

*New policing responses to crimes against women & children*

### **3 New Policing Responses to Crimes Against Women and Children**

The last 20 years have seen a marked increase in awareness of issues surrounding the role and status of women in society. Whilst a major focus has been on sexual discrimination and disadvantage in the labour market, there is also a substantial body of research on the women's experiences of the criminal justice system (see *inter alia*, Gelsthorpe and Morris, 1990). An important part of this has concerned way that the criminal justice system deals with crimes of sexual violence against women. The same period has also witnessed increasing recognition of the vulnerability of children to criminal victimisation (Morgan and Zedner, 1991). During the 1980s, there were a series of public scandals involving incidents of child sexual abuse. One of these (in Cleveland) led to a major public inquiry and an official report which provided a number of recommendations for procedures to be adopted by the agencies involved in such cases (Butler-Sloss, 1989). Partly due to increased public awareness of these sorts of crimes, there has been pressure on the police in recent years to change the way they approach crimes against women and children. The general aim has been to encourage more sympathetic and respectful treatment of the victims of crimes of sexual violence. This has occurred against the background of a renewed interest in victims in studies of the criminal justice system (see *inter alia* Maguire and Corbett, 1987; Mawby and Gill, 1987; Shapland *et al.*, 1985).

#### **Rape and domestic violence**

There has, therefore, been increasing attention paid in recent years to the difficulties faced by women victims of sexual assault or domestic violence in reporting incidents to the police, and in the process of complaints through the criminal justice system (Dobash and Dobash, 1970). This increasing scrutiny, and the changes this eventually brought about, have their roots in the re-emergence of the feminist movement in the 1970s (Coote and Campbell, 1987). It has been argued that the agents of the criminal justice system tend to treat women complainants in a way that amounts to

‘secondary victimisation’, especially in the case of sexual assault. There is evidence from the late 1970s (see for example Berger 1977, Katz and Mazur 1979) and early 1980s (Chambers and Millar, 1983) that women who reported sexual assault to the police often had their character and morality questioned in such a way as to imply some responsibility for their victimisation. Public attention was focused sharply on such issues in early 1982, when a judge imposed a fine on a man convicted of rape on the grounds that the victim was guilty of what he called ‘contributory negligence’. This was followed shortly after by a BBC television ‘fly-on-the-wall’ documentary about Thames Valley Police, one episode of which concerned the interview of a woman who was reporting that she had been raped. So intimidating was the investigating officers’ approach that a considerable public furore followed the broadcast. Much concern was voiced about the lack of sensitivity and sympathy being given to the victim’s rights and feelings. As Adler (1987) put it some time later: ‘All but the most transparently flawless victim was liable to be bullied by interrogators and prosecutors, exposing her to a form of secondary victimisation’. Feminists argued that sexual and domestic assault, and the failure of the criminal justice system to deal effectively with such phenomena, were a reflection of the subjugation of women’s rights to male supremacy in society as a whole (Rape Research and Counselling Project, 1981).

Policing policy in this area appears to have lagged behind other developments – at least within that part of the voluntary sector in which the Women’s Movement was particularly influential. A campaigning body, Women Against Rape (WAR) was established in 1976, roughly coinciding with the importation into the UK from the United States of Rape Crisis Centres. Reinforcing the point about the unattractiveness of the criminal justice system as an option for women who had been assaulted, the first of these Centres took over 600 referrals in its first two years of operation of which under a third involved incidents that had been reported to the police. Following Roger Graef’s 1982 television documentary, and research conducted by the Scottish Office which found that lack of sympathy and tact by CID officers and uniformed policewomen appeared to be quite widespread (Chambers and Millar, 1983), the Home Office issued a circular to chief constables (25/1983) which contained advice on how investigations should be conducted, on the timing and conduct of medical examinations, the number of officers involved in an investigation and, where possible, the importance of having female officers centrally involved.

The following year a governmental advisory group, the Women’s National Commission (WNC), set up a working party to examine the issue

of violence against women. Smith (1989) suggests that the major concern of the WNC 'was to try to effect certain practical changes – for example, to help ensure that female victims receive the legal, medical, social and psychological help which they need and that their role as court witnesses be made as tolerable as possible. But it was also concerned to offer practical advice to the police and to court personnel on their procedures and to bring home to them that these procedures could be contributing to a lack of effectiveness' (Smith, 1989:6). The WNC focused upon improved training as one of the key areas in which effective change could be implemented, with a view to developing a small number of highly trained specialist officers. The working party also reflected on broader criminal justice issues. Its report, *Violence Against Women*, criticised the police for 'reluctance to interfere in domestic disputes, and in particular, for their reluctance to arrest and prosecute the perpetrators of the violence' (Women's National Commission, 1985). Further guidelines were issued in October 1986 by the Home Office via circular 69/1986 which dealt with victims of both rape and domestic violence. This made a number of suggestions, including that police forces should consider setting up special victim examination suites, more advice and information for rape victims, follow-up visits, and enhanced training for officers who deal with rape victims.

Many accounts of the development of domestic violence as a social problem show the phenomenon as rooted in the traditional unequal power relationship between men and women. English Common Law clearly outlined the rights that a man had over his wife; including the complete control over her property and of her daily affairs. This notion that a woman could be a man's property was fundamental to the idea that a husband had the right to administer physical 'punishment' to his wife. Similar arguments have been made as regards the police approach to domestic violence as have been made for sexual assault. That the police do not treat the victims of domestic assault with the required degree of sympathy, that they do not take a sufficiently serious view of the offence of domestic violence (indeed, may not really regard it as a criminal offence at all), and that they may often regard the victim as in some way responsible for what has happened to her. These are all themes which have arisen from a body of research into the policing of domestic violence from both the USA and the UK. One of the earlier pieces of research regarding the police approach to domestic violence was the 'Minneapolis experiment' in the USA (Sherman and Berk, 1983). This project attempted to randomly allocate domestic incidents to one of three alternative police responses; arresting the man, sending the man away for a period of hours, or giving advice and counselling. The conclusion of the experiment was an apparent clear-cut 'success' for the

arrest option, as over a six-month period, repeat calls fell much more when this option was used. The authors of the study favoured a policy of a presumption of arrest – that police officers should make an arrest unless there are clear stated reasons for doing otherwise. This led to a number of police departments in the USA adopting more active arrest policies with regard to domestic disputes. However, subsequent research has cast some doubts on the approach which was suggested by the Minneapolis project. Sherman himself has argued more recently that in some cases the effect of arrest may be to exacerbate the violence experienced by women rather than reduce it (Sherman *et al.*, 1992). Research in the UK context has also provided support for a more active arrest policy in the police response to domestic violence (See for example, Edwards, 1989). Others have questioned the concentration on possible police interventions and argued that the most effective response will be a coordinated effort amongst a number of concerned agencies (Levens and Dutton, 1980). There continues to be disagreement over the most appropriate role for the police in this area, and although it has been argued that inadequate police responses result in only a very low proportion of incidents of sexual assault and domestic violence being reported to the police, it is neither completely clear how a higher reporting rate might be encouraged, nor is it self-evidently the case that this would necessarily be a good thing.

There have been a number of practical developments in each of these areas. The Women's Movement has been instrumental in setting up rape crisis centres and women's refuges in many towns and cities in the UK. The first refuge was set up in 1971 (Pizzey, 1974) and there were over 150 by 1978 (Binney *et al.*, 1981). It was, however, the Parliamentary Select Committee on Violence in Marriage that heralded the beginnings of change in public policy and the Committee's Report, according to Dobash and Dobash (1992), signalled government support for refuges. The Working Party's survey of police forces found that domestic violence was not perceived by them as an area where their procedures fell down or where new measures were necessary or important. However, 'despite criticism of law enforcement stressed by activists and some fairly pressing questioning of the police by MPs when taking oral evidence, this concern virtually disappeared in the text of the Report and from the recommendations. Instead all that was recommended was that the police keep statistics and that chief constables review their policies' (Dobash and Dobash, 1992:125). The ineffectiveness of the criminal justice system – and especially the police – was one of the major focuses of the women's movement in this area. The central and most often voiced criticism of the police was that they remained reluctant to intervene in domestic incidents, and that this

reluctance was underpinned on the one hand by the perception that the threat to officer's personal safety was high (Parnas, 1972) and on the other the widespread belief that such work was not 'real' police work (Pahl, 1982). Police officers have suggested that this is largely due to their frustration at victims' unwillingness to fully cooperate when the police try to take firm action.

Pressure for change remained high and, as far as the police were concerned, it was the Metropolitan Police that led the way. During 1985, they set up a working party to look into the problems of policing domestic violence. Reporting in 1986 it recommended a more active arrest and prosecution policy, better collection of statistics on the nature and extent of domestic violence, and the introduction of improved training for the police officers who deal with such incidents. It was particularly critical of existing training which, it said, 'perpetuate[d] current terminology ('domestic dispute') which helps to trivialise marital violence rather than treating it as an allegation of crime'. A Force Order encouraging arrest was issued in 1987, and the Metropolitan Police quickly set up a number of specialist domestic violence units, being followed in later years by a small number of provincial forces (West Yorkshire and the Welsh forces being prominent). The Home Office issued further guidance to police forces about domestic violence in 1990 (circular 60/90), and senior ministers made a number of public statements drawing attention to the seriousness of the problem and the need for action to address it.<sup>1</sup>

### **Child abuse**

This issue of child abuse, in particular child sexual abuse, is one in which the criminal justice agencies have been required to review policies and practices over recent years. In terms of policing policy, it is often placed with responses to rape and domestic violence, because all involve the need for a more sympathetic and tactful approach to the victim. In addition, where the police have set up specialist teams to deal with child abuse, they often have the investigation of rape and domestic violence within their terms of reference as well. However, the development of the police role in dealing with child abuse has been quite distinct from developments concerning sexual and physical violence against adult women, and these in turn have been almost completely separated from any broader consideration of victimisation. Rape and sexual assault, domestic violence and child abuse have remained unconnected to other areas of criminal victimisation, allowing the general subject of victimisation to remain largely unpoliticised and the dominant image of the crime victim to remain androgynous or sexually neutral.<sup>2</sup>

Early work on child abuse focused its attention upon physical assaults or neglect of children. In 1962, C. Henry Kempe, a US-based paediatrician and his associates coined the term 'battered child syndrome'. This described the process leading to physical assaults by parents on their young children. Kempe went on to argue both that the abuse was more common than was generally recognised and that professionals had been turning a blind eye to the phenomenon. His view was that child abuse stemmed from emotional or psychological problems with the parent(s) and the response should involve therapy for the parent(s) combined with temporary protection for the child. This model of child abuse was extremely influential in the USA during the 1960s and 1970s and, largely thanks to the efforts of Kempe and his colleagues to publicise the subject, it became a major social issue there. Developments in the UK were strongly influenced by those in the USA. During the 1960s, the two main groupings involved in dealing with child abuse were the NSPCC and GPs. During the late 1960s and early 1970s, the NSPCC published a large number of studies on the subject of child abuse (For an overview see Parton, 1985).

However, as well as the actions of bodies working in the area of child abuse, it is the repercussions of specific highly-publicised incidents of abuse which have done as much as anything to raise the profile of the issue in Britain. A key example, and the first major case, is that of Maria Colwell in 1973. Maria was seven years old when she was killed by her stepfather. She had previously been removed from home by social services for fostering but had later been returned and had been both beaten and starved before eventually being murdered. It was this case, and the ensuing public outcry, which led to the acceptance of the term 'child abuse' and to the establishment of a new system of child protection in the UK – involving area child protection committees, inter-agency case conferences, the development of specific training and so forth. The legal framework for the treatment of children who had been abused was set out in two Acts of Parliament – the Children and Young Persons Acts of 1933 and 1969.

Certainly it was not until the early 1980s that the idea of *sexual* abuse of children, as opposed to physical abuse, gained any sort of real recognition. The pressure on the police around this time to introduce more sympathetic means of dealing with adult victims of sexual violence was quickly extended to children. Once again the Metropolitan Police were at the forefront, and in 1984 established a pilot project in the Borough of Bexleyheath where training of officers was undertaken jointly with that of social workers and, subsequently, investigations of allegations of abuse were also handled jointly (Metropolitan Police and London Borough of Bexley, 1987; and for a critique see Kelly and Regan, 1990). Following the

end of the pilot project the general approach was endorsed and efforts were made to introduce it universally. Home Office Circular 52/1988, for example, encouraged joint investigations by the police and social services. Two other crucial developments in 1986 and 1987, however, did more to frame the issue of child abuse in the UK at this time than perhaps any others. The first of these was the setting up of 'Childline' in 1986. The television programme *That's Life* late on in the year had embarked upon a special investigation of child abuse. The response was huge and it prompted the programme's host, Esther Rantzen, to launch a telephone helpline for any child wanting to report abuse or seek help. Tens of thousands of calls were made on the first day of Childline, and although the service was not without its critics,<sup>3</sup> the publicity that surrounded its operation did as much as anything to draw public attention to the issue of sexual abuse of children.

It was, however, the 'Cleveland affair' in the summer of 1987 which brought the issue of sexual abuse to the forefront of public debate. The scandal involved two local paediatricians who had over a period of months been instrumental in bringing over 100 children into care on place of safety orders. On the basis of a particular physical test – the anal dilatation test which later came under question – the doctors argued that many of the children had been anally abused. Before long stories of large numbers of children being taken into care in Cleveland began to surface in the national press, and parents in the area began to mobilise. The parents of the children gained the support of the MP for Cleveland, Stuart Bell, who raised the matter in Parliament and campaigned vigorously on their behalf (Bell, 1988; Campbell, 1988). The eventual outcome was the establishment of another public inquiry.

The Inquiry chaired by Judge Elizabeth Butler-Sloss was surrounded by massive media and public attention. The report (Butler-Sloss, 1988) made a number of detailed recommendations for the agencies involved in dealing with child abuse. These included procedures for joint investigation of child abuse cases by police officers and social workers, joint training of police and social workers, new interview techniques, and a network of communication between all the involved agencies. In contrast with the above cases of physical abuse, the main criticism of social workers in the Cleveland case was that they had been over-zealous in their desire to take action to protect children. Crucially, the Report recommended that it was the interests of the child that should form the primary focus of any policies established to deal with the problem. Indeed, it is this general philosophy that found expression in the 1989 Children Act.

This has been far from the end of the story. From 1990 onwards stories of 'ritual abuse' have appeared in the media and a number of social services



departments have become involved in dealing with cases in which highly ritualised and organised abuse of children has been alleged – the most notorious of which were those in Nottingham (where police and social services disagreed publicly over an investigation of alleged ‘satanic’ abuse); in the Orkneys (where police and social workers had to return a number of children they had taken into care because there appeared to be little evidence of child abuse); and the more recent investigation of a large number of allegations involving children’s homes in North Wales and Leicester.

### **POLICY CHANGE IN FOUR PROVINCIAL FORCES**

The central aim of the research was to establish how far change had taken place in relation to the policing of sexual assault, domestic violence and child abuse, and following that to analyse how and why these changes had come about. Thus, whilst a good deal of the research effort was focused on force-wide policy making, visits to the two local sub-divisions were undertaken in order to collect evidence on the substance of policy change, and the difficulties of implementation.

Whilst it is the case that every police officer has a responsibility for the prevention and detection of crime, all police forces have a specialist criminal investigation department (CID) whose main function is crime detection. In the four forces in this study the (CID) command structure was capped by an assistant chief constable. In each force, interviews were carried out with the detective chief superintendent (head of CID), and in some cases other representatives of the headquarters CID involved in policy-making at force level. From these interviews as full a picture as possible was built up of the force policy in relation to the investigation of sexual assault and child abuse, and the handling of domestic violence. Within the local sub-division, interviews were conducted with the head of the local CID (generally a DI), together with interviews with detective constables about the procedures involved in dealing with cases of alleged rape, and with officers – in specialist units or otherwise – who were tasked with the investigation of child sexual abuse.

In the four forces studied, the policies adopted in relation to the policing of sexual assault, domestic violence and child abuse contained a number of common features. Consequently, for the purposes of this chapter, the findings of the research in relation to each of these three areas are summarised together. The major developments in policy and practice are summarised under the following six headings: the setting up of specialist teams; the creation of new facilities; improved training for police officers;

detailed written force guidelines; new inter-agency structures; and other developments.

### **Specialist teams**

All four of the forces included in the study had set up specialist teams. The primary concern of the majority of the teams was child abuse, though in three forces the units were also involved – in some way – in dealing with cases of rape and sexual assault. Generally speaking, domestic violence generally came fairly low down on the agenda in such units. The teams varied not only in terms of their coverage, but also in structure and terms of reference.

Two forces had developed specialist teams on a divisional basis. In the first of these, force A, the specialist teams which were set up from 1987 onwards, were called ‘special enquiry units’ (SEUs), and consisted of 4 to 6 officers (mainly women). Officers worked in plain clothes but did not belong to CID (although their line management was through DIs). The vast majority of their work involved the investigation of child abuse (physical and sexual), although they also had a responsibility for missing children, and some juvenile crime. The units were also used as a resource to provide a female officer to take an initial statement from a woman alleging rape, should there not be a sub-divisional WDC on duty. The sergeant in charge of one of the SEUs indicated that her unit had a responsibility for monitoring incidents of domestic violence as well. The officers in the units were carefully selected, having several years’ experience before applying to join the unit, and thereafter undergoing specialist training in the investigation of child abuse.

The second force with specialist teams on a divisional basis called these ‘child protection teams’. Force B’s teams were introduced in 1986, and the two that we visited during the research each had four officers, over half of whom were female (WPCs). Each team also included a male detective constable. The main work of the teams involved the investigation of child sexual abuse by family members or someone else with custody or care of the child. As in force A, the units were also occasionally used to provide support in cases of sexual assault, as they were known to specialise in ‘sensitive’ interview techniques. Once again, officers had to meet strict selection and training requirements. The teams had no role in dealing with incidents of domestic violence, but at the time of the research the force was considering the introduction of divisional domestic violence units. This followed one division which had set up one such unit two years previously (consisting of 2 WPCs). The unit provided a back-up to the uniform relief officers who initially dealt with domestic incidents. Victims were informed

of the existence of the unit; follow up letters were sent to addresses of repeat calls with a returnable slip asking the informant to tick one of two boxes; 'I would like to discuss this matter further' or 'The matter has now been resolved'. The unit also carried out an analysis of the pattern of domestic incidents on the division. There was a flagging system, so that the controller could inform an officer attending an incident of any details from previous call-outs. The unit's officers accompanied a victim to court if she so wished, and also liaised closely with other involved agencies including the local Women's Aid, social services and the women's refuge.

The third force (force C) was particularly interesting because the over-riding management philosophy over recent years had been against the setting up of specialist units. Following a report by management consultants into the force structure some years previously, the emphasis had been upon decentralisation and sub-divisional autonomy. As far as crimes of sexual assault and violence against women and children were concerned, this resulted in a policy of introducing a number of 'victim liaison officers' (VLOs) on each sub-division. These were nearly all female police officers, who had undergone a two-week course in dealing with victims of such crimes. The officers were operational, and worked in various departments, but were available to be called out if required to carry out a rape interview, or deal with a child victim. They also provided the liaison with other agencies (notably social services) in child abuse investigations. However, senior officers on one division decided that a specialist unit would improve the police response to cases of child abuse, and eventually a force working party recommended the introduction of such units across the force area (whilst retaining a number of trained VLOs as a back-up resource).

The fourth police force (force D) had also set up a specialist unit called the 'family support unit' (FSU). According to the unit's terms of reference, it was set up in 1988 'primarily to provide operational support to sub-divisions and specialist departments in respect of investigations concerning violent or sexual crime against women, and child abuse'. The unit consisted of four WPCs, and two male DCs, and a full-time sergeant (female). As with specialist units in other forces there were particular requirements for experienced officers (at least five years service), and specialist training (see below). Although the terms of reference gave the unit responsibility for dealing with rape, domestic violence and child abuse, in practice the unit dealt mostly with physical child abuse. In theory, sub-divisions could turn to the unit if they were unable to find a trained female police officer to take the statement from the victim in a rape case, but this happened only infrequently. The FSU did not play a major role in the force's approach to domestic violence. This point was explicitly made

in interview by the officers of the FSU, as well as by a Women's Aid representative and the county council women's officer. A leaflet had been produced which was designed to inform victims of domestic violence of the existence of the FSU, and although the force sent these leaflets to addresses to which police had been called to a domestic incident it did not elicit much response. One problem experienced by the FSU was that when there was a major inquiry, the detectives from the unit would sometimes be removed due to staff shortages elsewhere. This resulted in something of a credibility problem for the unit with some sub-divisional DI. There appeared to be differing views about what the unit was capable of dealing with, with some DIs only prepared to refer relatively minor cases of non-accidental injury of children, whilst others would use the unit's services for serious cases of child sexual abuse. The FSU was a single centralised unit, and was available to support all territorial divisions in the force bar one (a large rural division). The force was planning to double the size of the unit and extend its 'catchment area' to the whole force.

### **The creation of new facilities**

Following the lead taken by the Metropolitan Police and others, a number of forces examined the facilities they had for victims of sexual assault. In particular, victim examination suites have been established which provide more comfortable surroundings than would normally be available in a police station in which the victim can make a statement and be examined by a doctor. Of the four forces visited during the course of the research, two had set up special facilities of some kind. Force B was in the process of setting up two large victim reception suites within its force area at the time of the research. These were influenced very much by the St Marys Centre in Greater Manchester, which is a hospital-based reception centre incorporating interview, medical examination, showering and counselling facilities. After a comprehensive force review into the investigation of rape and serious sexual offences, it was decided to develop two victim reception centres, one in each of the main cities in the force area. These were to be funded partly by the police authority, but with additional funding from the Urban Programme and local authorities. Even though it appears that the police were key movers in the decision to develop these special facilities, the officers with whom we spoke were keen not to portray the centres as police-run. They said that the facilities would also be open to women who did not want to involve the police. So whilst it would be force policy to refer most women reporting that they were victims of rape within the last 28 days to be examined and interviewed at the centre, other women could approach the centre directly without prompting police inquiries. Force D

established a rape victim examination suite in 1986, and issued a written force order that it was to be used for all examinations for sexual assaults which took place in the main conurbation within the force area.

By contrast to these two areas, force A had considered the feasibility of setting up a 'rape suite' but had decided against it after fairly lengthy consideration. The force had responded to the Home Office circular 25/83 by setting up a working party chaired by an assistant chief constable. This was tasked to examine training, investigation techniques, examination facilities and other implications of the circular. Following the report of the Women's National Commission (1985), the working party looked at the possibility of creating a victim reception suite in the force area. The working party found against providing facilities at one central location. Police surgeons in the county had expressed reservations about such an idea, as many would have to travel long distances meaning delay in obtaining forensic evidence and adding to the distress of those awaiting examination. However, it remained force policy that no victim underwent a medical examination at a police station; examination taking place at doctors' private surgeries, health centres or hospitals situated at strategic points throughout the force area. A similar policy existed in the other police force without special rape suites (force C), victims underwent medical examination away from police stations, usually at doctors' surgeries but sometimes at hospitals.

### **Improved training for police officers**

All four police forces which participated in the study had made efforts over recent years to improve the training of officers dealing with rape and child sexual abuse investigations. Once again, however, domestic violence was less often the focus of any of the new initiatives or developments.

Following the report of the Women's National Commission in 1985, force A set up a working party to examine its procedures for investigating sexual assault. As a result of this review all male and female uniformed police constables and sergeants received basic training in dealing with sexual offences. Emphasis on rape trauma syndrome (RTS) and care for the victim was a central feature of this training. Detective training on both initial and development courses was revised to include sessions on sexual assault and on child abuse. In addition, women police officers received additional specialist training in dealing with sexual offences. In 1987, the force set up joint training for social workers and police officers. This was a seven day course taken by groups of 12 (six police officers and six social workers). The courses included sessions identifying personal attitudes towards sex, insights into the guilt feelings of the victim, and specialist interview

techniques. The training was set up on the personal initiative of a sergeant who had a interest in this area of police work, and who drew on her own experience of working with children, as well as investigating the approach adopted in some other police forces.

Reflecting the special role played by female police officers in the investigation of sexual offences, there were three specialist courses open only to female officers in force B. These were all of one week duration, and were at the initial (12 months service), intermediate (3 years experience) and advanced (5 or more years experience) levels. A common theme of all these courses was the provision of information on RTS and the need for sympathetic treatment of the victim. At the time of the study, all police officers in this force received a basic legal training in the recognition of various sexual offences, but as a working party review of the force's approach to this area stated, 'much of the training in sexual offences is denied to the non-detective male officer unless he reaches a very senior rank'. This problem was partially addressed in 1989 when a one-week course on sexual offences and child abuse was introduced into the stage two phase of probationary training, and this too stressed the need for sympathetic treatment of the victim, and an awareness of RTS. Male detective sergeants in this force became eligible to attend the advanced courses offered to female officers. Thus, the main change was that increasing numbers of male officers were being trained in dealing with serious sexual offences. Officers from the training department particularly stressed the importance of including detective sergeants on the sexual offences course, since in practice it is they who took charge of rape investigations. According to the training department officers the role of the trained police women in rape investigations was not properly appreciated by the detective sergeants until they themselves underwent the training. At the time of the study, a quarter of all the detective sergeants in the force had been on this training course.

This force also reported significant developments in the training of police officers for dealing with the investigation of child abuse. The major change here was the introduction of joint training courses for police and staff from other agencies involved in dealing with child abuse. All officers in the specialist child protection units had done a 5 day child protection course which also involved health visitors, social workers, and education staff and was basically aimed at introducing the procedures to be followed. Since 1987, there had been joint training of police officers and social workers in interview techniques. Once again, there did not appear to be any new initiatives in this force for training police officers to deal more effectively with domestic violence. In one of the sub-divisions the police

and representatives from a local women's refuge were involved in discussions about arranging an informal training input for probationers about domestic violence, but at the time of the fieldwork this was still to be confirmed.

As outlined above, rather than setting up specialist teams, force C had designated victim liaison officers who had received specialist training in dealing with victims of sexual assault and child abuse. About 100 officers in the force (nearly all women) had done the week long VLO course, which involved lectures and role playing, an input from other agencies such as Rape Crisis, Victim Support, and Women's Aid. There was a further two-day course on techniques for interviewing children, and the use of telephone games and anatomically-correct dolls. In addition, there was a joint investigation course which lasted one week, given to groups made up of equal numbers of social workers and police officers.

During the 1980s, force D made efforts to extend its training on sexual offences. All female officers were required by force policy to attend a specialist course soon after completing initial training. This five day course included information on victim awareness, interview techniques, understanding domestic violence, and involved inputs from other agencies such as the NSPCC and social services. The force introduced a special course in 1987 aimed at training those female police officers who would not have qualified for the above training due to their probationary period being over before its inception. There was not a comparable commitment to that of force A to extending this kind of training to male police officers.

The force had made significant changes to the methods (and the extent) of training for police officers who deal with child sexual abuse. Each of the officers of the family support unit had to attend a four week training course, one week of which was spent on secondment to a social services office. The course was designed by the force training officer in consultation with senior CID officers and the social services' training department. Following the inception of the specialist unit, the force began a series of two-day courses designed for CID officers who deal with child sexual abuse investigations. Officers from the family support unit also had an input to this course which was run jointly with social services, and occurred every six weeks. It usually involved seven social workers and seven police officers. In response to the necessity introduced by the Children Act 1989 (which came into force in 1991) that only designated officers may deal with child abuse, the force was planning to further expand its training programme.

Only in force D was there any new training initiative specifically in relation to domestic violence – and even in this case it was confined to probationers. A year before the study, the force introduced a change

whereby all recruits were to be given a half-day session on domestic violence led by a volunteer from Women's Aid. Positive though such a development was, in interview one volunteer expressed frustration both at the limited time that was given to the subject, and at some of the attitudes that she encountered from some recruits. However, she was also involved in a sub-divisional experiment whereby uniformed officers were required to report back to the sub-divisional DI after having attended a domestic incident, and justify the course of action (or non-action) that they followed. The experiment involved visits to the local women's refuge for all uniform reliefs and discussions with the volunteers there, as well as informal discussions led by the Women's Aid worker whom we met. She said that she was encouraged to see officers who she had spoken to at training school challenging the attitudes of some of their older colleagues.

### **Detailed written force guidelines**

Most police forces have a set of 'standing orders' which lay down broad force policy, legal requirements and procedural guidance. These form the basis for written force policy. It is common practice in police forces to issue guidance and information across the force in the form of written weekly orders.<sup>4</sup> Changes in policy resulting in revisions to force standing orders are communicated through these weekly orders. The legislative and administrative demands on the police service have risen dramatically over recent years. This has resulted in the growth of standing orders, as more and more revisions and additions are made. A number of officers across all the forces visited as part of the research called into question the effectiveness of standing orders in terms of changing policy. They had a symbolic value, but their sheer size and detail undermined their usefulness as a practical guide to action, or as an effective way of communicating change. Nevertheless, written orders do provide information about the broad approach of a police force to a particular areas of policing policy.

As a result of increasing emphasis on the specific handling of serious sexual assault cases forces had a number of set procedures written into force policy concerning the treatment of victims. All four forces had guidelines which referred to rape and sexual assault, and two forces had specific instructions regarding the handling of domestic violence.

The working party established by the chief constable in force A endorsed a set of six guidelines in relation to the treatment of victims of rape, and a meeting of the police authority in November 1986 was informed that these now formed part of the force's policy. The guidelines, which were not dissimilar to those introduced in other forces, read as follows:



- (a) All victims will be interviewed by an experienced woman police officer;
- (b) wherever possible the interview will be at a location other than a police station;
- (c) medical examinations will always be carried out at a location other than a police station;
- (d) all victims will be given the option of an examination by a woman police surgeon
- (e) an experienced detective officer, working under the supervision of a detective inspector, will conduct the investigation;
- (f) all victims of sexual offences, subject to the availability of suitably trained members, will be referred to the victim support scheme.

Standing orders in force B contained detailed procedures for investigating and handling rape and serious sexual offences. These were much more detailed than the above guidelines, but contained most of the same elements. This element of the standing orders opened and ended with an explicit reference to the treatment of the victim. For example, the introduction states: ‘the offence of rape particularly, is surrounded by strong feelings, and insensitive interviewing of a victim, already humiliated and degraded, may cause further trauma. Whilst it is accepted that some allegations of rape are false, any investigation must commence on the premise that the complainant is a genuine victim’ (original emphasis). The standing orders then stated that a policewoman trained in understanding of rape trauma syndrome should be involved in the investigation from the earliest possible stage, that an adult female victim must be given the option of being examined by a woman doctor, that the medical examination should take place in a designated hospital, health centre or surgery, that the interview should be in a location other than a police station if possible, that victims receive full information, and that efforts are made to continue to support the victim if possible by the officer who took the main statement.

There was also reference in the force standing orders of force B to the police role in domestic violence. The guidelines cautiously raised the issue of arresting the offender, although in a very general way: ‘In minor cases, reconciliation may be the best course of action, but where incidents are of a more serious nature the arrest of the offender may be more appropriate’.

Force C had a standing order on rape and sexual offences. This went into some considerable detail about the force policy, stating explicitly that it was based upon Home Office circulars 25/83 and 69/86. As in other forces, the standing order laid down that an experienced woman police officer would take the victim statement, that the medical examination should take place away from the police station, and stated that a VLO should

be appointed in every case. The working party into rape, domestic violence and child abuse reported that in previous years force standing orders had been revised to note the shift in the police approach to domestic violence, away from mediation and towards intervention and victim support. However, the report also raised doubts about the lack of structures within the force for the monitoring of the extent of such changes on the ground.

Force D had a system of written weekly orders which were used to promulgate policy changes from headquarters. There were two written orders of relevance. First, although there was no written force policy specifically on the treatment of rape victims, there was one weekly order concerning the employment of a female police surgeon. This said that the female surgeon should be used for examinations of victims of sexual assault from the main conurbation as long as a number of criteria were satisfied. These included having a request from a victim to be examined by a female police surgeon, followed by agreement from the supervisory officer that her specialism is required and that this is supported by another police surgeon. In contrast to the views expressed in other forces the order added that 'it is important to note that [seeing a female surgeon] should not be the practice... merely because the prisoner or victim is a female.' Finally, the order also informed officers of the availability of a victim examination suite which should be used for the examination of all victims of sexual assault from within the main conurbation area.

A second force order received a lot of attention in the force area, as it represented a commitment from the chief constable to deal effectively with domestic violence. The weekly order was signed by the chief constable, and stated that 'assaults in the home are just as serious as assaults in other places' and police officers must 'where necessary intervene in a positive manner for the immediate benefit of the victim'. Attached to this weekly order was a copy of the revised force standing orders (dated March 1988). These stated that 'domestic violence is a crime which occurs on a significant and disturbing scale', and laid down the following procedures for a police officer attending the scene of a domestic incident:

- ...a) remain calm, be patient, tactful and courteous;
- b) display a positive, helpful and impartial attitude;
- c) stop the verbal dispute and listen to both sides of the story;
- d) appear sensitive to the problems;
- e) indicate a willingness to help;
- f) advise against extremes of behaviour;
- g) obtain full information but avoid the impression of prying;
- h) take positive action in the detection of any offences under the criminal law.....'

The standing orders went on to instruct officers to make a full recording of the particulars of incidents that are not the subject of a crime complaint. Details must be shown of what action was taken. In the case of an assault or wounding, if it was of 'a serious nature' then the perpetrator was to be arrested. Officers were instructed to inform the victim where appropriate of the available services of other agencies like Rape Crisis, women's refuges, Victim Support, Citizens Advice Bureaux and local law centres (details available from the control room). The standing orders went on to give details of powers of arrest under the Police and Criminal Evidence Act (1984) and of the Domestic Violence and Matrimonial Proceedings Act (1976).

### **New inter-agency structures**

The most significant changes in terms of inter-agency working were the structures and procedures set up to deal with child abuse. As outlined above, all four police forces set up joint training for police officers and social workers involved in dealing with child abuse. Police and social services were also involved in multi-agency structures at various levels, in all force areas. Those forces that set up specialist units tended to use those units as a main point of contact with other agencies involved in these areas.

The main forum for developing and reviewing policies for child protection was the Area Child Protection Committee (ACPC). In each of our force areas there was an ACPC for each local authority area, on which the police sat along with representatives from social services, community health workers, schools, and medical practitioners. They developed management policies and strategies over and above the co-operation at the individual case level (where police forces were also represented). Again in each of the four areas, forces participating in these inter-agency structures had set up joint training and investigation with social services. It should be noted that the mere existence of such structures does not prevent difficulties threatening the ability of different agencies of working effectively together. In force D, for example, an extensive outline was provided of the inter-agency structures for dealing with child abuse, and a description of the joint training and investigations with social services. However, during the course of the study, a major public disagreement occurred between the police force and a group of social workers. It was generally agreed that these developments caused substantial harm to the ability of police and social services in this area to work effectively together.

Police involvement in inter-agency structures was mainly confined to the area of child abuse. However, force D was represented by its chief constable on an inter-agency panel on domestic violence which was set up

by the county council in 1987. This later was to hold a major conference about domestic violence, and the chief constable's directive and the change to force standing orders was one of the responses to this. The inter-agency contact was limited in this case to very senior levels, and it was suggested by several critical respondents that what was needed for effective responses to domestic violence were new approaches at the sharp end of organisations. This is considered in more detail when the implementation of policy at the sub-divisional level is examined below.

### **Other developments**

Three other major developments were noted among the four forces, some of which were referred to in the written force procedures outlined above. Thus, for example, one change from the previous practice in relation to the treatment of rape victims is the increasing tendency for victims to be offered the services of a female police surgeon for the medical examination. In force A, as was set out in the guidelines, it was force policy to actively give all victims of sexual assault the option of being examined by a female doctor. Force B had for a number of years run what it called its 'women doctors scheme'. This was introduced in 1983 because all of the police surgeons at the time were male. The scheme sought the agreement of women doctors in the force area to participate in police training on the implications of examinations, forensic evidence, statement writing and court appearances. These doctors were listed on a rota as available for call-out in the event of the need for an examination of a victim of sexual assault. After that time, the number of doctors on the scheme remained between 30 and 40, and the group became more autonomous, organising its own training sessions and meeting groups to discuss cases, findings and court appearances. The group retained close contact with the police force, and met quarterly with representatives of the community crime prevention department.

Force C had recognised the role of female doctors in the medical examination of victims, and had appointed four female doctors as deputy police surgeons. A weekly order in force D announced in 1986 the appointment of a female police surgeon. However, this was not such a major development as it was, for example, in force B, as the order made it clear that it was up to the woman victim to specifically request a female doctor, and in addition, the new police surgeon was only to be used in cases from part of the force area.

The second more general area of development is in relation to the support of victims. The basic aim of many of the changes in police policy and practice in relation to rape, domestic violence and child abuse is to treat the victims of such crimes with more understanding and respect. The four

forces had all, in varying degrees, introduced specific ways of giving continual support to the victim, even though these were not always an explicit part of written force policy. For example, at least one officer in each of the forces suggested in interview that it was the practice for a police officer to attend court with the victim, and in some cases take the victim to the court room before the hearing to explain carefully what she may expect. On occasion, this might be the police officer who took the initial statement, and thereafter maintained contact with the victim throughout the case. In addition, in at least one force victims were referred to Rape Crisis Centres if they so wished. In three of the forces, the police initiated training courses for selected volunteers from victim support schemes to act as rape counsellors if required.

Finally, all four police forces had increased the proportion of their total establishment made up by female officers over recent years. This reflected a national trend in which the proportion of female officers in the police has risen from 9 to 11.5 per cent in the last 5 years. The proportion of total officers who are female in forces A to D were 9.5, 9.2, 7.7 and 9 per cent respectively. In force A the highest ranking women officers were two chief inspectors, forces B and C each had a female superintendent, and force D's highest ranking female officer was an inspector. Force C's relatively low proportion of female officers was noted in the 1991 HMIC report, which strongly urged the force to take special steps to recruit more women. All the forces reported an increase of female detectives, although the figures for this are not available.

#### **IMPLEMENTATION OF NEW POLICIES**

For a number of reasons it is difficult to change the ways in which police officers carry out their tasks. One of the most important is the nature of the job itself; much police-work is carried out by individual officers away from direct supervision (Muir, 1977). This limits the degree to which the pattern of policing is determined by sets of laws, rules and procedures (Smith, 1986). Furthermore, critics have argued that policy statements at the top of an organisation are largely meaningless if further action is not taken to ensure that these are translated into real change at the bottom (Johnston, 1987).

As was stated above, we did not have the available time and resources to carry out detailed evaluation of implementation of policy changes within forces. There is a wide body of research which describes such evaluations, for example of new police approaches to domestic violence (Smith, 1989). Thorough evaluations of this kind require a good deal of time to be spent at the local level, including detailed observations of police approaches and

carrying out in-depth interviews with officers and victims. However, although this study is primarily about the process of police policy-making, it is clearly relevant to assess how decisions taken at the top level translate into practice. It was also important to examine the extent to which policy initiatives could develop at the local level. To this end fieldwork was undertaken at two sub-divisions in each force, and interviews with civilians and police officers of all ranks, as well as representatives of some local organisations were conducted. This gave insight into the intra-force process of policy-making, and allowed some assessment of the degree to which real change had actually occurred.

### **Rape and sexual assault**

At the sub-divisional level semi-structured interviews were carried out with an experienced detective (usually a detective inspector). From these interviews it was possible to assess their knowledge of, and attitudes towards official force policy, as well as their views on the extent to which practice had changed and why change occurred. Whenever possible, interviews were also undertaken with people outside the police who might offer an informed view on the implementation of policy in the sub-divisions.

In terms of the investigation of rape, in all four forces (to differing degrees) there was evidence of new approaches at the policy level. In one force, however, what change there had been was presented as a process of reinforcement or consolidation rather than significant movement. Unlike the three other forces which were generally very open about the limitations of past approaches, the detective inspectors (DIs) interviewed in force A emphasised that in their experience, victims of sexual assault were by and large treated with tact and sympathy by the police. The introduction of a written force policy, they argued, simply codified what was generally happening on the ground in any case, perhaps making some minor improvements. Thus one DI referring to the 1982 BBC documentary on Thames Valley Police which had shown two police officers insensitively questioning a woman who was reporting rape said:

That was nothing like the way that we treated the victims of rape. It spurred our senior officers to discuss and tell us how we should treat rape in the future. But what they dictated was no different to what we were doing anyway. This view was reinforced by a DI from the second sub-division:

The Thames Valley programme highlighted certain aspects of rape investigation and other external organisations put pressure on the police to make sure a woman did the interviewing. But we did try to do this

before. I can remember investigating rapes 10 or 12 years ago, and I have always got a policewoman to do the initial interview

The detective chief inspector (DCI), in assessing the extent of policy change on the ground, concluded that it had 'formalised rather than changed significantly. You don't need to be ordered that a rape victim would rather give her statement to a woman. Seemingly some police in the country did need to be told. So it became formal policy even though that's what we always did anyway'.

On the whole, when questioned officers recounted the main elements of force policy that had been outlined at the top of the organisation; all officers said that an experienced police woman carries out the interview, that the medical examination takes place by a female doctor away from the police station. The use of trained victim support counsellors was also mentioned, as was the continued contact with the victim maintained by a policewoman. Interestingly, even though the force had decided against providing its own victim examination suites, both sub-divisional DIs said that victims are taken to a 'rape suite' in the locality. It transpired that these were facilities provided by the local social services. Although all officers agreed that the force had formalised or tightened up policy in this area during the 1980s, they had no particular recollection of how this was communicated within the organisation. This was partly related to the fact that they did not perceive there to have been a significant change in practice. For example, when one DI was asked whether the policy had been communicated in written guidelines, he said that officers did not refer to written policy to find out what to do:

A lot of the way policemen behave is shaped by the way they are taught on the job. By word of mouth and following the example of older and more experienced officers. So when a rape case comes in, a given officer will not say to himself, 'Rule 47 in standing orders states that a woman officer shall carry out the interview' after consulting the rule-book. The officer simply *knows* that this is the way that things are done and acts accordingly

It was pointed out to him that policing styles would never change if this was the case, passed down from older to younger officers. He argued that the styles of policing develop gradually, rather than change suddenly in response to a new policy from headquarters. The other DI referred to written guidelines that were based on Home Office circulars being distributed throughout the force, but could not be more specific.

Although it appeared that some improvements in the way that the police deal with rape victims had been made, doubts were raised about the extent to which this new enlightened approach had extended. When past criticism

of police treatment of rape victims was raised with a rape counsellor in the force area, she replied 'It still goes on I'm afraid'. However, she would not elaborate further on this and accepted that in her experience generally, the police approach to rape victims was highly satisfactory. More serious criticism of the police approach came in a meeting of the local police consultative committee in one of the force sub-divisions. A local councillor raised the subject of 'no-criming' of rapes allegations, and implied that unsympathetic treatment by male police officers was leading rape victims to retract their complaints. A local Women's Aid worker made more sweeping accusations against the local police, attacking the 'macho' image of CID and stating she knew of examples of rape victims who had been interviewed by a male officer, against force policy though this was firmly denied by the local DCI.

Of the four forces, force B appeared to be perhaps the most progressive in its approach to this area of police work. Even though its current procedures were more detailed and extensive than those of the other forces, at the time of the research the force had just completed a major review of possible improvements to the investigation of serious sexual assault. This had supported the introduction of victim reception suites, and various improvements to existing force policy (for example, introducing set procedures concerning the taking of intimate photographs for evidence). Officers also gave a strong impression that this policy had effectively been passed down to sub-divisional level.

Compared to force A, the sub-divisional DIs in forces B and C appeared to be less defensive about accepting that substantial improvements had been made on previous police practice. One, for example, commented that in the past rape victims had been required to meet certain 'arbitrary criteria' before they were taken seriously by the police, and on the whole victims were not given proper sympathetic treatment. Both DIs recalled past ways of dealing with rape that would not be accepted now. Similarly, one VLO from force C said that there was a 'completely different approach now'. A second commented that 'our initial response to a rape allegation has changed. You used to feel you had to prove it was a lie. Now our attitude has changed totally', and another that 'It wouldn't be thought wrong before that a man would speak to the woman initially. If there were no policewomen on duty then a man would talk to her... the location (of the interview) was never considered. The location of the medical was never considered, it would be wherever and whenever. There was no back-up, you would interview the female and never see her again'.

Officers from forces B and C gave a clear account of the main points of the force policy on treatment of victims of sexual assault. Written



directives were the main method used to communicate these policy changes. One officer suggested that Force Weekly Orders had announced amendments to Force Standing Orders on the investigation of rape, backed up by verbal briefings by supervisors, the other that a copy of the Home Office circular was sent to sub-divisional CID, and DIs and detective sergeants briefed DCs on the new procedures. In the same vein, it was striking the degree to which senior CID officers in Force D were prepared to be critical of past police approaches to the investigation of sexual assault. They were unequivocal that attitudes and procedures in the past were unsatisfactory, but that great efforts had been made to change.

However, in contrast to the other three forces, in force D there appeared to be mixed findings about the degree to which the policy changes outlined above had been translated to the sub-divisional level. One of the sub-divisional DIs had started in his new post the day that he was interviewed, so could not explain the police approach to rape on that sub-division. However, he was still questioned about his experience of force policy. His answers were somewhat vague. Thus, whereas force policy was that a female police officer carries out the interview with the complainant, he said 'we like to have a policewoman present', and made other very general references to treating the victim with more sympathy. He said that the police were now more aware of the work of 'other agencies' but when asked to do so could not specify any particular examples. When asked what had influenced changes in policing policy regarding the investigation of rape, he said 'after Cleveland the public have become much more aware of how we deal with rapes and that', even though Cleveland concerned child sexual abuse. The DI could not remember how changes in policy had been communicated, but thought there had been 'various written directives'. He was unaware of Victim Support having a role in rape counselling. It appeared that this particular detective was not well-versed in the new force policy. However, and by contrast, an experienced detective constable on the same sub-division displayed a detailed knowledge of the procedures as outlined at HQ, and remembered the communication of the policy through written weekly orders backed up by verbal briefings from supervisory officers.

### **Domestic violence**

As was outlined in the previous section, force policy changes in relation to police responses to domestic violence were minor, particularly when compared with the other two areas covered in this chapter.<sup>5</sup> Nevertheless, there was evidence of policy change at the sub-divisional level. Although there was no written force policy specifically concerned with domestic

violence in force A, in one sub-division the police-community consultative committee had initiated some changes. This involved the development of a referral card carried by uniformed officers, containing the telephone numbers of the Local Housing Advice Centre (where Women's Aid were situated), and also gave clear guidelines to police officers. Representatives from the committee stated that whilst they knew that not all officers carried the card in practice, many did, and that there had been a clear change in attitudes on the part of senior officers in recent years.

Force B's standing orders contained a somewhat short and general reference to domestic violence at the time of the research. On one division, there was a new approach to domestic violence as part of a divisional initiative. A specialist domestic violence unit had been set up, a written divisional order had been circulated outlining how officers should deal with domestic incidents. Supervising officers were told to brief individual shifts on the new approach. The division also had a domestic violence unit of two WPCs. In addition, domestic incidents were recorded separately from other incidents of violence. None of the officers interviewed on the two sub-divisions (which were not a part of this division) could remember any specific guidance in recent years, written or verbal, from senior officers as to how domestic incidents should be dealt with. The officers mentioned how their worksheets were examined by their supervisors as one indicator of their 'productivity'. However, most domestic incidents were not recorded on the worksheets. In one of the sub-divisions the coordinator of a women's refuge was interviewed. She was working with senior officers in the sub-division to try to bring about a new approach to domestic violence. She argued that while more senior officers had been convinced of the need for a new approach, this had not significantly filtered down to the officers at the 'sharp-end'. This meant, in her view, that the police response to domestic violence in that sub-division remained unsatisfactory.

On one sub-division in force C the superintendent said that domestic violence was investigated more thoroughly now as a result of changes in force policy. However, it was unclear exactly what these particular changes were, other than revisions of force standing orders. By contrast, as outlined above, there were a number of significant changes in policy in force D, including the changing of standing orders, and a well-publicised statement by the chief constable to the effect that domestic violence would be taken seriously by the police. This involved circulating details of women's refuges throughout the force, issuing a written order about the police role in domestic disputes, and establishing of a family support unit (although the unit's role regarding domestic violence was unclear).

In the two sub-divisions informal interviews were undertaken with three uniformed officers with wide experience in dealing with domestic disputes. One officer was clearly in tune with the new force policy; whereas two were somewhat more dubious about the policy change, and were unaware of where to refer victims for further help. Both said that on the ground the new policy had not really changed things, and that policy statements at the top of the organisation often amounted to public relations exercises. Both stressed that they took domestic violence seriously, and the sergeant said explicitly that 'each domestic is a potential murder'. They simply felt that the new policy did not make what they were supposed to do any clearer. This view received some support from a local Women's Aid worker who although aware of more positive attitudes among officers was critical of the lack of back-up in some parts of the force where policy change at the top meant very little on the ground.

In another sub-division in the force area, the local police had started an initiative aimed at ensuring that the spirit of the chief constable's guidelines on domestic violence was kept in their sub-division. The sub-divisional head of CID (a female DI) oversaw the project. She had examined control room messages and written records, and concluded that the new guidelines were not being followed on the sub-division. She introduced a new domestic violence register which would record the history of incidents so that an officer attending a repeat call could be fully briefed by the control room. Additionally, she briefed all the inspectors on the sub-division and urged them to encourage officers to take more positive action in cases of domestic violence. For a period she monitored records of domestic incidents, and the officer who handled it would be de-briefed, during which he was asked to justify his action or lack thereof. Finally, there was a sub-divisional written order issued by the commander which emphasised that the police could take action independently of whether or not they have a complainant's statement. A representative of Women's Aid reported a strong improvement in the police approach to domestic assault on this sub-division.

### **Child abuse**

The police response to the investigation of child abuse has clearly changed substantially over recent years. All four forces had set up specialist units, undertook joint investigations with social workers, sent police officers on joint training courses with social workers, and participated in multi-agency structures. At the time of the fieldwork the forces were working to implement the requirement in the Children Act 1989 that the police must

have 'designated officers' (who fulfil certain experience and training requirements) to deal with child abuse investigations.

In force A, the role of the sub-division in the investigation of child abuse was limited due to the existence of SEUs. The specialist units dealt with all cases of physical and sexual abuse, and usually received referrals direct from other agencies (most commonly social services or the NSPCC). As the specialist units worked office hours, sub-divisional officers would occasionally play a role in the initial stages of a child abuse investigation, but the SEU would then take it on. However, the specialist units were usually ultimately responsible to a DI who oversaw investigations, and occasionally attended case conferences. The female sergeant in charge of one of these units did state that the nature of their work tended to set them apart from the rest of the police organisation, and was not regarded by more traditional 'macho' officers as real police work.

Force B had the longest-established specialist child abuse units of all the forces. The officers of the unit gave clear indications that their approach was markedly different from other types of police work. The specialist 'child protection units' were completely autonomous, and received most referrals direct from the other involved agencies. This was substantiated by the research on the two sub-divisions, which it was clear would only play a limited role in the initial phase of a child abuse enquiry should it be reported when the specialist unit was not on duty. Both sergeants from the units made the point that they were insulated from, and perhaps not understood by, other parts of the police service due to the nature of the work. One said that officers of the unit tended to look to people in the other agencies dealing with child abuse for support, rather than to other police officers. The other sergeant said that they were known as the 'Marks and Spencer' squad by certain officers who did not understand the type of work they did.

Force C eventually decided to set up specialist units, but had used specially trained victim liaison officers for some years. The VLOs interviewed during the course of the study had clearly built up a great deal of expertise in the area, a result both of specialist training and from experience. They formed the links with social services and other agencies in the cases of joint investigation, and reported little difficulty with this arrangement. However, in this force, the sub-division did take a more active role in the investigation of child abuse, as it came under the responsibility of the sub-divisional DI. The DI would appoint a VLO from the sub-division, if there was one available. A force review outlined a number of problems with this approach and recommended the setting up of specialist units. The main problem was that over half the designated VLOs

were members of uniform shifts, and therefore even though the sub-divisions tried to allocate them evenly it was often a matter of luck whether or not a VLO was available when a case came in. Furthermore, the other duties of the VLOs often intruded upon the work of maintaining ongoing contact with victims and other involved agencies, so that the continuity vital to such cases was lost. One VLO said that they were set apart from other parts of the service, and older male officers often did not understand the complexities of their work, thinking that it was simply a matter of being 'good with kids'. There seemed to be strong support amongst VLOs and senior CID officers within the force for the setting up of specialist units to deal with child abuse.

Force D had, as stated above, a single central family support unit whose main area of work was dealing with child abuse. Unlike the specialist units in forces A and B, the FSU was there to support the sub-divisions, who still retained primary responsibility for the handling of child abuse cases. It remained up to the discretion of the sub-divisional DI which cases were referred. The DIs at the two sub-divisions that we visited said that they referred about one third of the cases that came in. The officers of the unit said that this proportion varied according to the individual DI on a sub-division. Some had a great deal of confidence in the unit and were prepared to refer quite complex cases of child sexual abuse for the unit to investigate. Others did not believe that the unit had the necessary CID expertise, and would only refer relatively minor physical abuse cases. The lack of CID expertise was cited explicitly by both the DI and an experienced DC on one of the sub-divisions, as a reason for not referring more work to the unit. The DC said that the unit consisted of uniform WPCs who were not able to investigate serious crime. This DC explained that he had not had any specialist training in joint investigation techniques or in the investigation of child abuse. However, he said that he carried out child abuse investigations despite this; he knew of no force rule that said an officer must have had specialist training to handle this sort of offence. He was asked whether there has to be a designated officer to investigate child abuse, and replied that if he was the only detective available when a case came in, then he would be the designated officer, regardless of training. On the other sub-division, the DI said also that there was a policy of handing child abuse cases to experienced DCs, but cited the sheer volume of work that the unit had to deal with rather than the lack of investigative expertise. Either way, it appeared that in force D the sub-divisional CID still played the major role in the investigation of child abuse, whether or not the officers concerned had received the specialist training in the area.

## **INFLUENCES OVER POLICY CHANGE**

As the general discussion in the earlier part of this chapter will have made clear, there are a large number of individuals and agencies that may potentially have an influence on the development of policing policy in relation to sexual assault, domestic violence and child abuse. This section examines in more detail the relative influence of all the key 'players' in these areas. It is based on data gathered from interviews with representatives from the major bodies and an analysis of the articulated policy-preferences of the key groups in the policy debate.

### **The Home Office**

An interesting picture emerged of how issues relating to the policing of rape, domestic violence and child abuse came to be raised in the Home Office during the 1980s. The development of the Home Office circular 69/86 on rape appears (primarily) to have been a reaction in the first instance to the Women's National Commission report. The principal in charge of F2 division had been unaware that the Commission were addressing this subject until a draft of the report arrived on his desk in 1986. However, there had been pressures on the Home Office to give advice to forces on the way they deal with sexual assault, stemming from a rising concern in general about the way that victims were dealt with, but in particular following the Thames Valley Police documentary in 1982.

The problem in F2 division was a lack of expertise on the subject: a circular was issued but it did not amount to much in terms of specific advice – it was more of a general exhortation to be more sympathetic. However, the WNC report was a catalyst for a more detailed and comprehensive circular which was issued in 1986. The recommendations appeared to senior officials in the Home Office to be 'inherently sensible'. The head of the division was at this time also in contact with a senior officer in the Metropolitan Police who was often used as a source of advice or statistics to respond to parliamentary questions and other queries. The same officer had been in charge of the force's policy on sexual offences, and had heavily influenced the WNC report. Much that was recommended by the WNC was already in place in the Metropolitan Police area. This made the report's recommendations even more attractive to senior Home Office officials; if they were largely in place in one police force then it was felt that they could be considered to be both practical and workable.

The normal procedure within the Home Office with reports such as that produced by the WNC is for it to be circulated between the relevant divisions, and then a view formed once all of the replies have been received, collated and weighed. This is potentially an extremely time-consuming

exercise. On this occasion, however, the official concerned decided to formulate a set of recommendations arising from the report and circulate them for comment. The strategy worked, and a Home Office 'view' on the subject was formed relatively quickly. The next stage was to produce a draft circular for ACPO. According to this official, in order to have most effect, the circular needed to be brief, clear and practical: to lay down as precisely as possible what the officer put in charge of the force response to the circular needed to do.

According to Home Office sources, ACPO generally operates an internal consultation process not unlike that in the Home Office to deal with responses to draft circulars and reports. On this occasion, however, the main person ACPO were likely to consult was, again, the same officer who had advised both the Home Office and the WNC in the first place. In view of this, and as many of the recommendations were already in place in London, ACPO raised no objections in principle to the draft circular, and it was published largely unchanged. As was the usual procedure, HMIC followed up the circular advice in its annual inspections of police forces. The Home Office officials felt that although they could not in theory require police forces to respond, in practice most of them would respond. However, the speed with which they did so would vary between forces. As one senior official commented:

There's nothing to stop them, when an Inspector (HMIC) comes along and says 'how many examination suites have you got', saying 'well, none – we don't hold with that nonsense. We're not going to do it'. But in fact it generally doesn't work like that. Once you've got to the point by which it's enshrined in a Home Office circular which has been approved by ACPO, they all grumble, but they will go along with it... and the issue generally tends to be the pace with which they implement it.

The background to the development of the child abuse circular within the Home Office was somewhat different. In this case the Home Office were more proactive in developing the circular. In the words of one senior official: 'we were ahead of the game for a change'. F2 division had become more active in developing advice for police forces with the response to violence against women, and were looking for the next area to develop. The same senior official who had taken charge of the response to the WNC report discovered (largely by chance) that the Metropolitan Police and the London Borough of Bexley had initiated an experiment of joint working in dealing with child abuse investigation. He took a close personal interest in developments and also found out about pioneering work in some provincial forces. It was decided (it seems by this senior Home Office official and his colleagues) that there was a great deal of potential for the Home Office to

act as a catalyst in the promotion of good practice in this area. Because the key to the Bexley experiment in this area was multi-disciplinary work, in particular the important role played by social services departments, it was decided to set up a multi-disciplinary working party. As the official described it himself:

We couldn't sit around with a few officers and dream up a circular, which is very often what happens in the Police Department... in this case we had to carry social workers and... the DHSS because dealing with child abuse was clearly a multidisciplinary responsibility and the heart of it was police/social services co-operation.

The official drafted a circular, drawing heavily on the experience of the Metropolitan Police, and this was discussed by the working party. The draft was also circulated to the police staff associations. Whilst this was in progress, the Cleveland controversy broke. This was a key factor in promoting acceptance of the circular by the police themselves. The public outcry following Cleveland put many police forces in a difficult position in that they were suddenly, and without warning, receiving a great number of questions about what they were doing in the area of child abuse. They therefore welcomed the fact that the Home Office were already developing advice for them. In the words of one senior Home Office official, 'the police were screaming for it'. Another official described the situation after Cleveland as one in which 'instead of seeing (the circular) as another burden being imposed on them by wet liberals at the Home Office, suddenly they were surrounded by a terrible crisis – had no idea how to respond... and so saw it as a lifeboat'.

The Home Office also produced a circular advising police forces on the ways to approach cases of domestic violence in 1990 (circular 60/1990). The background developments to this circular were again heavily influenced by the personal priorities of senior officials. The same senior official who dealt with the circulars on rape and on child abuse explained to us that the political pressures had not been as great in the case of domestic violence. However, he was aware of pressure group criticisms of the police response to these incidents and had seen reports in the press. He saw domestic violence as the next area to look at giving advice to the police. Again, contacts with senior Metropolitan Police officers with a particular interest in the subject were important, and these officers communicated the developments that the Metropolitan Police had made in response to domestic violence.

As with the first circular on rape in the early 1980s, the Home Office found themselves with the problem of feeling that guidance needed to be given to forces but not having the information available on which to base



this. They therefore commissioned a literature review on domestic violence from their Research and Planning Unit which was later published (Smith, 1989b). This enabled officials to draft circular advice. According to the key official involved in this drafting process, more resistance to advice on domestic violence was expected than had been the case for rape or for child abuse. This was partly because there was a lot more division both politically and within the police force about the subject. For example, we were told of a Home Secretary who was strongly opposed to the Home Office intervening in this area, whilst one of his junior ministers was extremely keen that something should be done. Similarly, there were senior members of ACPO on both sides of the argument. The circular was drafted and sent to the ACPO crime committee for comment, and they commissioned a chief constable with a particular interest in domestic violence to work with the Home Office to produce a redraft. The revised circular (which came out as 60/90) was heavily influenced by the US and Canadian research of the mid-1980s which encouraged a greater use of arrest in domestic violence cases, though in the circular this was drafted to read that chief officers should 'ensure that in all cases their officers are aware of their *powers of arrest* in dealing with cases'. In addition, there was encouragement that the police should develop links with other agencies with an interest in the problem, in particular women's refuges.

### **The Metropolitan Police**

The Metropolitan Police certainly see themselves as the most progressive force in Britain. In terms of the response to rape, domestic violence and child abuse they did appear to play an important role in developing good practice. They are the largest force in the UK, cover much the largest population, have the largest expenditure per head of population, and have the Home Secretary as their police authority. This means that they are in a unique position to influence the Home Office and through this the 41 provincial forces in England and Wales.

They appear to have been one of the forces at the forefront of developing improved policing responses to crimes against women and children, thereby influencing Home Office circulars and consequently practice in other forces. A primary instrument by which the Metropolitan Police addressed new responses to sexual crimes and domestic violence during the 1980s was the working party. There was a working party on each of the three areas of rape, domestic violence and child abuse. The rape working party was the first of these, set up in February 1984 and chaired by a female commander. It was run in an '*ad hoc*' way (according to a senior officer who sat upon the working party) but, because it had quite senior representatives from

different sections of the police organisation, it became an extremely effective mechanism for bringing about policy change. It even resulted in the commissioning of one officer to undertake research in the United States on initiatives there. Not least because of the ‘forceful personality’ of the female officer chairing the working party, a number of changes in the Met’s policy were effected, including a force rule that rapes would in future be handled by DIs or above, a new improved training package which trained the DIs alongside WPCs and WDCs, and the introduction of ‘rape suites’ in the force area.

Not long after the rape working party had been set up, the then Commissioner (Sir Kenneth Newman) – who was particularly interested in developments in Canada in police responses to domestic violence – ordered that a working party be set up to look into improving the police response in the Metropolitan Police district. It reported in 1986 amidst widespread publicity. A senior officer who was involved with this explained that although there were a number of recommendations about improving training and the setting up of specialist domestic violence units, no extra resources were set aside to support new developments, and this proved to be a major hindrance to their implementation. However, a new force order on the recording of domestic violence incidents was issued in 1987, and a number of Metropolitan Police divisions set up domestic violence units, a move which also received considerable media attention. The senior officers involved with the domestic violence working party had a number of meetings within the Home Office to discuss the draft Home Office circular, and as has already been suggested, it seems that civil service deliberations were influenced as a result.

In the area of child abuse, the Metropolitan Police were (it seems) the initial impetus to the development of Home Office circular 52/1988. The Metropolitan Police set up a child abuse working party in January 1985, which oversaw the Bexley social services experiment outlined in the introduction. The report of this was published in 1987. The work of the working party came to the notice of a senior Home Office official who had been instrumental in developing the Home Office circulars on rape and domestic violence. He took a close interest in what was being developed and officials began to develop a draft circular on child abuse. This meant that the work on this was quite far advanced by the time that the Cleveland controversy broke.

### **The Police Federation**

Much of the Police Federation’s activity in this general area followed the report of the Women’s National Commission: ‘Violence Against Women’.

The Police Federation has a committee structure within which the most important committee in terms of policy-making is the Joint Central Committee (JCC). A representative of the Police Federation explained how the JCC took the decisions to encourage new police initiatives in this area. The Federation supported the development of improved training packages for investigating serious sexual offences, and also strongly supported the setting up of specialist units in this regard. The policies were worked out at the Police Federation conference and subsequently in committee. The Promotion and Training Sub-Committee was responsible for the proposal that a national training package in relation to sexual offences should be developed, a proposal that was then taken up by the Police Training Council. Additionally, the views of the Federation were expressed in letters to the Home Office (setting out the case for specialist units to deal with serious sexual offences and requesting information about the follow-up within police forces to the Home Office circular 69/86), and to the Law Commission (expressing sympathy, but ultimately disagreeing, with the WNC proposal that rape within marriage should be made a crime under all circumstances).

### **Local authorities**

The major national associations of local authorities are the Association of County Councils (ACC) and the Association of Metropolitan Authorities (AMA). Representatives of both these bodies were interviewed, and they made it clear that policing responses to rape, domestic violence and child abuse were not really within their remit. They allowed that, if concerns were expressed by member authorities about the way that police forces were dealing with such crimes, then there could be a role for the national associations to raise the matter, but did not feel that this had been a major influence on the developments within police forces. The local authority associations did, however, take an interest in the area of policy from the point of view of resources. In public relations terms this had put them in a tricky position as they would be appearing to drag their feet over making widely-approved improvements in policing. But they felt that it was important to recognise the fact that changing policy was not simply a matter of the Home Office laying down progressive circulars, and things following from there; extra resources had to be found to pay for improvements (or resources diverted from other areas of policing). This was a particular problem in the light of the capping restrictions on local authority powers to raise revenue. This fear is summed up in the following quote from a senior official in the ACC, given in response to a question about the Association's views on policing rape, domestic violence and child abuse:

That's operational. Police authorities can and do call for a report from the chief constable and the outcome may be to ask for something to be done. There is no way that a trade association can take effective action about rape, domestic violence and child abuse. What we can do is hoist storm cones when the Home Office get all enthusiastic. If the Home Office say after consulting ACPO that police are to be allowed to go into peoples' houses and start taking real action then the ACC must say, this is an additional duty which means additional resources. When central government starts saying things like that it must recognise that there are resource implications. But we've now come out publicly against the devoting of more resources to child abuse particularly, even when there is universal condemnation of the crime. The ACC has this PR problem about the things that it has to say about applying resources. If you put more resources into something then you either have to raise more money which you can't because of poll tax capping, or transfer resources from other areas. But that's what local accountability and democracy are all about.

So the actual influence on the changing policy at ACC level was cautionary if anything, due to the resource implications. There was some evidence of AMA involvement in encouraging the development of rape suites in force B. Police authority members asked the chief constable to consider the implications of the St Mary's Centre in the Greater Manchester area. Apparently, police authority members from force B heard about the St Mary's Centre in an AMA presentation given by members of the Greater Manchester Police Authority. At the level of the individual local authority, we found little evidence of police authority involvement in the changing response to rape, domestic violence or child abuse, although there had been a number of significant developments in all four force areas. The police authorities were, on the whole, kept informed of developments within their forces, but the general rule appeared to be that the police took action and then informed the authority about what was being done. The impetus for change seemed to come mainly from the police themselves, and the Home Office.

### **Pressure groups and representative groups**

Changes in policing policy towards rape, domestic violence and child abuse have largely been considered together here, in the main because of the broad areas of similarity in the methods and structures adopted by the police to deal with such crimes. However, this is not meant to imply that there are not important differences between these kinds of crime, both in the approaches to dealing with them, and in terms of the influences leading to change. One important difference which distinguished policy change in the sphere of rape and domestic violence from child abuse, was the relatively

important role played by pressure groups representing women's rights in campaigning for change. Informal interviews with representatives from several organisations, both national and local, who had an interest in bringing about changes in the way that the police deal with rape and domestic violence. These included several women's groups. The interviews sought to obtain the stated policy preferences of the different groups concerned, and also to find out the ways in which the groups represented these views in the policy-making process. These could then be compared with the actual outcomes in terms of the changes in policy and practice that we found in the police forces studied.

### ***The Women's National Commission (WNC)***

The WNC was established in 1969, replacing the Women's Consultative Council set up in 1963. It comprises representatives of national organisations with a large and active membership of women, including the women's sections of the major political parties, of the trade unions and of the churches, professional and business women's organisations and other organisations broadly representative of women generally. There are currently 50 constituent organisations each appointing one representative. There are two vice-chairpersons, one appointed by the government and one elected by the Commission.

WNC's 1986 report, entitled 'Violence Against Women', was, as has already been alluded to, very influential in raising the profile of domestic violence and sexual assault on women. It had a strong influence on the subsequent Home Office circular 69/86, and also had a significant impact on the Police Federation. During the early 1980s, the issue of violence against women was increasingly raised in meetings of the Commission. One representative of a Scottish trade union raised a number of concerns. In July 1983 the meeting of the Commission was addressed by Lady Ralphs (who was chair of the Magistrates' Association) and chief superintendent Sheila Ward (from the Community Relations Branch of the Metropolitan Police). The subject of the address was women and violence, and the following discussion resulted in the WNC setting up a working party to look at violence against women. The working party was addressed by a number of speakers during late 1983 and 1984, including representatives from the Metropolitan Police and also representatives of rape crisis and other victims organisations.

The principal starting point of the report is described by Smith (1988: 6) as 'the need to try to bring about changes in the way both rape and domestic violence are perceived'. In particular 'they saw a need to take these crimes out of the context of private relationships and into the same

arena as any other type of criminal behaviour'. The WNC collected information from forces on their policies and practices in relation to both rape and domestic violence. In relation to domestic violence, over half of police forces in England and Wales either made no comment on their current policies or indicated that they were satisfied with their current practices. A number of *ad hoc* developments in forces were described and one force – the West Midlands – singled out for good practice. The information collected about practices in relation to rape was slightly more encouraging, and suggested that there was a willingness to change. The report was drafted in the summer of 1985, and was circulated to all relevant government departments. It recommended improved training for police officers, and improved liaison and consultation with voluntary bodies and support groups. In relation to domestic violence it concluded rather pessimistically saying that it was 'not frequently perceived as an area in which police procedures "fall down", or where new measures are feasible or important'.

### ***Other women's organisations***

There are a number of key agencies helping women who have been physically and emotionally abused. Women's Aid groups provide emergency accommodation (through a network of refuges), advice, information and support. The groups are locally-based and autonomous, but in the mid-1970s national coordinating bodies were set up, including the Women's Aid Federation in England (WAFE). These national bodies lobby and campaign on the law regarding the abuse of women, and also provide training resources and information for local women's refuges. *Women Against Rape* were founded in 1977 and campaign at a number of levels to influence the law and policy concerning rape and other violence against women. *Rights of Women* is another feminist pressure group campaigning on women's issues generally but in particular on rape and domestic violence. Although these are different groups with different histories and purposes, there were number of areas of common ground between them in terms of interest in policing policy.

The representatives from the above groups shared the view that inadequacies in policing responses to rape and domestic violence were often due to the attitudes of police officers, and the culture of what is a male-dominated organisation. The Women Against Rape representative argued that officers had an automatic tendency to disbelieve the victim or to blame her for what happened. They added that women from ethnic minorities have the added difficulty of having to cope with racist attitudes on the part of some police officers. Rights of Women said there was a

general hostility to women on the part of the police, who generally failed to understand the concerns behind rape and domestic violence. The Women's Aid representatives described the police approach to domestic violence in the past to have been 'very, very bad'. The criticisms were that the police had strong stereotypes of battered wives, their attitudes and behaviour constituted secondary victimisation of abused women, and they lacked basic knowledge and understanding about the underlying issues. This led to a total lack of effective action in many cases of domestic violence.

Women Against Rape produced a report during the early 1980s called *Ask Any Woman* which listed detailed requirements for police procedures in dealing with rape (Hall, 1985). The recommendations included general requests that incidents of rape and sexual assault should be given higher priority by the police. The report also stated that women must be certain of a sympathetic response regardless of who they are. It made special reference to the fact that rape allegations made by prostitutes tend not to be taken seriously by the police and demanded that this be changed. Women reporting rape must be allowed to make their report in the presence of a friend or counsellor if they wish. Female doctors must be available to carry out the medical examination, and these doctors must have special training in dealing with rape victims. No woman should be pressured to undergo a medical examination if she does not want to. Finally, the report argued that the police should give progress reports on what they are doing to improve policy and practice in this area. The representative from Rights of Women did not give a detailed outline of what the organisation wanted from policing policy, but in general wanted improvements in police attitudes to women, increased numbers of female police officers, and in cases of domestic violence for the police to 'do what the woman wants'. Women's Aid representatives laid down a number of requirements for the police response to domestic violence. These included clear guidelines as to the police role, an increased use of arrest and prosecution to indicate that domestic violence is unacceptable to society, the police to put the safety of the victim first, and a policy of referral to other agencies in appropriate cases. There was broad support for the setting up of domestic violence units, and support for increased training for officers in this area.

All of the organisations visited said that they attempted to gain publicity through the media in order to influence policy. Women Against Rape had produced a number of papers, one of which was on the issue of rape within marriage and was presented to the Law Commission, and also the publication about women's experience of rape which received considerable media attention (Hall, 1985). All of the groups were also active in lobbying

members of parliament and local government. There was little evidence of formal contacts with the police. Women's Aid said that they had too few staff to be proactive in influencing policy, and that most of the contacts with police were informal and local. The representative from Rights of Women said that the organisation had objections to formal contacts with the police, but liaised with some individual officers on an informal basis. Women Against Rape had experienced direct contacts with the police, it appears to complain about the way particular cases had been dealt with. The strong impression was still one of rather hostile relationships between the police and campaigning women's groups.

At the local level, there was more evidence of contact between police and women's groups, although on quite a modest basis. The strongest formal contacts were in force B, where representatives from local Women's Aid refuges and Rape Crisis volunteers were part of a forum which met periodically with representatives from the community crime prevention department to discuss developments in force policy in general and the development of victim reception centres in particular. In force A, one sub-division had a consultative committee which was a sub-committee of the local borough council. This included representatives from the local Women's Aid group and Rape Crisis. The meeting of the committee that attended by a PSI researcher focused upon police treatment of rape victims, and the local police were vigorously questioned on this matter. In addition, it was the initiative of this committee to develop the referral card for officers dealing with incidents of domestic violence. Informal contacts between police and representatives of women's groups varied between forces and between sub-divisions. In one force (force D), there was provision for a Women's Aid representative to contribute a half day training for probationers about dealing with domestic violence. As has been outlined already, the same woman was involved in what she regarded as a more successful experiment on one sub-division, in which local officers met her to discuss possible responses to domestic violence. In force B, there was informal contact on one sub-division between the coordinator of the local women's refuge, and the local sub-divisional commander, to discuss particular cases. These local contacts were therefore largely informal and *ad hoc*, and often dependent on local personalities.

### ***Victim Support***

The first victim support scheme started as an experiment in Bristol in 1974 (Holtom and Raynor, 1988). A BBC TV programme about the scheme led to considerable publicity which eventually resulted in the establishment of a number of other similar schemes in other parts of the country. In 1979,



schemes came together to form a national organisation, called the National Association of Victim Support Schemes (subsequently Victim Support). The Home Office made a small amount of money available to support the activities of the national organisation, but local schemes had to find their own finance either from local authorities or charities. In 1987, the government announced that it was to fund the main coordinators in every local victim support scheme, and in subsequent years the funding has grown from £2 million in 1987 to £6 million in 1991-2.<sup>6</sup> There are currently over 400 local schemes. Interviews were conducted with the director of the national association, and a number of local coordinators in the police sub-divisions that were visited within the four forces studied. From this some idea was gained of the views of the organisation. It should be stressed that this is a very different kind of organisation from the women's groups described above. They are fundamentally campaigning organisations – whereas Victim Support largely avoids major campaigns – although Women's Aid is more concerned with giving practical help to abused women. All of the women's groups are independent of government, whereas Victim Support is funded by the Home Office. Victim Support has tended to be more closely connected with the police, and less critical of them. Victim Support deals with people who have been referred by the police, and thus has few dealings with people who have had very bad experiences with them.

Victim Support representatives (national and local) tend to be supportive of the police and were cautious about laying down policy preferences in detail. In terms of the investigation of rape, the organisation had initially felt that its volunteers were not qualified to play a part in helping the victim, but after a working party report in 1988, it was decided that there was a role for the organisation. A training package for volunteers was developed, and was being put into action in the four study forces.

With regard to the police response to domestic violence, Victim Support published a report in 1992 of a national inter-agency working party, which made a number of recommendations for all agencies involved in dealing with the problem including the police (Victim Support, 1992). This welcomed the recommendations of the Home Office circular 60/1990, but outlined some areas for improvement. For example, it recommended the introduction of central classification systems which distinguish domestic violence from other violent incidents. It also recommended that at the scene of an incident, the primary concern should be with the safety (immediate and future) of the woman, and that she should be given information about other agencies who may be able to offer help. Another recommendation was that there be regular monitoring of arrest rates for domestic violence

across the country. The report also welcomed the establishment of domestic violence units, but recommended that they should be separate from units dealing with child abuse.

At the national level, Victim Support is present on a number of forums for discussing policy. The organisation is represented on the Home Office victim steering committee. Its central council includes a representative from ACPO, and they have worked out a national policy on referral from the police. At the local level, Victim Support schemes usually have a steering group upon which there is formal police representation, usually the local community affairs officer. It is usual to find victim support represented upon the local police-community consultative committees. Informally, there are regular contacts between Victim Support volunteers and police officers dealing with individual cases. Although the organisation is not primarily a campaigning one, the outputs of working parties (such as that concerning domestic violence) are disseminated to receive wide publicity. At the local level, Victim Support counsellors were directly involved in a part of police policy towards victims of sexual assault. In all four police forces studied, the police had initiated specialist training for selected Victim Support volunteers in counselling victims of sexual assault. Thus, there were a number of contacts with the police at the local level in which Victim Support representatives could put forward their views and ideas.

### **Members of Parliament**

Interviews were undertaken with two opposition spokespersons – the late Jo Richardson (then spokesperson on women) and Joan Lestor (then opposition spokesperson on children), and there was also some contact with the secretariat of the Ministerial Group on Women's Issues. This was set up in May 1986 as a response to the UN 'Decade for Women'. Its aim is to coordinate policies between different government departments with an interest in women's issues. It meets every three months to consider papers submitted by officials and issues press releases after each meeting. It was chaired for a while by John Patten, and then Angela Rumbold (neither of whom was available for interview). The issues that it had addressed included childcare, domestic violence and public appointments. In 1989, the group met to discuss the publication of Lorna Smith's Home Office literature review on domestic violence. A press release dated 21.7.89 outlined how the group had 'set in hand' further work on use of the criminal and civil law and the response to domestic violence by the criminal justice agencies, an examination of the way in which social service and health service departments could give more effective help to victims, and examination of guidance and materials currently available to schools in this

area. There is little detail of substantive practical work though, aside from general awareness-raising activity.

Jo Richardson, unsurprisingly, was quite critical of the group. She argued that the group had been partly set up as a response to Labour's proposed Ministry for Women, and was largely a public relations exercise. The group needed to find itself an agenda without committing significant resources, and so focused first on child care (making general statements that it was a good thing) and then on domestic violence. However, Jo Richardson did welcome the Home Office circulars on the subject. She also said that the group had commissioned some research on the issue of rape in marriage. Jo Richardson herself tried to raise awareness of the issues surrounding domestic violence, through asking a number of parliamentary questions during the late 1970s to determine the effects of the 1978 Matrimonial Proceedings and Domestic Violence Act which introduced the possibility of women obtaining injunctions to keep violent partners away from them. Jo Richardson wanted to find out whether judges were attaching powers of arrest as often as they should be, and what kind of regional variations there were in the application of the act. In 1989 she organised a seminar at the House of Commons involving representatives from the police, social services, women's groups, and the Association of London Authorities.

#### **POLICY-MAKING AT THE NATIONAL LEVEL**

As should be clear from the preceding section, the process of policy-making differed somewhat between the three separate areas of policy under consideration in this chapter. However, crucial to all three areas were the issuing of the Home Office circulars on rape and sexual assault, child abuse and domestic violence.

There were interesting comparisons between the way that the circulars came about. In the case of the rape circulars, it was in direct response to the WNC report. The Home Office was acting in a reactive way (which it was suggested was the usual mode of approach). The case of the child abuse circular was different in that the Home Office was proactive; hearing about good practice in one force the particular senior official involved in drafting the rape circular decided that the next step was to look at the way the police dealt with child abuse. Domestic violence followed on from this. One theme which was quite striking was the importance of the personal priorities of senior officials in the development of all this. Peter Hennessy (1989:343) has drawn attention to the importance of officials in developing policy generally:

The truly skilled seekers after influence know that it can often be more productive to approach the man (sic) who drafted the departmental letter (the civil servant) rather than the man (sic) who signed it (the minister).

So there appeared to be little direct political influence from ministerial level. Senior Home Office officials did refer to an exception to this rule in the case of domestic violence. Apparently, one Home Secretary was opposed to the Home Office intervening in the way that police forces deal with domestic violence, whereas a junior minister was strongly in favour. The impression was that senior officials needed to bide their time for the political conditions to allow the development of a domestic violence circular.

The next point which stands out is the process of consultation. The importance of ACPO and the experience of the Metropolitan Police in the formulation of national guidelines was crucial. In many ways, ACPO was the 'joint author' of the circular on rape and that on child abuse. Once again the case of domestic violence was somewhat different in that there was more division within the police service about whether the Home Office should give advice in this area, and if so, what kind of advice it should give. The Home Office clearly placed ACPO as top of the list of organisations to consult, because they were responsible for delivering the response. However, as far as the second rape circular went, there was arguably less need to consult more widely than this. The draft circular was a direct response to the recommendations of the WNC report which the official responsible for the drafting viewed as inherently sensible. The WNC had included many of the interested groups to the debate.

### **Other national influences**

Pressure groups such as women's organisations and victim support were not, it seems, consulted directly by the Home Office with regard to the details of the circular. But it could be argued that the main strength of their impact lay in the wider effects of raising awareness of problems with the current policing response through lobbying politicians and the media. The BBC Television documentary on Thames Valley police had a major impact on the public debate, and arguably led to the first circular. One senior Home Office official working in this area at the time commented that in his opinion there had been 'a long-standing concern about police treatment of rape victims going back to the television programme... I think that programme won the argument'. One national broadsheet crime correspondent confirmed this view of Graef's documentary saying: 'The single most important thing was the Thames Valley documentary'.

Pressure groups continued to press for change, and as noted earlier, Women Against Rape's publication about rape victims received wide attention. WAR also produced papers for the Law Commission. The resources of Women's Aid are primarily geared to the provision of direct help for assaulted women, and thus they were limited in their ability to campaign for change. Whilst such groups may have had relatively little impact individually, collectively they provided the basis on which national governmental and local policing policy developments could be formed. The changes in policing policy that were described above were located within a context in which increasing attention was paid to the impact of criminal victimisation on women and the role and effectiveness of the criminal justice responses to such victimisation. This increased scrutiny, it is suggested, had its roots in the re-emergence of the feminist movement in the 1970s. It is worth at this stage unpicking this observation, thus outlining more concretely the context in which the changes described took place.

It has become commonplace to observe that the role of women in British society has changed significantly since the second World War. Most often this is linked to changed or changing employment opportunities and practices. Thus, for example, although there was a slight drop in the rate of female employment after the War, by the early 1950s this position was reversed and numbers began to rise quite sharply despite a concerted ideological campaign to return women to their 'natural place' (Weeks, 1981). A booming economy and full employment, based largely on domestic consumption, increased the pressure on women to 'return to work', and by the late 1950s 40% of married women were working.

Despite such changes, employment continued to be one of the key areas of discrimination throughout the 1950s and 1960s (Department of Employment, 1974). Women were expected to be both 'wives-and-mothers – spending home-makers – *and* (part-time) working women' (Hall, 1980). There existed a highly complex maternal and domestic ideal which confined women, ideologically, to the *private* and the *personal*. Whilst relatively few advances in either the economic or political spheres occurred during the 1960s there was, however, a reorientation of traditional classifications with a declining emphasis on the domestic, and an increasing emphasis on the 'feminine' and the sexual (Newburn, 1991). Despite the relative lack of economic and political progress during this period as far as women were concerned, there was significant change in women's 'consciousness of discrimination' (Carter, 1988), a consciousness stimulated and supported by the feminist movement.

Women's protection and safety quickly formed one of the cornerstones of the emerging feminist movement, and the areas of rape, sexual assault

and domestic violence were quickly politicised though, importantly, these 'issues transcended the cultural trendiness associated with the late 1960s, affected women of all social classes and ages, and were issues on which new women's groups could link up with the established and more conventional women's organisations, enlisting the sympathy of men' (Carter, 1988:69). By the mid-to-late 1970s, demonstrations by women's groups against attacks on women and portrayals of sexual violence in film and on television began to take place, and this trend was consolidated during the period in which the hunt for the 'Yorkshire Ripper' was taking place in the early 1980s.

One of the most crucial challenges that was undertaken by the women's movement was that to traditional models of the boundaries of the 'public' and the 'private', and this challenge was of particular relevance to the issue of policing. The ideology of domesticity, so prominent in the 1950s and well into the 1960s, presented 'the home' as a place of security and safety for women (Stanko, 1988), and also as an essentially private sphere largely outside the purview of the police. Prior to the campaigning undertaken by the women's movement, violence occurring in this sphere, in the main, remained largely invisible and was frequently described by police officers as either simply 'domestic' and by implication 'private', or alternatively as 'not real police work' (Hanmer *et al.*, 1989). To the extent that such campaigns have been successful, they have been successful in relocating certain forms of violence and aggression within the public sphere. A significant element, then, in unpicking the history of policing policy in relation particularly to domestic violence and child abuse, but also more generally to rape and sexual assault, concerns the progressive incorporation of these areas within the 'public', with consequent increasing pressure on the police to recognise the pervasiveness of male violence and intervene in ways which ensure women's and children's safety.

Although the priorities and decisions of senior officials in the Home Office were important in shaping policy nationally, the activities of politicians were also important, with the formation of the Ministerial Group on Women. A chair of this group, John Patten, became a strong supporter of raising the issue of domestic violence and the need for a changed police response whilst he was a junior minister at the Home Office. The Opposition was also active, through its spokesperson on women.

In the case of changing policy towards child abuse, possibly the key development was the major scandal in Cleveland, although as suggested above, the Home Office had already started to develop guidelines in this area of policy. The Home Office used the Metropolitan Police/Bexley experiment as the basis for its recommendations, thus acting – as it did more

frequently in relation to crime prevention policy – as a kind of clearing house for what were perceived to be best practices. However, the external development of Cleveland meant that the Home Office circular was received with very little comment at all, in fact it was positively welcomed by the police. In the words of the senior official involved in the drafting of this circular, the Cleveland controversy ‘generated the public concern which created the political will to change’.

#### **LOCAL FORCE LEVEL**

Whilst many of the key parties to the policy-making process were active at national level, there were also those who operated at the level of the local force. All police forces made some changes in policy in relation to rape and child abuse. At the time of the study, there was less activity in the area of domestic violence. However, within this there was significant difference of approach between the four forces studied, as was outlined above. For example, force B appeared to be ahead of the other forces in terms of the investigation of child abuse and the response to rape, and seemed to have begun this process independently of Home Office pressure. In fact, force B was mentioned as one of the forces whose practices informed the Home Office circular on child abuse. Although all forces moved towards the setting up of specialist units, there were substantial differences in the organisation, structure and role of these units between the forces. Whilst the Home Office circulars on rape were clearly an important impetus within the forces, there were different levels of response. For example, whilst two forces set up rape suites, two others decided that this would not be an appropriate course of action in their forces. There were more similarities in the policy changes regarding child abuse than was the case for rape and domestic violence. Perhaps this was because of the high degree of public pressure on the police following the Cleveland incidents leading to conformity. As Home Office officials made clear, there was more division within the police service as to the appropriate response to domestic violence. There is a further important point to be reiterated at this stage. Baldly put, it is that policy changes should not be conflated with changes in practice. It is clearly the case that policy statements at the top of an organisation do not necessarily reflect what is happening on the ground. This, women’s groups were quick to point out, appeared to be especially so in relation to the policing of rape and domestic violence. As one spokesperson for Women’s Aid talking about policy and practice said in interview, ‘everything’s phrased to look right on and trendy basically, but when it comes down to street level the policies are only as good as the people that are going to implement them’. The view generally from representatives

from women's groups was that although some progress had undoubtedly been made, there remained a very long way to go. It is important, therefore, that discussion of changes in policy here should not necessarily be taken as proof of changes in practice.

Furthermore, changes in policy should not be assumed to have been successful in achieving the aims set out for them. One of the influences for change within forces was the fact, explained in some detail by one chief superintendent, that 'everyone wants to have a winner'. What he suggested was that there exists within forces an internal pressure to be seen to be doing something new and innovative, especially when looking for promotion. This, he argued, led to the establishment of initiatives that were never properly thought through or evaluated. Thus, in relation to domestic violence units in his force he said:

There we have it again. It's a sexy issue with the Home Office, the Met have got a unit up and running... [the Commander] wanted to be noticed – what better than to pilot this scheme as part of the response to the force concentration on violent crime that year... [He] was promoted so it worked!.. It's not meant to sound derogatory, that's just the way the system works.

### **The influence of police authorities**

Another player at the local force level was of course, the local police authority. Whilst the interviews with the AMA and ACC made it clear that the actual police response to such crimes was considered an operational matter, there were important resource implications for local forces in, for example, the setting up of special rape suites or examination facilities. The analysis of the police authority role within development of policy in these areas did find, overall, that at the local level it was the police themselves who took the initiative. But this is not to say that all the police authorities made no contribution.

Force A had perhaps the most compliant and supportive police authority of all the four studied. However, in terms of the quantity and quality of information it received from its chief constable, it was relatively well-served, even though it appeared from the minutes of meetings that this information was rarely requested. There were a number of reports to the police authority dating from the publication of the WNC report, and explaining that the force had set up a working party to review practice in dealing with the victims of serious sexual assault. The working group considered the feasibility of introducing special victim reception suites, eventually deciding against these for practical and resource reasons, laid down in the report to the police authority. All recommendations were accepted by the police authority. The only evidence of matters pertaining



to rape being raised at police authority level was in response to a member from one of the constituent county councils on the authority, who mentioned that his council had recently passed a motion expressing concern about the level of reported rapes, and requesting the police to review their practices to make sure that victims were being treated in a satisfactory manner. Although there were significant developments in the way that child abuse was investigated within this force, there is little evidence that the police authority played an active role in this. Again, it appeared to be largely a police-driven initiative.

Force B appeared to be the most progressive force regarding new policing responses to each of rape, domestic violence and child abuse, and analysis of the police authority minutes revealed a good deal of information coming from the chief constable about developments within the force. There had been a number of important developments in this force area regarding child protection (indeed, the research within the Home Office suggested that they had influenced national policy in this respect), and more recently on domestic violence. There had been a comprehensive review of policy on dealing with sexual offences, and the force was developing two victim reception centres. The police authority in this force area appeared to be kept relatively-well informed by its chief constable, and members played an important part in the more recent developments of victim reception suites. It was police authority members who, through contact with members of the Greater Manchester Police Authority, became aware of the development of the St Mary's Centre. The police authority minutes recorded that the chief constable was asked to report back on current arrangements for dealing with victims of sexual assault, and on the implications of the St Mary's Centre. So the police authority did appear to have an important role in change in this policy area.

Force C had also introduced policy changes into the areas of rape, domestic violence and child abuse. The role of the local authority in bringing these about was rather limited. The general rule in this area was that the police authority was informed of changes after the event, and was not always fully-informed (in the view of the chair). The chair explained that the police authority tended to use its power under the 1964 Act to call for reports from the chief constable on particular areas of policing, because that was the only way of obtaining information about what was going on. However, in the area of crimes against women and children, the police authority may have had some initiating role in that the chair directly raised the issue of domestic violence with the chief constable. The chief constable's response was to propose specialist units with a remit to deal with the investigation of rape and child abuse, as well as to follow up

domestic violence incidents. However, this may well have been on the chief's agenda already, given the apparent impotence of the police authority in most other areas of policy.

In force D, there was little evidence from the minutes of meetings or interviews with members, that the police authority had played a major role in developing policy in any of these three areas. There was no evidence of the reporting of developments back to the authority to the extent that was occurring in forces A and B. In fact, leading members of the police authority seemed unclear about exactly what the developments were within the force. Again, the authority appeared to broadly support all measures taken, although having said that it is difficult to find any area in which the chief constable did not receive broad support. However, while the police authority may not appear to have had a major input into any of these policy areas, in the area of domestic violence at least, the county council played an important role. The general purposes committee of the county council, along with the council women's officer, organised a conference in 1987 on the response to domestic violence. The conference received a great deal of local media coverage, and included senior representatives from a range of agencies dealing with domestic violence, including the chief constable of the police force. As a direct result of this conference, the chief issued a force order laying down guidelines for his officers, and stressing the need to treat incidents of domestic violence as serious crimes, 'potential murders' in his words. Whilst there remains debate about the degree to which these guidelines have been followed, it does provide some evidence of the local authority having some influence over change.

## **DEMOCRATIC INFLUENCES AND RESPONSES TO CRIMES AGAINST WOMEN AND CHILDREN**

### **Equity**

As was suggested in the introduction to this book, although many of the commentators on issues of policing policy and police accountability use the notion of democracy as the basis for many of their arguments about current practices and future prospects in this area, few of them ever make explicit what it is that they take to constitute democracy. The major exception to this is the work of Jefferson and Grimshaw (1984) in which a model of democracy is advanced at the centre of which is a commitment to equality. Thus, they suggest (1984: 155) that 'the fundamental basis of democratic political authority is the notion of equal rights'. They argue that the inputs of policing should be adjusted so that the outputs are more equal, for under the current structure, policing impinges more heavily on certain groups. Working class people, ethnic minorities and women do not receive an equal

amount of policing protection and/or are subject to an unequal amount of police coercion. They also suggest that the police should prioritise offences which bear hardest on those least able to defend themselves. Indeed, they specifically argue that more resources should be put into offences such as rape because of the social impact of the offence upon women.

As outlined in Chapter 1, influencing policing policy is about affecting the decisions about priorities and methods. The police have finite resources; the setting up of a domestic violence unit (or any specialist unit) may have an impact on the organisation's ability to respond to other calls on its services. The emphasis over recent years has been on encouraging the police to place greater priority on areas like child abuse and sexual violence. To the extent, therefore, that policing (accepting again that practice has not always kept pace with policy) has changed in a direction which emphasises sympathetic treatment of victims of rape and sexual assault, of domestic violence and of child abuse, and which increases the emphasis on the arrest of spouse abusers, a degree of inequity has been overcome. In this manner an element of democratic influence has been exercised. Though the law may still in Jefferson and Grimshaw's terms be being applied unequally, the changes outlined above may nevertheless represent an equalisation of the odds. Under current conditions, the odds remain stacked against the abused woman or child who needs the protection of the legal system, though the current trends appear to be towards redressing the balance. Such trends are, however, not primarily the product of the influence of outside groups, but rather are part of and reflect a wider cultural shift in which the needs and concerns of women and children have, albeit slowly, moved progressively centre-stage.

### **Delivery of service**

A key 'democratic' role of policing is to provide a service which protects basic freedoms in order that individuals may develop their lives. For sexually and physically abused women and children, inadequate responses on the part of the police (and the criminal justice system as a whole) have substantially affected these basic freedoms. This element therefore concentrates on the degree to which the changes in policy brought about in policing have addressed this problem, rather than how the changes came about. The main argument for facilitating the input of a variety of individuals and groups involved with this area of policy is to bring about the most effective response possible.

Doubts still remain about the effectiveness of response across all three areas of policy. For example, it is worth noting the problems with child abuse investigations in one of the force areas, and the continued concerns

of women's groups in others about the degree to which police responses to rape and domestic assault have actually changed on the ground. In terms of rape and child abuse, there does appear to be strong evidence that these crimes are dealt with in a completely different way than was the case 10 or so years ago. There are clearly still problems, but the available evidence presented above provides little support for the 'no real change' argument. In relation to domestic violence the findings are less clear. Changes of policy and practice in police forces were much more limited and patchy. The changes that did occur were mostly local initiatives. Some were regarded as successful in terms on the effect of policing outputs, for example the sub-divisional initiative in force D. In others, for example the domestic violence unit in force B, the overall benefits of the initiative were as yet unproven and, indeed, it was quite forcefully suggested by one senior officer that little attention was actually ever paid to the process of evaluation. Local women's groups remained sceptical about the extent to which useful change had been managed. However, it was not within the remit of the study to carry out in-depth evaluation of policy-implementation at the local level, so the data do not provide the basis on which the effect of policy change on actual policing outputs might be assessed. Overall though, it would be difficult to argue against the proposition that developments of policing policy in these areas, particularly regarding the investigation of rape and child abuse, constitute a significant improvement in delivery of service.

### **Responsiveness**

This refers to the idea that policing policy should, in some way, be responsive to public demand. Whilst any significant degree of *responsiveness* was difficult to detect in relation to the development of crime prevention policy, this is not the case in relation to crimes against women and children. Indeed, it is hard to imagine that policing policy would have changed in these areas either in the ways or to the extent that it did, were it not for (organised) public opinion. Thus, for example, the very issue of violence against women only properly entered the political arena because of the power of the Women's Movement. The WNC, the refuge movement, and organisations such as Rape Crisis were powerful advocates on behalf of victimised women. In relation to the treatment of rape victims, the public outcry that followed the broadcast of the 'Thames Valley' documentary ensured that the subject was placed firmly on the agenda.

It is perhaps in relation to child abuse that the impact of 'public' opinion is to be seen most clearly. The evolving scandal in Cleveland gave rise to such strength of public feeling that it was, in the opinion of many of those

interviewed as part of this study, inevitable that some form of change would occur. As one official said in relation to the Home Office circular which followed Cleveland, rather than seeing it as some form of imposition the police 'saw it as a lifeboat'. There was little evidence, however, that policing policy had been particularly influenced by or had developed in response to anything said or done by local police authorities, or local consultative committees. In many cases this appeared to be the result of a lack of imagination and desire on the part of the members of these bodies rather than resistance by the local constabulary.

### **Distribution of power**

The Home Office and ACPO were probably the key players in bringing about specific changes in a number of these areas. But the complexity of the process and the interaction of a number of different players did show some dispersal of power over the decision-making process. More general background influences included those of the media and public concern. The actions of pressure groups impinged upon this, and more directly onto the policy-makers through the report of the WNC. Whilst the contacts between women's groups and the local police organisations were rather limited, there were still some examples of input into policing policy. For this to happen of course, the police themselves needed to be open to such input. The breadth of consultation prior to the issue of Home Office circulars was less than was the case for civilianisation (see Chapter 4). However, the local authority associations clearly saw these kinds of areas as 'operational', and only within their remit in so far as they had resource implications for police authorities. This is in part no doubt the explanation for the Home Office concentrating its focus for consultation in these areas upon the police staff associations, most notably ACPO.

The effect of women's groups and some pressure groups is far from easy to describe. Thus, although it is clear that the women's movement generally had a profound impact on the social and cultural landscape within which the policy changes described here took place, individual women's groups still largely feel excluded from the process of decision-making and remain highly critical of policing responses to sexual assault and domestic violence. However, the fact is that a number of important changes did take place, and it appears that some of these changes coincide with the policy-preferences and priorities of these groups. Their contribution, individually, to the process of change was indirect, largely via *ad hoc* local contacts or inputs to bodies like the WNC. The development of policy in this area does confirm the overall impression of a system of decision-making heavily tilted towards the centre. The centre in this case is the Home

Office jointly with ACPO. At least in relation to rape and domestic violence the two organisations framed policy jointly. Once broad policy had been agreed at the national level, individual constabularies made plans to act on the recommendations relatively quickly. The policy-making model, therefore, whilst containing elements of pluralism – the Home Office responding to cultural and social pressures from a variety of groups – nevertheless remains dominated by the centre. It is important, however, not to over-simplify the complexity of the process. Thus, the balance of influences differs in each of the three areas considered here. With regard to child abuse, the Home Office, for example, took a largely proactive and steering role, whereas in relation to rape and sexual assault it was much more reactive and responsive. By contrast with both these examples, its profile remained relatively low-key in relation domestic violence, reflecting a far more resistant stance on behalf of the police, together with less insistent public pressure for change.

### **Information**

Nationally, the quantity and quality of information about policing has increased a great deal in the last decade or so. HMIC publishes reports which include information about what forces are doing about these areas of policy, and this can be effective in encouraging change.<sup>7</sup> It remains limited, however, and despite occasional examples to the contrary such reports remain generally uncontested. Locally, the amount of information available about policing these kinds of crime varied between forces. Force C had by some way the least ‘informed’ police authority (in terms of the amount of information released by the chief constable), but in some ways the most informed in terms of acting to a clear political agenda. The next ‘worst off’ in terms of information was force D, whose leading members appeared unclear about the exact nature of what the force was doing in relation to rape, domestic violence and child abuse, and whose minutes recorded no discussion of these issues during the five years prior to the study. Forces A and B received a great deal of information from their respective chief constables generally, and on the areas focused upon by this chapter in particular. The difference was that while the police authority in force B specifically requested much of this information, that in force A received it almost against its will. In force A, the police and public safety committee received a good deal of information from the local police upon which it based an effective input into the formation of local policing policy, particularly in the example of domestic violence.

## **Redress**

The notion of redress here is particularly relevant to individual incidents. To what extent is it possible to change or to reverse police policy and practice in the aftermath of incidents in which police action has been considered to be inadequate or ineffective? Could complaints about the general approach in past instances lead to changes in force policy? Furthermore, on those occasions when force policy did change, what steps were taken by the organisation to ensure that this translated to effective action on the ground?

First of all, it is important to recognise that prior to the period covered by this study, the police appear to have been particularly resistant to major changes in policy and practice in these three areas. In other words, the possibility of redress was very limited. The situation was changed by a number of major public controversies. In the area of child abuse, a number of cases in which children died as a result of abuse and where social services departments were deemed to have failed in their duty to protect the child from harm established the issue in the public mind. Following this, the problems highlighted by the Cleveland affair had significant repercussions for child protection policies in social services departments and police forces nationally. The Home Office responded quickly with a new circular and the Department of Health with the Children Act 1989. The Act represents a significant shift in the powers given to local authorities, and a significant increase in the expectations of the services local authorities and police forces should deliver to children and their families. It encourages new practices and attitudes in relation to parents, children and other family members, treating them not as passive recipients of services, but as partners who themselves have both powers and responsibilities. As was described above, at this time the police were especially nervous about the issues surrounding child protection and were particularly open to policy revision and change.

In a somewhat similar way changes in policing policy in relation to the investigation of rape and the treatment of rape victims was, in part, brought about by public pressure for redress. In particular, the public outcry that followed from the example of extremely aggressive interviewing by a Thames Valley officer of a woman who had been raped, was a key influence in having policy changed there and elsewhere. Changes in the policing of domestic violence still appear to be less extensive, but as public attention is focused on this, the chance of redress increases. First there needs to be an official acceptance that there is a problem with the traditional way of doing things. How this might be brought about it difficult to speculate on, but perhaps increased public knowledge and scrutiny of domestic violence

cases involving police officers might be one avenue. In addition, there needs to be official support for a change in policy and finally there has to be effective follow-up of the change so that real changes occur at ground level. It is arguable that in terms of child abuse and sexual assault, there was evidence of change from all three levels. However, women's groups (and others), whilst welcoming changes in official policy and the recognition from senior officers that the previous approach was wrong, still felt that there had yet to be significant change at the most important level, that of the individual officer dealing with the problem.

### **Participation**

The nature of the participation of the wider public in the changes in policy regarding rape, domestic violence and child abuse was varied, often indirect, but frequently influential. The role of the media in bringing the issue of the treatment of rape victims to the awareness of the wider public was central, and as was suggested at several points above, the women's movement in general provided the cultural climate within which it became increasingly difficult for officials in government and the police not to respond. However, at both national and local levels, this public awareness produced the pressure for something to be done, rather than led to specific changes in policy. Once again, it was frequently the personal priorities of senior Home Office officials who took it upon themselves to respond to perceived public concerns. Arguably, from time to time there is a good deal of publicity (through the media or otherwise) about some other areas of public policy to which officials choose *not* to respond. So there needed to be an added element, which was that the Home Office officials' personal priorities supported changes. The role of elected people in changes appears to have been fairly minimal. Although there was general political support for improvements in the way that the police deal with these sorts of crimes, the main initiatives came from the Home Office and the police themselves. This was certainly true in relation to rape and to the very limited policy changes attempted in relation to domestic violence, but was perhaps less true in connection with child abuse. As one Home Office official put it: 'With child abuse I think the Home Office played a major part in getting the policy established...whereas with rape I think we tagged along'.

At the local level, although there was more involvement of police authorities than some sources would suggest, it would be stretching things to say that they actively initiated policy in these areas. Their involvement usually stemmed from either their own response to, or their police force's response to Home Office circulars. In relation to domestic violence, policy change – let alone change in practice – had (by the time of the study) been



slow and limited. The groundswell of opinion which underpinned change in the other two areas studied in this chapter failed to impact on policing in the same manner in connection with domestic assault. Through a variety of means, however, both sexual assault and child abuse found themselves fairly high on the agenda for change, conspicuous enough for the Home Office to feel compelled to examine current practice and to recommend new practices. Police forces also felt the need to examine their practice independently of central government scrutiny, or be aware of the necessity to respond to Home Office guidance. It is probably fair to conclude that although widespread social pressure for change existed and was (in varying degrees) successful, there was no clear mechanism of participation in bringing change about, and the main role was left for the 'experts'.

### **Notes**

1. See for example John Patten quoted in the *Daily Telegraph* 23.3.90
2. For a similar argument in relation to policies adopted by the National Association of Victim Support Schemes see Rock, P. *Helping Victims of Crime* Oxford: Oxford University Press, 1990
3. See *Community Care* December 1987.
4. Since the research was carried out, a number of forces have sought to reform the somewhat cumbersome and over-detailed nature of standing orders. For example, one of the forces in the study is presently computerising the system, and dividing them up into legal information, broad force policy, and procedural guidance. Weekly force orders will then simply go out on the database.
5. The position may well have changed since the fieldwork was carried out. For example, since this time force C has started a multi-agency initiative about domestic violence with input from the local university.
6. For a full history see Rock, P. (1990) *Helping Victims of Crime* Oxford: Oxford University Press.
7. Note for example the recent criticism of Merseyside police by HMI Geoffrey Dear for its apparent failure to respond to the domestic violence circular.