' and that is just blowing the whole DVPN process out of the window. Why are we doing it? To give them that breathing space. Not to give them that reasonable contact, 'oh I love you darling, and I want us to get back together'? You know, we know how perpetrators manipulate the victim. So that is a real concern.

(Police officer [Manchester], evaluation focus group)

Practitioners indicated that they recognised the need for cases to be judged on individual merit and circumstances in terms of the application of conditions. However, it was suggested that this had to be with proper regard to knowledge about domestic violence. Furthermore, it was felt that in order to reduce variation in interpretation of legislation, further guidance should be issued to clarify the no contact and non-molestation conditions.

Focus groups highlighted that child contact arrangements were reported to have overcomplicated hearings in some situations, with proceedings straying into rulings over children. Some DVPOs had been heard by family court magistrates, which some thought had been useful but others felt had led to inappropriate consideration of material that should have been beyond the proceedings at hand. Further thought on these issues may be warranted to minimise the likelihood that victim-survivors will have inconsistent court experiences.

Civil versus criminal hearings

The burden of preparing case files for court was reportedly raised on a number of occasions by police officers and practitioners throughout the evaluation. This burden largely falls on specialist teams and the level of detail required in files has presented challenges within the tight timescales available – 48 hours after notices are issued.

One of the key concerns raised was that courts and / or legal teams have required a level of detail akin to that for criminal proceedings. This also extended to the level of questioning received from magistrates and judges, who did not always seem to appreciate that DVPOs are a civil process and therefore have a different standard of proof to meet (on the balance of probabilities as opposed to beyond reasonable doubt). Given the lack of challenge of orders and that 89 per cent of orders are being granted by courts, the research highlights a call to review minimum levels of information required for the court process.

A perceived need for further training of magistrates and court staff around the DVPO process was also highlighted. Some initial reluctance in at least one pilot force area regarding allowing magistrates to attend pilot training was reported. This was felt to lead to a pressure on legal advisers to understand the issues involved, and may have resulted in different interpretations of processes across courts. Some practitioners suggested it would be worthwhile engaging the Judicial College in this process to take ownership of the training. However, this was perceived to be difficult as the legislation was in pilot status, so should be considered further if DVPOs are rolled out more widely.

Dealing with breaches

Police monitoring data suggest that the number of breaches has been relatively low. However, practitioners have queried whether the numbers reflect actual levels of compliance with orders or whether breaches are going unreported or not being policed. The quote below from a police officer illustrates this point:

We say we don't get a lot of breaches...but I bet we do. I bet there's a lot of breaches going on because... I don't think it's being policed to that extent. So we slap an order, we slap it on them and then we leave them to their own devices and I think that what we want to do with the next three officers that come in and are dedicated is part of their role good morning knock on at six in the morning and have a look, you know is he in there well are you breaching it or well... because we do restraining orders and non molestation orders all the time and they're always getting breached

(Police officer, evaluation focus group)

There were concerns from some practitioners that even when breaches were coming to the attention of the police, the sanctions applied were not adequate -- over one-third (38%) of delivery group respondents thought that sanctions were not adequate.³⁷ Inconsistencies in practice around how breaches were dealt with were also reported. Examples were given of low level fines being imposed or the time in custody following arrest being counted as sufficient sanction. It was felt that this could discourage victim-survivors from reporting breaches (see quote below) and also could act as a disincentive for the police to making applications in the first place. For example, one police officer said three or four breaches might occur before imprisonment was considered – which “makes a mockery of the system”.

...There were real inconsistencies about if somebody was to breach and we've had some really ridiculous fines in [one area], very low which actually undermines the whole process... it belittles the victim who feels 'why am I going through this? I've made the decision to phone up because he has breached his decision', go through that process and they get a really dismal amount.

(Court officer, evaluation focus group).

The overriding sense regarding this issue was that breaches needed to be dealt with seriously in order to be a deterrent for perpetrators and to show victim-survivors that they are supported and that there will be repercussions if orders are breached. In order to do this, many thought that breaches should be criminalised, similar to non-molestation orders. At present, a breach is a civil offence.

³⁷ A breach of a DVPN or DVPO is a civil offence and can result in arrest, remand in custody and is punishable by a fine or up to two months imprisonment.

There is a discussion about making a breach a criminal offence, similar to a non-molestation order, if that is done the whole range of penalties become available don't they, without having to look for specific ones for DVPNs.

(Court officer, Evaluation focus group)

Another potential solution suggested was to provide sentencing advice to courts around dealing with breaches, although this would require the support of the Sentencing Council and possibly the Judicial College again. Dealing with breaches was also raised by a number of practitioners as one of the gaps in the national guidance.

5. Officers presenting in courts

Wiltshire has moved to a process whereby specialist officers present cases in court instead of legal teams. This change was implemented due to the rising costs of engaging outside lawyers when the force-based legal team was over committed. Learning from this process has been useful for the other pilot forces that are considering the sustainability of DVPOs longer term and this practice could present an interesting model for any wider roll out. The perceived pros and cons of this approach and some issues for further consideration that have been highlighted by practitioners involved at court are summarised below.

Training

Specialist officers received one day's training to prepare them to present in court. Feedback received suggested that the training focussed too much on court etiquette and what to expect in court, and was not specific enough about handling DVPO cases. This left some feeling unprepared and lacking in confidence about presenting in court. In practice, some officers found presenting in court more straightforward than they expected as hearings could be quite basic and there were fewer witnesses to deal with than in criminal proceedings. However, experiences did differ across courts with levels of challenge by magistrates varying across cases.

Those presenting at court suggested that some shadowing of legal staff would be beneficial to provide them with an insight on dealing with questions. Another suggestion was to develop a set of frequently asked questions which would set out some common challenges and ideas around how to deal with them.

Preparation for court

Specialist officers estimated that preparing for hearings was taking one to two hours and there were concerns that this time was diverting resources away from them dealing with other, potentially more high-risk cases. It was also not guaranteed that they would have been involved in processing the cases initially so only had details within the files (which were sometimes incomplete) to work from.

Feedback from some court workers was generally positive, suggesting that it had been useful having specialists present at court because of their knowledge and experience of domestic violence cases. Police representatives were also very favourably compared to some barristers who had initially taken on cases in Wiltshire.

Although the experience of specialist officers presenting in court was on the whole positive, it was felt that contested cases should still be handled by legal teams, although in practice it would be difficult to predict which cases these might be. Practitioners also thought that breach hearings should remain the responsibility of legal teams.

Summary of experiences of officers presenting cases in court

Overall most of those who had presented in court would recommend the process, with the proviso that additional support and guidance was needed to ensure that individuals are confident about presenting cases. Although the process had generally been positively received, there was a concern noted that specialist staff's limited time was being used in court at the expense of dealing with other high priority case work.

6. Providing support to victim-survivors

Providing support to victim-survivors is led by local support services and is crucial if the longer term benefits of DVPOs are to be realised. Feedback from support services representatives was gathered through the practitioner events and surveys. It usefully highlighted the impact of the pilot on their services and the roles their services could and had played.

Capacity

A major concern at the outset of the pilot was whether support services would have the capacity to deal with the DVPO caseload. Support services have a key role in assisting victim-survivors during the window for intervention afforded by the DVPO. Some support service practitioners said that there was an initial impression that they would be handling cases that they would receive anyway. However, responses to the delivery group survey and feedback during early implementation interviews indicated that they were actually seeing additional people who might not otherwise have come to their attention. This was said to place extra demands on their time, and there were concerns that it could have a longer term impact on other victim-survivors through them not being able to provide services either in a timely way or at all.

In order to deal with the increased workload and time constraints of the provision, DVPO cases were being prioritised. At early implementation interviews, and in the pilot review focus groups, there was some ambivalence around this approach. Some believed that prioritisation could be at the expense of potentially higher risk cases, although it was also recognised that early intervention could prevent medium and standard risk cases becoming high risk in the future. By the follow-up survey – conducted after the other strands of research – practitioners suggested that the prioritisation had not adversely affected other victim-survivors. The general view was that such prioritisation was acceptable, given the limited available time to access victim-survivors whilst the perpetrator was excluded.

As touched on above, prioritisation of DVPO cases raised a tension noted by the police and support services that the pilot may have skewed local responses to domestic violence that previously tended just to focus on dealing with high-risk cases. This could lead to an inequality of service provision. This is illustrated in the response below.

Victims trying to access help and support from support services who are not part of the DVPO project are losing out because of the capacity of the services to deal with the victims where a DVPO has been served has a greater priority. Therefore waiting lists are getting longer and as more DVPOs are served these victims are being pushed down the line

(Local authority, Implementing group survey).

Two other capacity issues were raised during the research.

- For support services and victim-survivors the orders were not just about a 28 day process. Victims may need much longer term support, for instance assistance to take up other civil remedies or to work with both parties, and potentially their wider families, to help the perpetrator to address their issues in situations where the victim-survivor does not want to leave the relationship. It was acknowledged that this was not necessarily dissimilar to dealing with other victim-survivors.
- Some victim-survivors were self referring into support services after initially being unwilling or unable to engage at the time of the DVPO. Their engagement was of course welcomed, but as the DVPO was no longer in force and where they were not high risk cases, capacity had to be found to deal with those individuals once they had made the decision to engage.

Timing of orders

The issue above of victim-survivors self-referring at a later date relates to an important consideration raised by support services about the appropriateness of the orders for victim-survivors. Practitioners felt that whilst DVPOs were certainly a 'useful tool' in the intervention box, there needed to be more thought given to whether they were the most appropriate course of action for a given victim-survivor at a certain time. It was felt that the intervention could lead to negative consequences if the victim-survivor believed choices were being taken away from them. Some practitioners said that in an ideal situation support services would be able to advise the police on whether it was the right course of action for the victim, but they recognised that the order's time constraints would not allow this. Instead, further education of the police by support services about the nature of domestic violence and victim-survivor responses was suggested as being useful, to allow them to make more informed decisions.

The short time between the notice and court hearings was also raised as a challenge, with support services not always being able to access victim-survivors to provide support before the court hearing. This was reported to have led to cases where victim-survivors had appeared in court to support the perpetrator. Ideally, more time would be useful to access victim-survivors. However, this was again balanced by the recognition that interventions needed to be swift.

Referrals and multi-agency working

As outlined earlier, processes for referring cases to support services differed across forces. Support services in some areas reported problems accessing data on victim-survivors due to problems encountered around interpretation of data protection procedures. Police officers in some areas thought that data could not be shared without the express permission of victim-survivors and tick boxes allowing the police to do this were not always completed. This potentially relates to early discussions about the use of DVPOs, where it was noted that witness statements could not be passed on without consent, since in civil cases they are the property of the witness not the police (e.g. see the House of Commons Home Affairs Committee, 2008). Practitioners in those areas said these processes needed to be resolved so that referrals could be received in a timely manner to support victim-survivors.

Challenges were also reported in one area concerning cooperation between support services and some senior police personnel who were said to be reluctant to communicate with partner agencies. Some support service practitioners expressed concerns that the police were taking on more of an IDVA role when they were not adequately trained to do so. These views were not

universal, and other areas reported very good referral and partnership working arrangements. However, these issues could be considered further if provision is to be rolled out more widely.

In addition to challenges faced around pilot processes, there was also a sense from some practitioners outside of the police that the pilot had been thrust upon partner agencies with no recognition or input from those agencies. This links to feedback from support services staff at the practitioner event; some stated that their exclusion from consultation at the outset of the pilot led to a feeling that a DVPO was very much seen as a police process. Data from implementation survey respondents also reflected this point. When asked what lessons they would seek to pass on from the pilot, two of the three most commonly cited were:

- ensuring that all relevant agencies were included in the planning and delivery process; and
- establishing good inter-agency communication and referral processes.

Again, this underlines the importance of multi-agency relationships to the success of the pilot and to ensuring there is multi-agency ownership and agreement about processes.

Discussion

This report focuses specifically on identifying lessons learnt around implementing Domestic Violence Protection Orders and drawing out areas for potential improvement. Given this focus, much of the discussion above has been about the challenges faced by practitioners and how they might be addressed. However, this should not overshadow the broadly positive reaction there has been to implementing DVPOs. Pilot forces were able to implement national guidance and develop localised processes. There were fewer legal challenges than anticipated and practitioners were largely supportive of the intervention. For the police, DVPOs offered a means to provide immediate protection for victim-survivors where other avenues may have failed.

The main barriers identified for the potential wider use of DVPOs beyond the pilot appear to be:

- the burden of paperwork for the police at both the initial application process and when preparing cases for court;
- the requirement to have superintendents authorise applications; and
- the timing restrictions of the process which mean that cases have to be processed in parallel to criminal investigations.

The latter two of these barriers are specific to the legislation around DVPOs and may warrant some review.

Feedback from practitioners suggested that DVPOs were not fully embedded in routine practice, and there may be some barriers to overcome to sustain the use of DVPOs in the longer term. However, the research did not identify any systematic reasons why DVPOs were being used in certain cases and not others.

Another positive element identified was the low numbers of breaches identified. However, in terms of breaches, it is unclear whether this accurately reflects the situation or whether breaches are not coming to the attention of the police. If DVPOs are to be seen as a serious police response, for both victim-survivors and perpetrators, there may need to be increased focus on policing breaches (and therefore monitoring the order) effectively. Ensuring that perpetrators and victim-survivors are fully aware of the conditions imposed may also be useful to consider further, given the number of perpetrators not attending court.

Providing support to victim-survivors is a key part of the DVPO process. However, support services initially reported a strain on their resources and a need to prioritise DVPO cases to ensure that support could be offered in a timely manner. This strain seemed to have subsided by the end of the evaluation. However, the sustainability of support provision should be considered in a potential wider roll-out of DVPOs. The sustainability of providing specialist officers who were assisting with parts of the DVPO process and, in Wiltshire, presenting cases in court was also raised as a concern and may need further consideration. The main evaluation, and Appendix III, include some assessment of the costs involved in providing DVPOs to shed further light on this.

Suggestions for practice ideas

Below is a list of suggested ideas around practice that could be considered to improve the take-up of DVPOs and help them become embedded as part of routine practice.

Practice ideas for consideration

Ensuring eligible cases are picked up

- Undertake case file reviews on a routine basis to ensure eligible cases are being picked up and feeding back lessons to officers to improve practice.
- Put systems in place to automatically flag cases for consideration of DVPOs.
- Have champions to support individuals through case processing.
- Review level of paperwork required (for applications and in support of the court process) to see if it can be streamlined further.

Reviewing legislative restrictions on the process

- Consider whether the initial 24-hour time limit for notices to be issued in custody can be extended, even by an hour or two to allow authorisation processes to take place.
- Consider suggestions for moving away from Superintendent authorisation of all notices e.g. lowering the authorisation level to custody sergeant/Inspector level, using gatekeepers to check cases and then pass details on to Superintendents or operate a two tier system where Superintendents only authorise restrictions from premises cases.
- Consider if breaches of DVPOs should be criminalised.
- The legislation may also need to be reviewed in terms of the wording around the non-molestation condition. Stalking and harassment legislation may provide a useful point of reference for this.

Training

- Use multi-agency training where possible to raise awareness of DVPOs and to continue to develop a broader understanding and awareness of domestic violence issues in general.
- Work with the Judicial Studies Board and/or the Ministry of Justice to ensure training for judges and magistrates is undertaken including awareness of DVPOs as a civil process, sentencing guidelines around breaches and further clarification of the terminology around non-molestation and no contact provisions.
- Provide more training and support for officers presenting in court, specifically: extend training to focus more on DVPO cases in court not just the court process; provide examples of common DVPO legal challenges and how to address them; legal representatives to provide officers with feedback about cases; and consider shadowing opportunities with legal teams.
- Publicise more information about DVPO cases for example, good news stories about cases, feedback from victim-survivors, and importantly facts and figures about DVPO cases, their progression and breach rates.

Table AI.1: Key features of the Domestic Violence Protection Order model and variations/adaptations in the pilot areas (produced by independent evaluation team following the 15 month pilot)

	Home Office template model	Variations/adaptations in practice		
		Greater Manchester	West Mercia	Wiltshire
Third party referrals	If another agency becomes aware that a potential domestic violence incident has taken place, information may be shared with police to assess suitability of DVPO	Third party referrals are accepted, although numbers continue to be small	Third party referrals are accepted, but this route has not been actively promoted	Third party referrals not accepted
Gatekeeper role	Forces may wish to use a gatekeeper to assess suitability of request to superintendent	Gatekeeper role can be performed by a divisional supervisor, if wanted by superintendent	Duty inspector acts as a gatekeeper	Evidence Review Officer acts as a gatekeeper (checks cases before they proceed)
Victim-survivor referral to support service	Victim should be given a DVPN information leaflet with details of organisations and voluntary agencies providing support for survivors of domestic abuse	All victim-survivors who consent are referred to Victim Support. High risk cases are referred to specialist services, once the DVPN is authorised	IDVA should be notified once the DVPN is served. An online system has been developed to provide (with consent of victim) an automated email notification to IDVA services	IDVA should be notified once DVPN served. The area has one part-time IDVA for Swindon and one IDVA for rest of county
Perpetrator referral to intervention service	Perpetrator should be given a leaflet, containing details of organisations and voluntary agencies that provide programmes and associated support services, delivering effective interventions with perpetrators of domestic abuse	Voluntary referral to probation-based programme, but low take-up in practice	Information provided to perpetrators about specialist local intervention programme (only covers Worcester county, not whole of West Mercia)	Information provided to perpetrators about a local service offering support
DVPO application at court	DVPO to be applied for by constable / solicitor / barrister within 48 hours at Magistrate's Court (excluding Sundays and public holidays)	Application at court made by combination of external barristers and Legal Services. Specialist officer also attended court in early phase of pilot. From July 2012 dedicated police officers have presented in uncontested cases and Legal Services solicitors attend contested cases	Application at court initially made by Legal Services solicitors. Since September 2012, specialist officers and staff have made applications in uncontested cases. Where the case is contested, Legal Services provide support when possible	Application at court initially made by external barristers. Now a combination of civilian investigators and specialist police officers make the application

	Home Office template model	Variations/adaptations in practice		
		Greater Manchester	West Mercia	Wiltshire
Place of hearing	Use Specialist Domestic Violence Courts (SDVCs) where possible to conduct the application for the DVPO	Because of 48 hour limit of DVPNs, unable to hear in SDVCs, as most only sit once a week	Because of 48 hour limit of DVPNs, unable to rely on using SDVCs, as they only sit on certain days	Because of 48 hour limit of DVPNs, unable to hear in SDVCs, as most only sit once a week
Victim-survivor attendance at hearing	If the victim-survivor has provided a statement then they may be required to attend court if it is relied upon as part of the DVPO application. Consideration must be given to base the decision to issue a DVPN on all other available evidence, not solely the victim's statement. The Authorising Officer must also not rely on the statement of the victim-survivor to inform their decision making if the victim-survivor is not to go to court	Victim statement becomes officer's hearsay exhibit, therefore avoiding attendance of victim-survivor	Victim-survivors may attend where defence lawyers advise defendants to contest and call victim-survivor to hearings	If victim statement is not relied upon, officers remove it from evidence bundle so victim-survivor does not have to attend court
Informing victim	Once court grants DVPO, victim-survivor should be informed of: <ul style="list-style-type: none"> • Prohibitions in the DVPO; • What to do if perpetrator breaches conditions; • Duration of the DVPO including expiry date; and • Identification and contact details of any caseworker or IDVA that will be making contact imminently 	The DVPO Officer will inform the victim-survivor once DVPO granted. If the case is contested or there is a breach, then Legal Services will contact the Public Protection Investigation Unit, who will in turn inform the victim. Victim Support is also copied into all notification e-mails and (where consent given) will contact the victim.	Police officer in charge or Domestic Abuse Unit responsible for updating victim. Victim should also be provided with a copy of the DVPN. A leaflet is provided informing the victim-survivor of the DVPO process, together with information regarding additional support	
Police case monitoring	Police domestic abuse coordinators should monitor DVPO cases to evaluate and update risk assessment and risk management plans	Dedicated officers are responsible for safeguarding victim-survivor in conjunction with Neighbourhood Teams	DVPN-specific risk management plans created which link directly to all nominal records, including victim, perpetrator and any children	

	Home Office template model	Variations/adaptations in practice		
		Greater Manchester	West Mercia	Wiltshire
Expiry of DVPO	DVPO lapses. Police should make victim-survivor and perpetrator aware that DVPO is lapsing and conditions will cease. DVPO marker should be removed from perpetrator details on PNC	Victim should be kept updated, however no formal structure to liaise with perpetrator unless referred to voluntary perpetrator scheme	The DVPN Risk Management Plan will ensure that the victim-survivor is contacted / updated about the DVPO. PNC receive a notification of the DVPO being issued and will automatically remove the perpetrator details from PNC when the prohibitions cease	

Annex II: Analysis of impact

Summary of findings

- An analysis was undertaken matching Domestic Violence Protection Order (DVPO) cases to other, similar domestic violence cases where a DVPO could have been pursued but instead no further action (NFA) was taken. Although this approach does not allow us to conclusively attribute the effects observed to DVPOs, the analysis revealed potentially positive outcomes associated with the use of DVPOs.
- According to this analysis, DVPOs were associated with reductions of re-victimisation (measured by police call-outs), compared to similar cases dealt with by arrest followed by NFA: around 2.6 fewer repeat incidents of domestic violence per victim-survivor compared to around 1.6 fewer incidents, respectively. This means that DVPOs were associated with an additional reduction of one incident of domestic violence per victim-survivor, compared to arrest followed by NFA.
- DVPOs appeared to be most effective in reducing re-victimisation when used on more 'chronic' cases. The effect associated with DVPOs rose to an additional reduction of 2.2 repeat incidents of domestic violence per victim-survivor (compared to arrest followed by NFA) when DVPOs were used on cases where there had been 3 or more previous police attendances for domestic violence.
- It should be noted that this analysis does not consider severity of incident, or longer-term effects of DVPOs (it is based on data from the 15 month pilot).

Introduction

This annex is intended to provide further information to supplement the main evaluation report of Domestic Violence Protection Orders (DVPOs), particularly the analysis of their impact. DVPOs are a new civil provision designed to provide immediate protection for victim-survivors following a domestic violence incident, in circumstances where there are no other enforceable restrictions that can be placed upon the perpetrator. A one year pilot was undertaken in three forces (Greater Manchester, West Mercia and Wiltshire) from 30 June 2011 to test DVPOs, and this was subsequently extended to 15 months. This paper analyses data from this extended pilot.

Aims and approach

This aspect of the DVPO evaluation aimed to examine the impact of DVPOs on domestic violence re-victimisation and perpetration.

Research design selection

The evaluation team was commissioned to identify a research design for evaluating the impact of DVPOs, starting from monitoring data that were the same as those provided by the three pilot police forces to the Home Office. Several approaches were considered, including:

- **Randomised controlled trial (RCT):** The ‘gold standard’ of research designs is the RCT, which would enable definitive attribution of any changes seen in outcome measures to the specific intervention (in this case, the DVPO). This approach was discounted for the present study before the evaluation team was commissioned, following consultation between the Home Office and the pilot police forces. Running an RCT would have required being able to randomly allocate suitable cases to either the treatment (DVPO) or control (arrest followed by no further action). Such “blind” allocation was deemed not feasible during the pilot.
- **Quasi-experimental (control area):** Comparing the areas where the intervention was introduced to other ‘similar’ areas and examining the incidence of domestic violence before and after the introduction of DVPOs may have allowed the identification of an effect of DVPOs. However, a quasi-experimental design requires a suitable control group with which to compare DVPO outcomes. Due to differences in the ways police forces handle domestic violence, a control group from a police force not included in the pilot was deemed inappropriate. A control group from within the pilot police force areas was also rejected due to the unevenness of the timing of DVPO rollout. A third option, examining data from a time period before DVPOs were implemented, was also rejected due to historical changes in the handling of domestic violence.
- **Quasi-experimental (matched case control):** We considered using the monitoring data to assess throughput and outcomes only, essentially for descriptive purposes. A feasibility exercise was conducted to examine the available data, to examine whether they could be used to understand the impact of DVPOs. In consultation with the Home Office, a case matching design was identified as the best option that was available to understand impact. This involved matching DVPO cases to other cases where DVPOs could have been used but were not, controlling for variations between cases as far as possible. While it was understood that the approach had inherent limitations (as described below), it provides an indication of where DVPOs were associated with a change in measures of domestic violence.

Case matching

In order to investigate the potential impact of DVPOs, we first had to identify and create the matched sample. A matching protocol was developed and adjusted to fit the constraints of the data systems within the three pilot forces. The dissimilar nature of these systems was a major obstacle in identifying matched cases. While these incident-recording systems are rich with data, the data are typically not systematically encoded (often being included in free-text fields that are not searchable). This made automatic matching based on selected data fields impossible in the two largest pilot police force areas. It meant that some desirable criteria (for instance, ethnicity, number of previous incidents) could not be used to generate matches, a fact that is returned to in the following analyses.

Whilst every effort was made to closely match the intervention and matched cases, constraints of the data and the data systems meant that the final matched group represented a compromise

between the ideal and what was practically possible. We matched cases according to the following criteria:

- police force area;
- date of arrest (matched cases occurred no more than one week before or after the DVPO case);
- reason for arrest³⁸;
- that no further action was subsequently taken;
- sex of the perpetrator;
- whether the victim-survivor was pregnant (assuming 'no' if no information was provided);
- whether there were children in the household (initial plans were to match for the number of children, but this information was not consistently available from the data); and
- the police-assessed risk level of the case (standard, medium or high on the DASH Risk Identification Checklist [DASH-RIC]; Richards, 2009).

Where it was not possible to match DVPO cases with a control on these criteria, they were omitted from the impact study. This resulted in pairs of cases, one that had been issued with a DVPO and the other that had not. Each pair involved incidents that occurred on approximately the same date within the same force area, with similar domestic circumstances. These pairs of cases could then be compared in terms of the outcome data independently identified as critical to evaluating impact.

Limitations with approach followed

There are limitations associated with a case matching approach. In particular, it is not possible to discount completely a potential influence of an unknown factor that has not been controlled for in the matching. If there was an unknown systematic bias regarding which cases DVPOs were used on across the pilot areas, for example, this would affect what conclusions could be drawn from the matching study. It should be noted that particular officers 'choosing' to use DVPOs or not due to knowledge / awareness of DVPOs could, but would not necessarily constitute such a bias.

The following were also considered as potential limitations of this study:

- **The use of the DASH RIC as a matching criterion:** The DASH RIC is part of a 'risk management' model (see Bennett Cattaneo and Goodman, 2007; Kropp 2008) for domestic abuse. Risk management models encourage the use of 'structured professional judgement' and are intended to strike a balance between actuarial methods of assessing risk and those that rely on unaided clinical assessment. The Association of Chief Police Officers guidance recommends that risk identification is undertaken by responding officers using the DASH RIC and that risk assessment is performed by trained officers or staff (ACPO, 2009). The risk grading assigned by frontline officers (and to a lesser extent domestic abuse specialists - see Robinson and Howarth, 2012) will be subject to the opinions and perceptions of the individual who completes the checklist.

It is important to note that we are not aware of any published evaluations of the DASH-RIC's scale validity, reliability, quality, or predictive power. However, for the purposes of the present

³⁸ There need not have been an arrest to use a DVPO. However, all the cases in the dataset were incidents that had resulted in an arrest, and a DVPO was subsequently used.

study it was felt that it was reasonable to use the DASH-RIC assessment grading as one of the matching criteria. Inconsistencies between DASH-RIC forms in practice would be minimised by the fact that only three gradings are possible (although this would also reduce the potential for the DASH-RIC to distinguish between different levels of risk). Second, it may be considered unlikely that there would be substantial disagreement between practitioners in identifying the high or standard risk cases when the victim-survivor participates fully in the risk assessment. Third, as the DASH-RIC is what police are supposed to use to inform risk assessment of domestic violence cases, it might reasonably be assumed to influence subsequent police action on the case and should therefore be appropriate as a matching criterion. (It should be noted though that we are also unaware of any published research evaluating specifically the risk management model and the influence of DASH-RIC on risk management and safeguarding). Fourth, given that we did have the DASH-RIC scores available, to not use them might increase the potential for mismatching cases where risks of re-victimisation would have been predicted to have been different at the outset.

- **The use of police attendances as an outcome measure:** In the present study, police attendances for domestic violence incidents are used as a proxy measure for domestic violence victimisation. This measure may be affected by the circumstances / dynamics of domestic violence and abuse (e.g. Hoyle & Sanders, 2000) and, potentially, to reporting / recording issues. It should also be noted that such incidents are alleged incidents of domestic violence, and for all of the DVPO cases and matches, no domestic violence offence was proven (as no prosecution was brought). Despite these potential limitations, the nature of the DVPO intervention (which is intended to be used when the CPS assess that it is not possible to secure a conviction) means that using police attendances for domestic violence incidents was the most appropriate and most sensitive measure of short- to medium-term re-victimisation available. This measure also has the advantage of enabling value for money evaluation of the pilot based on a costs of crime methodology.

Process

Extraction procedure

The original DVPO dataset provided by the three pilot forces to the Home Office consisted of basic data relating to DVPO cases. A comparison sample was created (using the criteria above) and outcome data were extracted from police data systems in each force for both the DVPO cases and the comparison sample.

To identify outcomes for DVPO cases, all incidents relating to the perpetrator and victim-survivor were located and extracted from police data systems, typically through manually copying and pasting text fields into a spreadsheet. The data systems effectively included all domestic violence incidents that had come to police attention involving the perpetrator / victim-survivor pair (the data included cases going back over 25 years). To identify matched cases for each DVPO case, a search was performed that identified all domestic violence cases that had occurred within one week but which did not result in the use of a DVPO. These were then systematically examined until one was found that matched all the criteria outlined above. Subsequently, all incidents relating to the perpetrator and victim-survivor for the cases were extracted, just as with the DVPO cases.

In West Mercia, the required data were both systematically recorded and coded in the police data systems, so it was possible to complete the matching and extraction exercise in a more automated way than in the other pilot forces. This process was undertaken by one of the force's own data analysts.

Coding procedure

The extracted data consisted of several thousand text fields containing a variety of information about incidents, victim-survivors, and perpetrators. In generating data to be fed into quantitative analyses, a coding system was devised and quality assured through a four stage-process.

- A small set of critical outcome variables was identified: re-victimisation, incidents involving the victim-survivor, and incidents involving the perpetrator. We aimed to code all incidents, and assign them where appropriate to each category prior to and subsequent to the arrest.
- A training schedule was developed which our research assistants worked through to ensure that they were able to process the raw data and code each entry as to whether it represented one of the critical outcome variables.
- Each coder was calibrated against the quantitative lead's own codes.
- A random sample of each coder's data was re-coded blind by the quantitative lead to ensure consistency and accuracy. This intensive process yielded excellent levels of inter-rater agreement, contributing further to our confidence in the accuracy of the data.

Analysis Design

From the matched data, a series of difference scores relating to domestic violence victimisation were derived (described below). Due to the large variance in the number of domestic violence incidents, and the amount of time that had elapsed between the incidents, this was considered the most statistically powerful and informative way of presenting the data. The use of change scores is consistent with approaches followed elsewhere in the criminological research literature (see, for example, Liska et al., 1998; Warr, 1998; Kirk & Laub, 2010).

The following change scores were calculated:

1. Change in the number of times victim-survivor was victimized by the perpetrator³⁹
2. Change in the number of times victim-survivor was the victim of non-perpetrator crime
3. Change in the number of times perpetrator was involved in incidents not associated with the victim-survivor.

The difference between post- and pre-arrest incidents was calculated to produce the change scores. Then the changes in DVPO versus matched cases for all categories could be compared, resulting in a meaningful relative change in incidents.

It is important to note again that the absolute size of the change does not take account of the amount of time that passed between incidents, and for this reason relative reductions were used. Many domestic violence cases involved multiple incidents between the victim-survivor and the perpetrator, including a DVPO at some point during the pilot period. The relative amounts of time prior to and post arrest might be very different across DVPO cases, but by focusing on relative change, conclusions could be drawn about the potential effect of the DVPO compared to arrest

³⁹ We also calculated the change in a further variable available from the police data: the number of times perpetrator victimized victim. This was recorded separately in the police data systems from "number of times victim was victimized by the perpetrator". We calculated correlations between these measures for all forces, and as these were all above 0.65 for DVPO cases (a relatively high correlation), we report only the results for the latter here. The results of analysis were the same whichever variable was used.

followed by NFA. The mean average follow-up time from each force area (time from the incident to the extraction of the data, with the mid-point of the extraction used where the process took several weeks) was around 435 days (standard deviation = 153). It was not possible from the data to match according to length of relationship; however, the assumption was made that the overall distribution of relationship lengths is the same for both DVPO and matched cases.

The basic analyses of change scores were performed using analyses of variance (ANOVA), and the significance levels, effect size estimates, and estimates of statistical power are reported in the Findings section below. Initial analyses that examined the robustness of the matching process were performed using analysis of variance, t tests, and tests of proportion.

Findings

Characteristics of Domestic Violence Protection Order cases

Descriptive statistics concerning the 15 month extended DVPO pilot across the forces are provided in Tables All.1 – All.6 below. The majority of perpetrators involved in DVPO cases (where these were issued by courts) were arrested on suspicion of assault / ABH, common assault, or battery (accounting for over 65% of the total 414 DVPOs).

Table All.1: Reasons for arrest in Domestic Violence Protection Order cases

Arrest category	No. of DVPO cases	Proportion of total
Assault / actual bodily harm	158	38%
Common assault	117	28%
Battery	66	16%
Threat to kill	15	4%
Criminal damage under value of £5,000	13	3%
Affray	12	3%
Blank (missing data)	10	2%
Bind over	7	2%
Other	5	1%
Harassment	3	1%
Unlawful wounding	3	1%
Wounding / grievous bodily harm	1	<1%
Theft	1	<1%
Putting person in fear of violence	1	<1%
Words/behaviour –		
harassment alarm distress	1	<1%
Assaulting a constable	1	<1%
Total	414	100%

Most of the DVPOs were issued in Greater Manchester, followed by Wiltshire and then West Mercia (see Table All.2). The pilot areas had broadly similar rates of referrals to support services (slightly higher in West Mercia), and overall 61 per cent of DVPO cases were referred.

Table All.2: Domestic Violence Protection Orders imposed by police force area and support service referrals

	Greater Manchester	Wiltshire	West Mercia	Total
No. of DVPOs	226 (54.6% of total)	150 (36.2% of total)	38 (9.2% of total)	414
No. of referrals to support services	130	90	32	252
Proportion of DVPOs in area referred to support services	57.5%	60.0%	84.2%	60.9%

The data also suggest that:

- the overwhelming majority of victim-survivors were female, and perpetrators male (see Table All.3);
- the victim-survivors and perpetrators had a similar average age, in the mid-late thirties (see Table All.3);
- most of the victim-survivor / perpetrator pairs involved in DVPO cases were living together (see Table All.4);
- most DVPO cases where the risk assessment scores were included in the data were assessed as medium risk (56%), with the remainder split fairly evenly between standard risk (23%) and high risk (19%) (see Table All.5); and
- most (78%) DVPOs were imposed for the full 28 day period available (see Table All.6).

Table All.3: Victim-survivor and perpetrator details

	%Female (N)	%Male (N)	Mean age (SD)
Victim/survivor	96.4% (399)	3.6% (15)	36.3 (11.3)
Perpetrator	2.9% (12)	97.1%(402)	37.0 (10.9)

Table All.4: Status of victim-survivor and perpetrator relationship

Relationship	Cohabiting	Not-cohabiting	Not asked	Total
Number	273	135	6	414
%	65.9%	32.6%	1.5%	100%

Table All.5: DASH Risk Identification Checklist assessment grading for Domestic Violence Protection Order cases

Risk level	Standard	Medium	High	Unknown	Total
Number	95	232	80	7	414
%	23.0%	56.0%	19.3%	1.7%	100%

Table All.6: Length of order imposed

Length of DVPO*	14 days	15-20 days	21 days	22-27 days	28 days	Total
Number	45	11	25	10	322	413*
%	10.9%	2.7%	6.0%	2.4%	77.8%	100%

* Missing data for one case

Results of the matching exercise

The matching exercise described above resulted in 289 matched pairs of cases, see Table All.7 below for further details by force.

Table All.7: Details of Domestic Violence Protection Order matching exercise

Force	Greater Manchester	Wiltshire	West Mercia	Total
No. of matched cases	161	103	25	289
Proportion of total	71.2% (of 226)	68.7% (of 150)	65.8% (of 38)	69.8% (of 414)

Examining these matched cases further, apparent differences were noticed between DVPO cases and matched cases in terms of the number of prior incidents involving the victim-survivor / perpetrator pair. DVPOs seemed to be used more in cases with higher numbers of previous incidents, both involving the same victim-survivor / perpetrator pair and just involving the same perpetrator. Statistical analysis confirmed this observation (see Table All.8 below).

Table All.8: Differences between Domestic Violence Protection Order cases and matched cases in previous histories

	(1) Victim by perpetrator	(2) Victim+	(3) Perpetrator++
DVPO mean number of prior incidents	3.6	1.8	4.2
Matched case mean number of prior incidents	2.2	1.6	3.0
Statistical comparison	t(288) = 4.06, p = .001, CI (0.72, 2.08)	t(288) = 0.98, p = .326, CI (-.23, 0.68)	t(288) = 3.05, p = .002, CI (0.45, 2.07)
Do DVPO and matched cases differ?	Yes	No	Yes

+ Cases in which the victim-survivor was recorded as a victim in another police recorded incident but not relating to domestic violence with the same perpetrator.

++ Police recorded incidents in which the perpetrator was involved but not involving domestic violence against the same victim-survivor.

Given these systematic variations, we concluded that using the entire matched sample as a basis for comparison may be misleading. We therefore decided to introduce a post hoc control for the number of prior incidents. This reduced the number of cases available for analysis to 123.

Impact of Domestic Violence Protection Orders

A series of analyses holding the number of prior incidents at prescribed values were performed, calculating change scores for DVPO and matched cases (in the form of post-arrest incidents minus pre-arrest incidents). These were a series of one-way analyses of variance (ANOVAs), which examined the effects associated with DVPOs as a function of the number of prior recorded incidents. In each case, the statistical comparison was between change scores for DVPOs compared with matched cases.

A summary of results of the analysis relating to direct re-victimisation of the victim-survivor by the perpetrator post-DVPO is presented in Table All.9 below. This indicates that, overall, DVPOs were associated with a modest reduction of 1.0 fewer domestic violence incidents per victim-survivor after the DVPO had been issued compared to cases that resulted in no further action. However, when used in apparently more chronic cases (i.e. where DVPOs had been used after the third incident), this effect increased to 2.2 fewer incidents per victim-survivor.

A slight increase in domestic violence incidents per victim-survivor was observed when DVPOs were used at the first incident, but this was not statistically significant. It is important to emphasise that the results relating to where DVPOs were used after the second incident are potentially confounded by an apparent difference between the DVPO and matched cases in terms of the number of previous incidents (for this sub-group of the overall 'best matched' cases), and so should not be considered a robust finding.

Table All.9: Estimates of the change in domestic violence victimisation associated with Domestic Violence Protection Orders

When DVPO is used	Arrest-DVPO cases change scores	Matched (arrest-NFA) cases change scores	Overall effect associated with DVPO
At first incident	0.47	0.26	0.2 more incidents
At second incident	-0.64	-0.27	0.4 fewer incidents
After second incident	-4.78	-3.01	1.8 fewer incidents*
After third incident	-5.69	-3.52	2.2 fewer incidents**
Combined analysis	-2.58	-1.63	1.0 fewer incident**

* Statistically significant difference confounded by difference in number of prior incidents. This means that it should not be treated as a robust finding.

** Statistically significant difference

Table All.10 below provides further details of these results, along with analyses for the victim-survivor being victimised by another perpetrator, and the perpetrator being involved in an incident not involving the victim-survivor. DVPOs seem to have had no wider protective effect for victim-survivors, nor prevention effects on perpetrator recidivism.

Table All.10: Impact of DVPOs in ‘best matched’ cases, broken down by number of prior incidents

	Number of previous incidents in DVPO and matched cases				All cases
	0	1	2 or more	3 or more	
Sample size	43	11	69	48	123
Do DVPO and matched cases differ in terms of number of previous incidents?	n/a	n/a	Yes (more previous incidents in DVPO cases)	No	No
(1) Re-victimisation: victim-survivor victimised by perpetrator	No difference (F(1,42) = 2.72, p = .107, η^2 = .061, 1- β = .36)	No difference (F(1,10) = 0.78, p = .397, η^2 = .073, 1- β = .13)	Less re-victimisation with DVPOs (F(1,68) = 4.71, p = .033, η^2 = .065, 1- β = .57)	Less re-victimisation with DVPOs (F(1,47) = 5.52, p = .023, η^2 = .105, 1- β = .63)	Less re-victimisation with DVPOs (F(1,122) = 5.69, p = .019, η^2 = .045, 1- β = .66)
(2) Re-victimisation: victim-survivor victimised by another perpetrator	No difference (F(1,42) = 0.73, p = .397, η^2 = .017, 1- β = .13)	No difference (F(1,10) = 0.06, p = .819, η^2 = .006, 1- β = .06)	No difference (F(1,68) = 0.41, p = .522, η^2 = .006, 1- β = .10)	No difference (F(1,47) = 0.06, p = .804, η^2 = .001, 1- β = .06)	No difference (F(1,122) = 0.05, p = .822, η^2 = .000, 1- β = .06)
(3) Recidivism: perpetrator involved in an incident not involving the victim-survivor	No difference (F(1,42) = 0.71, p = .404, η^2 = .017, 1- β = .13)	No difference (F(1,10) = 0.22, p = .645, η^2 = .022, 1- β = .07)	No difference (F(1,68) = 1.30, p = .258, η^2 = .019, 1- β = .20)	No difference (F(1,47) = 0.93, p = .340, η^2 = .019, 1- β = .16)	No difference (F(1,122) = 1.61, p = .207, η^2 = .013, 1- β = .24)

Note: F = F ratio of statistical test; p = probability of obtaining this result if the null hypothesis is true; η^2 = effect size; 1- β = observed statistical power. It is not possible to control the number of previous incidents precisely (other than for FRI and 1 previous incident) due to the sample size.

Potential differences across pilot forces

Following further analysis, Wiltshire Police appeared to have used DVPOs more frequently as an initial response to domestic violence incidents than the other forces (i.e. on cases with no earlier recorded incidents involving the victim-survivor / perpetrator pair; ‘first recorded incidents’ – FRI). A z-test for two proportions (combining GMP and West Mercia due to a small sample size in West Mercia, noting the similar proportions of FRIs in these forces) confirmed that the proportion of FRI DVPO cases was greater in Wiltshire than in the other police forces (z = 5.68, p < 0.001). See Table All.11 below.

Table All.11: First recorded incidents by pilot police force

	Greater Manchester	Wiltshire	West Mercia
DVPO and match FRI (%)	24 (15%)	48 (47%)	5 (20%)
DVPO and match not FRI (%)	137 (85%)	55 (53%)	20 (80%)

In order to examine potential differences across the pilot forces further (in particular whether the effects associated with DVPOs reported above were consistent across the forces), effects and interactions in re-victimisation associated with DVPO, force area, and FRI status were examined. Due to the very small cell sizes for West Mercia, a full factorial analysis could not be performed, and therefore West Mercia was omitted. See Table All.12 below.

The table presents a series of ANOVAs for independent groups:
3 (force area) x 2 (DVPO/Match) x 2 (FRI/not FRI)

As one level of force was removed in the full factorial analysis, this became 2x2x2.

The dependent measures are the three outcomes, each rendered into single composites. In all cases, there are no two- or three- way interactions, and the only observed effects were for FRI status for both DVPO and matched cases.

From these results we conclude that there are no differences in the patterns of the apparent effects of DVPOs across the pilot forces.

Table All.12: Re-victimisation by force area (Greater Manchester and Wiltshire), Domestic Violence Protection Order, and first recorded incident status

Effect	Statistical result
(1) Victim-survivor victimised by perpetrator	
Force	F(1,256) = 0.19, p = .0667, η^2 = .001
DVPO FRI	F(1,256) = 18.29, p = .001, η^2 = .067
Match FRI	F(1,256) = 14.41, p = .001, η^2 = .053
Force x DVPO	F(1,256) = 3.68, p = .056, η^2 = .014
Force x Match	F(1,256) = 1.85, p = .175, η^2 = .007
Force x DVPO x Match	F(1,256) = 0.03, p = .855, η^2 = .000
(2) Victim-survivor victimised by another perpetrator	
Force	F(1,256) = 0.49, p = .482, η^2 = .002
DVPO FRI	F(1,256) = 2.50, p = .115, η^2 = .010
Match FRI	F(1,256) = 2.22, p = .137, η^2 = .009
Force x DVPO	F(1,256) = 1.60, p = .207, η^2 = .006
Force x Match	F(1,256) = 2.48, p = .116, η^2 = .010
Force x DVPO x Match	F(1,256) = 0.01, p = .976, η^2 = .000
(3) Perpetrator involved in an incident not involving the victim-survivor	
Force	F(1,256) = 0.83, p = .364, η^2 = .003
DVPO FRI	F(1,256) = 4.20, p = .041, η^2 = .003
Match FRI	F(1,256) = 2.52, p = .113, η^2 = .016
Force x DVPO	F(1,256) = 0.13, p = .720, η^2 = .010
Force x Match	F(1,256) = 0.24, p = .691, η^2 = .001
Force x DVPO x Match	F(1,256) = 0.40, p = .525, η^2 = .002

Discussion

The analyses presented above lead us to conclude that, overall, DVPOs were associated with reductions in re-victimisation relative to arrest followed by NFA (according to the measure of re-victimisation by the perpetrator against the same victim-survivor). Where DVPOs were used after the third reported incident, they appear to be associated with a greater reduction in re-victimisation. This may indicate that DVPOs are more effective when used with the more chronic cases – potentially those that take up the most police resources and cause more harm to victim-survivors and children.

It is important to note again that there are potential limitations of the analysis. First, the potential for an unmeasured factor being responsible for the effects seen – i.e. that the matching did not control for all sources of variation, and DVPOs were used in cases that were likely to see less re-victimisation compared to matched cases – cannot be conclusively ruled out. Hence, the results presented here should be considered in the context of the wider findings presented in the main evaluation report. Second, the measure of domestic violence victimisation (police attendances) is potentially subject to recording / reporting issues. It is uncertain from the data examined in this section whether DVPOs are associated with a genuine, long-term reduction in re-victimisation or whether their use merely alters the patterns of re-victimisation. Finally, the relatively small sample size and relatively high variability in findings means that there is the possibility of a type II error, where a potentially alternative explanation may have been missed (for example a possible systematic difference in police training or practice about domestic violence in general in the three different force areas).⁴⁰ Therefore, results should be interpreted with caution. Because of this, if DVPOs were extended to other police forces, we would recommend that their use be monitored. This might enable patterns of re-victimisation to be examined in greater depth over a longer period of time.

A possible alternative explanation for the findings is that DVPOs made it less likely for victim-survivors to report future incidents of domestic violence to the police, as they felt it took control of their situation away from them. Following this explanation, patterns of coercive control may account for the apparent effects of prior history – more controlling perpetrators (i.e. chronic cases) may restrict the potential for victim-survivors to call the police to a greater extent than perpetrators on less chronic cases. While the qualitative data increases our confidence that this was not the case, we cannot conclusively rule it out. This underlines the importance of ongoing evaluation and monitoring of DVPOs if they are rolled out more widely. Monitoring could potentially identify the most effective way of supporting those who have experienced a DVPO intervention as a victim-survivor or as a perpetrator, and also whether particular conditions imposed as part of the DVPO are associated with a greater or lesser impact.

⁴⁰ It is worth noting that most of the tests are on independent elements of the data (for instance, the three outcome measures are entirely independent from one another) so there is no need to control for familywise error, and the type I error probability remains at 5 per cent. The small sample size and the variability in scores both contribute to the type II error probability (as evidenced by the power estimates). Type II error probability is given by β

Annex III: Value for money analysis

- The value for money analysis of the pilot suggests that Domestic Violence Protection Orders (DVPOs) showed a net economic and social cost. Overall, considering both costs and benefits associated with DVPOs, the analysis indicates that the net impact of DVPOs was -£896,518 across the three pilot police forces. This is equivalent to a return of 23 pence for every pound spent on DVPOs – i.e. a negative economic impact.
- If the DVPOs had only been used in cases where they appeared to be most effective in terms of reducing re-victimisation (i.e. the more ‘chronic’ cases), their benefits would have been slightly increased. If this had been the case, the DVPO pilot would have shown a net impact of around -£96,080 across the three pilot police forces. This is equivalent to a return of 29 pence for every pound spent.
- However, the approach taken was purposefully conservative – for example, it did not include the potential for severity of harm to increase in violent relationships over time. Therefore, it is likely that the analysis under-estimated the benefits of DVPOs. Additionally, projecting forward into the longer term (e.g. five-and-a-half years) the costs of DVPO would reduce substantially.

Introduction

This paper is intended to supplement the information provided in the main evaluation report of Domestic Violence Protection Orders (DVPOs), specifically the value for money analysis. DVPOs are a new civil provision designed to provide immediate protection for victim-survivors following a domestic violence incident, in circumstances where there are no other enforceable restrictions that can be placed upon the perpetrator. A one year pilot in three forces (Greater Manchester, West Mercia and Wiltshire) commenced on 30 June 2011 to test DVPOs; this was subsequently extended to 15 months. This annex analyses data from this pilot in order to estimate the financial costs and benefits of DVPOs.

Using the findings of the analysis of the impact of DVPOs presented in the main report, this annex sets out the method used for estimating the value for money of the DVPO pilot and the net benefit if DVPOs had only been used on the more ‘chronic’ cases – i.e. where their impact was found to be greater.

Aims and approach

The value for money analysis aimed to assess the impact of the DVPO pilot, taking into account the costs as well as the benefits.

Choice of approach

Following consultation with Home Office economists, a ‘bottom-up’ approach to calculating the economic impact of the pilot was followed. This approach attempts to calculate costs and benefits of DVPOs directly, using details of the arrests connected with the DVPO cases. The advantage of this approach is that it uses the empirical data from the evaluation as far as possible in the estimates.

However, it is subject to some assumptions and related limitations that are detailed below.

A 'top-down' approach was also considered, which attempted to calculate an average cost for all domestic violence cases in England and Wales, then apply this to DVPOs. However, this relied on average estimates for each of the various component costs of domestic violence, alongside an estimate of the average overall cost of a domestic violence incident. Given the wide variation in the nature of possible domestic violence incidents, it was felt that a bottom-up approach that could estimate more closely the cost of the types of incident involved in the DVPO cases was more appropriate.

Value for money analysis

The analysis drew substantially on previous work on costs of crime and costs of domestic violence (Brand & Price, 2000; Dubourg et al., 2005; Walby, 2004, 2009). The analysis comprised several steps:

1. Collecting cost data from agencies involved in the DVPO process (e.g. HM Courts Services and the Ministry of Justice), and working with the pilot forces to develop estimates of time taken (and related costs) for elements of the DVPO process. The original pilot funding, provided by the Home Office, was also included in the assessment of cost.
2. Calculating the pre-intervention costs of the DVPO cases (i.e. assuming that no DVPO had been applied) by totalling the cost of the offences that the perpetrators were arrested for, using the Home Office cost of crime methodology. Since some of these offences did not directly match the cost of crime categories, some assumptions had to be made regarding allocating costs to the DVPO arrest categories. The cost of crime figures were adjusted to better reflect the costs for domestic violence and DVPOs specifically, and all costs were scaled to 2012 prices.
3. These pre-intervention costs were then used along with the impact figures described above in order to arrive at a benefits estimate for the DVPO pilot in terms of the cost of domestic violence that was avoided due to the use of DVPOs.
4. The costs and benefits figures were then combined to arrive at the final net impact and value for money estimates.

While this follows a predominately bottom-up approach, some of the costs and benefits have been estimated using a top-down approach where there was no direct data from the pilot (i.e. assuming these are the same on DVPO cases and domestic violence cases in general). For example, an average cost of social services for a victim-survivor has been calculated using the total cost of social services in England and Wales (Walby, 2004, 2009) divided by the number of victims of domestic violence (drawn from the self-completion module of the Crime Survey for England and Wales for 2011). Although this is not necessarily representative of all cases, it gives an average cost per victim-survivor that would otherwise not be possible to include in the model.⁴¹

The costs and benefits are based on the Home Office cost of crime framework, which follows an approach that considers costs in anticipation of crime, as a consequence of crime, and in response to crime. The costs of crime data are then manipulated (as Walby, 2009) in order to estimate a more realistic value for domestic violence. In particular, the costs in anticipation of crime are not included in the domestic violence estimates (where they are in the usual costs of crime). This is because we assume that it is a characteristic of the nature of domestic violence

⁴¹ Walby (2004) indicates that her domestic violence estimates should not be used in conjunction with the Crime Survey for England and Wales to derive an average cost, as there is a difficulty with identifying unique domestic violence victim-survivors. However, subsequent changes to the Crime Survey means that it may now provide a reasonable estimate the number of unique individuals involved.

that the perpetrator is well known to the victim. An individual would therefore be unlikely to take some sorts of precautions involving direct cost (rape alarm, getting a taxi instead of walking, etc.) as the violence is likely to occur in an individual's own home and/or with someone they trust.⁴²

Other costs that are specific to domestic violence (i.e. other response costs) were added to the cost of crime estimates – these include the cost to social services, support services and other agencies. We have not sought to examine ways in which the delivery of these elements of response might be organised to increase value for money; response costs, in any event, may differ from case to case.

Assumptions and limitations

The approach makes use of several assumptions.

1. The reductions in victimisation associated with DVPOs can be translated into an overall percentage reduction in domestic violence costs. This also includes an assumption that the percentage reduction observed in the matched case sample can be applied to the entire set of DVPO cases. Hence, the cost of crime methodology can be used to put a financial cost on the incidents. It is important to note that none of the incidents recorded in the DVPO database or in the matching resulted in a charge (hence, a true 'crime' was not recorded). However, in each of the DVPO instances in the pilot, a case for victim protection was accepted in court, so it is reasonable to assume that it is appropriate to estimate costs according to the offence for which the perpetrator was arrested.
2. The DVPO arrest categories used in the cost and benefits calculations are representative of the type and relative frequencies of domestic violence that would otherwise have been treated as no further action (NFA). If in fact DVPO cases are more severe, for example, this would affect the results.
3. Cases of domestic violence do not increase in severity or complexity, and so the benefits remain stable (i.e. they do not increase as domestic violence is prevented in a relationship). This is an assumption required for consistent modelling since, in order to take any other approach, one would require data on costs associated with extended case histories of domestic violence. However, it should be noted that, at the most severe end, the costs of a homicide – one outcome associated with some long histories of domestic violence – have previously been assessed as being approximately £1.8 million (Home Office, 2011b).

The analysis also has some associated limitations.

1. The analysis relies on the impact results from the evaluation, which carry limitations as noted in Annex II. In particular, while DVPOs were associated with a benefit in terms of reducing domestic violence victimisation, it cannot conclusively be shown that the effect was not caused by an unmeasured factor.
2. All costs in the analysis are those incurred by the DVPO that is issued, rather than costs that are associated with the victim-survivor. We considered the possibility, for example, that DVPOs issued after 2 previous callouts may have incurred more victim costs from access to support services previously, but did not model this (there was no data to base this on). Therefore, the costs are only indicative of the arrest for which the DVPO was issued.

⁴² There may be some anticipatory costs in a minority of cases that are associated with domestic violence (e.g. home panic alarm), but as indicated in the main text there is reason to regard these as not substantial.

3. Figures from the Crime Survey for England and Wales for the total number of domestic violence cases were used in some of the costs calculations. This is from the self-completion module of the survey (the most accurate part for domestic violence). It should be noted that this may be an under-estimate of actual domestic violence incidents though it should also be noted that this is higher than the parallel recorded police figures.
4. The analysis was not able to account for the full nature of the domestic violence, including the severity and duration of future domestic violence victimisation.

The overall result of these assumptions and limitations is that it is likely that the approach followed has under-estimated the benefits associated with DVPOs.

Analysis

Cost categories

Estimates of financial costs obtained for the pilot areas for the 15 month extended pilot period are provided in Table AIII.1.

Table AIII.1: Costs of Domestic Violence Protection Orders across the pilot areas

	Financial costs
Police	£516,110
Justice	£92,778
Social Services	£77,863
Support Services	£228,375
Home Office spend on pilot	£250,000
Total	£1,165,125

Where direct cost data from the pilot were available from police or other agencies, these were used in the total costs estimation. In particular, the police costs were generated by work conducted in collaboration with the pilot forces that broke down the DVPO process into steps and estimated the time taken to complete each of them. These were then monetised through the salary costs (including on-costs) for the officers / staff involved. It should be noted that the costs varied per police force according to how their processes were set up (the main differences are provided in Annex I to the main evaluation report). A substantial source of variation, for example, was whether police officers or specialist legal representatives were used to present cases in court (with officers alone being much cheaper). There may therefore be the potential to reduce the costs of using DVPOs, but for the purposes of this analysis, the total pilot costs were considered.

Justice costs were estimated for the 12 month initial pilot based on throughput figures (calculated in March 2013), then scaled up for the 15 month extended pilot. The relatively low level of injunctions applied for using legal aid (6.6% of cases in the initial 12 month pilot) meant that the justice costs remained relatively low. Support services also provided cost data for the pilot period.

Social services costs were estimated by calculating an average cost per victim of domestic abuse, using national cost data (Walby, 2009). It should be noted that the average cost of social services is applied to every DVPO case in the study, so the approach assumes that the social services cost for a DVPO is the same as the average for all domestic violence incidents. The estimated

number of domestic violence victims was taken from the Crime Survey for England and Wales (self-completion module) – i.e. an estimated two million victims of domestic abuse (from 2011/12, roughly the pilot period) – which was the best available proxy.

Cost of domestic violence

The reasons for arrest in DVPO cases are provided in Table AIII.2.

Table AIII.2: Reasons for arrest in DVPO cases

Arrest category	No. of DVPO cases	Proportion of total
Assault / actual bodily harm	158	38%
Common assault	117	28%
Battery	66	16%
Threat to kill	15	4%
Criminal damage under value of £5k	13	3%
Affray	12	3%
Blank (missing data)	10	2%
Bind over	7	2%
Other	5	1%
Harassment	3	1%
Unlawful wounding	3	1%
Wounding / grievous bodily harm	1	<1%
Theft	1	<1%
Putting person in fear of violence	1	<1%
Words/behaviour –		
harassment alarm distress	1	<1%
Assaulting a constable	1	<1%
Total	414	100%

Not all arrest categories for the DVPO data mapped neatly to the cost of crime categories.⁴³ To address this, the Home Office went back to first principles of the costs of crime and used Brand and Price (2000) to inform exactly what went into each category. The Home Office made judgements too about which offences would need to be a compound of other categories, necessarily involving a number of assumptions. The mapping of categories is provided in Table AIII.3.

⁴³ As included in the Integrated Offender Management costs of crime (Home Office, 2011b)

Table AIII.3: Mapping of cost of crime categories to Domestic Violence Protection Order arrest categories

DVPO category	Cost of crime category
Assault / actual bodily harm	Mean average of other wounding and common assault
Common assault	Common assault
Battery	Common assault
Threat to kill	Serious wounding
Criminal damage	Other wounding
Affray	Other wounding
Harassment	Other wounding
Wounding / grievous bodily harm	Mean average of serious wounding and other wounding
Unlawful wounding	Mean average of serious wounding and other wounding
Theft	Other wounding
Putting person in fear of violence	Other wounding
Words/behaviour – harass. alarm distress	Other wounding
Other	Weighted average cost of the other categories
Bind over	Weighted average cost of the other categories
Blank	Weighted average cost of the other categories
Assaulting a constable	Weighted average cost of the other categories

Where compound categories were supplied in the data (which were not possible to separate), the arithmetic mean of the two values was used; compound categories had to be applied to 67 per cent of the data in the DVPO sample. In approximately 6 per cent of the DVPO cases (N=23), no mapping could be conducted and as such, a weighted average cost of the rest of the dataset was applied.

The components for the costs of crime are not seen as reliable estimates of costs of domestic violence, as some elements may not apply in this context or be under-estimated. To address this, the costs of crime were revisited, using Walby (2004, 2009) as a guide, removing and adding elements as appropriate. Elements of Walby’s costs (i.e. mental health, social services and children, housing and refuges, and civil legal services) were added to the costs of crime through calculating an average cost per victim using the estimate of number of victims from the Crime Survey for England and Wales described above.

The average cost of arrest that resulted in a DVPO using this approach was £5,898.

Final calculation of economic impact

The impact analysis suggested that DVPOs were associated with a reduction overall of one additional incident of domestic violence per victim-survivor. This translated to an overall percentage reduction of 11 per cent (through calculating the number of reduced incidents as a proportion of total incidents in the pilot areas).⁴⁴ This reduction was applied to all of the arrest categories in order to generate a reduction in overall offences associated with DVPOs, which could then be monetised according to the cost of crime methodology as described above

⁴⁴ It is important to note that this approach assumes a uniform reduction of offences, rather than (for example) DVPOs acting to a greater or lesser extent on less / more serious offences.

(with each element adjusted to 2012 prices⁴⁵). The impact associated with DVPOs when taking into account only the more 'chronic' cases (where there had been 3 or more prior incidents of domestic violence) was greater – hence, the percentage reduction for this scenario was around 13 per cent.

The value for money analysis, taking into account all estimated costs and benefits, suggests the following:

- The average economic and social cost of a DVPO during the pilot period was around £2,814 and the average (monetised) social benefit was around £649.
- DVPOs therefore showed a net economic and social cost. Overall, considering both costs and benefits associated with DVPOs, the analysis indicates that the net impact of DVPOs was -£896,518 across the three police forces. This is equivalent to a return of 23 pence for every pound spent on DVPOs.
- If the DVPOs had only been used in cases where they appeared to be most effective in terms of reducing re-victimisation (i.e. the more 'chronic' cases), their benefits would have been slightly increased. If this had been the case, the DVPO pilot would have shown a net impact of around -£96,080 across the three police forces. This is equivalent to a return of 29 pence for every pound spent.

Future projections

Using the results of the impact analysis to calculate a long-term analysis of DVPOs is difficult, since there is no fixed follow-up period from the evaluation to use in the calculations. However, it was felt that such an analysis would be useful to contextualise the value for money analysis of the pilot period.

Home Office economists undertook such an approach, looking at the cost per year of the scheme (based on the estimated pilot costs).⁴⁶ The analysis focuses on a scenario that modelled the pre-intervention costs of DVPO cases over five-and-a-half years then applied the reductions associated with DVPOs to this total. The approach used a number of additional assumptions.

1. An estimate of the length of domestic violence victimisation has been used (five-and-a-half years). This is based on the average duration of abusive relationship reported at intake into the Independent Domestic Violence Advocates scheme (Howarth et al., 2009). The average length, prior to referral for multi-agency intervention, of domestic violence victimisation (often classified as high risk) was five-and-a-half years.⁴⁷ This was considered a reasonable proxy for length of victimisation for use in the scenario although it is acknowledged that victimisation may well continue after initial intervention, and or, after a relationship has been ended.
2. Only the reported DVPO offence is projected forward; any other incidents that were not recorded in the DVPO over the period of the study are not included in the projection.
3. The approach assumes that the reduced incidence of domestic violence associated with DVPOs is permanent, which the evaluation study cannot confirm.

45 Walby (2009) provides a number of estimates of costs for elements of domestic violence in 2008. In order to uprate to 2012 prices for the purposes of costing the DVPO pilot, some of these need to be adjusted according to GDP and some according to inflation, which was completed accordingly. While other elements of the costs estimates could change from 2008 apart from the price alone, this was considered to provide the most accurate indication of costs available.

46 Discounted according to Treasury Green Book (2011) conventions (3.5% per year).

47 There was some variation in the duration reported (e.g. 20% of victims reported 10 years or more of victimisation).

4. The overall effect associated with DVPOs applies equally to all victim-survivors. For example, DVPOs had the same effect on individuals who had a longer follow-up period in the analysis of impact as those who had shorter follow-up periods, and therefore the effect of DVPOs can be scaled to a year in all cases.

The analysis suggests that:

- The return of DVPOs overall would rise to 94 pence for every pound spent (a net social impact over the full period of -£70,482) – i.e. a negative return on investment.
- However, if used on more chronic cases only, the projection over five-and-a-half years shows a return of £1.18 for every pound spent (a net social impact of £23,877) – i.e. a positive return on investment.

These scenarios and others (for other durations of abuse) are presented in Table AIII.4 below, all calculated using the same method.

Table AIII.4: Long term projections of value for money impact of Domestic Violence Protection Orders

Average duration of abuse	12 months*	2 years	5 years	5 ½ years	10 years
All cases					
Net social impact	-£950,240	-£742,620	-£160,947	-£79,482	£684,545
Net return	£0.18	£0.36	£0.86	£0.94	£1.59
'Chronic' cases					
Net social impact	-£103,881	-£73,731	£10,740	£23,877	£133,522
Net return	£0.23	£0.45	£1.08	£1.18	£1.99

* Note: this does not equal the pilot impact or return since it has been scaled for 12 months (rather than the 15 months of the pilot)

Caution should be taken in interpreting this projection analysis (given the assumptions noted above and the fact that we are extrapolating beyond the pilot period). Nevertheless, the results indicate how continued support of a targeted intervention that seems to be associated with reductions in domestic violence victimisation, even at a cost in the short term, can have financial benefits over a longer period of time. Therefore, it is important not to simply assume that a negative social impact of DVPOs in the pilot period would build up year on year in a straightforward, incremental manner.

Conclusion

The analysis reported here suggests that, overall, DVPOs had a negative financial impact in the pilot period. However, all domestic violence interventions will have a cost implication and this analysis has not sought to compare DVPOs with other approaches. It is also important to note again that the analytical approach to estimating economic impact was purposefully conservative, and likely to underestimate the benefits associated with DVPOs.

One assumption that may have influenced results, for example, was that the severity and frequency of domestic violence experienced by the victim-survivor would not increase as domestic violence continues in a relationship. If cases did see increasingly more harm for the victim-survivor as abuse continued, the financial benefits of DVPOs preventing the abuse would have been greater. At the most severe end of the violence spectrum, a homicide has been estimated to cost approximately £1.8 million (Home Office, 2011b). While such escalation could not be assumed to apply to all cases (hence we consider that the approach followed is appropriately cautious), the pilot would have been likely to have broken even or shown a net social benefit if more serious victimisation was prevented by DVPOs.

Nevertheless, the conservative analysis does show the potential implications of differing use of DVPOs. Using DVPOs on the apparently more 'chronic' cases is associated with a greater return on investment and long term projections indicate that it might eventually be associated with a potential net economic and social benefit. Therefore, it may be possible to target the use of DVPOs to ensure they have the most positive impact, although this should be balanced with operational considerations.

It should also be noted that there were differences between the pilot forces in some aspects of implementation, and some of these had a substantial impact on costs (e.g. police officers presenting in court). Consideration could be given to the DVPO process to examine whether there are ways to increase the value for money of DVPOs.

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