

## ABERDEEN CITY COUNCIL

---

<b>COMMITTEE</b>	Public Protection
<b>DATE</b>	26 February 2020
<b>EXEMPT</b>	No
<b>REPORT TITLE</b>	Coercive Control
<b>REPORT NUMBER</b>	POL/20/026
<b>DIRECTOR</b>	
<b>CHIEF OFFICER</b>	
<b>REPORT AUTHOR</b>	T/Detective Superintendent Neil McDonald, North East Division, Police Scotland
<b>TERMS OF REFERENCE</b>	5.6

---

### 1. PURPOSE OF REPORT

- 1.1 To provide information to the Committee in relation to 'Coercive Control' and the implementation of the Domestic Abuse (Scotland) Act 2018.

### 2. RECOMMENDATION(S)

- 2.1 That the Committee discuss, comment on and endorse the report.

### 3. BACKGROUND

- 3.1 Tackling Domestic Abuse is a priority for Police Scotland. Prior to 2018, it was recognised that Domestic Abuse was wider than physical and sexual abuse and that emotional abuse in the form of 'coercive control' played a large part in perpetrators abusing victims.
- 3.2 The Domestic Abuse (Scotland) Act 2018 (from herein referred to as 'the Act') came into force on 1st April 2019. The Act represents a significant change in the law and adds to existing common law and statutory offences by making a range of abusive behaviours including those of a physical, sexual and psychological nature which are perpetrated within a domestic relationship, an offence.

## **DOMESTIC ABUSE MATTERS (SCOTLAND) TRAINING**

- 3.3 Police Scotland is committed to ensuring proficient application of the new legislation and have invested in delivery of a comprehensive training programme entitled 'Domestic Abuse Matters (Scotland)'.
- 3.4 The training programme is comprehensive and includes an E-learning package and face-to-face training which will be delivered to all relevant Officers and Staff.
- 3.5 In addition to this training, Police Scotland have also invested in Domestic Abuse 'Champions' who are trained to be the fundamental link between domestic abuse legislation and its proper practice. They are empowered to influence others, demonstrate their leadership and mentor their peers in Domestic Abuse enquiries.

## **DOMESTIC ABUSE INVESTIGATIONS**

- 3.6 Understanding the stages that victims of Domestic Abuse go through, we adopt a victim centred approach to all investigations and aim to provide accessible services.
- 3.7 We recognise that some victims may not feel ready to report Domestic Abuse to Police but they do seek advice and assistance from agencies such as Rape Crisis and Grampian Women's Aid. Where such a 'third party' agency contacts us regarding these victims, we will offer advice and support by appropriate means and provide explanations as to how a Police investigation will progress and what support and safety planning we can provide. This allows victims to be informed and prepared should they wish to report Domestic Abuse to Police.
- 3.8 When Police do become involved, investigations into all Domestic Abuse incidents are thorough and robust and cases are reported in line with the Joint Protocol with the Crown Office and Procurator Fiscal's Service (COPFS).
- 3.9 During and post investigations, the safety of victims and their children/families are absolute priorities. Investigating Officers and the Divisional Partnership Coordination Unit work closely with victims and partners to put in place appropriate safety plans, providing advice and access to services as well as providing physical security measures to assist in preventing further harm.
- 3.10 Additional layers of investigation, management and scrutiny of perpetrators is provided by the Multi-Agency Tasking and Coordination (MATAC) process, where the objective is to protect people at risk of harm by targeting higher risk perpetrators.
- 3.11 Victims can also be further assisted with the Multi-Agency Risk Assessment Conference (MARAC) process, which aims to reduce future harm to the most vulnerable victims and their families.

- 3.12 In addition, the Disclosure Scheme for Domestic Abuse Scotland (DSDAS) gives those in a relationship, or those concerned for them (including friends, relatives and professionals), the 'Right to Ask' or 'Power to Tell' about an individual whom they suspect may have a history of violent or abusive behaviour towards a previous partner.

### **APPLICATION OF THE ACT**

- 3.13 Between 1<sup>st</sup> April 2019 and 5 January 2020, indicative figures provide that within Aberdeen City, 121 Domestic Abuse (Scotland) Act 2018 offences were reported, of which 80 were detected, giving a detection rate of 66.1%. This is in the context of 1494 Domestic Offences being recorded across the City in the same period, with an indicative detection rate of 62.8%.
- 3.14 While the legislation is in its infancy, appropriate levels of governance and scrutiny are in place at a local and national level to ensure appropriate use of the legislation while also identifying learning opportunities.

### **SUMMARY**

- 3.15 The Act has been implemented and utilised successfully within North East Division. Appropriate training and governance regimes are in place and the ongoing drive to eradicate Domestic Abuse will continue to be a priority locally and nationally. While the Act is providing additional opportunities to protect victims and prevent harm, the full extent of the benefits will become more evident in time.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

## **6. MANAGEMENT OF RISK**

	<b>Risk</b>	<b>Low (L), Medium (M), High (H)</b>	<b>Mitigation</b>
<b>Financial</b>	N/A		
<b>Legal</b>	N/A		
<b>Employee</b>	N/A		
<b>Customer</b>	N/A		

<b>Environment</b>	N/A		
<b>Technology</b>	N/A		
<b>Reputational</b>	N/A		

## 7. OUTCOMES

<b>Local Outcomes Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Prosperous People</b>	<p>Police Scotland is a key partner within Community Planning Aberdeen and help contribute to the shared vision for 2026 that '<i>Aberdeen is a place where all people can prosper</i>' and towards the achievement of the Local Outcomes Improvement Plan theme which aims to make people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the city.</p> <p>(Key Drivers 3.2 and 9.4 make specific reference to Domestic Abuse.)</p>
<b>Prosperous Place</b>	<p>Police Scotland is a key partner within Community Planning Aberdeen and help contribute to the shared vision for 2026 that '<i>Aberdeen is a place where all people can prosper</i>' and towards the achievement of the Local Outcomes Improvement Plan theme which aims to support individuals and communities to live in healthy, sustainable ways; and the development of sustainable communities with strong and resilient communities.</p>

<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>

<b>Governance</b>	The Council has an oversight role of the North East Division of Police Scotland in terms of its performance and delivery of the Local Police Plan.
<b>Partnerships and Alliances</b>	Aberdeen City Council and Police Scotland are Community Planning Aberdeen partners with a shared commitment to deliver the Local Outcomes Improvement Plan.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	<i>Not required</i>
<b>Data Protection Impact Assessment</b>	<i>Not required</i>
<b>Duty of Due Regard / Fairer Scotland Duty</b>	<i>Not applicable</i>

## 9. BACKGROUND PAPERS

N/A

## 10. APPENDICES (if applicable)

N/A

## 11. REPORT AUTHOR CONTACT DETAILS

T/Detective Superintendent Neil McDonald  
North East Division  
Police Scotland