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# **Police-Victim Engagement in Building a Victim Empowerment Approach to Intimate Partner Violence Cases**

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## **Abstract**

Intimate Partner Violence [IPV] has been highlighted as a priority for UK governments and criminal justice agencies since the 1990s. However, whilst generating significant policy and procedural responses, the overall impact continues to be criticised. This paper examines contemporary approaches to IPV identification and response, highlighting the limitations within victim engagement and empowerment. It then moves on to specific developments and theories in victimology, demonstrating how research into victim engagement is emerging and could be utilised in practice to enhance victim empowerment. It argues that policy and procedure based upon an enhanced victim empowerment approach would be necessary in striving for positive criminal justice outcomes and for increasing victim satisfaction.

**KEYWORDS:** Policing; Domestic Abuse; Domestic Violence; Victimology; Victim Satisfaction; Victim Confidence.

**Paper Type:** General Review

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## INTRODUCTION

Domestic abuse is a wide term, currently defined in the United Kingdom as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: Psychological, Physical, Sexual, Financial, and Emotional” (Home Office, 2012). Such behaviour has been referred to as the hidden violence against women (Walby, 2005) and has been a priority for the UK government. Home Office circulars 60 and 139 both prioritised and standardised the response to domestic abuse, requiring police forces to collate incidents more accurately and establish dedicated ‘Domestic Violence Officers’ to more effectively deal with the problem (Grace, 1990). Since 1990, there have been a range of policy changes widely applied to the police, Crown Prosecution Service [CPS] and courts with regards to the problem (Hester, 2005). For example, the creation of a victims’ commissioner, generated through the Domestic Violence, Crime and Victims Act 2004, was to act as an advocate for victims by improving the criminal justice system and services available to them (Ministry of Justice, 2014). However, whilst acknowledging the UK criminal justice system has moved partially in the direction of victim empowerment, this is “not enough” (Hoyle & Sanders, 2000, p. 19). In fact a recent examination by Her Majesty’s Inspectorate of Constabulary [HMIC] (2014) concluded that the police response to victims of domestic abuse “is not good enough” and that “there are weaknesses in the service provided to victims” (HMIC, 2014, p. 6). As such, international studies have continually highlighted a lack of cooperation from victims, with Walby & Allen (2004) estimating only 24% of all domestic violence incidents are reported.

The purpose of the paper is to review the current UK criminal justice approach and response to victims (predominantly the police). It uses the term Intimate Partner Violence as the paper

focuses specifically on adult victims in relationships, rather than other vulnerable victims involved in family abuse (such as children) that may require a different approach. This paper will illustrate how victim cooperation is an essential factor in criminal proceedings, and will highlight the importance of victim empowerment to ensure they remain part of an investigation and prosecution. The paper will be divided into two parts. Section 1 examines the risk assessment process, policy initiatives, criminal and civil law, and more flexible approaches such as restorative justice. In section 2, the discussion focuses on how victim empowerment can increase overall satisfaction and confidence within the criminal justice system, resulting in an increased likelihood that victims will cooperate with the police and report further abuse in future. Furthermore, it outlines specific developments within IPV research and victimology, exploring the reasons why victims cooperate with or withdraw from the police investigation and prosecution of the abuser.

## **SECTION 1: Current Perspectives and Approaches to IPV**

This section explores the current responses to IPV, from identification to response, highlighting the deficiencies created through a lack of victim engagement.

### ***Identifying the Level of the Problem***

As has been mentioned all police forces are engaged in combatting IPV. However current procedures for assessing risk have been criticised. All UK police forces use the ‘Domestic Abuse, Stalking and Harassment and Honour Based Violence’ (DASH) risk assessment formulated by Laura Richards in 2009 (Richards, 2015). The assessment contains 28 key questions pertaining mainly to physical abuse and information about the suspect. However the DASH risk assessment itself has weaknesses.

Firstly, it does not take into account the victim's subjective assessment of their risk, which is arguably a very strong predictor of future victimisation (Hoyle, 2008). This is because risk assessments are formed through research that often produces differing results and factors, and with an assumption that victims are acting rationally and with free will. The assessment of risk, advice and subsequent safety plan based on these objective factors may not be applicable to victims who are still emotionally dependent on their abuser or where a victim's options are severely restricted by the controlling behaviour they are subject to. Since the victim is an intimate partner of the suspect, their position allows them to consider the unique circumstances and factors involved in their own risk (Beech & Ward, 2004). Furthermore, including the victim's subjective assessment of their own risk is important in the grading of the overall risk assessment. A victim may not believe the police are taking them seriously if they perceive themselves as a high risk victim, but the case is graded as low or medium risk (Hoyle, 2008). This would have a negative impact upon their engagement and satisfaction with the police. Another concern is that the assessment makes no effort to assess the likelihood of the victim cooperating with the police or issues that may lead to victim withdrawal. Ultimately, the DASH risk assessment should not only take account of a victim's own assessment of their risk, but should also consider the victim's engagement with the police since it is one of the main considerations to their safety.

Secondly, the assessment requires multiple points to be present for the abuse to become 'higher risk' and in need of referral. Many of these individual points are of a serious nature (such as any previous attempt to strangle, choke, suffocate or drown) which Hoyle (2008) attributes to the ideology, as the DASH was initially formulated for the purposes of domestic homicide. Since domestic homicide is at the extreme end of the spectrum, it can be argued the assessment is not fully representative of all domestic abuse cases, yet it is used routinely by the police. Boer, Wilson, Gauthier & Hart (1997) also argue that it is reasonable for a

professional or assessor to conclude that a victim is at high risk of abuse based upon a single (rather than multiple) criterion and requires a referral. This criticism is echoed in other reports; McManus, Almond, Hargreaves, Brian & Merrington (2014), analysing 2596 cases of domestic violence, found that only 4 out of the 27 risk factors included in the DASH were able to identify domestic abuse recidivism.

Overall, it would appear that the DASH risk assessment as an actuarial tool might have significant deficiencies when assessing IPV (McManus *et al.*, 2014). As such, it could reduce the level of victim engagement if the police do not accurately measure the risk to the victim, using an appropriate risk assessment tool.

### ***Responding to the Problem***

Once abuse had been identified, a police officer has a number of responses he or she can take. One of the primary approaches is to use the formal procedures governed by legislation. However currently, with regards to criminal law, there is no specific crime of domestic abuse or IPV within the UK. Discussions pertaining to the formulation of such legislation state that it would be a positive step in ending the ambiguity relating to such behaviour, creating a clearer sense of when the police are empowered to intervene (Casciani, 2014). Until this exists there are many individual laws that prohibit coercive, controlling and violent behaviour. This legislation includes the Criminal Damage Act 1971, Criminal Justice Act 1988 and the Sexual Offences Act 1956 and 2003, which can all penalise the offender for the behaviour carried out during the IPV incident. Since many of the scenes the police attend include physical violence, the most commonly used piece of legislation is S39 Criminal Justice Act 1988 and S47 Offences against the Person Act 1861. However, one of the major concerns about arrests for violence is that they tend to be dropped to the lowest form of assault, using S39 powers (Cretney & Davis, 1997). Whilst the lowering of the charge may

better reflect the crime and increase the likelihood of prosecution from a legal aspect, there could be a negative impact on the victim's experience and engagement if they consider agencies to be trivialising the incident. This impact could take the form of withdrawal if the victim is dissatisfied with the police trivialising the violence they have suffered, or in some cases could even influence the victim to also trivialise the abuse incident themselves and consider the incident too minor for prosecution.

The civil law also has an important role to play in cases of IPV. Part IV of the Family Law Act 1996 (as amended by the Domestic Violence, Crime and Victims Act 2004), as well as the Domestic Violence, Crime and Victims (Amendment) Act 2012, allows for the protection of victims through applications of non-molestation orders and occupation orders. Also, the Protection from Harassment Act 1997 can grant the use of restraining orders against abusers. The civil remedies are important to victims as breaches of these orders become a criminal matter, in which the offender is then penalised through the use of criminal law (Bird, 2006). However, as noted by Burton (2009), in order to gain access to public funds for a non-molestation order, victims are usually expected to first pursue and cooperate with the criminal prosecution of the abuser. Not only does this raise concerns over the need of finance for a victim to appropriately deal with abuse through civil law, but it also further highlights the importance of victim cooperation with the police.

### ***More Flexible, Preventative and Rehabilitative Responses***

More recently IPV responses have become more flexible, increasing the emphasis on rehabilitation and prevention. One possibility is the use of restorative justice in place of retributive justice, an example being the consideration of conditional cautions under the Criminal Justice Act 2003. Although this approach is currently explicitly excluded from cases of domestic abuse (Office for Criminal Justice Reform, 2010), commentators argue that they

may be a practical solution to lower risk cases. A pilot scheme in Hampshire illustrates how conditional cautions can focus on the rehabilitation of the offender through Domestic Violence Perpetrator Programmes [DVPPs] and other Offender Behaviour Programmes [OBPs]. This approach may be useful if the case is 'minor' or one of 'first time violence', and the victim intends to remain in the relationship or considers a prosecution too punitive (Braddock, 2011). This is especially so when comparing this with the practice of simple cautions used routinely by police, which merely warn some perpetrators of their behaviour, if they have admitted the abuse. However, to pursue such a strategy would need further development, as there are no nationally accredited DVPPs or OBPs; in fact these are usually only available once the offender has been prosecuted. Furthermore, general difficulties in enrolment and funding and an unrealistic expectation on behalf of the victims as to increased safety and rehabilitation of the offender have also been noted (Justice, 2014; Munro, 2011). Again, a more fundamental approach towards understanding victim empowerment would be needed in order to make these reforms.

More fluid measures, such as Domestic Violence Protection Notices (DVPNs) and Domestic Violence Protection Orders (DVPOs) implemented under the Crime and Security Act 2010 have also appeared as an effective way of circumventing the rigidity of the criminal justice system. The orders are made when the police believe there is a risk to a victim but when there is not enough evidence to arrest an abuser for a particular offence under existing criminal law. The use of the Domestic Violence Disclosure Scheme, brought about through a call for Claire's Law, has also been a positive step for victims of IPV and is said to have generated 270 abuse history requests in the Greater Manchester Police area alone (BBC News, 2014). In addition, the use of Specialist Domestic Violence Courts (SDVCs) has been an effective method of dealing with some cases of domestic abuse and IPV since their creation in 2005 (Costas, 2012). This uses a tailored approach to IPV, including: fast-tracked scheduling;



specialist training to members of the court; and various other improvements in case handling to ensure a victim's needs are met (Wilson, 2010). Consequently, the Justice with Safety (2008) review of the SDVCs not only found an average higher number of convictions compared to non-SDVC cases, but there was a reported higher level of victim and public confidence in the criminal justice system (Cook, Burton, Robinson & Vallely, 2004).

As this review shows, there are a plethora of policy initiatives widely applied to the police, CPS and the courts (Hester, 2005). However there also continues to be weaknesses with implementation (Kirby, 2013). Examples such as the CPS Policy for Prosecuting Cases of Domestic Violence 2009 are often hailed as an improvement, yet not incorporated into every day practice (Saunders & Barron, 2003). An example is the Home Office Circular 19/2000 which introduced a range of measures, most notably the concept of 'mandatory arrest' and 'pro-prosecution' policy, however in practice a number of limitations became apparent. For example there were often failures in the 'positive action' required by officers who attended the IPV incident, with vital evidence and other details omitted from the investigation (HMIC, 2014, p. 12). As such, arrests from individual incidents varied between 45-90% across UK Police Forces. There is also further discussion around recent guidance within England and Wales on the use of 'dual arrest' and the identification of the primary aggressor. Officers are again expected to take positive action in order to identify the primary aggressor at each scene of abuse, usually by asking questions and taking into account the history of abuse between the couple involved (Hester, 2012). However, the controversy surrounding gender in IPV raises issues in the police's identification of the primary aggressor in each incident (Hester, 2012). The use of dual arrest is rare in the UK, and police guidance suggests that officers should avoid this approach, especially when there are children involved. Academics also question the ethics of arresting a potential victim and the impact this has on their future engagement with the police (Fraehlich and Ursel, 2014). The difficulties illustrate how policy

has not been uniformly incorporated into police practice, with individual officers left to interpret what is meant by positive action when attending a range of vastly different abuse incidents (HMIC, 2014, p. 12).

### ***The Outcome of such Responses: Victim Cooperation, Satisfaction and Confidence***

The police in the UK have a difficult role to fulfil when it comes to dealing with victims of crime, especially with regards to victims of domestic abuse and IPV. The difficulty stems from the police having to act as investigators and mediators, ensuring both the welfare of the victim whilst compiling a strong evidential case for the CPS. Subsequently, previous research highlights that victims of IPV are likely to use the police to quell the immediate situation (Apster, Cummings & Carl, 2003); however, in many cases this is followed by the victim's withdrawal from further action (Buzawa & Buzawa, 1996; Hoyle 1998). Robinson and Cook (2006) further state that this withdrawal usually occurs one month after the police response. Overall, there are general concerns over IPV cases where a victim has withdrawn their evidence, as these cases rarely result in a successful prosecution or outcome (Hoyle & Sanders, 2000).

One of the main concerns is that there is still no uniformity over the approach to take when dealing with victims of IPV, with some officers favouring 'victim choice', some using 'pro-prosecution', and others who use a 'victim empowerment' approach (Hoyle & Sanders, 2000). Whilst some officers choose to use a 'victim choice' approach, difficulties arise when a case is dropped because the victim withdraws and does not want to continue with a prosecution. To do so damages the broader message sent to perpetrators of abuse, illustrating how they can avoid consequence if the victim withdraws. A 'victim choice' approach also assumes that the victim has all the accurate information, support and advice they need to become domestic abuse free (Hoyle & Sanders, 2000: 17). Similarly with a 'pro-prosecution'

approach issues still arise when a victim withdraws and opposes a prosecution. The difficulties are (in addition to the case usually failing due to lack of evidence) that a 'prosecution' approach has to deal with the ethics and the public interest to prosecute an abuser against a victim's wishes. However, even in cases where a victim cooperates, previous research highlights how officers can prioritise the investigation over victim welfare by mainly using the victim as a source of information or evidence (Barrett & Hamilton-Giachristis, 2013). Ultimately, it separates the overall aims between police and victim, as whilst the police's main aim is to investigate and compile a case for prosecution, the victim's main aim is to merely become 'domestic abuse free' (Payne & Wermeling, 2009; Harris-Short & Miles, 2011). The deficiencies in this approach cause other commentators to argue for a 'victim empowerment' approach. The philosophy that underpins this method is to tailor responses more effectively towards individual expectations and needs. This would increase victim satisfaction and confidence (Wilson & Jasinski, 2004), which in turn would encourage victim cooperation. Furthermore, it would enhance the creation of an effective support network (Hohl, Bradford & Stanko, 2010), as a victim would be increasingly likely to perceive the police as legitimate, fostering more trust in their protection (Tyler, 2004). This contrasts significantly with many current victims' experience where the charge is dropped due to lack of evidence, or when the criminal justice system is pushing for a prosecution of an offender and actively working against the express wishes of the victim (Payne & Wermeling, 2009; Harris-Short & Miles, 2011).

Encouraging victim empowerment (and therefore cooperation) would benefit both the police and victims. Not only would it promote safety as the police would become part of the coping strategy as opposed to working parallel to it, but there would also be an increase in positive criminal outcomes as victims would communicate their expectations and needs (be they retributive or restorative) with regards to obtaining justice. Increased confidence would also

mean that future IPV victims would be more likely to report cases and present evidence in court (Roberts & Hough, 2005).

However a policing response, based on the empowerment of victims, requires further research. This includes a more in depth examination of what victims need, how to address their views and expectations, and an understanding of the volume of vastly different cases pertaining to numerous victims who all have separate needs. The next section explores how this can be done, taking into account recent research within victimology. This includes not only the victimisation and coping strategies of victims, but also their engagement with the police and other support services.

## **SECTION 2: A More Victim Centred Approach**

### ***Victimology and Intimate Partner Violence***

IPV research has been developing and broadening through the academic discipline of victimology. Within victimology there is a particular emphasis on victimisation, repeat abuse (Cattaneo, Bell, Goodman & Dutton, 2007; Crandall, Nathens, Kernic, Holt & Rivara, 2004) and victim withdrawal from the criminal justice system (Robinson & Cook, 2006). Taking a wider view of all IPV research, numerous theories have been developed to better explain (and in some cases predict) the etiology of violence and relationship between the partners. Whilst all are useful, various limitations exist and some elements (such as the approach to gender) appear contradictory.

### *Victim Theories*

There are numerous theories into how victims deal with abusive relationships, with contemporary theories generating a more multi-disciplinary and holistic approach. Hamel (2013) argues how the research based on the concept of Battered Women Syndrome (BWS) was gravely flawed and formulated around limited non-representative samples. He further argues that the interviews conducted contained a number of leading questions and responses, which were then interpreted on a highly subjective basis (Hamel, 2013). He proposes more empirically based theories that account for the actions of abuse victims. In this he emphasises three main theories: Traumatic Bonding Theory; Survivor Theory; and Social Agency Theory.

Dutton & Painter (1981) explored the concept of traumatic bonding to explain how powerful emotional attachments are formed and developed through power imbalances and intermittent good-bad treatment. The theory stipulates that partnerships which have an imbalance in power can accelerate over time, creating negative feelings and emotions in the victim and making them more dependent upon the abuser. This can occur regardless of individual roles and has even been reported to occur within a simulated setting (Zimbardo, Haney, Banks & Jaffe, 1973). Survivor theory derives from Gondolf & Fisher (1988), who built upon earlier work by Bowker (1986) to explain how individual victims deal with abuse. They explain that methods such as flattering the abuser, fighting back and actively seeking help are coping strategies used in handling violence. They explain it is therefore a lack of available resources that causes the victim to be unsafe, rather than a feeling of helplessness. Social agency theory is similar to survivor theory in the sense that it considers the victim to be a normal individual who is responding appropriately in dealing with abuse, but focuses on the situation rather than the specific strategy employed. Schuller, Wells, Rzepa & Klippenstein (2004) explain

how testimony of IPV and domestic abuse should focus on the situation, including: the abuser's dominance and control; lack of effective alternative services or community support; and the dangers of leaving an abusive relationship. This is opposed to merely basing a testimony on the victim's psychological reactions and essentially blaming the victim for their reaction to the abuse.

Further to these approaches Bonanno (2004) suggests that resilience in the face of trauma is more common than first perceived. This is in contrast to a concept of victim helplessness, where resilience was considered rare or even pathological. Applied to victims of abuse, there is potential for research to take account of victims who continue to cope and work beyond the negative experiences emanating from an abusive relationship (Hodges & Cabanilla, 2011).

The above commentary from victimology based approaches, especially with regards to the means and strategies that victims use to cope with violence, are essential in understanding IPV as a whole. More recently, the application of critical social theory has allowed researchers to better understand the limited scope of the previous theories and the fragmentation that results when the research is applied to practice (Norris, Fancey, Power & Ross, 2013). The central assumption of a critical perspective purports that all actions are fundamentally mediated by power relations already socially and historically constituted within society – a theory that relates well to an ecological perspective.

This perspective, first established by Bronfenbrenner as the ecological systems theory in child development (Bronfenbrenner, 1977), is an evolving theoretical system for human development commonly utilised by researchers. Whilst the use of the model has been promoted by the World Health Organisation [WHO] (2010), it is important to note that there are deviations to the model that apply to various disciplines. With regards to IPV research, the Nested Ecological Model formulated by Dutton (2006) is comprised of four levels of

analysis (Macrosystem, Exosystem, Microsystem and Ontogenetic) and applies to the perpetration of violence. However, the model itself could also be applied to victims as well as perpetrators of IPV, examining factors that impact upon victimisation and victim engagement with support services. Within the Nested Ecological Model, the macrosystem relates to overarching cultural and social norms; the exosystem to social structures outside of an abusive relationship; the microsystem relating to the immediate relationship or family unit; and the ontogenetic referring to the individual's development. An ecological approach takes account of critical theory within the macrosystem, and incorporates other multiple theories and multi-disciplinary factors within the various levels of the model. Research and models built using multiple disciplines can add to the compilation of variables to test in the examination of what impacts upon the victim, can aid in the explanation of causality, and provide an explanation as to the behaviour of the victims in each case. Understanding the multi-faceted factors involved in a victim dealing with abuse would help towards understanding how to enhance their cooperation with the criminal justice system. A response encompassing these factors would be better placed to provide a victim empowerment approach, especially when it comes to police practice. This approach is more evident in practice within other areas of victim support, such as nursing, in which staff are more aware of the complexities and look beyond the surface when dealing with victims of abuse (Little & Kantor, 2002). In addition to this multi-disciplinary research there is also a call to amalgamate the theories that relate to gender within IPV.

### ***Gender Symmetry/Asymmetry in Intimate Partner Violence***

Efforts to improve victim empowerment within IPV cannot be furthered without a deeper understanding of how gender affects IPV, especially as previous research has been contradictory. The 'family violence approach' explains the perpetration of violence is as

prominent in women as it is in men (symmetry), whereas the 'feminist approach' argues it is overwhelmingly perpetrated by men against women (asymmetry) (Dobash & Dobash, 2004). In order to effectively position this paper it is prudent to examine this debate more carefully.

From the feminist perspective, there is seemingly a wealth of evidence suggesting that violence is overwhelmingly perpetrated by men against women. Advocates further explain that this is mainly caused by wider societal rules and patriarchal beliefs that encourage male dominance and, in turn, female subordination (Dobash, Dobash, Wilson & Daly, 1992; Abrar, Lovenduski & Margetts, 2000). Dobash & Dobash (2004) argue that as violence is primarily perpetrated by men towards women, any violence that occurs on behalf of the female within the relationship should be taken with the assumption of self-defence against her male counterpart. In addition, they argue IPV often contains 'constellations of abuse' as opposed to single 'acts' in which the perpetrator attempts to control the lives of their female partners in many different ways (Browne, Saloman & Bassuk, 1999; Campbell & Soeken, 1999; Lloyd & Taluc, 1999). It is argued these constellations, as well as the context of cases, are overlooked by advocates of family violence research (Dobash *et al.*, 1992). Essentially, the feminist perspective argues that the recorded statistics do not take into account the context of violence as it merely only reports individual acts. Therefore, any research utilising a gendered approach assumes patriarchy is a direct cause of IPV (Bell & Naugle, 2008), as opposed to a factor that could possibly affect and interact with other factors (Dutton, 2006).

Conversely, family violence advocates have argued against a feminist perspective, highlighting findings since the 1970s that illustrate gender symmetry (Straus, 1977; Gelles & Straus, 1986). Previous studies within the 1970s found that 12.1% of females and 11.6% of males had reported one or more incidents of abuse from their intimate partner within the year (Straus, 1977). More recent research in 2010 continued to report findings of gender symmetry, with 5.9% of females and 5.0% of males reporting one or more incidents of abuse



within the year (Breiding, Chen & Black, 2014). Such findings have been argued as empirically valid (McNeely & Mann, 1990) and numerous commentators have produced evidence to criticise the feminist perspective, arguing it is generated from ideological concepts rather than objective, empirical evidence that emerges from a solid methodology (Archer, 2002; Dutton & Corvo, 2006; Graham-Kevan, 2007; Hamel & Nicholls, 2006; O'Leary, Smith Slep & O'Leary, 2007; Stith, Smith, Penn, Ward & Tritt, 2004; Sugarman & Frankel, 1996). Family violence advocates raise further concerns with a feminist approach forming the basis for many IPV treatment and intervention programmes, as these programmes have often reported limited success (Babcock, Green & Robie, 2004; Whitaker *et al.*, 2006). Ultimately, family violence advocates argue that there is an evidence base illustrating that IPV is a gender symmetrical issue that requires primary prevention and treatment programmes using a gender inclusive and family violence perspective (Straus, 2006).

However, more recently there have been appeals for the two perspectives to merge. Winstok (2013) argues that each approach scrutinises the methodology of the others' evidence base and that this has occurred because they are two approaches to the same topic. Instead, he proposes that there is a need for a more flexible methodology to capture all the dynamics of partner violence, covering the interests of both the feminist and family violence commentators. In addition, recent research into gender and IPV has suggested that 'less serious' situations of IPV seem to be gender symmetrical, but 'more serious' and violent abuse is more commonly perpetrated by males (Swan, Gambone, Caldwell, Sullivan & Snow, 2008). Considering this fresh and inclusive perspective, studies could begin branching into the examination of IPV within same-sex partnerships, as it reframes and closely inspects pre-existing ideological frameworks, cultural narratives and stereotypes (Baker, Buick, Kim, Moniz & Nava, 2013). In addition, it would also increase the sensitivity and care around the

analysis of variables, in which gender could be considered a proxy. Such variables could be strength, size, experience with aggression and others that may pertain more to one gender, but could be considered independently as well as within the gender context (Follingstad & Ryan, 2013).

Studies that use agency samples (for example police, healthcare sector and others) often tend to portray and overrepresent the more severe cases of IPV (Gerstenberger & Williams, 2013) and are usually male-dominant (Straus, 2011). This could be attributed to the perceptions surrounding gender and abuse, in which male victims may underreport and perhaps ignore abuse that would otherwise be reported by a female victim (Sylaska & Walters, 2014).

Studies that utilise independent data samples, such as the National Intimate Partner and Sexual Violence Survey (NISVS) launched in 2010, better represent a broad sample of the overall IPV target population, reporting a broad spectrum of abuse and more gender symmetry (Breiding, Chen & Black, 2014).

Therefore, a distinction should be drawn and care taken in any examination of victim engagement with the police, since a sample in this instance will be applicable to the target population of agency reported IPV cases, and may not be representative of the gender symmetry of IPV research as a whole. The distinction is important, as whilst a police sample may be male perpetrator and female victim dominant, it would differ from other studies where sample bias occurs through targeting female only shelters (Gondolf & Fisher, 1988), advertising an IPV questionnaire in 'Women's Day' magazine (Bowker, 1986), or using agency samples only and then applying such findings to the overall IPV population.

## **Conclusion**

This paper commenced by outlining the significant efforts respective UK governments and criminal justice agencies have made in attempting to reduce IPV. However, notwithstanding the significant level of resources and effort placed into these initiatives, the results have not generated the anticipated level of outcomes. Recent reviews continue to criticise the response by UK agencies to this universal problem. The question is therefore, what more can be done? This paper argues that a more radical change is required that has at its core a heightened level of victim awareness and empowerment.

This paper showed that more can be done at policy and practice level. For example a crime of ‘Domestic Abuse’ or ‘Domestic Assault’ would allow clearer direction as to when the police can intervene, with more specific guidelines for processing cases (Casciani, 2014). This would perhaps prevent the trivialisation of some violent incidents, when a S39 charge is sought against a suspect after a particularly violent and aggressive assault (Cretney & Davis, 1997). In addition, guidelines as to the investigation of domestic abuse scenes would aid officers in building a case against the suspect. Bodycam and CCTV footage used as evidence; the police proactively examining, photographing and recording the scenes of abuse; photographing the injuries and bruising to the victim after they fully develop; and actively talking to neighbours, relatives and the public in every case, would all help to combat the weaknesses described in the HMIC report (2014, p. 12). The positive collection of extrinsic evidence is vital in ensuring victim cooperation with the police, as it has the compounded effect of removing the pressure from the victim with supporting evidence, adds credibility to their experience, and ensures officers pursue cases with a realistic prospect of prosecution from the very beginning (Ellison, 2002). In addition, the use of restorative justice as opposed to retributive justice in ‘minor’ or ‘first time’ cases would help rehabilitate potential abusers and may be more appealing to victims, as opposed to having a merely punitive system that may not alter the behaviour of offenders or increase the safety of victims (Braddock, 2011).

Developing effective and nationally accredited Domestic Violence Perpetrator Programmes and Offender Behaviour Programmes that are available to any individual who is cautioned or prosecuted with a domestic abuse related crime would perhaps aid in preventing future incidents (Justice, 2014; Munro, 2011).

In essence the paper argues for a victim empowerment approach by utilising more current research that has emerged from multiple disciplines, multiple victim theories, and is gender and sexual orientation inclusive. A spectrum of care and understanding should be provided to victims of IPV, as they report how homogenous responses (such as ‘pro-prosecution’, ‘mandatory arrest’ or ‘pro-choice’) do not acknowledge or address the multiple and unique factors affecting victims in each case (Cerulli *et al.*, 2015). An improved understanding of what affects victims and their engagement with the police allows for more targeted, effective and efficient support. Many practical applications could be drawn from such research and applied to policy, legislation and to police training. For example, the potential training of front line staff to spot patterns of abuse or factors affecting victim cooperation and to respond more effectively to victim needs would underpin a victim empowerment approach to IPV. It would reduce the level of negative activity currently expended within the criminal justice system, which leads to failed prosecutions and poor victim satisfaction. Such an expanded capacity and flexible response could be used proactively to promote greater victim understanding, increase victim cooperation, and ultimately lead to enhanced criminal justice outcomes.

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