Navigating Coercive Control: Making Sense of Police Response to a Legislative Intervention

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Abstract

The legislative intervention that criminalised controlling or coercive behaviour in England and Wales attempted to shift policing from focusing on discrete incidents of physical violence to identifying a pattern of abusive behaviour. This thesis examines how the police have navigated the criminalisation of coercive control and translated the legislation into practice. The findings address a gap in the literature by including an in-depth qualitative analysis that considers both the individual and joint role of the police in responding to coercive control, interrogating how officers negotiate the challenges presented by the legislation. This study is informed by a theoretical framework that considers the influence of officers' understanding, interpersonal interactions, multi-agency working, and organisational and legal context on their discretionary practice.

Drawing on qualitative data from interviews, case files, and observations, and quantitative police-recorded outcome data, the analysis shows how evidential and victim engagement challenges contribute to an entrenched perception of the coercive control offence as intractable. The legislation induced a conflict between organisational objectives, available resources, and safeguarding responsibilities for officers. This conflict facilitated officers' working practice to use their discretion to pursue alternative offences or protective measures. For some officers, the legislation also served an educative function concerning the risks associated with coercive control. Furthermore, those officers who overcame the barriers to practice utilised professional curiosity and the resources of their colleagues and partners. These findings inform the policing, domestic abuse, coercive control, and socio-legal literature, using a case study of coercive control to demonstrate how a legislative intervention is interpreted and translated into practice through a process of negotiated discretion.

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List of abbreviations

ABH – (assault occasioning) Actual Bodily Harm

APP – Authorised Professional Practice

BIJ – Bureau of Investigative Journalism

CCR – Coordinated Community Response

CID – Criminal Investigation Department

CPS – Crown Prosecution Service

CSEW – Crime Survey of England and Wales

CUREC – Central University Ethic Committee

DA – Domestic Abuse

DAC – Domestic Abuse Coordinator

DAIU – Domestic Abuse Investigation Unit

DASH – Domestic Abuse, Stalking, Harassment, and 'Honour-Based' Violence

DHR – Domestic Homicide Review

DVPN/O – Domestic Violence Prevention Notice / Order

ERO – Evidential Review Officer

GBH – Grievous Bodily Harm

HMIC(FRS) – Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service

IDVA – Independent Domestic Violence Advisor

IMS – Information Management System

MARAC – Multi-Agency Risk Assessment Conference

MASH – Multi-Agency Safeguarding Hub

MOJ – Ministry of Justice

NFA – No Further Action

ONS – Office for National Statistics

PC – Police Constable

PEEL – Police Effectiveness, Efficiency, and Legitimacy

RFG – Recency, frequency, gravity

SLB – Street-Level Bureaucracy (or Bureaucrat)

UK – United Kingdom

Introduction

Following the identification of a gap in the police response to domestic abuse that does not present as discrete incidents of physical violence, England and Wales criminalised coercive control (*Serious Crime Act 2015*, c. 9, part 5, ss. 76). This legislative intervention required a change in practice for police officers and their multi-agency partners in responding to domestic abuse. This thesis aims to examine how the police have navigated the criminalisation of coercive control and translated this legislation into practice.

Drawing on policing, domestic abuse, coercive control, and law in practice literature, this thesis also develops a framework for negotiated practice. This framework considers how police officers' understanding of coercive control, interactions with the public, colleagues and multi-agency partners, and broader organisational and legal context may influence their use of discretion. Similarly, qualitative analysis interrogates these influential factors through complementary data sources, demonstrating evidence of developed working practice that impacts the use of the coercive control legislation.

On the one hand, this thesis demonstrates the coercive control legislation as struggling to disrupt or transform officers' practice, with evidence of officers using their discretion to pursue 'easier,' more established offences relevant to discrete incidents of physical violence. This working practice is associated with difficulties using the coercive control legislation, prioritising victim safeguarding objectives, and potential harms associated with the legal process. The analysis also identifies remaining stereotypes about victims, practitioner experience of domestic abuse compassion fatigue, and associated victim-blaming attitudes that the conditions and experience of coercive controlling behaviour may exacerbate. On the other hand, this thesis supports the legislation as being embedded into practice through its increased use over time. Officers and multi-agency partners recognise a remaining gap in the understanding of coercive control by some practitioners. However, the legislation appears to have had an educative and symbolic effect. Therefore, practitioners describe an improved awareness and understanding of the dynamics and risks of coercive control even when they do not utilise the offence. Furthermore, there are examples of officers who overcame identified challenges to practice, including through improved understanding of coercive control, associated engagement with victims, and relational multi-agency working.

Overall, this thesis makes three main contributions to the literature on policing, domestic abuse, coercive control, and socio-legal law in practice. First, it directly contributes to the empirical literature on police use of the coercive control offence by filling gaps and developing knowledge in this area. Moving beyond quantitative police performance measures (crimes, arrests, disposal outcomes), this thesis helps make sense of the practice and decision-making which produced those outcomes. Moreover, triangulation of data from interviews, case files, and observations interrogates a range of potential influences on translating law into practice.

Relatedly, this thesis analyses data on multi-agency working that provides insight into how police conceive of their joint role in responding to coercive control and the perspectives of their multi-agency partners that have largely been neglected in the literature. Moreover, the results support previous theoretically-informed concerns about the coercive control legislation as presenting unique evidential challenges. As a course of conduct, coercive control seemingly contradicts the police's traditional focus on incidents of visible physical harm and reinforces criminal justice burdens placed on victims.

Second, I expand the application of street-level bureaucracy (SLB) theory literature about how frontline practitioners utilise inherent discretion to fill gaps and address inconsistencies or ambiguity within the law and policy imposed by the state (Lipsky 1980, 2010) whilst also acknowledging its limitations. Importantly, SLB theory was designed to apply to operational practitioners holding the lowest rank within a public (state) organisation who directly interact with the public and often respond to emergent situations involving high demand and limited resources (ibid; Zacka 2017). Similar to Evans (2010,11,16), I include data collected from strategic and senior-level practitioners and their work with SLBs, considering how managers or supervisors may serve to reinforce, rather than restrict, frontline discretion and existing ways of working.

There are limitations to the generalised applicability of SLB theory, which necessitates the consideration of organisational-specific influences (e.g., levels of discretion, structure, and cultural norms). This research remains focused on understanding the police response. However, data collected on multi-agency practice becomes another way to interrogate how the law is translated into practice. Operational multi-agency partner practitioners, such as safeguarding nurses or independent domestic violence advisors (IDVAs), can be considered SLBs with inherent discretion, facing similar emergent crises and time and resource demands to that of police officers. Multi-agency partners also have a shared responsibility to safeguard victims and prevent future harm. By considering both the individual and joint roles of the police in responding to coercive control, discretionary decision-making and practice can be better understood.

Third, building upon literature about ('failed') police reform and the police response to domestic abuse (Bullock and Johnson 2012; Hoyle 1998; Mackenzie et al. 2019; Myhill 2019; Paterson and Clamp 2012; Skogan 2008), this thesis provides a nuanced understanding of how officers can make law and policy fit 'prevailing cultural norms and ways of working' through their use of discretion (Myhill and Johnson 2016: 5). Using the legislative intervention of the criminalisation of coercive control as a case study, I demonstrate how an entrenched perception of the offence as intractable is reinforced within and between relevant partner organisations, facilitating the continued use of established working practice that officers justify through the use of cultural norms.

I. Background: Coercive control and its criminalisation, theoretical framework, and scope of the research

Coercive control is an abusive pattern of behaviour that may involve the use of threats, intimidation, degradation, manipulation, isolation from family and friends, physical violence, and sexual coercion (Stark 2007). Coercive controlling behaviour has a serious and detrimental impact on victims' mental and physical health, as well as that of any children who experience the abuse (Coker et al. 2000; Jouriles and McDonald 2015; Myhill 2015). This pattern of behaviour is also associated with a risk of domestic homicide perpetrated by the abuser, with emerging findings about potential links to the victim's death by suicide (Bates et al. 2021; Campbell et al. 2003, 2007; Dobash and Dobash 2015, 2016; Monckton Smith 2020).

In England and Wales, at least 50 to 80 percent of the estimated 2.3 million adults who experienced domestic abuse in the past year may have been victims of coercive control (Stark 2007, 2012; Office for National Statistics (ONS) 2020a).[1] Furthermore, Home Office researchers assessed domestic abuse to have a £66 billion economic and social cost to England and Wales in 2017 (Oliver et al. 2019). Together, this research signals the importance of understanding how the police, and their partners, respond to coercive control.

In 2014, Her Majesty's Inspectorate of Constabulary (HMIC) released a report to make domestic abuse 'everyone's business,' which outlined critiques of the police response to domestic abuse. HMIC (2014) concluded that abuse was not recognised and taken seriously unless it involved discrete incidents of overt physical harm. At the time, there was no criminal offence specific to domestic abuse (Hester 2013), with officers instead making use of existing offences that apply to any two individuals, such as assault occasioning actual bodily harm (ABH) or criminal damage. The HMIC (2014) report incited renewed political interest that led to a consultation to improve the legal response to domestic abuse (Home Office 2014a). Following a successful campaign by advocates highlighting a gap in existing criminal law, England and Wales introduced the offence of controlling or coercive behaviour in an intimate or family relationship (*Serious Crime Act 2015*, c. 9, part 5, ss. 76; see Appendix I) on 29th December 2015. This legislative intervention aimed to improve awareness, understanding, and practice around this harmful course of conduct (Hansard, Parliament 10 April 2014).

[1] The 50 to 80 percent is taken from Stark (2007, 2012), which refers to the estimated number of victims of domestic abuse who present to support services that have experienced coercive control. The statistic of 2.3 million estimated victims of domestic abuse comes from the latest Crime Survey of England and Wales (CSEW). There are no existing, validated prevalence measures of this form of abuse.

The criminalisation of coercive control received a variety of media, academic, and political attention (e.g., *The Guardian* 29 December 2017; Walklate et al. 2018). As the first jurisdiction to criminalise this abusive pattern of behaviour, the coercive control legislation initially served as an international model, sparking discussions, consultations, and the creation of new laws in several other jurisdictions.[2] However, it has also been subject to critique. Many critiques of the offence relate to the conceptual translation of coercive controlling behaviour into written legislation and associated concerns about the ability of the police to identify the abuse (Burman and Brooks-Hay 2018; Stark and Hester 2019; Tolmie 2018; Walklate and Fitz-Gibbon 2019; Walklate and Barlow 2022. The initially low recorded use of the offence supports these concerns (see Section III and Chapter One).

There is a dearth of research that tests theoretically-informed conceptual arguments about the coercive control legislation or considers how practitioners' decision-making and practice produce the recorded outcome statistics. Moreover, there are very few empirical academic studies conducted after the introduction of the legislation that interrogate the police (and criminal justice system) response to coercive control in England and Wales (Barlow et al. 2019; Brennan et al. 2021; Brennan and Myhill 2022; McGorrey and McMahon 2019; Wiener 2017). However, as outlined in Chapter One, previous studies of the use of the coercive control legislation in England and Wales provide evidence that supports a general increase in the use of this offence, missed opportunities to identify and respond to coercive control, a high prevalence of 'evidential difficulties,' and the potential for training to influence officers' arrest decisions.

[2] These countries include Scotland, Northern Ireland, Australia, and the United States.

The remaining gaps in the literature include observations of officers' practice whilst handling cases of coercive control, an in-depth understanding of officers' use of discretion, as well as an examination of the police as multi-agency partners. This thesis begins to address some of these gaps by including complementary mixed methods and data sources that encompass self-reported, observed, and recorded practice of police officers, which also considers their joint (multi-agency) role in responding to coercive control.

This thesis also presents a theoretical framework to help analyse and better understand the collected data. As noted earlier, the developed framework for negotiated practice is informed by relevant literature on policing, domestic abuse, coercive control, and the translation of law into practice. This framework and the associated analyses interrogate the influence of police officers' knowledge and understanding of coercive control, interactions with the public and colleagues, multi-agency working practice, organisation (structure, resources, and culture), and overarching legal context on their use of discretion in response to coercive control.

As street-level bureaucrats (SLBs) (Lipsky 1980, 2010) who interact with the public, operational police officers are imbued with discretion (see also Chapter Two). This discretion, alongside limited frontline supervision, allows SLBs to act as they see fit in response to emergent situations (ibid; Hupe and Hill 2007; Evans 2010; Zacka 2017). For instance, previous research on the police response to domestic abuse in England and Wales demonstrates that even where there are policies that aim to limit officers' use of discretion (e.g., mandated arrest for cases of domestic abuse), the perceived seriousness of the offence and engagement of a victim may impact officers' practice (Hoyle 1998; Hoyle and Sanders 2000; Myhill 2019).

Notably, academic literature describes the organisational culture of the police ('cop culture') as 'action-oriented,' cynical, pessimistic, and risk-averse, with an 'us' versus 'them' mentality that can facilitate the use of stereotypes about who deserves help (Bradford and Myhill 2013; Logan 2006; Reiner 2010; Robinson and Chandek 2000; Rowe 2007; Myhill 2019). Furthermore, the police and broader criminal justice system are structured and most accustomed to handling discrete incidents (also known as 'incidentalism') involving tangible evidence of physical violence (Bishop 2016; Kelly and Westmarland 2016). Thus, as a pattern of behaviour that may not demonstrate overt signs of physical violence, coercive control presents a problem that requires a necessary change in practice.

In England and Wales, the police are also required to work with their multi-agency partners in what aims to be a coordinated community response (CCR) (Malik et al. 2008). Adding complexity to the police response to coercive control, this type of multi-agency partnership demands effective communication and information sharing, which also requires 'relational expertise' and intentional collaboration (Edwards 2010; see Chapter Two). Moreover, echoing aspects of SLB theory (Lipsky 1980, 2010; Zacka 2017), studies of (failed) attempts to reform police practice evidence numerous barriers. These barriers include local differences in officers' interpretation of law and policy and the organisational prioritisation of performance measures that may introduce conflicting goals or values (Bullock and Johnson 2012; Paterson and Clamp 2012; Skogan 2008). Thus, as outlined in Chapter Two, informed by reviewed academic literature, I develop a theoretical framework for negotiated practice that recognises the influences on police officer discretion and decision-making associated with the translation of law into practice and how this relates to the police response to coercive control.

It is important to note that all references to 'coercive control' and 'coercive controlling behaviour' within this thesis relate to the form of abusive behaviour or the legislation criminalising controlling or coercive behaviour in an intimate or family relationship (*Serious Crime Act 2015*, c. 9, part 5, ss. 76). Furthermore, I acknowledge that other terms, such as survivor or victim-survivor, are often used or preferred within other contexts. However, to reflect the language utilised by police officers, the terms victim and suspect or perpetrator are used throughout this thesis to refer to individuals subjected to coercive controlling abuse and those who are alleged or convicted of exercising coercive control, respectively.

Regarding the scope of the reviewed literature, although this thesis centres on the criminalisation of coercive control in England and Wales, it also references academic literature from other jurisdictions where relevant. For instance, Stark's (2007) research and conceptualisation of coercive control originated within the United States but was adopted into academic literature within the United Kingdom (UK) and internationally. Additionally, referenced authors may be based in Scotland, Australia, and other jurisdictions (e.g., Burman and Brooks-Hay 2018; Tolmie 2018; Walklate et al. 2018), but these references either relate to the legislation in England and Wales or are placed within the appropriate context of the broader criminalisation of coercive control.

The use of criminal law in response to domestic abuse and the utility of legal reforms to respond to violence against women has been an international topic of interest. Some authors suggest that these legal reforms can harm the victims they aim to protect (Walklate 2008; Walklate et al. 2018; Goodmark 2018). In order to conduct in-depth research within existing resource constraints, it is beyond the scope of this research to complete an assessment of the efficacy of the coercive control offence from the perspective of victims of abuse and the potential harms experienced as a result of victims' interactions with the criminal justice or other legal systems. Additionally, this study does not analyse how societal attitudes, beliefs, and values may contribute to practitioner responses to coercive control or the perpetration of abuse. Rather than evaluating the efficacy ('success') of the coercive control legislation, this research centres on how the police interpret and translate the existing law through their individual and joint practice, addressing the question of whether the police have failed to do what was asked of them.

II. Overview of the research

Methods

This thesis draws upon data from several complementary sources. These sources include the primary qualitative data collected from 59 interviews with 35 members of the police and 24 professionals from multi-agency partner organisations, including social care, domestic abuse specialist support services, probation, drug and alcohol services, health, and the local area council.[3] Whilst police officers are the 'gatekeepers' (Hohl and Stanko 2015) of the criminal justice system, they also work in partnership with other agencies, whose perspective adds greater depth and context to police practice relating to coercive control.

[3] These are the partner agencies that attend Multi-Agency Risk Assessment Conferences (MARAC) with the police (see Chapter One).

Additional data sources include anonymised police case files, observations of police practice (ride-alongs), multi-agency meetings, and delivery of a relevant training input, as well as local police-recorded outcome data. Together, these data sources provide evidence of self-reported, officially recorded, and real-world police (and multi-agency) practice, examined using qualitative analysis. This research moves beyond quantitative performance measures, using a case study of one local area to provide a nuanced and contextual understanding of how the police translate this legislative intervention into practice.

Aim, objectives, and research questions

Given the identified gaps in knowledge, this thesis aims to examine how police officers interpret the coercive control legislation and translate it into practice. The empirical objectives of this research are to collect and analyse data from interviews, case files, observations, and recorded outcomes to interrogate police officers': understanding of coercive control as a form of abuse and a piece of legislation; use of organisational training and guidance; interactions with service users (victims, perpetrators, families) and multi-agency partners; experience responding to coercive control; and, finally, use of discretion and decision-making with regards to the coercive control offence. By achieving these aims and objectives, this study seeks to answer the following three research questions:

1. In what ways, if at all, has the coercive control legislation transformed, disrupted, or been embedded into practice by the police?

2. How do the police conceive of their individual and joint (multi-agency) roles in responding to coercive control?
3. How do the police negotiate the challenges to practice presented by the legislation?

III. Putting the research in context: National and local police-recorded outcome data

To provide additional context about the site of this case study, the collected and analysed empirical data come from one police force area in the South of England. This force area is medium-sized, encompassing several counties that include both rural and urban areas. Moreover, the police force demonstrates similar assessments of general practice and areas for improvement compared to the average police force within England and Wales.

For instance, Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service's (HMICFRS 2019) Police Effectiveness, Efficiency, and Legitimacy (PEEL) Report on the national police response to domestic abuse found a decrease in the rate of arrest for domestic abuse-related offences when compared to previous years. This decrease was similarly evident within the specific force of study. Similarly, HMISCFRS' (2019) most recent local inspection indicates that the relevant force area's domestic abuse-related crime outcomes (e.g., charge/summons, evidential difficulties) are on par with the national average. Therefore, although limitations of generalisability arise from any research involving a single study site, the national data presented in this section suggest that this force area is reasonably representative, at least in this respect.

This section begins by presenting nationally reported police outcome statistics (across England and Wales), followed by local police-recorded outcomes from the force area of interest. As above, this research aims to examine how police officers interpret the coercive control legislation and translate it into practice, which requires in-depth qualitative analysis. However, quantitative data on police use of the coercive control legislation and corresponding information about the response to other domestic abuse-related offences provides essential context for the primary qualitative analysis and aids triangulation.

I collected the national statistics from publicly available datasets of the Office for National Statistics (ONS), which include data gathered from police forces, the Crown Prosecution Service (CPS), and the Ministry of Justice (MOJ) in England and Wales.[4] I also utilised Microsoft Excel for data visualisation and secondary analysis of descriptive statistics. In addition, two members of the police staff within the local force area provided raw data for the outcome statistics presented below. Based on acknowledged limitations within these datasets, which ranged from sample size to changes in recording practice and uncontrolled potentially confounding factors, it was not feasible to conduct significance testing. However, the figures provide a general picture of the police use of the coercive control offence, associated criminal justice outcomes, and changes over time. Chapter Three provides additional details about the methods of data collection and analysis.

[4] It is important to recognise that the data from the CPS and MOJ are collected from separate sources and within different year-end calendars. Therefore, the number of crimes, prosecutions, and convictions reported by one source or the other will differ within the same year. These differences mean the datasets cannot be directly compared but can be considered across years within each source.

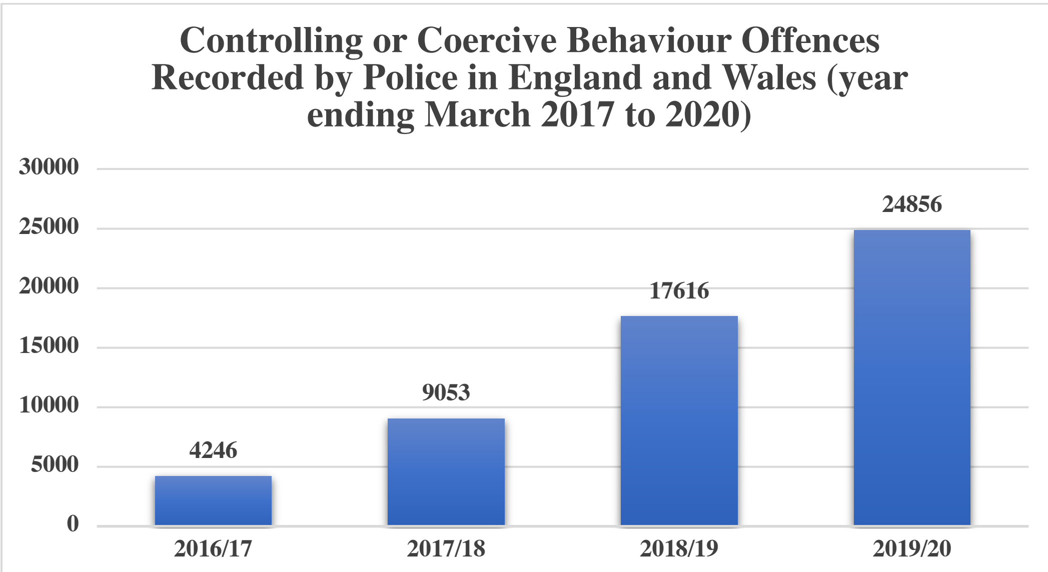
Police and criminal justice outcomes in England and Wales

Across England and Wales, data on the use of the offence of controlling or coercive behaviour in intimate or family relationship demonstrates an overall upward trajectory since its introduction at the end of December 2015. According to ONS (2021a) reported figures, police-recorded offences of coercive control increased from 4,246 in 2016/2017 (year ending March 2017) to 24,856 in 2019/2020 (year ending March 2020; see Figure 1). For reference, ONS (2020b) figures for the year ending March 2020 show that police-recorded offences of controlling or coercive behaviour made up just over 3% of the total (n = 758,941) number of police-recorded domestic abuse-related offences that year.

During the study period, the year on year increase in police-recorded offences of controlling or coercive behaviour ranged from an initial 133% increase between 2016/17 and 2017/18 to a 41% increase between 2018/19 and 2019/20. However, Greater Manchester Police (GMP) statistics were excluded from the 2019/2020 dataset (ONS 2021a), demonstrating an adjusted percentage increase of 49%. Although not included in the current study period, ONS (2021a) data from the year ending March 2021 included 33,954 controlling or coercive behaviour offences recorded by the police, for a 37% percent increase in recorded offences compared to 2019/20. This pattern supports a continued but potentially depreciating rate of increase in police use of the offence as the legislative intervention has been translated into practice (see Figure 1).[5]

[5] For an overview of the use of the coercive control offence in England and Wales, see also recent quantitative analysis by Brennan and Myhill (2022). Chapter One outlines relevant findings.

Figure 1. Police-recorded offences of controlling or coercive behaviour in an intimate or family relationship in England and Wales.



Raw data source: ONS (2021a) Domestic Abuse and the Criminal Justice System Appendix Tables.

Furthermore, since controlling or coercive behaviour is a relatively 'new' offence, yearly increases in recorded offences may also be attributable to improved awareness and recognition of coercive control by police officers and other criminal justice actors (ONS 2019a). The above possibility, as well as the potential influence of training, are discussed later in this thesis.[6] In addition to coercive control, the number of domestic abuse-related offences recorded by police has also increased in recent years, which the ONS (2021b) claims may reflect a generally improved recording by police since the estimated prevalence of domestic abuse remains relatively stable. Moreover, changes to

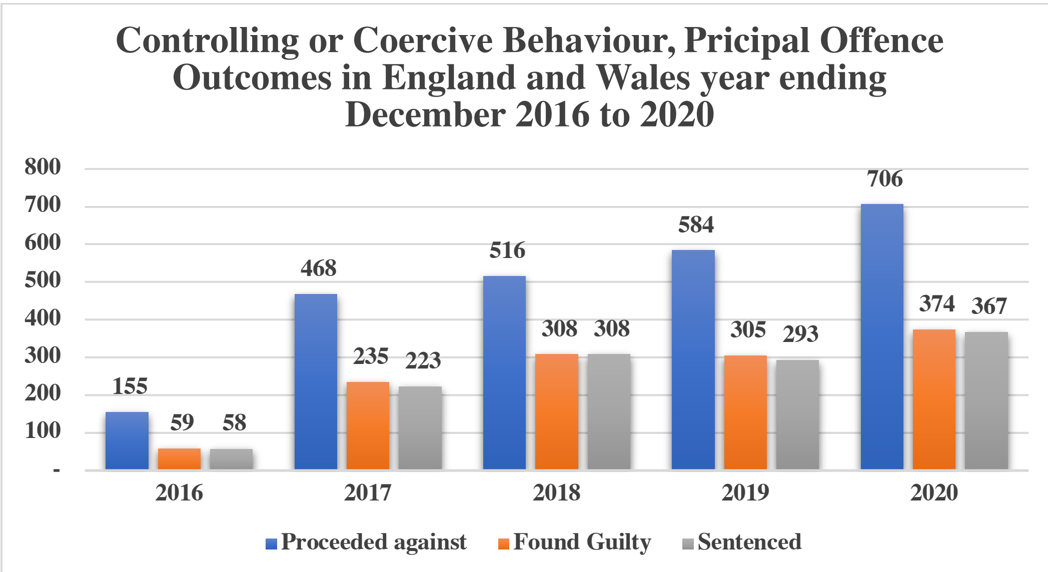
[6] Also, note that the coercive control legislation was not retroactive. This condition means that the police could not apply the offence to behaviour that occurred prior to its enactment on 29th December 2015, which may have contributed to the initial use of the offence by the police.

crime recording standards also occurred across the study period. These changes include classifying coercive control as serious violence in July 2016 and amendments to the Principal Crime Rule relating to course of conduct crimes in 2018[7] (Home Office 2020; ONS 2017: 48).

Turning to criminal justice outcomes, the ONS (2021a) reported CPS data show a similar initial increase in the number of controlling or coercive behaviour offences that reached a first hearing at magistrate's court from 309 to 960 offences between 2016/17 and 2017/18. This increase was followed by a continued but tapering upward trajectory, with 1,208 offences that reached a first hearing in 2019/20 (ibid; see also Appendix II). Moreover, the ONS (2021a) reported data from the MOJ demonstrate an overall increase in the number of cases proceeded against at Crown Court in which controlling or coercive behaviour was the principal (most serious recorded) offence (see Figure 2). On average, of those cases proceeded against, 50% of defendants were found guilty of controlling or coercive behaviour.[8]

[7] The ONS (2017: 48) states that from 1st July 2016, 'Controlling and coercive behaviour should be considered the most serious violent crime over assaults up to and including offences contrary to section 20 of the Offences Against the Person Act. It should also be considered the most serious crime over offences of criminal damage, theft and sexual offences amounting to voyeurism or exposure.' Additionally, as of 2018, the Home Office (2020) Counting Rules specify that where officers notify more than one crime, officers should record the course of conduct crimes (controlling or coercive behaviour, stalking, and harassment) and the most serious additional notifiable crime. Furthermore, where officers identify more than one course of conduct crime, they should record only the most serious (ibid).
[8] See Appendix II for experimental MOJ statistics provided to the ONS (2021a) on principal and non-principal offences of controlling or coercive behaviour proceeded against at magistrates' and Crown Court.

Figure 2. Controlling or Coercive Behaviour Recorded as the Principal Offence, Crown Court Criminal Justice Outcomes in England and Wales 2016 to 2020.



Raw data source: ONS (2021a) Appendix Tables

Overall, the above figures may suggest greater awareness and use of the coercive control legislation, but further research is required to understand the police practice which sits behind these outcomes. Moreover, when compared with the estimated prevalence of domestic abuse (see above, 2.3 million adults in England and Wales in 2019/20), many of whom will be victims of coercive control, there appears to be additional room for growth.

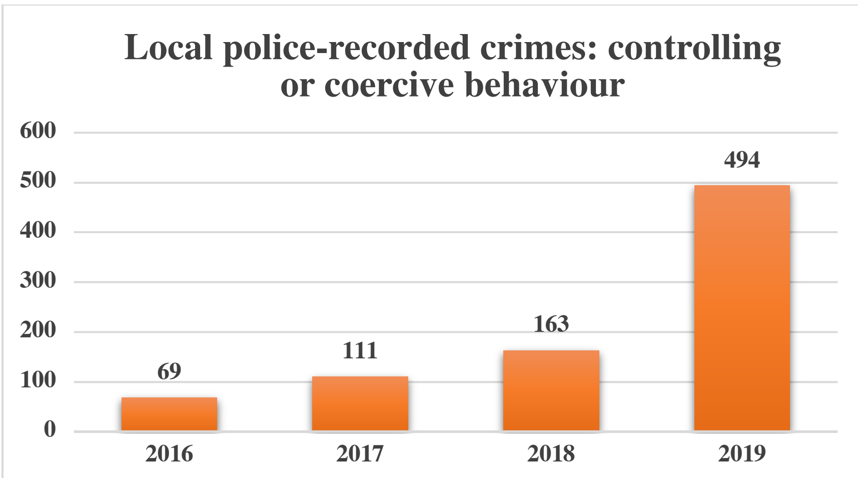
Force area case study: Police-recorded statistics

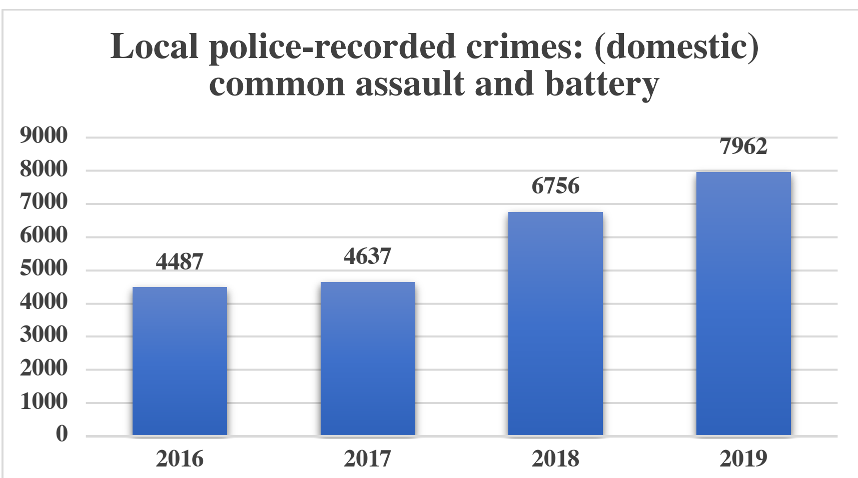
With the above national context, this section considers data provided by the local force area. Beginning with local police-recorded crimes of controlling or coercive behaviour, only 69 offences were recorded in the year ending December 2016. By the end of 2019, this reached 494 controlling or coercive behaviour offences (see Figure 3). The 203% increase between 2018 (n = 163) and 2019 (n = 494) is particularly notable. However, it is important to consider these figures within the local context of other domestic abuse-related offences.

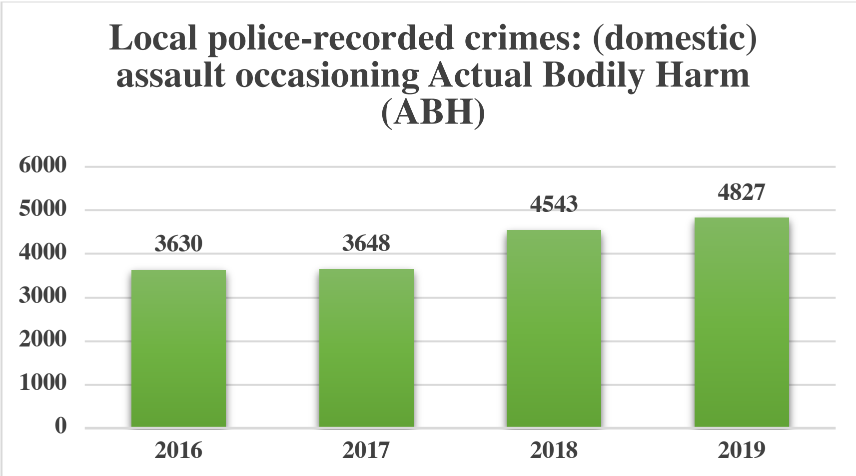
Figure 3 presents comparative local data on domestic abuse-related common assault and ABH.[9] The choice to utilise these offences arose from Barlow et al.'s (2019) case comparison and the fact that common assault and ABH are the two most common offences prosecuted alongside coercive control in England and Wales (ONS 2020b). The data from the local force area appear to show a broader increase in police-recorded (domestic abuse-related) crimes, particularly between 2017 and 2018, which was not limited to coercive control. Additionally, the volume of recorded crimes of coercive control is much lower than that of (domestic) common assault and ABH. This difference in volume may be expected because coercive control depends on a pattern of behaviour (e.g., several police-recorded incidents) rather than single incidents (of physical violence), but these figures support further qualitative study.

[9] In addition to the presented crime data, the local force area provided data for domestic abuse-related crimes of grievous bodily harm (GBH), stalking (and harassment), criminal damage, threats to kill, and rape (see Appendix II).

Figure 3. Local force area police-recorded crimes of controlling or coercive behaviour, (domestic) common assault and battery, and (domestic) assault occasioning actual bodily harm from 1st January 2016 to 31st December 2019.



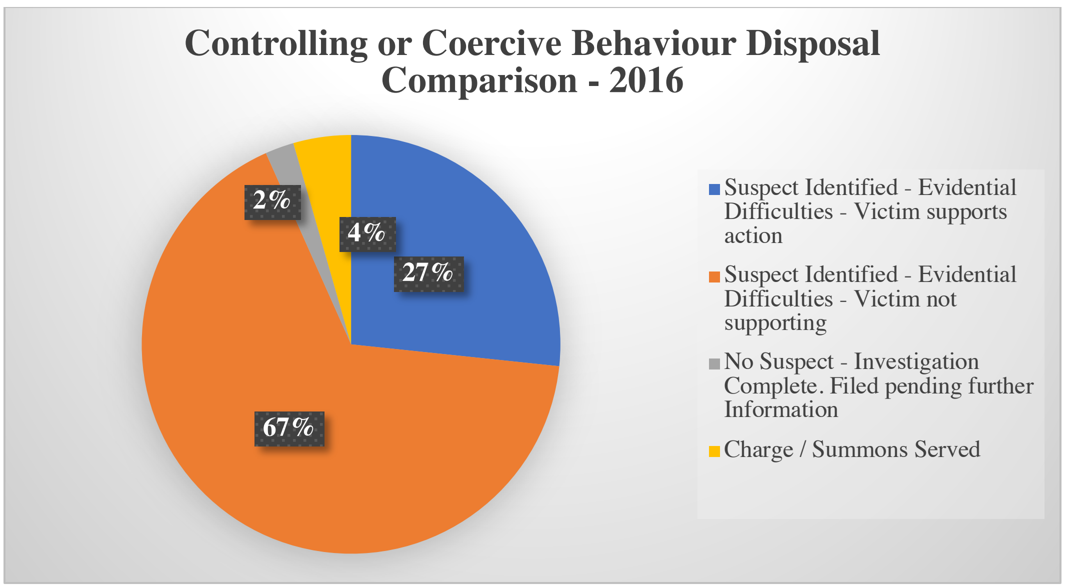




This research also considers local police-recorded disposal outcomes for crimes of controlling or coercive behaviour (see Figure 4). Local force area data show that the majority of recorded offences of controlling or coercive behaviour result in no further action (NFA) due to 'evidential difficulties,' most often where the victim did not support police action. Averaged across this dataset, 85% of disposals for coercive control offences were recorded as experiencing 'evidential difficulties,' 55% of which did not involve support from the victim and 30% in which the victim did support action.

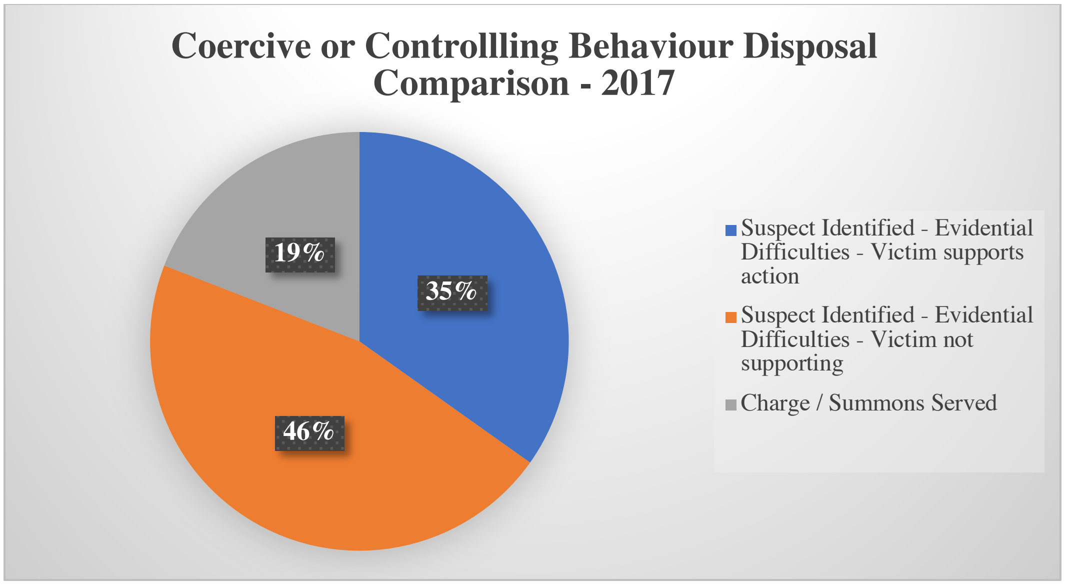
For comparison, across England and Wales, 78% of domestic abuse-related violent offences (55% of 'evidential difficulties' being those in which the victim does not support action; ONS 2020b). Additionally, the Home Office (2021a) review found in 2018/19 that 85% of coercive control offences across England and Wales received an outcome of 'evidential difficulties' with or without the victim's support (see Chapter One). Initial quantitative data from this case study, alongside findings from the Home Office (2021a) review and Barlow et al. (2019: 9), suggest that coercive control may be more likely to result in evidential difficulties than other domestic abuse-related offences. The self-described, recorded, and observed practice analysed in this thesis provides further understanding of why this is the case. Moreover, at the time of data collection, local force area reports to the Ministry of Justice showed a total of 21 convictions for controlling or coercive behaviour achieved between 1st January 2016 and 31st December 2019.[10] This includes 2 in 2016, 10 in 2017, 5 in 2018, and 4 in 2019.

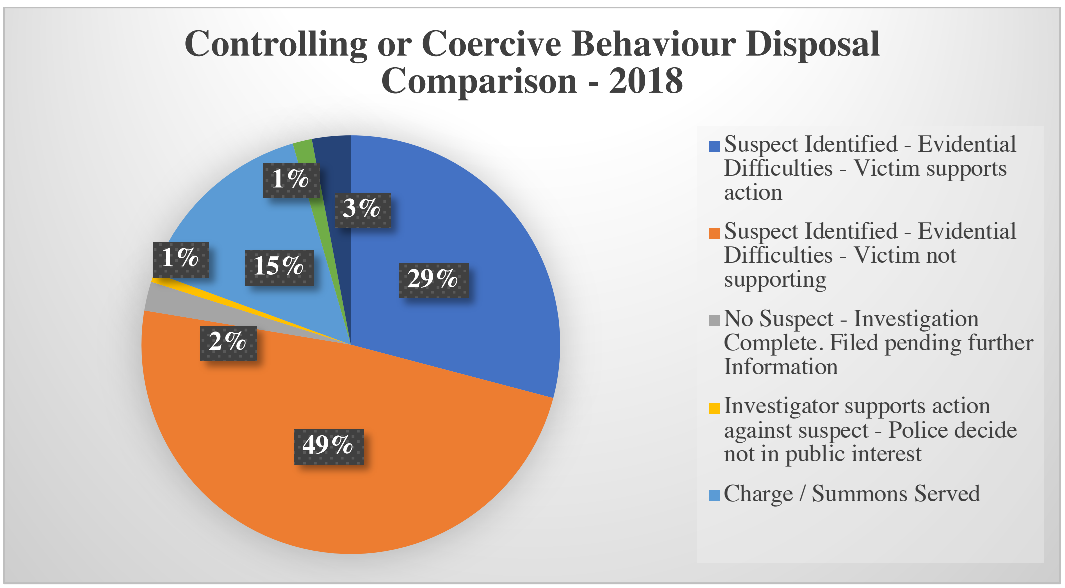
Figure 4. Local force area police-recorded disposal outcomes for crimes of controlling or coercive behaviour from 1st January 2016 to 31st May 2019.[11]

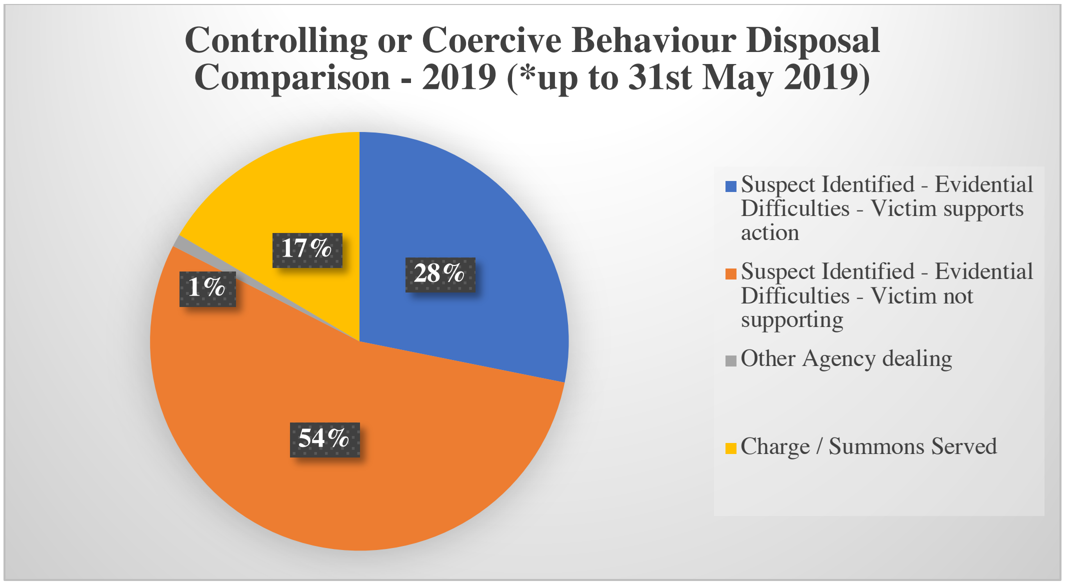


[10] As with all criminal justice data, the reported figures related to when the outcome was achieved rather than when the offence was committed. Therefore, depending on delays within the court process, there may be a large gap between the recorded crime and its eventual criminal justice outcome. Note that the local force area reported 12 convictions of controlling or coercive behaviour in the year ending December 2020.

[11] As described in Chapter Three, changes to local police recording systems prevented detailed outcomes statistics (see also Appendix II). Additionally, please note that the disposal outcomes differ between years based on the records collected by police staff.


Coercive or Controllling Behaviour Disposal Comparison - 2017
19%
35%
46%
Suspect Identified - Evidential Difficulties - Victim supports action
Suspect Identified - Evidential Difficulties - Victim not supporting
Charge / Summons Served


Controlling or Coercive Behaviour Disposal Comparison - 2018
1%
3%
1%
15%
29%
2%
49%
Suspect Identified - Evidential Difficulties - Victim supports action
Suspect Identified - Evidential Difficulties - Victim not supporting
No Suspect - Investigation Complete. Filed pending further Information
Investigator supports action against suspect - Police decide not in public interest
Charge / Summons Served



The relatively small sample size within the local force area dataset makes it difficult to draw firm conclusions. However, the presented quantitative data provides important context for this research study. When combined with criminal justice data across England and Wales (see also Brennan and Myhill 2022), it is clear that police use of the coercive control offence has increased since its initial introduction. Additionally, officers often experience 'evidential difficulties' when attempting to progress the case through the criminal justice system. Moreover, the data suggest that the local force area is relatively representative of police-recorded outcomes for coercive control across England and Wales.

IV. Thesis structure: Chapter summaries

First, **Chapter One** provides a detailed review of the literature, expanding upon the above introduction. More specifically, Chapter One begins by discussing the origins and current understanding of coercive control, the impact of this abuse on its victims, and relevant conceptual debates within the literature. I also present additional background on the legislative intervention, associated academic responses, and relevant empirical research. The literature reviewed in Chapter One provides the necessary background to understand the rationale for this study, raises points of interest for further analysis, and is threaded throughout the rest of the thesis.

In **Chapter Two,** I build upon the reviewed literature to develop a theoretical framework for negotiated practice that I apply to this study of the police response to coercive control. This chapter begins with a discussion of street-level bureaucracy theory and the inherent discretion held by (operational) police officers and other public servants (street-level bureaucrats – SLBs) who interpret and translate the law into action. This section includes critical engagement with Lipsky's (1980, 2010) initial theory and more recent developments.

The framework also considers the role of managers or supervisors (Evans 2010,11,16) and the potential for law and policy change to produce conflicts between SLBs' values, obligations, resources, or demands. This conflict may result in a dilemma or 'impossible decision' that, in turn, influences an SLB's use of discretion (Zacka 2017). With this theoretical basis, the developed framework considers the influence of officers' understanding, interpersonal interactions, multi-agency working experience, and organisational and legal context on their use of discretion in response to coercive control.

Chapter Three presents the data collection and analysis methods, returning to the research aims and rationale for the chosen methodology. In this chapter, I discuss ethical considerations and data sampling methods, also detailing the use of primary qualitative and complementary data sources. Additionally, I explain the constructivist style approach that informed concurrent data collection and initial coding and analysis using NVivo software. Finally, Chapter Three also highlights how the research design allows triangulation of self-reported, recorded, and observed navigation and use of the coercive control legislation by police officers.

In **Chapter Four**, I present the findings from data analysis, beginning with police officers' understanding of coercive control, perceptions of the legislation, potential influence of identified organisational and legal factors, and relevant challenges to practice experienced when responding to coercive control. Officers' understanding of coercive control as a form of domestic abuse and piece of legislation demonstrates perceptions of its subtle complexities, use of comparison to physical violence (offences), intra-organisational differences, and perception of the offence as presenting officers with the power to act, as well as a remaining gap between the concept of coercive control and its legal application.

In the remainder of this chapter, I examine evidence of officers' use and perceptions of organisational tools (risk assessment forms, training), existing organisational culture, and identified resourcing and evidential challenges for police practice in response to coercive control. This analysis culminates in a description of the 'safeguarding conflict' as reflecting a unique dilemma and 'impossible decision' for officers as SLBs (Zacka 2017). This section of the chapter considers how officers may use their discretion in an attempt to resolve this conflict when responding to coercive control. Finally, comparative examples of officially recorded practice support the findings from officer interviews, contributing to further understanding of how the coercive control legislation has been translated into practice.

Chapter Five shifts focus to police officers' interactions and working relationships with victims of coercive control, alongside additional references to their interactions with colleagues, perpetrators, and victims' family members (including children). This analysis includes officer perspectives on the circumstances in which victims (or witnesses) of coercive control report abuse to the police, how police officers identify a pattern of coercive controlling behaviour when responding to discrete incidents, and officers' responses to identified abuse. The findings highlight the impact of time, induced fear, and overall safeguarding objectives on officers' use of discretion and developed working rules for practice.

Analysis of data collected from police case files and ride-alongs situates the results within the observed and recorded practice, also illustrating characteristics of the abuse experienced by victims. In Chapter Five, I also highlight an observation in which an officer threatened the removal of the victim's children to induce or coerce engagement with the criminal justice process. Officers are also described as developing domestic abuse 'compassion fatigue,' which is associated with expressed victim-blaming attitudes. The final section of this chapter provides two examples of strategies used by officers to overcome previously identified barriers to practice.

In **Chapter Six**, I interrogate police officers' perceptions of their role within the context of multi-agency partnership working. The chapter first considers officers' self-reported experience working with the Crown Prosecution Service (CPS) and the Independent Domestic Violence Advisors (IDVAs) who sit within specialist domestic abuse support services. Analysis shows that officers appreciate the practical and emotional support IDVAs provide to victims, allowing these officers to devote their attention to the legal process.

In contrast, officers recognised a difference in organisational aims or responsibilities between themselves and the CPS that may hinder their practice, harm victim engagement, and induce experienced 'evidential difficulties' associated with the coercive control offence. In the final section of this chapter, I interrogate evidence around how the police navigate their joint role in the multi-agency response to coercive control, which requires 'relational expertise' (Edwards 2010). These findings highlight the importance of information sharing to identify coercive control and associated risk. The results also illustrate operational and strategic officers' experiences attending multi-agency meetings and provide examples of officers using initiative to engage with partners to safeguard victims outside of the criminal justice system.

Chapter Seven turns to an examination of multi-agency partners' experiences of responding to coercive control and working with the police, alongside an analysis of multi-agency meeting observations of practice. In the first part of this chapter, I present and compare multi-agency partner responses to the questions raised within police officer interviews. Many of the findings demonstrate overlap with officer responses. These overlaps include the role of on-the-job experience in developing their understanding of coercive control, descriptions of coercive control as complex, time pressure as potentially preventing necessary rapport development with a victim, and recognised use of victim-blaming language and stereotypes about victims of abuse.

However, potentially reflecting organisational differences, multi-agency partner understanding of coercive control often focused on non-physical tactics that induce control through the fear of repercussions. Additionally, many practitioners recognised that 'successful' outcomes might not involve a victim's separation from the perpetrator or a conviction for coercive control. The remainder of Chapter Seven illustrates the dynamics of local partnership working through analysis of observed operational and strategic multi-agency meetings. This chapter includes evidence of how concerns about practice are raised and actioned, examples of the resolution of tensions or conflict between partners, the role of the police within these meetings, relevant case examples, and potential local differences in practitioner identification of coercive control.

Finally, the **Conclusion** of this thesis summarises and discusses the presented empirical findings, responding to research questions relating to the use of the coercive control legislation, the individual and joint role of the police in responding to coercive control, and the negotiation of identified challenges to practice. This thesis identifies how the perceived evidential and victim engagement challenges presented by the coercive control legislation appear to facilitate a developed working practice to pursue more established alternative offences or protective measures in the face of a 'safeguarding conflict.' I discuss the implications of this working practice, the ways in which it reflects previous literature, and how officers overcome identified barriers to practice. I conclude by considering how this thesis provides unique contributions to the literature around the police response to domestic abuse and coercive control, multi-agency working, and the influence of police officer discretion on the translation of law into practice.

Chapter One – Coercive control: Current understanding, debate, assessment, and legislative intervention

Introduction

Chapter One reviews relevant academic literature that feeds into the theoretical framework for negotiated practice developed in Chapter Two. This review begins by providing the necessary background, and critically engaging with debates surrounding the origins, theoretical conceptualisation, gendered (and intersectional) nature, and operationalisation of coercive control. This chapter also begins a discussion about the context surrounding the introduction of the coercive control legislation, including how the devastating impact of this form of abuse spurred its criminalisation. Examining the potential benefits, challenges and unintended consequences of criminalisation, alongside the limited empirical research on police use of the legislation in England and Wales, situates the thesis within the existing literature. This chapter builds a foundation on which to develop this thesis's main contributions to the field by identifying what is known, and what the remaining gaps are, in understanding the police response to coercive control.

I. Background

Origins and current understanding

First, it is important to understand the origins of the terminology, conceptualisation, and theory behind the coercive control legislation. The term 'coercive control' is used to describe an abusive pattern of behaviour that restricts, isolates, and engenders fear in those subjected to it. Academics and practitioners most often attribute this terminology to Evan Stark's (2007) theory presented in *Coercive Control: The Entrapment of Women in Personal Life*, which draws upon his experiences as a social worker in the United States.

Although previous literature described elements of coercive control (e.g., Dutton and Goodman 2005; O'Leary 1999; Pence and Paymar 1993; Schechter 1982), Stark's (2007) conceptualisation gained traction within academic and wider circles alongside his initial recommendation to criminalise such behaviour. Stark (2007) also signals the gravity of this abuse through his use of literature on the experiences of cult members, prisoners of war, and victims of kidnapping and human trafficking, which explains how coercive control removes the liberty and security of its victims. Whilst not described in this thesis, beyond the use of the term 'coercive control' in reference to domestic abuse, academics have also adopted this language within research on honour-based violence and abuse (Mayeda et al. 2019) and forced marriage (Chantler and McCarry 2020).

Coercive controlling behaviour can include: intimidation through threats, degradation, micro-regulation of everyday behaviour (i.e., eating, bathing, grooming), isolation from family, friends, and other support networks, financial/economic abuse, and physical violence and sexual coercion

(Stark 2007). Authors have also labelled abuse involving coercive controlling behaviour as 'intimate,' 'romantic,' and 'everyday' terrorism (Hayes and Jefferies 2015; Johnson 2008; Pain 2014) because fear is induced and used to obtain and retain control over an intimate partner or family member. Furthermore, recent research has demonstrated the decreased 'space for action,' or limited behavioural choices available to victims when subjected to coercive control (Bates and Hester 2020; Kelly 2003; Sharpe-Jeffs, Kelly, and Klein 2017).

Coercive control has a cumulative effect on the victim via the frequency and routine nature of the abuse (see Section I). Specialist domestic abuse services, including Women's Aid, have long used the Power and Control wheel to understand what is now termed 'coercive control' (Pence and Paymar 1993). Each spoke of the wheel is labelled with potential tactics, including coercion, threats, economic abuse, emotional abuse, male privilege, children, isolation, minimisation, denial, and blame. These spokes are surrounded by physical and sexual violence, using this symbolism to demonstrate how these actions can reinforce the underlying fear and control (Dempsey 2016: 245).

Additionally, coercive control may not always involve overt physical violence (Crossman, Hardesty and Raffaelli 2016; Terrazas-Carrillo et al. 2016), but the effect of frequent 'minor' violence, such as pushing and shoving, non-fatal strangulation, or the use of weapon-based threats facilitates and strengthens the abuser's control over the victim (Sorenson and Schut 2018; Thomas et al. 2014). By providing a credible threat of harm ('or else' proviso; Stark 2007, 2020), these intimidating experiences induce fear and enforce the abuser's rules or demands without the need for further physical violence. These rules may involve limitations, restrictions, or demands relating to physical movement, social interaction and communication, clothing, cleaning, sexual performance, or even bathroom use (Stark 2007). An escalation of abuse often follows the victim's challenge of rules and expected behaviour.

Furthermore, coercive control removes an individual's freedom of choice, limiting the victim's liberty and 'space for action' (Kelly 2003; Sharpe-Jeffs et al. 2017; see also Pitman's 2017 model of 'The Trap'). This is facilitated by the monitoring, surveillance, and regulation of the victim. As control extends throughout the home, family, workplace, and other aspects of their lives, victims will often attempt to create 'safety zones' (Stark 2007: 209) within physical spaces or use objects beyond the reach of an abuser. However, the abuser will attempt to seek out and remove these spaces through actions including going through a mobile phone, checking internet history, searching for personal items, or installing spyware (Freed et al. 2018; Stark 2007; Woodlock 2017).

The rise of digital technology, including social media, location tracking services, and home security tools, have had unintended consequences for victims of coercive control through streamlined surveillance, monitoring, and micro-regulation by abusers (Freed et al. 2018; Messing et al. 2020; Woodlock et al. 2020; Yardley 2020). Abusers can exploit technology in many ways, with or without the victim's knowledge. For instance, at the beginning of the relationship, individuals might choose to share their passwords or allow a partner access to their accounts. However, as the coercive controlling behaviour develops and escalates, such intimate knowledge and access become weapons to exert control. On the other hand, victims and practitioners can utilise technology with different aims, as discussed in later chapters.

To examine the prevalence and experience of technology-based abuse, Messing et al. (2020) conducted a six-year research project involving two surveys of female victim-survivors of stalking and intimate partner violence. The authors found that 60% to 63% of women reported experiencing technology-based abuse, including cyberstalking, online harassment, monitoring, and humiliation (ibid: 6-7). Moreover, although it extends the omnipresence of abuse over a victim of coercive control, 'remote' technological abuse is often minimalised and trivialised (Yardley 2020). Within the technology sector, developers are beginning to consider and recognise how abusers may utilise their work as a tool of coercive control (Nuttall et al. 2020). However, the perpetrators of abuse need not have the access or technological knowledge to follow through, as the mere threat of hacking into the victim's account and sharing private or sensitive information may be enough to reinforce control.

Coercively controlling abusers also use experimentation to individualise their tactics to the victim. The abuser's use of experimentation aims to determine which actions produce the control they desire without attracting the attention of those outside the relationship. Stark (2007: 206) describes a salient example of such behaviour in a case in which a woman's husband would hide in the closets of their home and jump out to surprise her. Initially, to an outside observer, these actions might be considered strange. However, within the context of this relationship, the husband's behaviour would be considered immensely intimidating. The abuser knew his wife was sexually assaulted as a child by her uncle, who had hidden inside her bedroom closet. Therefore, the husband utilised this intimate knowledge to induce fear. This complex relationship dynamic often allows coercive controlling abuse to remain 'hidden' or 'invisible' to those outside the relationship (Postmus et al. 2020; Stark 2007; Wiener 2017). From a policing perspective, this action alone would not ordinarily be considered a crime or otherwise receive an active criminal justice response (see Section III).

Wiener (2017) utilised Stark's (2007) conceptualisation of coercive control to develop a 'working model' for use by police officers. Within this working model, Wiener (2017) describes how coercive control can develop slowly over time or escalate quickly. Coercive control begins with a 'grooming' process, also associated with 'love bombing' (Hayes and Jefferies 2016), that involves romantic gestures and courtship, granting the perpetrator intimate access to the victim's life and inducing vulnerability (Wiener 2017: 507). An essential aspect of coercive control, and the next stage in Wiener's (2017) model, is the isolation of victims from family, friends, co-workers, and other members of their support networks. This isolation can occur slowly, facilitate dependence, and create an 'unreality' (Williamson 2010) whereby the abuser can distort the victim's perception of reality without the influence of others.

This unreality can be compounded by gaslighting, a technique in which abusers create doubt in victims' minds about their perceptions or memories (Stark 2012: 209). The use of gaslighting makes the victim feel as though they are 'going crazy' and may be accomplished by the abuser moving or hiding objects or convincing the victim that they engaged in humiliating and degrading actions while under the influence of drugs or alcohol (ibid). The manipulative tactics described above extend the abuser's control in a way that those outside the relationship may not recognise whilst also undermining the victim's self-worth (Myhill 2015; Wolford-Clevenger and Smith 2017). Furthermore, the abuser may also manipulate others around them who are not their direct victim, from family to co-workers to police officers (Stark 2007). Based on the described hidden nature of coercive control, outsiders may view a victim's actions or response without understanding their context and assume that the victim is behaving irrationally.

Following on from Stark's (2007) theory of coercive control, the Home Office (2013a) defines controlling behaviour as:

> A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Furthermore, this cross-governmental definition also defines coercive behaviour as 'an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim' (Home Office 2013a).

Although England and Wales already criminalised some potential elements of coercive control, there were limitations to the criminal justice response before this intervention. For instance, to respond to domestic abuse, police officers were required to use legislation that applied to crimes between any two individuals (e.g., criminal damage, actual bodily harm (ABH), threats to kill) rather than specifically between intimate partners or family members (Hester 2013). Furthermore, as incorporated into the theoretical framework in Chapter Two, the police response to crime is designed to respond to individual incidents (Kelly and Westmarland 2016), often involving physical abuse rather than patterns of behaviour. Additionally, the criminalisation of coercive control makes actions that would have no legal significance in isolation part of an ongoing pattern of abuse. The development, response, and outcome of this 'legislative intervention' are examined in Section III.

Impact of coercive control

Given that this form of abuse extends throughout all areas of a person's life (Sharpe-Jeffs et al. 2017; Stark 2007), it is not surprising that coercive control has a significant impact on those who experience it. The effects of coercive control on its victims, including children and family members, can be devastating and even deadly.

Numerous studies demonstrate that experiencing domestic abuse in the form of coercive controlling behaviour is associated with severe and frequent violence and injury, poor sexual health, as well as maladaptive adjustment and PTSD (Coker et al. 2000; Durevall and Lindskog 2015; Hardesty et al. 2015; Johnson and Leone 2005; Jouriles and McDonald 2015; Myhill 2015; Sohal et al. 2018). The generalised, continuous fear experienced by victims of coercive control has wide-reaching consequences that differentiate it from other forms of abuse. A range of academic literature supports the unique, negative impact of domestic abuse involving coercive control.

For example, Myhill (2015) found that as compared to victims of situational violence, victims of coercive control experienced a higher frequency and greater severity of abuse and more significant damage to their physical and psychological health. Additionally, even when controlling for physical violence, those who experienced coercive control were twice as likely to take time off work because of the abuse (Myhill 2015). The results also demonstrated that coercive controlling abuse was significantly more likely to continue after separation and termination of the relationship (ibid: 364-369). Although Myhill (2015) acknowledges the limitations of secondary survey data analysis, including the lack of measures explicitly designed to measure coercive control,[12] this

[12] Myhill (2015) categorised coercive control as those survey respondents who said their partner had *both:* 'repeatedly belittled you to the extent that you felt worthless' and 'frightened you, by threatening to hurt

operationalisation is more likely to have resulted in an under- rather than over-estimation of impact.

Coercive control also has a broader societal impact. For instance, a Home Office research report estimated the cost of domestic abuse in England and Wales for the year ending March 2017 to be £66 billion (Oliver et al. 2019). The largest proportion of this cost came from emotional harms such as anxiety, depression, and experienced fear. Furthermore, in terms of prevalence, at least 50 to 80 percent of those victims who seek help from agencies report behaviours consistent with coercive control (Stark 2007: 13; Stark 2009: 1516), placing many individuals at high risk of serious harm.

Turning to intimate partner homicide, over a four-year period in England and Wales (between 2016/2017 and 2019/2020), 339 people were killed by a current or former partner; the majority of victims were female (female: 86%, n = 293; male: 14%, n = 46; ONS 2021c).[13] On a global scale, 38% of all homicides involving female victims are committed by an intimate partner (Stöckl et al. 2013, see also Section II). Notably, there is a strong association between previously unidentified coercive controlling behaviour and domestic homicide (Bates et al. 2021; Campbell et al. 2003, 2007; Dobash and Dobash 2015, 2016; Monckton Smith et al. 2017; Monckton Smith 2020; Myhill and Hohl 2016).

Additionally, perceptions of victimisation are changing, particularly concerning children. Conventional thought held that although children may witness abuse between parents or be used

you or someone close to you' (ibid: 362). Myhill (2015) considered those who reported abuse but did not affirm both of the above to have experienced 'situational couple violence' (see Section II).

[13] These figures were drawn from the Home Office Homicide Index, Appendix Table 11a, which is also cited in ONS 2021c.

as a tool to help control the abused parent, in cases where the child was not physically abused they were not considered to be victims. Rather than referring to children's 'exposure' to coercive control, some academic literature recognises that children also experience abuse, even when the abuse is primarily directed at a parent or guardian (Arai et al. 2019; Callaghan et al. 2019; Katz 2016). It is important to recognise how abusers use children as tools to perpetrate coercive control, such as fathers modelling disrespectful and degrading behaviour towards their mother or threatening to have the children taken away from their mother (Heward-Belle 2017).

Katz et al. (2020) examine how children become direct victims of the coercive control perpetrated by their fathers. Katz et al. (2020) conducted qualitative research with 29 children in the UK and Finland whose fathers were perpetrators of coercive control. They found that the children experienced physical, psychological, social, and educational harm (Katz et al. 2020). The children expressed similar fear, confusion, and omnipresent entrapment to that of adult victims (ibid). This experience of abuse has implications for the children's health and well-being into adulthood and impacts family functioning in the long-term (see also Hlavaty and Haselschwerdt 2019; Noble-Carr, Moore and McArthur 2020). The literature described above highlights the impact of coercive control on victims (including children), which is associated with public health and human rights costs that have long-lasting, societal effects.

II. Conceptual debate

Competing theoretical frameworks

Effective responses to coercive control require a consensus of definition, theoretical framework, and measurement to inform evidence-based research. There are ongoing academic discussions about coercive control's conceptualisation and operationalisation, which occur alongside debates about its gendered nature and intersectional underpinning. These discussions provide the necessary background for the development, use, and overall outcome of the legislative intervention which criminalised coercive control.

There are three main conceptualisations of the pattern of abuse described above: Stark's (2007, 2009, 2012) 'coercive control,' Johnson's (1995, 2008) typology of 'intimate/patriarchal terrorism,' and Walby and Towers' (2018) 'domestic violent crime.' Although all attempt to describe and explain a particular form of abusive behaviour, there are notable differences. Johnson's (2008) typology places intimate partner violence into different categories. As articulated by Walby and Towers (2018), 'coercive control' is always harmful but need not involve physical violence. In contrast, 'intimate terrorism' involves physical violence but is similarly characterised by its frequency, control, seriousness, gendered nature (most often by men against women), and escalation potential (ibid). These characteristics are distinct from Johnson's (2008) 'situational couple violence' which does not involve one partner exerting control over the other, but rather both partners utilising physical violence without the aim of control.

Coercive control and intimate terrorism conceive of intimate partner violence and abuse in similar ways. However, the most significant difference is a focus on a contextualised course of conduct (coercive control) as opposed to distinguishing individual events for classification within typologies (intimate terrorism) (Walby and Towers 2018). Distinguishing between these concepts is essential when considering the design and validation of measurement tools and developed legislation.

The role of events and incidents becomes salient in the third framework, ‘domestic violent crime,’ which conceives of all violence as harmful, coercive, and controlling (Walby and Towers 2018). Therefore, physical violence is an instrument to achieve control over someone. This approach holds that the seriousness of domestic violent crime should be based on harm to the victim, most often according to the level of injury, with attention to repetition and recognition of each separate event (Walby and Towers 2018: 24). As will be described in more detail, the focus of domestic violent crime on individual events of abuse rather than a course of conduct and pattern of behaviour has significant implications for the design of surveys, organisational policy, and legislation.

Importantly, Walby and Towers (2018) propose that the resiliency or vulnerability of the victim influences the seriousness and frequency of abuse, which in turn predicts the victim’s risk of harm (ibid: 13). In this model, resilience or vulnerability is associated with economic structural resources, such as employment status and housing (ibid: 17). Although certainly not the first to connect economic resources and vulnerability to victimisation (see Brush 2011), this is a differentiating factor in Walby and Towers’ (2018) analysis. Although these three conceptualisations (coercive control, intimate terrorism, domestic violent crime) may appear to be at odds with one another on several counts, the above research signals an ongoing development of understanding related to the role of control in domestic abuse.

Measurement and operationalisation

The concepts, typologies, and theories of abuse detailed above also influence the tools utilised by researchers and practitioners to measure and operationalise coercive control. For example, the definition of this form of abuse determines the questions that may be asked in victimisation surveys, like the Crime Survey of England and Wales (CSEW), on actuarial forms, such as the DASH (Domestic Abuse Stalking and Harassment) risk assessment, and within academic research. The results of relevant practice and research also have implications for policy, training, intervention, and allocation of resources. Researchers have sought an instrument to identify domestic abuse (and coercive control) and measure its incidence and prevalence for decades, but debate and the development of new tools continue.

Academic literature presents evidence of existing challenges for practitioners' operationalisation of coercive control (Brennan et al. 2019; see also Chapter Two). Moreover, in a review of the literature citing twenty-two different measures, Hamberger et al. (2017) argue that there are significant inconsistencies in the definitions and operationalisation of coercive control within these instruments, claiming none are utilised adequately or consistently. Examples of existing measurement instruments include the Conflict Tactic Scales (CTS; Straus et al. 1996), Checklist of Controlling Behaviours (CCB; Lehmann, Simmons and Pillai 2012), Controlling Behaviours Scale (CBS; Graham-Kevan and Archer, 2003), Psychological Maltreatment of Women Inventory (PMWI; Tolman 1989), and Women's Experience of Battering Scale (WEB; Smith et al. 1995).[14]

[14] For use, assessment, and reviews of these measures, see also Beck et al. 2009, Hardesty et al. 2015, and Walby et al. 2018.

However, Hamberger et al. (2017: 3) did discover some commonality amongst these measures; specifically, they all touched upon one or more of the following three facets of coercive control: the perpetrator's *intention* and *motivation*, the victim's *negative perception* of the behaviour, and the *credibility* of the perpetrator's produced threat. The authors proposed that considering the victim's cumulative experience and taking into account the potential consequences of the abuse and the overall context of the relationship is critical to the measurement of coercive control (ibid). Hamberger et al.'s (2017) research findings suggest that measurement instruments must include the impact of the actions taken and move beyond a checklist of behaviours to include the frequency, severity, and other factors that influence the experience of the abuse.

The three conceptual models described earlier inform the ongoing development of instruments to identify and measure coercive controlling behaviour. For example, Walby et al. (2016) previously proposed removing the existing 'cap' (of 5 per victim) on the number of domestic violent events which can be reported on the CSEW because they found it skewed the results of data collection and analysis, particularly with respect to gender. This finding also informed the development of the domestic violent crime model (Walby and Towers 2018), which emphasises recording each event of physical violence, as opposed to the overall course of conduct (e.g., Stark's (2007) coercive control).

Notably, as cited above, Myhill (2015) analysed data from the CSEW as a means of identifying characteristic differences in the experienced abuse through the lens of coercive control (equated with Johnson and Leone's (2005) intimate terrorism) and situational couple violence. Myhill's (2015: 361) study sample included 3,544 respondents who had experienced one abusive relationship since age 16. Rather than classifying the abuse based on the number of tactics used against the victim (Johnson and Leone 2005), Myhill's (2015) study placed the duration and impact of the abuse at the centre of analysis. Victims' experiences of the abuse, including generalised fear and impact on self-esteem, were essential for operationalisation. Despite limitations of secondary data sources and some disagreement regarding the prioritisation of an event-based model, this innovative research demonstrates a need for theoretically-informed empirical measures of coercive control. Developing such a measure is an ongoing goal for the CSEW (ONS 2019b: 15), which could help provide much-needed consensus in this field of research.

Gendered nature – (a)symmetry

Another active area of discussion within the study of domestic abuse is the extent to which it is gendered (i.e., victimisation and perpetration differ by sex or gender). Opposing sides of this debate come from the standpoint that either men and women perpetrate and experience abuse at equal levels (gender symmetric, e.g., Straus 2011, 2014) or that the majority of abuse involves men perpetrating violence against women (gender asymmetric, e.g., Dobash and Dobash 2004, 2015). Perspectives on the gendered nature of abuse are critical when examining coercive control because the developed legislation in England and Wales is described as 'gender-neutral' (*Serious Crime Act 2015*, c. 9, part 5, ss. 76; Walklate and Fitz-Gibbon 2019).

However, structural gender inequality underpins Stark's (2007: 5) theoretical framework, which forms the basis for the governmental definition of coercive control and associated legislation. Furthermore, the governmental strategy to end Violence Against Women and Girls (VAWG), which supports gender asymmetry, also encompasses domestic abuse and coercive control (CPS

2018a). Thus, perspectives that foreground gender asymmetry will inform research, organisational policy, and the criminal justice response to coercive control.

In previous academic research, divergent gender (a)symmetry results are attributed to the instruments or measures, sampling, and analysis of collected data (Johnson 2008; Myhill 2015). Nevertheless, when considering domestic abuse through a feminist theoretical lens, it is understood to be grounded in gender inequality. For instance, within Stark's (2007) conceptualisation, inequalities, particularly within domestic life, such as cooking, housework, and childcare, are proposed to increase women's vulnerability to coercive control perpetrated by men.

Furthermore, referencing how men control women, Heward-Belle (2017) describes abusers teaching their children to disrespect their mother or shaming women for not meeting their standard of a 'good mother' (382-383). Supporting these potential associations, Goodey and Nevala (2017) found that European Union member states with higher ratings of gender equality demonstrated significantly lower rates of coercive control. Although it is not evidence of a causal relationship, Goodey and Nevala (2017) propose that further resources dedicated to improving gender equality could impact the perpetration of coercive control.

Current statistics for England and Wales (year ending March 2020) estimate that 1.6 million women and 757,000 men aged 16 to 74 experienced domestic abuse in the last year, and associated police-recorded data show that 74% of victims of domestic abuse-related crimes were female (ONS 2020a).[15] In an attempt to explain the gender (a)symmetry divide, Johnson (2008) argued

[15] Note that the ONS (2020a) police data was cited as being supplied by 26 forces across England and Wales (there are a total of 43 force areas). The CSEW is a large representative survey that collects victimisation data for all types of crime, not only domestic abuse. Data from the CSEW for the year ending March 2021 did not include questions on domestic abuse (ONS 2021b).

that general, large, national community surveys are more likely to show similar rates of abuse committed by both men and women because they measure the type of abuse he termed 'situational couple violence.'

On the other hand, Johnson (2008) proposed that data collected from the police and other help-seeking services measure 'intimate terrorism' because this type of abuse is associated with more severe, frequent violence that requires safeguarding and is more often perpetrated by men. Using this proposed explanation, Myhill (2015) overcame potential challenges regarding the use of large survey data (CSEW) by focusing on analysing the impact of the abuse. Refuting concerns from proponents of gender symmetry, Myhill (2015) found that women reported significantly greater abuse classified as coercive control than men, supporting claims from previous research (Hamberger and Guse 2002; Johnson 2008).

Additionally, before formally articulating their theory of domestic violent crime and proposing their own 'fit for purpose' questionnaire, Walby and Towers (2018) assessed two existing victimisation surveys, the CSEW and the Fundamental Rights Agency (FRA) Survey of Violence Against Women. These surveys utilise the revised CTS-2 to define domestic violence, which focuses on the actions taken by the perpetrator. In contrast, legal definitions of domestic violence include attention to both the action taken by the perpetrator and the harm experienced by the victim. When Walby and Towers (2018) combined this limitation of the surveys' measurement tool with the cap (of five) on the number of recorded events, they convincingly argue that the CSEW 'obscures gender asymmetry in the experience of violence' (ibid: 28) because it does not consider the relative seriousness and frequency of the abuse.

Proponents of gender symmetry raised the concern that violence by women may not be taken as seriously as violence by men, suggesting potential bias in the responses of practitioners (e.g., Strauss 2014). However, some research provides evidence that where violence is considered a subversion of the stereotypical female gender role, this may result in harsher responses (Deleon-Granados, Wells, and Binsbacher 2006). For example, Hester (2013) found that even though women made up just 5% of perpetrators reported to the police for domestic violence, police officers arrested women in one in every three reports, whilst officers arrested men in one in every ten reports (ibid: 630). These disproportionate arrest rates could have a knock-on effect throughout the criminal justice system.

Moreover, as proposed in Johnson's (2008) third typology of 'violent resistance,' victims who experience abuse may also retaliate in self-defence. Literature on non-fatal strangulation, which is a tactic to maintain control over a victim, discusses how resistance, like scratching, may leave more visible physical injury on the perpetrator and facilitate the arrest of a victim (Douglas and Fitzgerald 2020; Thomas et al. 2014).[16] The ability of coercive controlling abusers to manipulate a criminal justice professional's perception of the victim furthers this possibility (Anderson and Umberson 2001; Loftus 2009).

Importantly, these findings do not dismiss the experience of domestic abuse of men by women or other men. The VAWG framework itself, though including the phrase 'women and girls,' provides space for consideration of the abuse of men by their partners. Specifically, the VAWG framework discusses how stereotypical gender roles and norms, particularly masculinity, can also impact the

[16] Note that non-fatal strangulation was added a separate criminal offence in the *Domestic Abuse Act 2021* (Home Office 2021b). See Chapter Five for a discussion of the use of non-fatal strangulation within a pattern of coercive control.

identification and reporting of abuse against men (Home Office 2019; Huntley et al. 2019; Whitehead et al. 2020). Coercive control perpetrators can utilise these stereotypes to convince the victim that no one would believe them or that they could have them arrested instead. In this way, harmful gender norms have a negative impact on all victims of abuse, which informs the following discussion on the intersection of identities.

Intersectional perspectives

There has been a crucial development within the study of domestic abuse on a path from feminist theoretical frameworks to those which are intersectional. Characteristics such as ethnicity, age, gender identity, sexuality, class, disability, and insecure immigration status can all influence the experience of coercive control. The potential impact of these identities arises from power dynamics and oppression forged by social marginalisation and structural inequality. The intersection of these identities can induce or compound further imbalance, influencing the tactics of abuse and drastically altering the needs of the victim.

For instance, building upon the association between gender, economic resources, and abuse (Walby and Towers 2018; Brush 2011), McCarthy (2017) described the experience of women with intellectual disabilities who experience abuse from partners who utilise their power as potential caregivers. Moreover, public consultation for the *Domestic Abuse Act 2021* drew attention to the experience of domestic abuse by migrant women who are unable to access public funds for support, presenting additional barriers to help-seeking (Bettinson 2022: 98). Additional research examines the experience of victims who are male, in same-sex relationships, non-binary or transgender (Donovan and Barnes 2019a; Hester et al. 2015,17; Westwood 2018; Whitehead et al. 2020).

One concern about traditional feminist frameworks is that an emphasis on the abuse of women by men in heterosexual relationships could obscure victims of abuse in same-sex relationships. Research from Australia found that experiences of domestic abuse within same-sex relationships aligned with Johnson's (2008) typologies, and the rates of coercive control were similar to those found in heterosexual relationships (Frankland and Brown 2014). However, there are also unique differences in how perpetrators achieve that control. For example, to facilitate coercive control, the abuser may use homophobic or transphobic tactics ('identity abuse') and threats to publicise a partner's sexuality or gender identity to family, friends, or co-workers (Donovan and Barnes 2019a; McLaughlin and Rozee 2001; Rogers 2017; Stark 2012).

Notably, in their response to Walby and Towers (2018), Donovan and Barnes (2019b: 6) claim that whilst mainstream approaches might render gender invisible, their theory of domestic violent crime also renders invisible those who are not heterosexual or cisgender. The authors agree with removing the cap on reported events of abuse, collecting data from male and female victims, and similarly oppose typologies that are discrete and stable. However, Donovan and Barnes (2019b) question the current recording of and attention to gender identity, sexuality, and relationship status of the victim and perpetrator. Furthermore, they express that the victim may be further 'responsibilised' by Walby and Tower's (2018) focus on 'resilience' and 'vulnerability.' Instead, Donovan and Barnes (2019b) support a shift in focus back to the behaviours and motives of the perpetrator.

Furthermore, Donovan and Barnes (2019b) take issue with Walby and Towers' (2018) 'reductionist' operationalisation that prioritises physical violence over non-physical violence. They write that 'separating and prioritising material impacts of physical violence over the more holistic understanding of the ways that coercive control can, cumulatively, exert profound emotional and social impacts' (ibid: 9). Moreover, the benefits of improved data collection and measurement related to gender can be applied to other identities and combined with a holistic understanding that brings together seriousness, frequency, and experience of harm as a course of conduct so as not to marginalise non-physical coercive control. From this perspective, theorisation need not be binary or static.

As with gender identity and sexuality, ethnicity data is often missing or poorly recorded in surveys and police criminal justice records (e.g., McPhee et al. 2021; ONS 2021c), which prevents strong statistical comparison. Furthermore, in the UK, research on domestic abuse and intimate partner violence within minority ethnic communities is relatively limited (see Femi-Ajao et al. 2020); however, current findings demonstrate that there are a number of specific barriers to disclosure and help-seeking that undermine the delivery of services (ibid: 733). The above research suggests that coercive control may be better understood through an intersectional lens to assess holistic needs.

III. Legislative intervention

Background

As a legislative intervention, the recognition of coercive controlling behaviour as a crime in England and Wales began with research and advocacy. The campaigning of advocates and specialists domestic abuse organisations and a condemnatory report on the police response to domestic abuse spurred the resulting legislation (HMIC 2014; Home Office 2014a), culminating in parliamentary debate and the passage of new legislation. The HMIC (2014) report labelled domestic abuse as *Everyone's Business,* demonstrating core failings in the police response to 'low level' domestic abuse incidents that did not involve visible signs of physical violence. Specifically, HMIC (2014) found that the police did not take these incidents seriously enough.

The report exemplified these police failings by describing one woman's experience; she stated, 'I was essentially told to stop calling unless he physically assaulted me or the children' (HMIC 2014: 40). At this time, offences such as criminal damage, threats to kill, stalking, harassment, and assault were already crimes (Hester 2013). However, the criminalisation of coercive control brought forward an opportunity to recognise a pattern of behaviour involving actions that might not meet previously established criminal thresholds on their own but do have cumulative effects.

England and Wales criminalised the use of controlling or coercive behaviour in an intimate or family relationship in December 2015 (*Serious Crime Act 2015*, c. 9, part 5, ss. 76). According to the press release and parliamentary debate documents, the main goal of this legislative intervention was to improve police response to coercive control as a pattern of behaviour and course of conduct and to make the criminal justice system available to victims without the requirement to experience or prove physical violence (Home Office 2015a; Hansard, Parliament 10 April 2014). Whilst the coercive control legislation was drafted quickly without much scope for consultation before its inclusion in the *Serious Crime Act 2015*, it does share similarities with other 'course of conduct' crimes, like stalking and harassment (Monckton Smith et al. 2017).

As one of the first jurisdictions to specifically criminalise coercive controlling behaviour,[17] the legislation acted as an international model for others (McMahon and McGorrey 2016b). In fact, the law in England and Wales influenced the development of the *Domestic Abuse (Scotland) Act 2018*, which also aimed to improve victims' access to the criminal justice system (Burman and Brooks-Hay 2018; see also Section III*)*. Furthermore, similar laws are being, or have been, considered in Northern Ireland (*Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021*), the United States (Candela 2016; Ortiz 2018), and South Australia (*ABC News* 4 December 2020; Dale 2020; Fitz-Gibbon et al. 2022).

Walklate, Fitz-Gibbon, and McCulloch (2018) highlight that, at a basic level, 'coercive control' is a clinical term (and 'social construct' Wiener 2020) that practitioners must translate into a legal concept. This understanding means there is an associated legal requirement to determine whether or not an individual has been 'coerced.' To pursue an arrest and prosecution for controlling or coercive behaviour in England and Wales, the legislation states that several conditions must be satisfied.

First, the behaviour must be continuous or repeated. Second, the two parties must be personally connected (i.e. an intimate partner or family member) at the time of the behaviour. Third, the

[17] McMahon and McGorrey (2016a) describe laws in Tasmania, Australia, which are specific to economic and emotional abuse and were enacted in 2004.

behaviour must have a 'serious effect' on the victim; and fourth, the defendant 'knows or ought to know that the behaviour would have a serious effect' (*Serious Crime Act 2015*, c. 9, part 5, ss. 76; see Appendix I). The legislation defines this 'serious effect' as behaviour that either causes fear of violence on two or more occasions, or behaviour that causes fear of violence on two or more occasions and 'has a substantial adverse effect on the victim's 'usual day-to-day activities' (ibid).

With this background, whilst it does not use gendered language, the legislation supports a conceptualisation of coercive control similar to Stark's (2007), that is less concerned with physical violence itself than the ongoing experience of abuse. Consequently, the language of the legislation plays a vital role in police navigation of the legal response to coercive control. As described, the legislation brings with it the need for a change in practice across many organisations responding to domestic abuse, including the police.

Academic perspectives: potential benefits, challenges and unintended consequences

The criminalisation of coercive control in England and Wales generated scholarly attention and speculation about its implementation and use by the police and the wider criminal justice system. Through an in-depth examination of the legislation alongside a review of the relevant academic literature, the potential benefits, challenges and unintended consequences of criminalising coercive control become clear.

Following the introduction of any new legislation, research should scrutinise the imposed legal definition and associated evidential requirements. In later chapters, this thesis discusses police and partner agency practitioner perspectives on the legislation (including legal thresholds and evidential burdens). First, however, this section considers arguments within academic literature about the potential consequences of criminalising coercive control. For instance, one could make several justifications for introducing the coercive control legislation, such as the symbolic effect of labelling the abusive pattern of behaviour as a (liberty) crime. This label could help criminal justice practitioners recognise and understand the harmful impact of coercive control on its victims (Bettinson and Bishop 2015; Burman and Brooks-Hay 2018; Stark 2007; Tolmie 2018; Walklate et al. 2018).[18] Similarly, advocates and campaigners saw the potential to formally acknowledge and increase public awareness about the devastating impacts of coercive controlling behaviour.

Another potential benefit of the criminalisation of coercive control is that the legislation could support legal strategies to defend victims who have killed their abusers. Sheehy (2018) described one such defence strategy in a Canadian case in which Evan Stark provided expert testimony about the impact of coercive control. This testimony formed part of a claim of self-defence for the defendant's murder of her abusive husband, which aimed to shift focus to the abuser's actions. Although the strategy was not successful in that particular case, it is not the only example of such as defence. For example, a UK-related case involved Sally Challen, who was initially convicted of murdering her husband and sentenced to 22 years in prison (*BBC* 7th June 2019).

In 2011, an appeal lowered Challen's sentence to 18 years (*R. v Georgina Sarah Anne Louise Challen*), and her legal team pursued a further appeal. The coercively controlling abuse perpetrated by her husband contributed to the success of her second appeal. Moreover, based on a

[18] Also, note that England and Wales passed the *Domestic Abuse Act 2021*, which would enshrine a statutory definition of domestic abuse and introduce additional reforms.

psychological report, the prosecutors accepted her manslaughter plea on the grounds of diminished responsibility, and the court released her on time served (*BBC* 7th June 2019). In Challen's case, a link was drawn between her mental ill-health and years of coercive controlling abuse, and subsequent campaigning by her sons (David and James) brought additional public awareness to this form of abuse. This example highlights the possibility that case law could establish a precedent for using coercive control victimisation as a defence or mitigating factor for the homicide of an abuser by a victim.

A third potential benefit of criminalising coercive control is that an accurate understanding of coercive control could help alleviate 'legal system abuse' by improving awareness of how perpetrators may use legal proceedings as a tactic of control. For example, Douglas's (2018) narrative interviews with 65 female victims of domestic abuse in Australia provided evidence that abusers attempt to maintain post-separation control through litigation against their former partner, often in Family or Civil Courts. This tactic can force the victim to interact with their abuser in person, be questioned by them, and hold the victim under the threat of sanction or losing their children. Douglas (2018) argued that 'secondary victimisation' could be reduced by providing judges, lawyers, police officers, and other practitioners with the ability to identify coercive control. From this perspective, the legal recognition of coercive control could help facilitate this understanding and curtail perpetrators' use of the legal system as an abusive tactic.

Academic literature also provides theoretical and abstract hypotheses about potential challenges and unintended consequences of the coercive control legislation based on legal analysis and broader research on the criminal justice response to domestic abuse. Beginning with the language used in the legislation, the relationship between the two individuals (victim and perpetrator) presents one area of interest. The *Serious Crime Act 2015* (c. 6, part 5, ss. 76) stipulates that the parties must be 'personally connected.' The legislation defines this as those currently in an intimate personal relationship or who live together and are either family members or previously had an intimate personal relationship. There is, therefore, a potential gap for coercive control committed after the end of an intimate personal relationship or within a familial relationship where the parties are not currently living together.[19]

This gap may be partially filled by the stalking offence, which utilises similar legal language as another course of conduct offence but does not encompass all coercively controlling behaviours. However, as noted by Monckton Smith et al. (2017) and Wiener (2020), the overlapping similarity for some behaviours, such as surveillance, monitoring, and the use of threats, can also create a type of 'false dichotomy' between stalking which occurs within a current (coercive control offence) or former (stalking offence) relationship. Thus, where coercive controlling behaviour, including stalking, is present, this legislative framework presents an opportunity for confusion as to which charge to pursue. In this way, the legislation might be under or misused, presenting the associated possibility of obscured risk identification.[20] Relatedly, Walklate et al. (2018: 9) also raised concern about the potential for a new offence to distract from the pursuit of existing crimes and civil orders.

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[19] Currently, the coercive control legislation applies a cohabitation requirement for former intimate partners and family members. However, the *Domestic Abuse Act 2021* includes changes to expand the legal definition of 'personally connected' to address the identified gap. Please note that the legislation does not apply when the victim (or perpetrator) is under 16 years old and under the perpetrator's (or victim's) care. The amendment would also increase the age of a 'child' to 18 rather than 16 years old.

[20] Also note the change within Home Office (2020) Counting Rules in April 2020 to count harassment within the context of domestic abuse as stalking. This change occurred after the completion of data collection but does match the local force practice of recording stalking and harassment within one category (see Introduction and Chapter Three).

Coercive control's relationship to and interactions with other domestic abuse-related offences was noted earlier and is also considered in the empirical chapters.

In a move praised by Stark and Hester (2019), the *Domestic Abuse (Scotland) Act 2018* criminalises a range of abusive behaviour, including features of coercive control. Additionally, the Scottish legislation can be applied to both partners and ex-partners without the shared household requirement. Stark and Hester (2019) also supported the Scottish legislation's use of language that focuses on the perpetrator's behaviour (see also Stark 2020). In Scotland, the offence involves a course of behaviour that a 'reasonable person' would consider likely to cause the victim physical or psychological harm and taken intentionally or recklessly (*Domestic Abuse (Scotland) Act 2018*).

According to the legislation in England and Wales, controlling or coercive behaviour must be repeated or continuous, have a 'serious effect' on the victim, and the perpetrator 'knows or ought to know' that the behaviour would have this effect. At first, the language of 'reasonable person' and 'knows or ought to know' may appear to have similar intentions. However, as described earlier, challenges arise from the requirement to prove a 'serious effect' in England and Wales, which places a legal burden on the victim to prove the impact of that abuse (Stark and Hester 2019).

There was also scepticism about the ability of the police, CPS, and other actors to implement the coercive control legislation, particularly regarding the resources required and the need to engage the victim throughout the process. Tolmie (2018: 54) predicted that the identification, investigation, and evidencing of coercive control as a pattern of behaviour would be 'inherently time consuming, complex, and difficult to successfully prosecute.' Tolmie's (2018) hypothesis is also supported by Stark's (2007) description in which the perpetrator individualises abusive behaviours. This conceptualisation suggests that even when the general concept of coercive control is understood, the abuse itself may be difficult for an 'outsider' to recognise. As mentioned, the coercive control legislation requires the police and criminal justice system to move away from a focus on discrete incidents of physical violence (Kelly and Westmarland 2016) to consider a broader pattern of abusive behaviour that may not present overt evidence of physical harm.

Moreover, from a measurement perspective, since all acts within a pattern of coercive controlling behaviour can be recorded within one offence, Walby and Towers (2018: 26) voiced concern about the resulting inability to examine internal relationships between different acts of abuse. They argue that using one offence prevents analysis of the scale and distribution of separate acts of abuse (ibid). Furthermore, based upon the range of behaviour encompassed within coercive control, the offence also presents an opportunity for manipulation of practitioners and counter-allegations by perpetrators that could result in the (dual) arrest of a victim (Burman and Brooks-Hay 2018: 76-77) However, depending on the victim and perpetrator's police-recorded history of domestic abuse, and the officers' understanding of coercive control, this risk of arrest may be tempered by shifting focus to an overall pattern of behaviour over an individual incident (ibid).

In addition to the perpetrator's behaviour, the police must also consider the actions the victim is prevented from taking. As raised by Burman and Brooks-Hay (2018: 78), the introduction of new legislation alone will not improve the criminal justice response to coercive control because the efficacy of the law depends on the professionals who interpret and translate it into practice. Thus, training that develops practitioners' knowledge and expertise around the dynamics of coercive control could improve the efficacy of the legislation.

The nature of the coercive control offence, with the burden of proof relying on demonstrating the impact ('serious effect') on the person subjected to coercive control, solidifies the importance of victim engagement. Previous research on the criminal justice response to domestic abuse illustrates the influence of (perceived) engagement by the victim on practitioner use of discretion, including how these practitioners may circumvent policy and guidance (Barlow and Walklate 2020; Hoyle 1998; Hoyle and Sanders 2000; Myhill 2019; Porter 2019; see Chapter Two).

For instance, Hoyle's (1998) study of one police force area examined the officers' response to the introduction of a mandatory arrest policy for cases involving domestic abuse. This research found that the pro-arrest policy was not always translated into practice, as victim preferences continued to play a role in officer decision-making. Moreover, Hoyle (1998: 123) found that in 81 percent of cases where the victim preferred that the police not take any further action, the police chose not to arrest the suspect. In contrast, in some cases, when a victim wanted the suspect removed but there was insufficient evidence for an arrest, officers used a breach of the peace order (Hoyle 1998: 137).

Furthermore, some officers based their decision not to refer cases to the CPS when an 'uncooperative' victim declined or withdrew their statement on 'questionable assumptions' about the circumstances of abuse (Hoyle 1998; Hoyle and Sanders 2000: 19). Police officers' decisions not to arrest and charge perpetrators were often supported and reinforced by Crown prosecutors, who demonstrated shared attitudes about 'hostile' victims (Hoyle 1998: 180). Prosecutors also used their discretion not to pursue cases perceived to have low or no chance of securing a conviction (ibid). Importantly, although arrest rates were not in line with the formal policy, Hoyle (1998: 181) found that for some officers, the policy induced a symbolic, educative effect whereby it emphasised the seriousness of domestic abuse and the importance of providing a supportive response to victims (Hoyle 1998: 181).

One suggestion for criminal justice practitioners is to proceed with an 'evidence-led' prosecution to avoid attrition based upon a victim's withdrawal of (or inability to) support prosecution (CPS 2020; Westra and Powell 2017). Previous research proposed that the UK apply a 'victimless' model developed in the United States, whereby officers treat domestic abuse-related investigations like that of murder by assuming the victim could not act as a witness (Ellison 2002). Guidance from the CPS (2020) proposes that prosecution may proceed without the victim's participation (evidence-led). This guidance advises prosecutors that issuing a witness summons (with the power to arrest) to a victim of domestic abuse 'should be used only as a last resort' and reserved for serious cases (CPS 2020).

However, Porter (2019) found that CPS prosecutors in England and Wales routinely issue summons to victims, compelling their testimony at court based on an organisational focus on achieving high conviction rates for domestic abuse cases (see also Chapter Two). Similarly, regarding coercive control, concerns were also raised about whether the legislation's reliance on demonstrating the impact of the abuse on the victim could result in the court 'coercing' a victim to provide evidence (Douglas 2018; Barlow and Walklate 2022).

The legal language within the legislation, including associated burdens of evidence gathering, victim engagement, and overall resources required to pursue a conviction of coercive control, may present challenges or barriers to effective police practice. The following chapters further examine these challenges and how they relate to police officers' use of discretion. This consideration includes how the current empirical research informs relevant literature on police decision-making.

With research-informed hypotheses about the challenges posed by the coercive control legislation, it is also important to consider the recognised limitations of the legal system to respond to domestic abuse more widely.

Decriminalisation movement

Notably, within the field of domestic abuse there is also a movement away from 'carceral feminist'[21] approaches and towards 'decriminalisation.' Goodmark (2018), a US-based proponent of this approach, argues that criminal justice responses to domestic abuse can exacerbate rather than alleviate harm. Moreover, according to Goodmark (2018), this harm extends beyond over-incarceration because, historically, the criminal justice system does not effectively respond to phenomena like coercive control that are complex, social, and gendered (i.e. stalking, rape). Some reasons cited for the inefficacy of the criminal justice response include the use of stereotypes, victim-blaming attitudes, and binary, adversarial systems (ibid). For these reasons, Goodmark (2018) proposes that criminalisation and incarceration should be a last resort to alleviate abuse and instead promotes alternative remedies through public health, economics, community, and human rights-based approaches.

There is also a developed and growing body of research surrounding victims' 'justice goals' (i.e. what victims want from the criminal justice system), why these goals may change over time, and the overall experience of victims when engaging the criminal justice system (see Chapter Two;

[21] This approach involves a(n) (over-)reliance on the criminal justice system (police, court, prison) in response to violence against women (see also Bernstein 2007).

Hirschel and Hutchison 2003; Holder and Daly 2018; Hoyle 1998; Hoyle and Sanders 2000; Myhill 2019). Similarly, when comparing interventions across several European countries, including England and Wales, Hagemann-White (2019) concludes that criminalisation of domestic abuse has a limited impact on perpetrator use of violence and control, favouring work on methods of intervention that meet the rights and needs of the victim. This research also relates to police decision-making around arrest and pursuit of a charge in domestic abuse cases with links to the importance of victim engagement.

Furthermore, Walklate and Fitz-Gibbon (2019: 103-104) describe the law as a ‘blunt instrument’ for societal change surrounding gender-based violence. They articulate serious concerns about the potential erasure of agency and exclusionary, unequal access to criminal justice responses for female victims of coercive control. Illustrating the importance of the exercise of discretion, actions taken by police officers also have the potential to marginalise victims of coercive control from the justice system (Walklate et al. 2018; Walklate and Fitz-Gibbon 2019). Based on these concerns, Walklate and Fitz-Gibbon (2019) question whether the coercive control legislation itself may ‘fail’ the women it aims to protect. The potential (unintended) consequences of criminalising coercive control are discussed throughout. However, this thesis considers practice within the existing legal conditions to interrogate how the police have navigated the introduction of the coercive control legislation, rather than evaluating the overall efficacy of the offence or wider response of the criminal justice system to domestic abuse.

Overlapping Similarities with Criminal Justice Response to Sexual Violence

In addition to the previous literature on police responses to domestic abuse, parallels may be drawn between the use of the coercive control legislation and the pursuit of sexual violence offences, particularly those which occur within the 'domestic' context. There is a direct parallel with sexual violence as it forms an integral part of the pattern of behaviour associated with coercive control. Sexual violence forms part of the rim, which hold together the 'spokes' of the Power and Control Wheel, serving to (re)enforce the rules or demands of a perpetrator of abuse by producing a credible threat of harm (Pence and Paymar 1993; Stark 2007).

There are also overlaps between the proposed challenges to the criminal justice system's response to coercive control and sexual assault or rape. In terms of evidencing both offences, there are similarities in that these crimes involve actions that often occur in private without additional witnesses, forcing the possibility of two competing accounts. Additionally, both offences rely on the ability of victims to withstand harsh cross-examination about traumatic experiences that may involve attempts to undermine the victim's credibility and shift focus from the perpetrator's actions (Burman 2009; Burman and Brooks-Hay 2018; Tolmie 2018; Walklate et al. 2018).

Moreover, domestic abuse-related and sexual offences are recognised to have high attrition levels, with the criminal justice system recently labelled as 'failing' victims of rape (Hohl and Stanko 2015; McPhee et al. 2021; Ministry of Justice 2021). As described within the response to domestic abuse (Hoyle 1998), problematic 'interpretive schemas' related to victims of sexual violence have also been found to negatively impact attempts to reform the criminal justice response (Quilter 2011; Tolmie 2018: 56). Illustrating the potential ambiguity of written law (Lipsky 1980, 2010;

see Chapter Two), the coercive control legislation in England and Wales does not concretely define the behaviours that constitute criminal coercive control. Tolmie (2018) contends that this presents an additional barrier to using the coercive control offence, in contrast to sexual violence, which includes specific and defined sexual behaviours within its legal definition.

A recent comment by Wiener and Palmer (2022) highlighted that criminalising coercive control could reconceptualise 'rough sex'[22] and improve the associated legal response. This possibility arises because, in the context of coercive control, 'rough sex' could be considered a chronic and ongoing sexual violation that similarly limits the victim's autonomy, rather than conceptualising it as discrete or acute incidents of non-consensual sexual contact (Palmer 2020; Wiener and Palmer 2022). They contend that this possibility was not realised because sexual offending and coercive control have been (legally) constructed separately (Wiener and Palmer 2022). A proposed contributing factor was the government consultation which described the coercive control offence as filling a gap for non-violent patterns of abusive behaviour (Wiener 2020: 164; Home Office 2014a). By aiming to close the 'gap' within existing law, the government in England and Wales suggested that the coercive control offence would relate to non-violent behaviour rather than the fuller conceptualisation described by Stark (2007).

Wiener and Palmer (2022) argue that case law demonstrates the prosecution of the coercive control offence as relating to 'low level' physical violence, whilst serious physical and sexual violence are conceptualised as separate to coercive controlling behaviour. Wiener (2020) also identifies the mistaken assumption that coercive control encompasses psychological and emotional abuse but

[22] For further description of the 'rough sex' defence within the context of England and Wales, see Bows and Herring (2020).

not physical violence. There are existing standards and associated guidance on how to record crimes of controlling or coercive behaviour (Home Office 2020: 59).[23] However, Wiener and Palmer (2022) suggest that the coercive control offence may have induced complications regarding whether evidence of violence (assault or rape) should receive a separate charge or be charged within a pattern of coercive controlling behaviour.

Response and outcomes

Following the criminalisation of coercive control, responses from the public and media sources were mixed. For instance, media reporting included praise from charities such as Women's Aid which supported and advocated for the new legislation (*The Guardian* 29 December 2015). In contrast, the public response of another charity, Refuge, expressed concern that creating a separate offence for domestic abuse might cause it to be treated less seriously and instead called for reforms of current police powers (Hansard, Parliament 28 October 2014; The Independent 29 December 2015). Speaking to the possibility of raising public awareness, the portrayal of coercive control victimisation also featured as a headline-grabbing storyline on several radio and television soap operas in the UK, including 'The Archers' on BBC Radio 4 (*Daily Telegraph* 8 September 2016).

The speed with which the drafted legislation was included and enacted within the *Serious Crime Act 2015* (three-week consultation period) prevented preparation for many of the frontline professionals tasked with implementing the new law. Although most domestic abuse specialist

[23] Note that Home Office (2020) crime recording standards were amended since the introduction of the legislation to provide clarity about the seriousness of the offence and how it relates to charges for other domestic abuse-related offences (changes made in 2018).

services had some understanding of coercive control, the police, Crown Prosecution Service (CPS), and others involved in the legal response to domestic abuse were required to adapt quickly without initial scope for in-depth training.

However, several organisations developed guidance after the legal introduction, which aimed to shape the practice of frontline police officers and other criminal justice practitioners. Alongside local force area initiatives, this includes Authorised Professional Practice (APP) guidance from the College of Policing (2015/2022), Home Office (2015b) Statutory Framework Guidance, and the CPS (2017) legal guidance on Controlling or Coercive Behaviour in an Intimate or Family Relationship. These documents provide a non-exhaustive list of example behaviours, detail the governmental definition and legal requirements, discuss the potential impact on the victim, and suggest evidence gathering or case-building techniques. The College of Policing was also tasked with helping develop the Domestic Abuse Matters training in partnership with SafeLives, to improve officers' understanding of the context and dynamics of coercive control and dispel harmful attitudes about domestic abuse (Brennan and Myhill 2017; Wire and Myhill 2016). Since they developed this training after the law was already in place, initial responses relied on consultation of the newly introduced organisational policy and guidance.

One way the 'success' of the coercive control legislation has been measured is through analysis of criminal justice outcome statistics, such as recorded crimes, prosecution, and conviction rates for the offence. For example, in the first year following criminalisation (year ending December 2016), the Ministry of Justice (MOJ) (see ONS 2021b) reported that 155 cases had been proceeded against, with just 59 convictions across England and Wales. Publication of this data was met by critical media attention, particularly in the face of an estimated 1.9 to 2 million victims of domestic abuse during that timeframe (ONS 2016, 2017). Citing low conviction rates and the small number of forces that had completed Domestic Abuse Matters training, the media raised questions about the ability of the police to identify coercive control and the CPS to successfully prosecute relevant cases (*Bureau for Investigative Journalism* 24 November 2017; *The Guardian* 29 December 2017).

A more recent Home Office (2021a) review of the offence of controlling or coercive behaviour in an intimate or family relationship covering its use from 2016/17 to 2019/20 found mixed results. First, although there was an increase in the volume of recorded offences, there was also a decrease in the proportion of coercive control offences resulting in a charge. The Home Office (2021a) notes that a similar fall in charge rates occurred across other domestic abuse-related offences within the same period. However, they also note a high proportion of coercive control offences that received the outcome of 'evidential difficulties' and a decrease in the conviction ratio for prosecution from 60% in 2018 to 52% in 2019 (ibid).

As discussed throughout this chapter, the Home Office (2021a) also acknowledge findings from their literature review and stakeholder groups highlighting challenges around evidencing coercive control because it includes non-physical abuse and is a course of conduct offence. In contrast, going against stakeholder predictions, the Home Office (2021a) also found that where coercive control charges result in a custodial conviction, the length of these sentences was longer for coercive control compared to those for the offences of assault and stalking. Overall, the Home Office (2021a) recommended further empirical assessment of the awareness and understanding of the legislation, and its application in practice, across the criminal justice system. This thesis contributes to the existing evidence base, whilst the Home Office (2021a) review provides a national context for the project's examination of force level data.

Again, as in the Introduction, associated national statistics also demonstrate an overall upwards trend. For instance, the police recorded 17,616 coercive control offences in the year ending March 2019 (ONS 2019a). Moreover, there were 706 prosecutions and 374 convictions for controlling or coercive behaviour (as the principal offence) in the year ending December 2020 (ONS 2021a).[24] However, given the estimated prevalence of domestic abuse, including coercive control, it may be presumed that there is an opportunity for these figures to continue increasing. As these are the national statistics, there will also be variations in recorded offences by force area, including the local area serving as the case study for this research.

The above data can also be influenced by changes to recording practice (see Introduction). Notably, statistics are not the only means to consider how the coercive control legislation is translated into practice, and the police and CPS are not the only agencies involved in the response. The mixed-methods empirical research undertaken in the current project brings together self-reported interview data, qualitative observations of practice, analysis of case files, and outcome data to provide in-depth, contextualised results.

[24] It is important to recognise that the data from the CPS, MOJ and ONS are collected from different sources and within separate year-end calendars, so the number of convictions for coercive control reported by one source or the other will differ within the same year. These differences mean the data cannot be directly compared with one another but can be considered across years within source.

Empirical academic research findings

As mentioned in the Introduction, empirical research on police utilisation of the coercive control legislation in England and Wales conducted since it came into force is limited. However, the existing literature provides a working model of coercive control and relevant insights about media reporting, recorded crimes, and arrest rates, which the present research builds upon and develops.

Beginning with the developed working model of coercive control mentioned earlier, Wiener (2017) conducted qualitative interviews and focus groups with police officers, Independent Domestic Violence Advisors (IDVAs), and survivors of abuse. This article does not specify the dates of these interviews; however, they appear to have been conducted in South London shortly (within a year) after the introduction of the coercive control legislation. Wiener (2017) presents some evidence around officers' initial knowledge and understanding of coercive control, focusing on creating a working model of coercive control to help police officers respond to intimate partner abuse. This research involved a relatively small sample, and the police officers were all senior specialists preventing the inclusion of frontline experiences. However, including the victim-survivor and IDVA (multi-agency partner) perspectives on the experience of coercive control helps develop academic understanding.

The first academic study on police use of the coercive control legislation involving empirical data examined one police force area in the North West of England (Barlow et al. 2019). Methods for this study included quantitative analysis of domestic abuse flagged crimes covering 18 months,[25] and associated qualitative comparative analysis of anonymised cases files relating to crimes of

[25] Research by Barlow et al. (2019) was conducted between 1st January 2016 and 30th June 2017.

controlling or coercive behaviour and Actual Body Harm (ABH) (Barlow et al. 2019). Whilst I initially developed this research before Barlow et al.'s (2019) publication, some overlapping research design and differing methods present opportunities for comparison.

Barlow et al. (2019: 167-8) found that ABH cases were more likely to be assessed as high-risk and result in an arrest and charge than coercive control cases (Barlow et al. 2019: 167-8). The authors also found that most coercive control cases (63%, n = 82/130) involved evidence of physical violence. Moreover, 87% (n = 91) of ABH cases involving intimate partners showed evidence of coercive controlling behaviour that had not been identified and actioned during the police investigation (Barlow et al. 2019: 169, 170). On the one hand, Barlow et al. (2019: 168) found that coercive control cases were less likely than some other domestic abuse-related offences to result in no further action (NFA) by police due to the victim's withdrawal of support for prosecution. On the other hand, a higher proportion of coercive control cases received the outcome of NFA due to 'evidential difficulties' (see also Bettinson and Robson 2020).

Additionally, Barlow et al. (2019) demonstrated empirical evidence for previously theoretical and abstract claims about the potential lack of understanding and challenges to the police use of the coercive control legislation. This evidence supports concerns about officers' ability to identify coercive control and produce sufficient evidence to prosecute this offence. Although their research provides important insight, quantitative analysis, and detailed comparison to other domestic abuse-related offences (including ABH), the lack of interview and observational data prevents a deeper understanding of officer decision-making in these cases. Thus, this thesis provides a meaningful contribution to the literature by beginning to address that gap.

Other researchers turned to the analysis of media reported cases of coercive control to evaluate the operationalisation of this offence. McGorrey and McMahon (2019: 4-6) examined media reports which related to 107 individuals convicted of the offence of controlling or coercive behaviour, including details such as age, gender, abusive behaviours described, manner of conviction and the sentencing outcome. McGorrey and McMahon (2019: 7) found that the majority of offenders (77%, n = 82/107) reportedly engaged in physical or sexual violence against the victim, most often strangulation or punching (McGorrey and McMahon 2019: 7). Other coercively controlling behaviour was commonly identified, such as: threat or intimidation (n = 45), isolation (n = 34), verbal degradation (n = 30), and monitoring or controlling use of social media or phone (n = 36) (ibid: 8-11). Notably, the majority (73%) of those convicted pled guilty, and most received a custodial sentence (75%) (ibid: 12).

Demonstrating the gendered nature of reported cases of coercive control, 106 of 107 perpetrators were male, whilst just one victim was male. This study did not find evidence to support victim-blaming, victims identified as primary perpetrators, or the operationalisation of coercive control as ‘disenfranchising’ women (McMahon and McGorrey 2019: 13-15). As recognised by the authors, this research was limited by those cases that received media attention and reached the point of conviction, which are likely to be the most serious, sensational cases and may reinforce a focus on physical harm. Moreover, the results raise questions about the role of physical violence within coercive controlling behaviour and whether the findings are associated with what victims choose to report or what the police record and choose to investigate. Again, the empirical research in this thesis helps answer some of these questions.

More recent research focuses on another recorded outcome, the police use of arrest in cases involving coercive control. Building from the research evaluating the Domestic Abuse Matters training (Brennan and Myhill 2017; Wire and Myhill 2016), Brennan et al. (2021: 7, 11) found a statistically significant 41% increase in arrests for controlling or coercive behaviour in forces who had received the training.[26] Additional discussion about the role of training in the police response to coercive control follows in Chapter Two; however, these results provide context for the overall upward trend in police use of the offence. The relative increase in arrest rates was sustained after the training for approximately eight months. Although these relative effects were 'short term,' Brennan et al. (2021: 7, 12) note that the number of arrests for coercive control nearly doubled each year across all 34 forces in the sample. This finding suggests an overall increase in use and awareness outside of the effects of the training itself.

At the time of writing, Brennan and Myhill (2022) conducted the most recent academic empirical research on the use of the coercive control legislation in England and Wales. Drawing upon additional findings from the study above, the authors utilised Home Office data and Freedom of Information (FOI) requests from 37 police forces in England and Wales. Brennan and Myhill (2022: 481) found that coercive control was charged (or perpetrators were issued a summons) at a lower (half the) rate of other domestic abuse-related offences. Furthermore, they also found that cases of coercive control were (50%) more likely to experience discontinuation due to evidential difficulties than other domestic abuse-related offences. Importantly, Brennan et al. (2021) and Brennan and Myhill (2022) focused on analysing the numbers (and rate) of police and criminal justice outcomes, which does not allow conclusions about how practitioners produce these

[26] Research by Brennan et al. (2021) was conducted between January 2016 and September 2019.

outcomes. Nevertheless, as addressed within this thesis, the results suggest the need for additional research to understand better the influences surrounding officers' use of discretion in response to coercive control.

Conclusion

The literature reviewed in Chapter One forms the basis for understanding coercive control as a concept, form of abuse, and piece of legislation. By understanding the theory and conceptualisation of coercive control, the legislation and thesis are placed into context as emerging from Starks' (2007) initial work and later developments. The impact of coercive control on victims (including children) is associated with public health and human rights costs that have long-lasting societal effects. Providing background on this impact helped demonstrate what spurred advocacy campaigns to criminalise such behaviour, leading to the legislative intervention that aimed to improve awareness and facilitate the criminal justice response to this form of abuse.

However, in addition to the benefits of raising awareness and labelling the abuse as a crime, this chapter described theorised challenges and unintended consequences of criminalisation. Potential barriers considered throughout the thesis include the speed of consultation that prevented guidance and training delivery before enactment and the 'hidden' pattern of abusive behaviour that characterises coercive control. Additional theorised challenges related to the burdens placed on victims to help prove the 'serious effect' of the abuse, and the necessary shift in police 'incidentalism' to identify a pattern of abuse.

Furthermore, the limited empirical work on the police response to coercive control in England and Wales demonstrated increased use of the legislation over time. However, this work also highlighted concerns around police officers' understanding and identification of coercive control and high level of experienced 'evidential difficulties.' Finally, critical engagement with the existing research identified gaps in knowledge, such as in-depth qualitative research on police practice (e.g., interview and observational data) and the role of multi-agency partnership working, which this thesis aims to fill. Weaving together a contextualised image of how the police have navigated the introduction of the coercive control legislation, the questions raised by this body of work are threaded throughout the theoretical framework, analysis, and findings within this thesis.

Chapter Two: Theoretical Framework for Negotiated Practice

Introduction

This chapter utilises findings from the reviewed literature to inform the development of a theoretical framework for the research presented in this thesis. Within this framework, police officers, as Street Level Bureaucrats (SLBs; Lipsky 1980, 2010), are assumed to be imbued with discretion that may allow officers to circumvent law or policy, creating a gap between the (structural) written law and its (cultural) use in practice. Therefore, to make sense of how police officers have translated the coercive control legislation into practice, the developed framework moves to consider factors which can influence officers' use of discretion. These include the officers' understanding of coercive control, interactions with service users (victim, perpetrators, family members), colleagues and supervisors, the organisational structure and culture of the police, work with multi-agency partners, and the overarching legal context described in Chapter One. Importantly, the framework understands actions by police officers as both shaping and being shaped by these interacting influences.

I. The role of inherent discretion

Street-Level Bureaucracy (SLB) theory: Introduction

Of particular relevance to understanding discretion and the translation of law into practice is Lipsky's (1980, 2010) theory of Street-Level Bureaucracy (SLB). This theory describes the individual practice of street-level bureaucrats (SLBs), the civil service workers who interact directly with the public, such as the police, social workers, and teachers. Within SLB theory, decision-making is assumed to be discretionary, allowing frontline professionals a degree of autonomy from management. This discretion provides them with the inherent ability to act as they see fit in response to urgent and complex situations (ibid; see also Hupe and Hill 2007).

Lipsky (1980, 2010) describes a dichotomy often faced by these professionals, in which they must appraise law, policy, and organisational goals alongside the potentially conflicting expectations and needs of their service users. For instance, this could include expectations such as empathetic decision-making on a case by case basis that may conflict with organisational policy. The frontline SLB's navigation of these conditions effectively allows them to interpret and translate policy into outcomes through their actions.

Under the conditions of workplace stress, including high demand and limited resources, SLBs may develop strategies, tactics, routines, or shortcuts. These conditions could induce the use of stereotypes and biased perceptions when screening service users. One such screening strategy is what Lipsky (1980, 2010) terms 'creaming,' whereby those service users they choose to assist are those they perceive to be most likely to produce the organisationally desired outcome. In policing, this could be a police officer's decision to take no further action on a time-consuming case currently perceived to be below the criminal threshold of evidence in favour of expending resources on a case more likely to result in a conviction.

Overall, Lipsky (1980, 2010) contends that a piece of legislation's language and associated goals can be conflicting, ambiguous, or difficult to measure. This ambiguity means frontline SLBs retain a discretionary ability to interpret and translate policy into practice. By studying the state from the 'bottom'-up, Lipsky (1980, 2010) proposes that public policy itself is undetermined prior to reaching SLBs, whereby the law takes shape and is transformed during the process of implementation by these frontline practitioners.

SLB theory: Limitations and further developments

As with any theory, Lipsky's (1980, 2010) Street-Level Bureaucracy framework has limitations. For instance, the initial development of the theory utilised secondary academic literature rather than empirically 'testing' the theoretical framework and considers managers only as working towards organisational goals or keeping SLB work in line with policy (see Section III; Evans 2010, 2011, 2016). Evans (2010, 2011, 2016) also argues that SLB theory does not account for organisational differences by assuming that all frontline SLBs have the same level of discretion, autonomy, and accountability.

However, not all academic literature considers this grouping of practitioners to be problematic. Another influential piece of literature on the translation of law into practice by SLBs is Zacka's (2017) *When the State Meets the Street: Public Service and Moral Agency*. To improve practice, Zacka (2017) also argues for a 'bottom-up,' rather than 'top-down,' normative theory approach to public policy that moves from designing the ideal SLB interactions with the public, using this to inform the design of the organisation and choice of policies to pursue. Although practitioners working within non-governmental organisations and charities, such as specialist domestic abuse services, would not technically be considered SLBs, Zacka (2017) argues that SLB theory still holds where the organisation is contracted to undertake public service.

Moreover, although both Lipsky (1980, 2010) and Zacka (2017) acknowledge that there are organisational differences between SLBs working in different professions (i.e. police officers, social workers), their theoretical works focus on what SLBs have in common. These overarching similarities include the direct interaction with members of the public, working at the lowest hierarchical level within their organisation, and 'they are vested with a meaningful margin of discretion' (Zacka 2017: 23-24). Thus, all SLBs, including police officers, can be considered 'gatekeepers' between the public and the state (ibid).

Prior research also demonstrates the value SLB's place on their discretion. Tummers and Bekkers' (2014) provide evidence that discretion increases SLB's perceptions of the meaningfulness of a policy for the service user, which in turn influences their willingness to implement that policy. The authors also contend that discretion directly (independently) influences the SLB's willingness to implement that policy (ibid). Informed by Lipsky (1980, 2010), Zacka (2017) reiterates that SLBs are difficult to monitor and often work without direct supervision. Additionally, SLBs are said to accumulate knowledge through on-the-job experience responding to wide-ranging situations (ibid), rather than having the detailed expertise or specialisation expected for those in senior-level, strategic roles.

As SLBs, operational police officers have the inherent ability to make judgements and act without initial oversight. Evans and Harris (2004) propose that SLBs may exercise three types of discretion: that which is afforded by an *ambiguous policy*, the *subversive discretion* whereby a frontline professional actively resists a policy they find undesirable, and the *professional discretion* officially afforded or encouraged by policymakers. As a broader distinction, professional discretion can be '*de jure,*' a formal, recognised right or entitlement, or '*de facto,*' whereby discretion is the experienced power to act that need not be officially recognised or allowed (Evans 2010: 33). In this way, de facto discretion may be attained by utilising ambiguous policy or through subversion.

Contributing additional developments to SLB theory, Zacka (2017) argues that the challenges associated with implementing public policy can be understood through examination of the 'moral dispositions' of SLBs. These 'moral dispositions' relate to the SLBs' perception and interpretation of cases, events, and service users; 'mobilised' moral sentiments (values placed on different courses of action); and understanding of their role and responsibilities (Zacka 2017: 11-12). Overall, it is these dispositions, rather than the SLB's individual decisions, which Zacka (2017: 32) proposes as shaping their use of discretionary power.

Zacka (2017: 86) includes descriptions and examples of three types of dispositions known as 'indifferent' (handle cases as quickly and efficiently as possible; preoccupied with administrative rules), 'caregiver' (preoccupied with clients' needs over efficient or equitable service), and 'enforcer' (guarded and suspicious; preoccupied with preventing and punishing abuse). Importantly, these dispositions are fluid and dynamic, so an SLB's disposition can change between, or even during, their interactions with service users. Moreover, an SLB's disposition is a precursor and partial determinate of their discretionary actions (Zacka 2017: 87).

Notably, SLBs may face 'impossible decisions,' whereby they must sacrifice one individual or organisational value over another, pursue a new obligation that undermines an older one, or experience a conflict between (public) resources and their obligation to an individual service user (Zacka 2017). In all cases of 'impossible decisions,' SLBs perceive a policy change to mean that they can no longer appropriately do their job. Some possible responses to (resolve) this conflict include resigning their position, voicing a concern to superiors, self-deception (e.g., cognitive dissonance), and cynicism, whereby the SLB accepts the conflicting requirements without attempting any reconciliation (Zacka 2017: 236).

To illustrate this, Zacka (2017: 205) described an officer's response to the introduction of a new immigration law that required police officers to ask individuals to present their immigration papers. The officer considered this law to undermine the organisation's community policing mandate (ibid). In this way, the actions required to implement a new law conflicted with the officer's self-understood role and responsibilities. Building from this discussion, this thesis interrogates how SLB theory informs the developed framework and applies to police officers' use of discretion.

SLB theory: Application in practice

There are numerous examples within policing that support the difficulty of translating law and policy into practice, demonstrating support for Lipsky's (1980, 2010) theory. These examples range from the introduction of the Human Rights Act (HRA) (Bullock and Johnson 2012) to the embedding of restorative justice practices (Paterson and Clamp 2012) and the creation of a national police force in Scotland (Terpstra and Fyfe 2015). This prior research considers how introducing legislation, or large-scale national reform can challenge those operating at a local level. This literature also demonstrates the importance of interpretation and discretion by multiple actors and the engrained role of performance measures that prioritise process and criminal justice outcomes over the outcomes for an individual member of the public (Bullock and Johnson 2012; Paterson and Clamp 2012; Terpstra and Fyfe 2015).

SLB theory can also be applied to the police response to domestic abuse. As detailed in Chapter One, a particularly relevant and influential study examined the translation of a mandatory arrest policy for domestic abuse cases (Hoyle 1998; Hoyle and Sanders 2000); the results illustrate the importance of de facto discretion exercised by frontline police officers. Although the policy had a symbolic effect of emphasising the seriousness of domestic abuse, officers continued to base arrest decisions on the victim's desires, the perceived seriousness of the incident, and the likelihood of achieving a conviction (Hoyle 1998: 123,137). In this way, a formal aimed to limit the officers' professional (de jure) discretion, but the resulting practice did not necessarily reflect this policy.

The disjunction between policy and practice arose from the de facto discretion exercised when officers followed the 'working rule' that cases not supported by victim engagement should receive no further action (Hoyle 1998; Hoyle and Sanders 2000). The mandatory arrest policy appeared to have a symbolic, educative effect on some officers' understanding of the seriousness of domestic abuse (ibid). However, the authors described other officers' use of 'questionable assumptions' about domestic abuse and 'uncooperative' victims, which CPS prosecutors also maintained, that informed their decision-making (Hoyle 1998: 180; Hoyle and Sanders 2000: 19).

The above example suggests the potential for police officers to exercise their discretion and follow working rules that differ from the aims of the coercive control legislation and associated policy or guidance. Hoyle's (1998) research highlighted several influences on officers' use of discretion, including those related to their interactions with victims ('service users'; see Section II), organisational culture (see Section III), relationship with the CPS (multi-agency partners; see Section IV), and tensions arising from the translation of policy into practice (see Section V). The remaining sections of this chapter examine these potential influences.

II. Interpersonal interactions

Interactions with service users

Importantly, officers' interactions with 'service users,' such as victims, perpetrators, and their families, inform their use of discretion. This section considers the potential influence of these interactions, including how officers' understanding of coercive control, use of problematic 'interpretive schema' or associated myths or stereotypes about victims, and the potential for coercively controlling perpetrators to manipulate SLBs, can impact the criminal justice response to coercive control.

Understanding the dynamics of this form of abuse are necessary to identify those at high risk of serious harm and respond accordingly (Myhill and Hohl 2016). Therefore, it is important to consider how officers' knowledge and understanding may impact their interactions with victims, exercise of discretion, and resulting practice. Risk assessment tools form a key area of discretion for the police in response to domestic abuse and are utilised internationally (e.g., Australia: Diemer et al. 2017; Finland: Fagerlund, Kääriäinen and Ellonen 2017). However, evidence from the UK finds that coercive controlling behaviour is not necessarily recognised, probed, or prioritised by officers completing forms like the Domestic Abuse, Stalking and Harassment and Honour-Based Violence risk assessment (DASH; Robinson et al. 2016). Regarding the police implementation of the coercive control legislation, Barlow et al. (2019) attribute police officers' lack of understanding of coercive control as a contributing factor to unidentified risk, low arrest rates, and limited investigation and evidence gathering for cases involving coercive controlling behaviour (see Chapter One).

Aside from risk assessment or arrest decisions, the coercive control context may influence many discretionary behaviours. For example, research on the police response to domestic abuse demonstrates that other actions, such as the use of civil orders or out of court resolutions (including restorative justice), crime recording, and referral to support agencies, could be similarly examined (Bates and Hester 2020; Carrington and Schulenberg 2008; Diemer et al. 2017; Duggan 2019; Schulenberg 2015; Westmarland et al. 2017). Furthermore, SLBs who lack adequate knowledge about coercive control may also lack confidence in their ability to act (Bradbury-Jones and

Broadhurst 2015; Oram, Khalifeh and Howard 2017; Taylor et al. 2013), which can negatively affect their interactions with victims and provision of support.

As discussed later, organisational attempts to curtail discretion may impose compulsory procedures or supervision to increase the accountability of frontline officers (Johnson and Vaughn 2016; Lipsky 1980, 2010; Nelson 2013). However, where discretion is necessary, the literature identifies effective training as inducing trust in individual decision-making (Gover et al. 2011; Johnson and Dai 2016; Muftić and Cruze 2014; Mastrofski 2004; Myhill and Johnson 2016). Notably, priming officers with knowledge about how to recognise coercive control and its associated risk resulted in officers considering coercive control when assessing 'priority' perpetrators (Robinson et al. 2018: 45). Additionally, the College of Policing recently developed and evaluated a training programme titled Domestic Abuse Matters, specifically designed to improve officer attitudes about domestic abuse and understanding coercive control (Brennan and Myhill 2017; Wire and Myhill 2016). Later empirical chapters describe the rollout of this training and consider its potential impact on police responses. As described in Section I, where SLBs are trusted to use discretion, these frontline practitioners are more likely to perceive the policy as meaningful for the service user and implement it accordingly.

Furthermore, with 'stereotyping' used as a heuristic for officers to act as quickly as possible (see Section I), it is necessary to consider existing stereotypes and myths about domestic abuse and its victims. As mentioned, an SLB's perception of the service user may influence their 'moral disposition' (Zacka 2017). When a police officer or other SLB responds to a domestic abuse case and the victim does not behave in the way they desire or expect them to, frustration and victim-blaming attitudes may result. For instance, problematic 'interpretive schema' (Quilter 2011;

Tolmie 2018: 56) may develop when frontline police officers attend numerous domestic abuse-related calls at one address and consistently experience the victim withdrawing, or refusing to provide, a witness statement. The officer may label that individual as ‘uncooperative’ and potentially ask,’ why doesn’t she(/he) just leave?’ (Hoyle and Sanders 2000; Loftus 2009; Stewart et al. 2013).

Building on SLB theory, Johannessen’s (2019) ‘negotiated discretion’ considers the interaction between the individual officer and their service user. Johannessen (2019) argues that traditional SLB theory does not take account of the possibility for open discussion and negotiation between parties because it focuses solely on the SLB’s interpretation and discretion. Johannessen (2019: 517) defines the ‘negotiation’ as ‘interactions involving two or more actors who express disparate views, preferences, and demands, and who attempt to resolve these differences through processes of convincing, persuading, or bargaining with each other.’ The local conditions (e.g., experience, balance of power, alternatives) impact the individual’s ability to negotiate, which, as described below, may be particularly limited for a victim of coercive control.

Socially constructed and reinforced (Muehlenhard and Kimes 1999), these problematic ‘interpretive schema’ (Quilter 2011; Tolmie 2018: 56), or stereotyped attitudes and assumptions about victims of abuse, are not only held by criminal justice system actors. Other professionals also demonstrate related biases about those who are subjected to abuse and choose to remain or return to the relationship, and victims may also internalise similar narratives (Moulding et al. 2015). Moreover, Perrin’s (2016) research conducted within Family Court presents evidence of practitioners displaying victim-blaming attitudes based on the 'just world' hypothesis, whereby an individual believes that good things happen to those who are ‘good,’ and bad things happen to those who are ‘bad.’ By this logic, those who hold the ‘just world’ belief, will assume that a victim of domestic abuse must have 'somehow caused or deserved it’ (Perrin 2016: 172).

When victims are blamed for the abuse perpetrated against them, an SLB’s actions can then be coloured by these attitudes. In this way, a police officer’s demonstration of victim-blaming attitudes could hinder the identification of, and safe and effective response to, coercive control. Additionally, within the context of the court system, expectations about how a victim of coercive control should act can determine whether that individual’s statement is believed. Specifically, victims may minimise or not be able to articulate their experience and understand the impact of the abuse until they have been appropriately safeguarded and offered long-term support (Tolmie 2018).

However, a victim who gives a statement and withstands difficult cross-examination may also undermine the case if they are perceived as too confident to be a victim of coercive control (Tolmie 2018: 56). From this perspective, the court may not take seriously either victim’s account (minimising or confident). Moreover, additional biases related to class, ethnicity, sexuality, gender (identity), or immigration status may exacerbate this potential marginalisation (Taylor et al. 2013; see Chapter One). In contrast, when police officers consider the complex dynamics of abuse and how coercive control entraps that individual, this nuanced perspective may positively influence their practice.

Regarding engagement in the criminal justice process, victims often call the police intending to achieve an end to the abuse at that moment, while seeking advice, referral to support services, or temporary removal of the perpetrator (Stewart et al. 2013). However, if the desired outcome (putting an end to the abuse) is met, this victim may not have a desire to engage further (ibid). For example, in Stewart et al.'s (2013) study of 'verbal violence,' victims called the police out of an immediate fear for their life or those of their children, but with the long-term aim of receiving aid outside of the criminal justice system.

Whilst SLBs may perceive victims of coercive control as 'uncooperative,' victims base their decisions on many unique factors. Concerns such as a continued loss of control throughout the court process, response or 'punishment' by the abuser, removal of children by the State, potential loss of (sole) income source(s), need to seek shelter away from support networks, and existing (court-ordered) childcare arrangements, may all contribute to a victim's decision-making (Hester 2006: 84; Myhill 2015; Pitman 2017; Stark 2007). The potential for secondary victimisation within the legal system, the impact of coercive controlling abuse, and the overall importance of victim engagement to prove the offence (see Section V) exacerbate the challenges which victim-blaming attitudes may pose for practice.

Furthermore, previous literature identifies the 'domestic' context of SLB interactions with victims of coercive control as influencing their use of discretion. Cuthill and Johnston's (2019) qualitative research with health visitors in Scotland examines practice in response to a mandate to ask patients about possible domestic abuse during home visits after a woman has given birth and requires them to intervene accordingly. Cuthill and Johnston (2019: 1431) describe how these professionals used their discretion to 'negotiate, adapt and resist elements of the policy' whilst working within the home's private, 'domestic' space. Cuthill and Johnston (2019) found the health visitors were concerned that asking about abuse within this 'domestic' setting could destroy the trust and rapport they built with the mother and place the mother and child(ren) in danger. Whilst they recognised a safeguarding need to protect them from abuse, these SLBs also knew their actions could precipitate the removal of the child(ren) or trigger homelessness or other additional vulnerabilities.

This finding presents an example of what could be an ‘impossible decision’ (Zacka 2017) in which a new law or policy creates a conflict with values, roles, or responsibilities held by an SLB. In this case, the authors described a tension between the health visitor’s role as providing both support and surveillance (Cuthill and Johnston 2019: 1433). However, rather than subverting the policy mandate, these health visitors utilised discretion by shaping their actions to ‘manage threats to the family home, to professional identity and to self,’ such as choosing when to ask about domestic abuse and probing only as much as necessary to manage the victim’s safety (Cuthill and Johnston 2019: 1438).

Similarly, the coercive control legislation moves the police from the ‘street,’ or public space, into the ‘domestic’ home. As mentioned above, this setting brings ideas, beliefs and norms about privacy, relationships, and family that feed into interpersonal interactions and are influenced by organisational culture (see Section IV). Therefore, this framework considers how responding within this ‘domestic’ setting may impact police interactions with service users and negotiated practice of responding to coercive control.

Further developing this level of the framework, interpersonal interactions with perpetrators and family members are an important consideration in the translation of the coercive control legislation into practice. In addition to victims, most SLBs, such as police officers, social workers, and (mental) healthcare workers, also interact with perpetrators of coercive control and their children. As mentioned in Chapter One, perpetrators can successfully deploy coercive control tactics of manipulation against SLBs, including police officers (Stark 2007). These tactics may include shifting blame to the victim, justifying physical violence as mutual 'play fighting,' and portraying the victim as emotionally unstable (Anderson and Umberson 2001; Loftus 2009).

Moreover, where the victim (or perpetrator) has children, officers must recognise the impact of this abuse on the children with whom they interact and the potential for perpetrators to use these children as tools of control. For example, perpetrators may threaten to remove children from their partner or manipulate a child to help support their story (see Chapter One: Heward-Belle 2017; Katz et al. 2020). The developed framework interrogates these interpersonal interactions with perpetrators and children in relation to their influence on an officer's use of discretion.

Interactions with managers

One critique of Lipsky's (1980, 2010) Street-Level Bureaucracy theory is its assumption that managers or supervisors of SLBs align their views with organisational-level aims rather than those whom they manage (see Evans 2010, 2011, 2016). Evans (2010) conducted research within the field of social work at a time when others argued that professional discretion was being impinged upon by 'public managerialism,' whereby managerial limits or control on SLBs' actions are taken to meet organisational goals. Policy, as written language, must be interpreted and translated into practice.

Previous research identifies the role of managers in setting local policy, which provides the context for frontline professionals' use of discretion. Proposing a theory of 'discursive managerialism,' Evans (2010) argues that the professional background and resulting shared culture between practitioners and managers interact with 'managerialism' to retain space for frontline practitioner discretion. Changes to management procedures may have a structural impact, but this effect will not be uniform across or within organisations. Moreover, in some cases, managers may align themselves with the concerns of practitioners they manage rather than those of the organisation itself (Evans 2010).

Managers can inhibit an SLB's discretion by limiting autonomy and increasing accountability (Lipsky 1980, 2010). To accomplish this curtailment of discretion, managers may use organisational measures around budgeting, resourcing, or the addition of internal procedures and policies ('proceduralisation' Evans 2016). Using case studies of mental health and older persons' social work teams, Evans (2010) presents evidence that professional commitments and ideas of practice can be shared between practitioners and managers, influencing their working relationships.

In fact, managers may 'collude' to subvert or challenge policy that contradicts these shared values (e.g., policy limiting professional judgment to proceed with a case). Evans (2011; 2016: 607) describes the example of managers of a social work team who purposefully developed a complex, ambiguous procedural manual that increased the scope for professional judgment by SLBs. Another illustration of this 'collusion' shows local managers explicitly citing their identification with the SLB's work while helping them prioritise the needs of their clients (ibid), rather than using methods of control to reinforce the resource-driven aims of the strategic leads of the organisation. Of course, there are also examples of decisions to ration resources or establish strict screening procedures, but the interactions between managers and those they manage should not be ignored.

Similarly, according to Zacka (2017: 15), managers may impose administrative rules to constrain, structure, or limit SLBs' discretion and impose punishment for 'improper action.' However, these techniques do not fully allow managers to 'guide' an SLB's use of discretion, mainly because these practitioners, including frontline police officers, often decide on the initial course of action without direct supervision. However, managers also have a substantial role in helping to avoid or resolve 'impossible decisions' (Zacka 2017: 204, 238). Conflicts arise when the demands of the SLB are not possible to achieve with the resources provided or where a policy change induces an SLB to perceive that they can no longer properly do their job (see Section I).

Concerning the criminal justice response to coercive control, discursive managerialism suggests that decisions to pursue, investigate, charge, and prosecute a case should be examined within reference to frontline professionals and their local and senior managers. Therefore, this thesis considers the use of discretion by frontline operational officers but also includes an analysis of the role and perspective of those in supervisory, management, and strategic positions. This analysis provides evidence of how police officers interact with their colleagues and supervisors to respond to coercive control.

III. Police organisational context: Structure and culture

The structure and culture of the organisation necessarily impact how the police interact with one another, partner agencies, and the public. Therefore, this section examines police officer behaviour as informed by the organisational context within which they work. Notably, discretion allows officers to make a policy fit 'prevailing cultural norms and ways of working' (Myhill and Johnson

2016: 5). However, this presents an opportunity for the 'abuse of discretion' (Brennan et al. 2019) to facilitate practices that do not adhere to organisational guidance and policy.

At an organisational level, engagement with the literature presented below illustrates how the 'action-oriented,' 'incidentalist' culture of the police (Kelly and Westmarland; Reiner 2010) may influence the development of victim-blaming attitudes and result in poor quality risk assessment by officers (see also Section II). In addition, the developing framework considers the influential role of instruments or tools provided by the organisation, such as risk assessment forms or specialised training. When applied to the police response to coercive control, this previous research provides a nuanced understanding of how organisational structure, culture, and provided tools may impact police officers' use of discretion.

More broadly, the organisation's structure (e.g., size, number of policies, resources) will influence individual professional discretion (Nowacki 2015), with a larger organisation with more resources and fewer policies affording greater discretion. It should be noted that even within an organisation such as the police, operational discretion may vary, such as between those on 'patrol' and first response as compared to specialised (investigative) officers or those in more senior roles (Broader 2010). These may constitute 'sub-systems' or 'sub-units' within an organisation, which can also develop their own 'sub-cultures' (Giacomantonio 2015: 18; Giacomantonio and Litmanovitz 2017; Johnson and Vaughn 2016: 162; Myhill and Bradford 2013).

Additionally, as in Section II, the degree of influence of officers compared to their supervisors will also be impacted by the organisation's hierarchical structure. However, through the social and fluid process of internal coordination, overarching 'implicit rules, tacit structures, and informal hierarchies' also emerge (Giacomantonio 2015: 116). This section considers relevant organisational influences and their interactions with other factors within the presented framework.

Beginning with the role of police or 'cop' culture, Reiner's (2010) highly-cited work describes several relevant characteristics. For instance, police culture focuses on 'real,' 'action-oriented' work (Skogan 2008; Reiner 2010), whereby the police want to take practical action to resolve a problem that may pose immediate danger or harm. Furthermore, this culture is characterised by cynicism, pragmatism, and an 'us' and 'them' mentality that may inform officers' perceptions about who is 'deserving' of help (Reiner 2010; Myhill and Bradford 2013: 338). Notably, the use of the term cynicism, ideas about who deserves help, and other aspects of 'cop' culture support the application of SLB theory, including 'moral dispositions' (Zacka 2017), within the context of policing. Additionally, as in Section II, the above characteristics have been identified within the police response to domestic abuse, mainly through the development of victim-blaming attitudes, which appear to strengthen with officer experience on the job (Logan 2006; Reiner 2010; Robinson and Chandek 2000).

The organisational structure of the police also has implications for the police response to domestic abuse and coercive control. The structure of the police enables a response to individual incidents that are prioritised by urgency and assessed risk level. Police risk assessment for domestic abuse may initially be undertaken by a call handler or frontline response officer. Forces may also have (multi-agency) safeguarding hub officers who review the 'accuracy' of completed assessments and allocate measures to manage the victim's risk (Barlow et al. 2021: 183).

Notably, the conceptualisation and criminalisation of coercive control also occurred during the growth of a culture of managerialism and 'risk aversion' within the police (Cockcroft 2013; Myhill

2019; Porter 2019; Robinson and Howarth 2012; Rowe 2007). Increased accountability through managerial measures (e.g., required forms, oversight of decision-making, performance objectives) was coupled with the fear that any actions taken, or not taken, by an officer could result in serious harm or death. Thus, a decision not to report or refer a case, provide additional support, make an arrest, or issue a summons to a victim to secure a conviction, may be challenged through accountability mechanisms. However, across all points of police contact, incident-focused organisational norms ('incidentalism'; see Chapter One) may prevent the identification of coercive controlling behaviour, which involves generalised fear and a pattern of actions that may not be criminal when assessed in isolation.

Prior to the introduction of the coercive control legislation, Brennan et al. (2019) conducted research with police officers, social workers, and specialist domestic abuse professionals. This research demonstrated the difficulty of operationalising coercive control. They argue that the 'abuse of discretion,' through the discounting or failure to complete full investigations of cases involving coercive control, is fuelled by limited resources coupled with ambiguous definitions of coercive control across these services (Brennan et al. 2019: 636). Highlighting organisational barriers to practice, the authors assert that services 'were not conceptually, structurally, or procedurally prepared to respond to abuse that was not violent' (ibid). This ambiguity and lack of preparedness could facilitate an 'impossible decision' (Zacka 2017) whereby the coercive control legislation presents a demand that police officers cannot meet using existing (conceptual, structural, procedural) resources. The legal implications for these findings are discussed further in Section V.

The official counting rules for recorded crime aim to reflect the seriousness of the offence.[27] These rules specify that the offence of controlling or coercive behaviour 'should be recorded in addition to the most serious additional notifiable crime reported at the same time' (Home Office 2020: 59). However, there remain concerns about a 'hierarchy of harm' (Bishop 2016). For example, within policing (and society), physical violence perpetrated by a stranger is still perceived to be more serious than domestic abuse, with physical violence thought to be more serious than any non-physical abuse (Bettinson and Bishop 2015; Brennan et al. 2018; Walklate and Fitz-Gibbon 2019). Furthermore, Grant and Row (2011: 60) previously found that discretion about whether and how to complete domestic abuse risk assessment forms depends on 'crime-centred' beliefs about 'serious' injuries and violence, results which research on police officer use of the DASH also supports[28] (see Chapter One; Brennan and Myhill 2017; Myhill 2019: 63; Robinson et al. 2018; Wire and Myhill 2016). In this way, risk assessment decisions that utilise this hierarchy of risk and harm marginalise coercive controlling behaviour, potentially hindering the associated police response to this abuse.

The above organisational characteristics, and domestic abuse literature, suggest that the police response to coercive control may be affected by the requirement to complete a bureaucratic and time-consuming risk assessment form for each call, including for trivialised 'low level' verbal incidents; the number of times a victim may contact police without the intention of further

[27] Controlling or coercive behaviour carries a maximum sentence of 5 years in prison, which is the same as the offence of Grievous Bodily Harm (GBH) (Home Office 2020: 61; *Serious Crime Act 2015*, c. 9, part 5, ss. 76).

[28] Some research claims to invalidate the ability of the DASH risk assessment form to predict high-risk victimisation (Chalkey and Strang 2018; Thornton 2017; Turner et al. 2019). Thus, the DASH is an organisational tool that may present a structural roadblock for risk assessment. Also note that the developed Domestic Abuse Risk Assessment (DARA) aims to address the identified shortcomings of the DASH (Wire and Myhill 2018) but is not utilised in all police forces in England and Wales.

engagement in the criminal legal system; and, the availability of resources and time to assess the situation in the necessary depth (Arnold 2009; Gover et al. 2011; Myhill and Hohl 2016; Robinson, Myhill, and Wire 2018; Robinson, Pinchevsky, and Guthrie 2018; Tolmie 2018; Walklate et al. 2018). Moreover, when officers perceive victim statements describing abuse without accompanying visible physical injuries as 'weak,' unverifiable evidence, or just 'one word against the other' (Barlow et al. 2019: 171), the risks associated with coercive controlling behaviour may not be recognised at all.

Demonstrating the importance of the organisation's procedures and instruments of measurement, Robinson et al.'s (2018) exploratory study found that the Priority Perpetrator Identification tool (PPIT), which primed professionals to consider the impact of coercive controlling behaviour, resulted in greater identification of this high-risk form of abuse. Additional training may be prescribed to improve specialised knowledge and encourage professional curiosity whilst retaining officer discretion. This training can also involve attempts to improve resulting outcomes via changes in organisational culture, norms, and ways of working (e.g., Domestic Abuse Matters; see Chapters One and Four). Relatedly, Barlow and Walklate (2021) highlighted that identifying coercive control within police risk assessment requires a shift from focusing on measuring a discrete act of harm to the 'process' of abuse involving a pattern of coercive controlling behaviour.

Informed by a broader legislative framework, this thesis considers how (local) guidance and policy can shape or disrupt professional discretion and practice. National, organisation-level guidelines for police and prosecutors include the College of Policing's Authorised Professional Practice (APP) and the CPS Domestic Abuse Guidelines for Prosecutors. Supported by local and organisational policies, these documents provide guidance in critical areas, such as evidencing coercive control, mandatory risk assessment, and use of civil protection orders (e.g., Domestic Violence Protection Notification/Orders DVPN/O) and restorative justice in cases of domestic abuse (College of Policing 2015/2022; CPS 2020). In addition, these documents reflect or aim to reflect desired values, such as the empowerment of victims, and organisationally prioritised outcomes, like arrest or conviction.

Whilst the study of policing presents a unique organisational influence, there are overlapping themes within the multi-agency literature. For instance, considering structural factors, Heffernan et al. (2014) analysed the impact of organisational policy on British health and social workers' attitudes surrounding domestic abuse and their ability to identify and respond to it. Heffernan et al. (2014) found that over half of their participants were aware of the relevant policies and guidelines. However, only 1 in 3 had utilised them, and nearly half of respondents never recalled having received domestic abuse-related training (ibid). Although there are local and organisation-level differences in culture and resources, these health and social workers must respond to the same pattern of abuse as police officers. Therefore, the interviews conducted for this thesis explicitly raise questions about practitioner awareness and the perceived utility of existing organisational training, policy, and guidance (see Chapter Four).

In contrast to previously described findings on the criminal justice response to domestic abuse (Hoyle 1998), Porter's (2019) research with Crown Prosecutors showed that discretion and decision-making do not necessarily match the victim's wishes but instead were based upon the overarching organisational aims. Porter (2019: 498, 510) demonstrated that 'managing the pressures of managerial targets, high workloads and the impacts of austerity' combine to create a 'working practice' of routinely compelling victims to support prosecutions. This practice occurred despite CPS guidance to consider the overall impacts of the court process on the victim's safety and autonomy (ibid).[29]

Additional research on the police response to domestic abuse demonstrates the importance of (officer-) perceived severity of the offence and tangible, physical evidence on police officer arrest decisions (Myhill 2019). Thus, prior research suggests that the difficulty of pursuing a charge relating to domestic abuse in the absence of (officer-perceived) clear evidence of a 'serious' offence and engagement by the victim results in the police 'working practice' of taking no further action (e.g., Hoyle 1998; Myhill 2019). However, once the CPS brings charges, their organisational 'working practice' facilitates issuing a summons to compel engagement by the victim (Porter 2019).

The complexity of the developing framework increases when considering the impact of advancing information and communication technologies (ICT).[30] The assumption might be that technological advancement would aid automatisation, accountability, and ease of oversight or monitoring, thereby restraining individual discretion. However, Buffat (2015) presents an alternative response, arguing that e-government and advancement of ICT make informal discretion by SLBs even less visible to managers or others wishing to hold them to account. For instance, under new ICT systems, a manager may see how many applications for assistance were made or approved (de jure, professional discretion). However, they do not have access to information about how frontline SLBs applied the thresholds within each case, enabling continued informal, de facto discretion (ibid: 154).

[29] Professional guidance and local policy will be discussed as relevant throughout the empirical chapters.
[30] These technological systems allow individuals and organisations to communicate with one another (Buffat 2015).

Furthermore, where cases do not follow standard procedures, are complex, or present conflict regarding how to proceed, preference remains for direct interpersonal resolution over ICT reliance (Buffat 2015: 156). As with the previously described novelty and complexity of the coercive control offence, observations of practice may reflect this preference for interpersonal interaction. Therefore, the impact of technological advancements must be considered within the police navigation of the legislation across all factors within the developed theoretical framework.

The above examination of organisational influences provides examples of ways in which existing norms and ways of working may follow established patterns based upon the influence of a socially-constructed organisational culture (Bellot 2011; Schein 1987). The resulting framework for practice recognises the cultural and structural (including policy- or ICT- facilitated) organisational influences that may produce an 'abuse of discretion.' To the extent that the 'abuse of discretion' can be examined empirically, this thesis considers the impact of the organisational structure and culture on the police response to coercive control. Considered through the lens of SLB theory, the coercive control legislation presents an opportunity for existing organisational values, responsibilities, or aims to be placed in conflict with those introduced by the legislation. A police officer may resolve this conflict through their use of discretion.

Additionally, there are also examples of resulting 'good' practice (Robinson et al. 2018) when organisations provide individuals with the appropriate resources to address the offence. The research discussed above develops an understanding of the potential organisational impacts on practitioner responses to coercive control, including achieving a disclosure of abuse, completing the risk assessment, and making operational decisions (e.g., safety planning, arrest, witness summons). Together, this research demonstrates the influence of the organisation's resources and how the organisational structure or culture may reduce practitioner identification of the risks associated with coercive control or facilitate their use of discretion to circumvent law and policy through alternative 'working practice.'

IV. Multi-agency working

In addition to intra-agency interpersonal interactions, the police also undertake inter-agency work with other SLBs who utilise discretion in responding to coercive control. This section develops a multi-agency layer of the theoretical framework, considering how various agencies conceive of their individual and joint roles in responding to coercive control. Whilst legal implications of the criminalisation of coercive control place the police at the centre of analysis, pilot research demonstrated a need to examine the interaction of the police with the partner agencies that provide the necessary support for an effective response to this form of abuse. This section interrogates how existing multi-agency working literature may inform the navigation of the coercive control legislation. The presented literature demonstrates the importance of communication, coordination, information sharing, and the associated role of ICT systems, presenting examples of successful and unsuccessful multi-agency work.

As the 'gatekeepers' of the criminal justice system (Hohl and Stanko 2015), this thesis focuses on the police response to coercive control. However, considering the multi-agency context within which they sit provides necessary context. First, it is important to examine the existing multi-agency working structure within England and Wales. Professionals within the criminal justice system, family courts, child services, victim services, (mental) health sector, and other relevant local area services (e.g., the local Council, housing) are proposed to provide a 'Coordinated Community Response' (CCR) (Malik et al. 2008). The CCR model of practice aims to empower and improve the safety of victims whilst creating a system for holding perpetrators of abuse accountable at individual, community, and societal levels (Hardesty and Ogolsky 2020: 468). Furthermore, by creating a 'web of accountability' (Spencer 2016) through partnership working between informal and formal support networks, case management can be improved with the shared responsibility for the victim among all those with whom they come into contact.

The structure of the CCR partnership allows various levels of entry into this provision of support, safeguarding, and accountability. For instance, the CCR process could begin with a disclosure of coercive controlling behaviour to a general practitioner during an annual visit whilst seeking treatment for drug and alcohol dependence or following police attendance after noise complaints from a neighbour. A professional within one of these agencies may seek advice from a supervisor and decide to share this information through the partnership or refer the victim to another support service. In England and Wales, many local force areas participate in Multi-Agency Safeguarding Hub (MASH) partnerships that aim to improve the information sharing between partner agencies and the speed and quality of safeguarding responses for children and vulnerable adults (Home Office 2014b). From a policing perspective, these forces employ dedicated officers to review information and risk assessments related to domestic abuse incidents involving children and vulnerable adults to make appropriate protection referrals.

Furthermore, one particularly influential multi-agency process for responding to domestic abuse and coercive control is the Multi-Agency Risk Assessment Conference (MARAC). Partner agencies hold this meeting for domestic abuse cases that are categorised as 'high-risk' of serious harm according to the DASH or similar risk assessment tool. High-risk victims will also be assigned an Independent Domestic Violence Advisor (IDVA), who acts as their representative and primary point of contact throughout the support and legal process (Robinson and Peyton 2016). There are local variations regarding governance and frequency. However, the police typically chair them, and MARAC aims to bring together those working with the perpetrator, the victim, and their children (if relevant) to determine what actions may reduce the identified risk of harm. By bringing together information held by separate agencies, potential risks that were previously unknown to some practitioners, such as a perpetrator's previous suicidal ideation (Button et al. 2017), may also be identified. This information sharing may result in the development of relevant safeguarding measures and or plans for legal proceedings.

One contribution of this thesis to the existing literature is its consideration of the police role within, and perception of, the multi-agency response to coercive control (see Chapter One). Although it is not within the scope of this thesis to provide an in-depth analysis of every agency, those aspects which are relevant to the introduction of the coercive control legislation are analysed within the empirical chapters to follow. Furthermore, considered through the lens of SLB theory (Lipsky 1980, 2010; Zacka 2017), all operational multi-agency partners would be considered actors who interpret and translate the state-imposed legislation into practice, demonstrating an overarching commonality (see also Section I).

According to Edwards (2010: 153), multi-agency working brings with it a 'relational turn in expertise,' which requires practitioners to have the ability to work together and create 'the relational agency which enhances interpretations of, and responses to, complex problems.' Where inter-agency work occurs, and the professionals come from different backgrounds, it is likely that there will be a lack of common knowledge, different communication systems, or hold different organisational priorities (e.g., an IDVA as compared to a prosecutor).

Individual expertise can be recognised and harnessed through intentional collaboration, which brings together ‘insider’ knowledge, values, and practices while retaining ‘outsider’ understanding of the purpose of practice by others, contributing to and re-shaping responses by all involved parties (Edwards 2010: 37). Beyond their shared responsibility to the same victim, many professionals also have overarching similarities as ‘gatekeepers’ between the public and the State (see above). It is also possible for programmes or tools to help forge a ‘common language’ between agency practitioners (Robinson and Clancy 2020: 4). This type of ‘relational expertise’ is a necessary skill for an effective multi-agency response which this thesis considers a means of helping to negotiate the ‘complex problem’ of criminalising and responding to coercive control.

The multi-agency working literature reviewed in Chapter One provides theory and evidence about how these partnerships may function in practice. This background on the coordinated community response (CCR) to domestic abuse evidenced the potential for a ‘web of accountability’ across support networks that empower and have a shared responsibility to the victim (Spencer 2016). For instance, citing CCRs as ‘the critical link’ in their Victim Empowerment, Safety, and Perpetrator Accountability through Collaboration (VESPAC) model, White and Sienkiewicz (2018: 1689) evidenced how inter-agency responses can increase criminal justice outcomes (arrest, successful prosecution).

However, the additional individual and organisational workload and allocation of responsibility required for this multi-agency response present challenges for effective participation. Although practitioners recognise the importance of multi-agency meetings for the safeguarding and support of victims, they also express the view of these meetings (e.g., MARAC) as over-extending their already heavy workloads and stretching limited resources (McLaughlin et al. 2016; Robbins et al. 2014). These difficulties may result in non-attendance by some agencies.

Evidencing the role of individual understanding of domestic abuse in a multi-agency working context, research in the United States found that police officer attitudes about a partnership with social workers varied by officer knowledge of the dynamics of domestic abuse (Ward-Lasher, Messing and Hart 2017). Ward-Lasher et al. (2017: 122) found that a greater level of knowledge and understanding was associated with positive attitudes about the utility of partnerships based on the social workers' skills in advocacy and emotional support provided for the victim. The officers recognised this allows them to focus on holding the perpetrator to account (ibid). This combination of insider and outsider knowledge facilitated the possibility of effective partnerships between the police and social work professionals. These findings further support the importance of considering how police conceive of their joint role in working with multi-agency partners.

The earlier discussion of discretion and organisational culture highlights how reforms may 'fail' or not become embedded in practice (see also Skogan 2008). Within a multi-agency context, Mackenzie et al. (2019) share lessons arising from the failure of a policy intervention that required police in Scotland to notify GPs when officers assessed female domestic abuse victims as being at high risk of future harm. They demonstrated that the police sent less than 4% of the required notification letters to GPs (Mackenzie et al. 2019: 541). This outcome occurred even though, on paper, this policy was simple (a non-ambiguous, explicit action), aligned with 'existing modes of working' (inter-agency referral) and addressed contemporaneous social and political concerns (Mackenzie et al. 2019).

Analysis of this 'implementation failure' demonstrated that the policy change occurred within the setting of a significant period of organisational change (merging regional areas into a national force). Frontline officers also perceived this referral as an existing practice by the specialist Domestic Abuse Investigation Unit (DAIU). Additionally, the policy was 'invisible' to the frontline emergency response officers as they only received an email without training, explanation, formal guidance or other engagement with these officers (Mackenzie et al. 2019). Furthermore, Mackenzie et al. (2019: 453) found that the technological infrastructure was also lacking, with police data systems making the policy 'untrackable.'

The analysis of this failure presents an opportunity to consider the challenge of (even small-scale) change within policing, with broader implications for the criminalisation of coercive control. The introduction of the coercive control legislation created a new offence, which brings greater internal and external attention than an administrative policy. However, as in the above policy change, initial development and delivery of guidance had to be completed quickly without much opportunity for engagement with relevant professionals. In contrast to an administrative policy change that required limited action (sending a letter) and officers perceived as an existing practice, the coercive control law pushes against incident-focused modes of working and requires significant time and resources to pursue (see Chapter One). Furthermore, the introduction of a new offence also impacts working relationships across all partner agencies involved in responding to domestic abuse.

Naturally, there is also evidence of promising multi-agency work in response to domestic abuse. For instance, Lea and Callaghan (2016) utilise survey, interview, and case file analysis to evaluate a domestic abuse partnership which brings together legal, mental health, and advocacy-related work to create a victim led and needs-focused response. Through the UK-based Domestic Abuse

Advocacy Project (DAAP), the victim interacted with a single point of contact, a specialist family law solicitor situated within a third sector independent domestic abuse service (Lea and Callaghan 2016). This specialist provided free legal advice and assistance and facilitated inter-agency work to partner organisations, including the police, children's services, perpetrator intervention services, and housing (ibid).

The research found that clear communication and effective, efficient service improved service user outcomes (Lea and Callaghan 2016). The partnership's intervention reduced fear and risk of harm and the experience of abuse. It also increased the service users' perceptions of validation, helped them understand all their options, and regain a sense of control (Lea and Callaghan 2016: 715-716). The development of this type of streamlined, wrap-around support service also improves the multi-agency response to victims of domestic abuse, including those experiencing multiple disadvantages (also known as 'complex needs') (Harris and Hodges 2019). These findings demonstrate the possibility of effective coordination between services and associated qualities for successful multi-agency working that may apply to practitioner responses to coercive control.

Examination of multi-agency working in response to domestic abuse brings together ideas about knowledge and understanding, interpersonal interactions, and organisational structure and culture within the context of inter-agency partnership. Notable points of interest include factors affecting the efficacy of a coordinated community response, the role of technological infrastructure, and the importance of understanding the dynamics of domestic abuse. However, relevant empirical research on the multi-agency response to coercive control is particularly sparse and focused on developing a working model of the victim's experience of coercive control (Wiener 2017; see Chapter One). This thesis aims to fill a gap in knowledge to present a contextualised understanding of how the police make sense of the legislation and how they conceive of their individual and joint roles in responding to this form of abuse. The implications of the coercive control legislation for multi-agency working between police and partner agencies are explored further within Chapters Six and Seven.

V. Structural context: Law and policy

The structural, legal context is essential to understand how police officers make sense of the legislation and respond to coercive control. As reviewed in the previous chapter, the legislation which criminalised controlling or coercive behaviour came into effect at the end of December 2015 following an advocacy campaign and discussion in Parliament which aimed to improve the justice system's response to abuse which may not demonstrate signs of overt physical harm (Hansard, Parliament 28 October 2014). This legislative intervention was added to the Serious Crime Act (2015 c. 9, part 5, ss. 76) and became the first domestic abuse-specific law in England and Wales. Notably, its inclusion in the *Serious Crime Act* following a brief (three-week) consultation period precluded the ability to provide in-depth training to relevant criminal justice practitioners prior to their expected use of the offence. Therefore, the police (and other criminal justice practitioners) were initially asked to implement this legislation with limited guidance and training (see Chapter Four). This speed of enactment is critical because the legislative intervention of coercive control alters the available legal options and represents a broader change in practice for police.

The police response to coercive control involves a shift away from the traditional operations of the criminal justice system that focus on discrete incidents and overt physical harm to a pattern of ongoing abusive behaviour (Barlow and Walklate 2021; Bettinson and Robson 2020; Kelly and Westmarland 2016). Importantly, there are also recognised limitations of legal recourse in response to domestic abuse and past failures of associated policy reform identified within the academic literature (see Chapter One). Citing evidence that existing civil orders and offences remain underutilised or misused, academics worried that the introduction of a new domestic abuse law could increase the complexity of police charging conditions (e.g., Bettinson and Bishop 2015; Monckton Smith et al. 2017; Walklate et al. 2018: 9; Walklate and Fitz-Gibbon 2019). Considering SLB theory, the above conditions could facilitate officer experiences of an 'impossible decision' (Zacka 2017) or conflict of practice whereby pursuing a new obligation could undermine an older one.

As previously described, there are additional challenges for practice and unintended consequences of introducing the legislation which criminalised coercive control in England and Wales. For instance, academic literature proposed that police officers might encounter difficulties providing evidence which proves the 'serious effect' of the abuse on the victim (Walklate et al. 2018). Moreover, as a course of conduct offence, gathering evidence of coercive control was suggested to be particularly resource-demanding (Tolmie 2018). This legal point to prove also indicates the importance of engagement by the victim, who, when coerced into engagement, could become disenfranchised from the justice system (Walklate and Fitz-Gibbon 2019). In this way, the coercive control legislation also presents a potential conflict between an instrumental organisational aim of achieving a criminal justice outcome compared to personal or organisational values around support and safeguarding of the victim. This conflict could impact police use of discretion in response.

Chapter One described overlapping similarities between coercive control and sexual violence offences, drawing parallels with police discretion in response to these offences. Rape and sexual violence not only form an integral part of perpetrators' exercise of coercive control, but the associated criminal justice response also demonstrates evidence of challenges relating to investigation, victim engagement, and problematic 'interpretive schema' that hinder attempts to reform the police translation of law into practice (Burman and Brooks-Hay 2018; Quilter 2011; Tolmie 2018: 56). Furthermore, there is evidence that police officers may struggle to operationalise coercive controlling behaviour, identify and respond to its associated risks, and experience 'evidential difficulties' in pursuit of a charge (Barlow et al. 2019; Bettinson and Robson 2020; Brennan et al. 2019; Home Office 2021a; Myhill 2019; see also Chapter One).

However, the coercive control legislation also demonstrates the potential to improve awareness and understanding of coercive control (by the public and professionals) and provide recognition of the harm caused by this abusive pattern of behaviour. This improvement could, in turn, reduce the ability of coercive control perpetrators to utilise the legal system as a tactic of abuse ('legal systems abuse' Douglas 2018) and manipulate police officers or other SLBs. The criminalisation of coercive control may also support legal strategies to defend victims who have killed their abusers (Sheehy 2018). Additionally, this thesis considers the potential for the legislative intervention to serve a symbolic, educative function and how police officers may overcome identified challenges in conjunction with their multi-agency partners.

Overall, the legal context may have influenced police officers' interactions across many levels of practice. For instance, the rapid introduction of the legislation could have initially prevented officers from developing in-depth knowledge and understanding of coercive controlling behaviour as a form of abuse and a piece of legislation, potentially damaging interactions with victims. Furthermore, the resulting challenges to practice are likely to have reinforced existing organisational norms and ways of working regarding domestic abuse and coercive control and prevented opportunities for multi-agency working. A combination of these interacting factors could well have produced poor levels of identification of coercive control, assessment of the risks posed by this abuse, arrests, referrals to support services and the CPS, or other measures of police practice.

Conclusion

Within the developed theoretical framework, the police officer placed at the centre of analysis brings their own knowledge and understanding of coercive control and an inherent ability to exercise discretion. This officer interacts with the public (victims, perpetrators, family), colleagues within their own organisation, and professionals from other organisations, all of whom sit within the wider structural, legal and policy context. The officer's ability to exercise discretion allows the creation of working rules for practice that may or may not align with the original aims set out in law and policy and follow existing organisational norms or ways of working. The result is a framework of 'negotiated' practice (Hoyle 1998; Johannessen 2019) by police that is informed by the influential factors above. The framework conceives of how these influences may inform how the police have translated the coercive control legislation into practice.

Applying research on coercive control and the police response to domestic abuse to this theoretical framework raises questions about how the relevant influences could produce conflicts between the written legislation, organisational goals or performance measures of the police, and the needs or desires of a victim. Beyond the acknowledged importance of officers understanding the dynamics of coercive control, the framework considers how interactions with 'service users' present opportunities for perpetrators of coercive control to manipulate officers, or for officers to develop victim-blaming attitudes that influence their use of discretion. This latter possibility may be exacerbated in the context of policing within an organisational culture and structure that is action-oriented, focused on single incidents of physical violence, and found to create conditions which are often resistant to reform.

However, there is also the potential for managers to shape an SLB's use of discretion ('discursive managerialism' Evans 2010); this includes how managers might 'collude' with officers in exercising discretion to support a shared client(victim)-focused goal rather than the strategic aims (arrest, charge, conviction) of the organisation. Furthermore, within the context of multi-agency partnership working, the framework demonstrates that relational expertise and communication between agencies are crucial, particularly within the coordinated community response to domestic abuse. When these interacting influences are combined with the proposed victim engagement, evidential, and resource requirements associated with the coercive control offence, this framework presents the means and context to analyse and make sense of the data on officer discretion in later empirical chapters.

Chapter Three – Methodology

Introduction

Chapter Three details the data collection and analysis methods designed to examine how the police navigated the legislative intervention that criminalised coercive controlling behaviour. Applying the developed theoretical framework to consider how police officers utilise discretion to interpret and translate the law through their actions, the research utilises mixed methods to interrogate self-described, observed, and recorded practice. Qualitative analysis of interviews with police and their multi-agency partners is the primary data source. However, the research design also involves complementary data samples of anonymised case files, observations of real-world practice, and the police-recorded quantitative outcome data presented in the Introduction. This chapter demonstrates how the developed research methodology addresses the findings from previous literature and interacting influences identified in the theoretical framework.

I. Aims and rationale

As outlined in the Introduction, the main aim of this study is to examine how the police have navigated the criminalisation of coercive control and translated this legislation into practice. Informed by conceptual arguments regarding the potential consequences of this legislative intervention, this study aims to answer questions relating to how the police use the coercive control offence, conceive of their individual and joint role in responding to coercive control, and negotiate identified challenges to practice.

The acknowledged dearth of existing empirical research and descriptive aims noted above indicate a need for in-depth, qualitative research methods. Furthermore, the benefits of using qualitative research methods to study the police are widely recognised (Manning 2015). In this case, I conducted original research involving semi-structured interviews, analysis of anonymised case files, observations of practice, and examination of police-recorded statistics. Previous studies of the police response to domestic abuse and coercive control have successfully applied this type of multi-method design (e.g., Barlow et al. 2019; Hoyle 1998; Richardson-Foster et al. 2012).

Although the methodological literature identifies potential issues relating to integrating data that stems from different epistemologies (Fielding 2010; Maruna 2010), my research does not include additional methods and types of data as 'mere window dressing' (Maruna 2010: 135) for the sake of using more techniques and sources. Instead, I selected these data sources and analysis methods to answer specific research questions and provide complementary measures. First, my decision to focus on semi-structured interviews as the primary data source allowed officers' (self-described) knowledge, attitudes, understanding, decision-making, and practice to be thematically analysed and contextualised with the perspectives shared by their multi-agency partners. The overall depth of produced interview data and ability to probe responses would not be possible using alternative methods, such as through responses to a survey.

Second, I chose to utilise anonymised police case files as a complementary data source to provide information such as, the cases of coercive control that come to the attention of police, recorded decision-making and practice (e.g., evidencing and investigation), the victim's account of experienced abuse, and, in some cases, officers' interactions with the Crown Prosecution Service. Third, as the experiences and practice gathered from interviews and case files are in some sense 'constructed' by the individuals studied (Myhill 2019: 58), my research design also included non-participant observations to add a layer of understanding gleaned through analysis of real-world practice. Finally, whilst it was previously identified that criminal justice outcomes are a limited source of data when viewed in isolation, they provide necessary background on the general use of an offence and another means by which to compare the results captured across complementary data sources.

Triangulation of the above data sources can identify potential corroboration or contradiction within results and provide additional confidence in the validity or reliability of observed patterns. In this way, self-reported knowledge, understanding, decision-making, and practice gathered from interviews may be compared with records present in the case files, observations of real-world practice, and how this translates to officially recorded outcomes. As demonstrated in the empirical chapters, this research facilitates the examination of, and expands upon, previously developed theories and findings on the use of the coercive control legislation, the police response to domestic abuse, and the translation of policy into practice.

II. Data collection

Primary data source: Semi-structured interviews

I secured access to the participants and data samples by several means. Initial access to the force area began with an existing departmental contact, a senior-level domestic abuse specialist. This contact was very receptive to my proposal and provided me with a research and information sharing agreement that I completed alongside the Central University Research Ethics Committee (CUREC) application. From this point, this initial force contact recruited a small number of interview participants from across several local areas. Next, a version of ‘snowball’ sampling (Noy 2008) was utilised to reach additional officers whereby interviewees provided contact information or helped recruit colleagues to participate. Additionally, for police officer interviews, managers or supervisors often delivered the initial recruitment material and requested volunteers to participate.

Regarding interviews with multi-agency partners, completing observations (operational and strategic board meetings, MARAC) allowed me to recruit participants who then volunteered to be interviewed as part of this research project or connected me with their local contacts. Prior to my attendance, the chair of each meeting introduced the research and participant recruitment materials. The criteria for inclusion specified that research participants would be police officers or multi-agency partners working within the force area of study who have an operational or strategic role in responding to domestic abuse. Collection of interview data ceased after reaching data saturation (e.g., Glasser and Strauss 1967) and exhaustion of resources for participant recruitment. My initial research proposal included the intention to interview Crown Prosecution Service (CPS) prosecutors. However, for the reasons detailed below, I could not pursue the CPS prosecutor interviews, and instead chose to include broader multi-agency partner interviews.

Although the police are the initial 'gatekeepers' (Hohl and Stanko 2015) to the criminal justice system, they also refer all cases to the CPS for charging and prosecution decisions. Moreover, the presentation of a case by the CPS also impacts the eventual disposal outcome (e.g., conviction). With concerns about the number of charges, prosecutions, and convictions for coercive control, examining both police and CPS practice could be beneficial. In addition, interviewing prosecutors would have allowed me to interrogate their decision-making and interactions with the police as an integral part of the criminal justice process.

Whilst seeking access, several months passed, speaking with contacts and following up on interview requests. Eventually, my initial contact responded that the CPS did not have the resources available to participate in the research. This outcome was anticipated based on previous research requests by other academic contacts, so I developed several contingency plans. Moreover, as emerging findings from the pilot interviews highlighted the importance of multi-agency partnership working in the police response to coercive control, I shifted my design to include more extensive multi-agency interviews and observations. As described, a detailed examination of multi-agency working within the context of coercive control is an existing gap within the literature that the present research begins to address.

Furthermore, I also asked interviewees about any experience working with prosecutors or within the court system. Additionally, data gathered from the police case files (when referred to CPS) included a description of the charging decision and an explanation of the police referral decision by the Evidential Review Officer describing the 'facts' and perceived strengths and weaknesses of the case. Previous research expressed that the police case file 'embodies the dialogue between the police and the CPS' (Lea and Lynne 2012: 3094). In this way, I was able to expand the research sample whilst allowing consideration of CPS decision-making and practice through the case files relevant experience of the police and their multi-agency partners.

This primary research sample includes a total of 59 semi-structured interviews, 35 with police officers,[31] complemented by 24 interviews with practitioners from partner agencies. I conducted these interviews between January 2018 and February 2020. Of the 35 officer interviewees, 20 were female, and 15 were male. Furthermore, this sample of officers included: 13 uniformed police constables (PCs) on the Emergency Response, Problem Solving, and Criminal Investigation Division (CID) Teams,[32] nine detectives in the Domestic Abuse Investigation Unit (DAIU; see Chapter Four), five senior-level operational specialists within the DAIU, five senior-level strategic specialists, one senior-level officer who held both an operational and a strategic role, and two other operational professionals (e.g., Multi-Agency Safeguarding Hub, see Chapter Six). Additionally, I completed 19 police officer interviews for my Master of Philosophy degree at the University of Oxford (January 2018 to May 2018). Hereafter, this period of study is referred to as the 'pilot.' I undertook the remaining 16 interviews with police officers between January 2019 and February 2020.

[31] References to police officer interviews are labelled with an assigned number and the letter 'a,' e.g., Interviewee 15a. Multi-agency partner interviews are labelled with an assigned number and the letter 'b,' e.g., Interviewee 4b.
[32] See Appendix III for more information.

All 24 interviews with multi-agency partners were conducted between January 2019 and February 2020. As noted, I sampled multi-agency partner interviewees from attendees and associated contacts of the strategic and operational board and Multi-Agency Risk Assessment Conference (MARAC) meetings. Within this sample of practitioners: five were Safeguarding Nurses, five held a strategic or specialist operational role in a domestic abuse service, four were Independent Domestic Violence Advisors (IDVAs), four were local area Council representatives (e.g., housing, anti-social behaviour and specialist strategic-level roles), three worked in adult and children's social care, two worked for the National Probation Service (NPS) and (CRC), and the final interviewee worked in a drug and alcohol treatment centre (see also Appendix III).

The interviewed multi-agency practitioners worked across specialist and generalist agencies or roles. These practitioners will have received varying levels of training and bring with them a range of expertise in domestic abuse and vulnerability. However, all practitioners, including the police, have a shared responsibility to safeguard victims of domestic abuse. Commensurate with the sampling process, the majority female sample, particularly within multi-agency partner interviews, reflects the attendance of observed multi-agency meetings. Moreover, several interviewees also commented on the number of women working in roles responding to domestic abuse (and broader vulnerability) compared to other types of criminal behaviour, perhaps also reflecting the gendered nature of abuse.

The above interview sample demonstrates a necessary breadth of perspective by including frontline, operational professionals (or SLBs) alongside their strategic and senior management counterparts that have more working experience and may (attempt to) shape the SLBs' use of discretion (see Chapter Two). Viewed through the perspective of SLB theory, interviews with multi-agency partners and observations of multi-agency practice can be considered another means by which to examine how practitioners interpret and translate into action the legislation imposed by the state.

The interviews revolved around self-described knowledge, understanding, and operational or strategic experience related to coercive control. The interview schedule (see Appendix III) was designed to help answer the research questions listed earlier. This schedule includes questions about the practitioner's: understanding and identification of coercive control, perception of the associated legislation, training or guidance related to coercive control, relevant experience of case handling or strategic-level response, the role of interactions with the victim and perpetrator, the working relationship between the police and multi-agency partners (including CPS), and any challenges faced, or successful strategies used, by officers (and multi-agency partners) when responding to cases involving coercive control.

Interview questions focused on the same themes across police and other practitioners, with minor adjustments to wording and the addition/exclusion of (ir)relevant questions (see Appendix III). For instance, I did not ask multi-agency partners about evidence gathering and investigation experience. Instead, I asked these practitioners about their own experience handling cases involving domestic abuse and coercive control, including any partnership working with the police and criminal justice system. All police and multi-agency partner interviews were held in offices within the interviewees' workplace for a time suitable to their availability. The shortest interview duration was 26 minutes (cut off by an emergency call), whist the longest lasted nearly two hours.

I chose to use semi-structured rather than structured or unstructured interviews because this method provides an interviewer with guidance about what questions to ask and associated themes to cover without being overly prescriptive or preventing the interviewer from changing the question order (King, Horrocks, and Brooks 2019). Thus, I explored new ideas brought up during the interview and tailored the interview to the individual's knowledge and experience whilst still producing an overlapping set of data from all interviewees. As a result, only minor changes to the interview schedule were necessary between the pilot and later interviews. For example, my initial analysis identified the use of body-worn camera footage as a source of evidence within the first three officer interviews. Therefore, from the fourth officer interview onwards, I raised the use of body-worn camera footage as a specific prompt following initial questions about evidence gathering and the prospect of evidence-led prosecution.

Whilst this research was not designed as an ethnography, the researcher's physical presence may potentially impact the collected data in any qualitative study involving interviews or observation. Furthermore, there are many ways in which my background and identity (i.e. a young, white, female, research student at the University of Oxford from the northeast United States) could influence the response of those with whom I interacted and potentially even who chose to participate in the research. The police officers and multi-agency practitioners I interviewed and observed often demonstrated an initial curiosity in my research, asked about where my accent was from, whether I enjoyed living in the UK, and what it was like studying at Oxford. Whereby researchers are considered instrumental, rather than neutral, in qualitative research (Leavy 2014: 3), it is not possible to measure the extent of my influence on data collection. However, my personal experience was that the overwhelming majority of individuals were very welcoming, keen to share their experiences, and open in what they shared with me.

I did identify some differences when interacting with frontline practitioners (SLBs) compared to those holding senior roles within their organisation (e.g., 'elite' interviews, see Petintseva et al. 2020). Although potentially qualifying their responses more often, frontline practitioners were often less guarded in what they shared. In comparison, four individuals elected not to be audio recorded or chose not to respond to particular questions, all of whom held at least ten years' work experience. In these cases, it was still possible to take detailed notes and probe questions to which the interviewee felt comfortable responding in an attempt to move past 'corporate responses' (ibid).

Generally, participants appeared to share openly across the interviews, with individuals providing reflections regarding concerns or constructive criticism about their own or another agency's practice. Moreover, my confidence developed with the experience of qualitative fieldwork and increased familiarity with each data source (e.g., interviews, ride-alongs, operational and strategic board meetings). This development facilitated improved data collection that I perceived to produce richer, more detailed accounts as the research continued.

Complementary sources: Outcome data, case files, and observations

Outcome data

As presented earlier, the research design included police-recorded outcomes to indicate the general use of the coercive control legislation and aid triangulation of findings from qualitative analysis regarding self-described and observed practice. In terms of access, after amendments to the pilot data sharing agreement, a senior police contact submitted my data request to the force analysts. Two police representatives compiled the requested information into an excel document based on searches of the local crime recording records on the force information management system (IMS). The requested data spanned crime and non-crime occurrences from 1st January 2016 (legislation introduced in late December 2015) to 31st December 2019. I initially received data from 1st January 2016 to 31st May 2019 from one member of police staff, with data from 1st June 2019 to 31st December 2019 extracted in March 2020 by another staff member to cover a full four (calendar) year period.

Provided records of domestic abuse-related crime and non-crime occurrences include the offences of controlling or coercive behaviour, common assault, actual bodily harm (ABH), grievous bodily harm (GBH), stalking and harassment, threats to kill, criminal damage, and rape.[33] As in Barlow et al. (2019; see Chapter One), I requested data on domestic abuse-related offences other than coercive control for comparison. This data collection includes the potential to identify any indications of broader changes to organisational practice and crime recording (e.g., an overall increase in recorded crimes over time, particularly in 2018; see Introduction). Relevant disposal outcomes include investigations that resulted in a charge, had the support of the complainant but failed to meet the evidential standard of proof, failed to meet the evidential standard of proof and did not have the complainant's support, resulted in alternative charges, cautions, fixed penalty notices or restorative disposals, and ongoing investigations (see Appendix III for a complete list). Although not included in the quantitative analysis, the police force also provided data on the

[33] Domestic abuse-related crimes include those which received a domestic abuse 'flag' on the police information management system (IMS). During the data collection period (between the first and second data extraction), local recording changed to include stalking and harassment within one category rather than as separate offences. Additionally, data on domestic abuse-related malicious communications was not collected. Finally, not all collected data is analysed and presented in the main text of this thesis (see Appendix II).

application for and granting of Domestic Violence Prevention Notices/Orders (DVPN/Os). Chapters Five and Seven include a discussion of these orders within police interviews.

Based on changes to the local recording system at the time of data collection, figures for disposal outcomes recorded from 1st June 2019 to 31st December 2019 are not directly comparable to previous years because the force was unable to provide a breakdown of disposals within specific categories, such as evidential difficulties with or without complainant support. Moreover, although it was initially requested, the force could not provide demographic information about victims and suspects due to time constraints and reference to protected characteristics, such as sex, age, and ethnicity.

Case files

Returning to the qualitative data collection, I reviewed 13 anonymised police case files relating to 'incidents' and 'crimes' recorded as involving controlling or coercive behaviour (cases recorded between 1st January 2016 and 1st January 2020).[34] Similar to the quantitative data access, a senior police contact tasked two police officers (one for the pilot and another for the main project) with anonymising the sample of cases to remove any personal, sensitive, or identifiable information, such as names, (birth)dates, and locations or addresses. As the anonymisation process required considerable dedication of police resources, I received just 13 case files for secondary content and thematic analysis. However, each case file provided rich detail, including the victim, witness, suspect, and officer statements, case summaries, Custody Sergeant and or Evidential Review

[34] Whilst the case files were collected for the pilot in 2018, the recorded incidents/crimes may have occurred anytime from January 2016 up to the date of data collection (in line with the introduction of the criminal legislation).

Officer (ERO)[35] reports, and, where applicable, CPS charging decisions. Some of the case files also included copies of relevant risk assessment forms.

As a newly resident individual with citizenship outside of the UK/EU, I could not undertake the necessary vetting requirements at the point of data collection. Therefore, the case files had to be anonymised by a police officer at source, which meant that all personal and identifiable information was redacted prior to my review and analysis. For the pilot, the first officer provided an initial five cases involving police-recorded crimes of controlling or coercive behaviour. Based on my lack of direct access to police systems, this officer randomly selected the five case files from those recorded as involving a crime of controlling or coercive behaviour on the local police information management system (IMS).

A second officer produced an additional eight files during later data collection. Following my pilot research and consultation with the officer about their force's recording systems, I requested the remaining (eight) case files involve a random sample within each of the following outcomes: no further action, arrest and referral to the CPS for a charge, and prosecution and conviction (see Table 1). The recorded disposal outcomes for this sample of coercive control case files were: five dismissed or discontinued at court, four received no further action (NFA), three achieved convictions (one involving two separate victims), and one defendant was found not guilty. Chapters Four and Five detail emerging themes and comparative findings from an in-depth analysis of these cases.

[35] If a case receives the outcome of NFA, it will only include a statement from the Custody Sergeant as a decision was made not to refer that case to the CPS. If a case reaches the ERO, this officer decides whether to refer the case to the CPS and makes suggestions about which charges to lay.

Table 1. Case files summary – Disposal outcomes

Case File number	Disposal outcome for controlling or coercive behaviour	Additional outcome details	Most recent risk assessment
1.	Dismissed	'Controlling or coercive behaviour dismissed at court, conviction for assault and possession of an offensive weapon, restraining order, condition of rehabilitation, and 2 year community order'	High
2.	Conviction	'Conviction for controlling or coercive behaviour, suspended sentence (8 months), restraining order, condition of rehabilitation'	Medium
3.[36]	Conviction	'Conviction, guilty of 2x controlling or coercive behaviour, suspended sentence (24 months)'	High
4.	Dismissed	'Dismissed at court'	High
5.	Not guilty	'Conditional discharge for criminal damage – guilty plea; not guilty for controlling or coercive behaviour; judge refused restraining order'	High
6.	Dismissed	'Dismissed by CPS at court'	Medium
7.	No Further Action	'NFA, insufficient evidence'	High (downgraded to medium on review)
8.	Conviction	'Conviction, restraining order, conditions of drug rehabilitation, and attendance of Building Better Relationships programme'	High (downgraded to medium on review)
9.	Dismissed	'Case dismissed at court'	Medium
10.	No Further Action	'NFA'	Standard (previously medium)
11.	No Further Action	'NFA'	Medium
12.	Discontinued	'Discontinued at court'	High
13.	No Further Action	'NFA'	Medium

[36] This case involved coercive controlling behaviour against two victims, the perpetrator's wife and adult female child.

Observations: Ride-alongs

Whilst the pilot research did not include observational data, later data collection involved my observation of a week of ride-along shifts with officers on the Emergency Response Team in one local area of the police force in February 2019 (see Table 2). An officer interviewed during the pilot organised these ride-alongs, which involved a total of 42.25 hours of non-participant[37] observation. The seven shifts were split across times of the day to include morning, afternoon, evening, and overnight observations. The ride-alongs also involved members of three different shift teams within the local Emergency Response Team.

Observed ride-alongs involved a total of 12 different Police Constables across the local Emergency Response Team (at least two officers per shift, some overlap across shifts), all of whom were frontline SLBs interacting directly with the public. Two thirds (67%) of these officers were male, whilst the remaining third (33%) were female. These officers had a range of experience working for the police, but most described having less than three years' experience on-the-job. My observation notes included details of general interactions between the officers and members of the public, taking extra care not to record any personal, sensitive, identifiable information. As mentioned above, my notes also recorded all (direct or indirect) discussions or evidence of coercive controlling behaviour. Chapters Four and Five present relevant findings from police ride-alongs.

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[37] 'Non-participant' refers to a lack of participation by the researcher in the event, activity, or practice associated with the observation (Gray 2021). This research's use of this term signifies not contributing to observed meetings, police responses, or the training session.

Table 2. Police ride-along information

Ride-along number	Length of observation, time	Date
1.	5.5 hours, Afternoon	Sunday, 10/02/19
2.	7.25 hours, Morning	Monday, 11/02/19
3.	6.5 hours, Afternoon	Tuesday, 13/02/19
4.	6.0 hours, Morning	Wednesday, 14/02/19
5.	8.0 hours, Overnight	Thursday, 15/02/19
6.	6.0 hours, Evening	Friday, 15/02/19
7.	6.0 hours, Overnight	Saturday, 16/02/19

On each ride-along shift, I spent many (5.5 to 8) hours with the same two (to four) officers in their squad car (or van), observing them attending calls, grabbing snacks and caffeine at the petrol station, taking witness statements, travelling to the hospital, awaiting custody processes, and completing paperwork. Furthermore, by the end of the week of observations, my presence at the start of shift briefing and around the station became routine. These observations meant I was there for the 'action' as well as the mundane and experienced an unfiltered account of the day-to-day work of a frontline emergency response officer (Reiner 2010).

During these ride-along observations, I could count on the fact that each day would be different. By nature of observing generalist emergency response officers, I attended calls to many situations outside the context of domestic abuse. Many observations related to a police response to individuals experiencing mental health crises (e.g., 'welfare checks'), theft, drug use, sexual offending, and 'anti-social behaviour.' I also had several unexpected experiences, some of which had my heart racing. For instance, on one ride-along, I attended the scene of an arrest at the home of an individual who reportedly had several firearms. One of the officers tossed me the keys to their patrol vehicle, told me to stand towards the back of the group, and remarked that I should lock myself inside the car should anything 'go off.' Luckily, there was no need to use this advice on this occasion. However, this wide range of experiences showed me first-hand the vast array of emergent situations to which frontline officers are called to navigate and respond.

In addition to providing a rich data source, I found that completing these observations provided me with higher status when conducting interviews. The interviewed officers associated my ride-along experience with building a real-world understanding of the demands of their work. Thus, the ride-along observations helped provide me with something more akin to 'insider-outsider' status (Dwyer and Buckle 2009) that made several officers feel more comfortable and at ease sharing their own experiences.

Observations: Multi-agency meetings

The second element of observational data collection involved observing 20 multi-agency meetings held between January 2019 and October 2020 (covering a 22-month period). These observations included ten local strategic and operational board meetings, three force area domestic abuse coordinator meetings, three multi-agency risk assessment conference (MARAC) meetings across different areas in the local county, and four meetings associated with a Domestic Homicide Review (DHR). A senior police contact introduced me to the chair of the operational and strategic meeting to secure initial access, with opportunities to attend other meetings arising from contacts developed during these initial observations.

Additional details about the local operational and strategic boards and domestic abuse coordinator meetings are outlined in Chapter Seven, whilst MARAC meetings were defined in Chapter Two. Domestic Homicide Reviews (DHRs) are commissioned by local area community safety partnerships where a death that 'has, or appears to have resulted from violence, abuse or neglect' and are 'held with a view to identifying the lessons to be learnt from the death' (Home Office 2013b: 7). The 'review' involves the circumstances of the death and any known contact with partner agencies. The violence, abuse, or neglect must be perpetrated by an intimate partner, family member, or member of the same household as the victim to commission a DHR (ibid). Similar to MARAC meetings, DHRs bring together multi-agency partners, including the police, to present any relevant practice or information known to each agency. Therefore, DHR observations also allow examination of relevant practitioners' interactions and practice.

All meeting observations relate to partnership working between the police and other agencies, with relevant findings presented in Chapter Seven. Collected data from these observations include written notes, which I anonymised to record only the agency that each attendee represented. In addition to general themes of discussion and observed interpersonal interaction, my notes paid particular attention to any reference to coercive control, whether that was the use of the term, the title of the offence, or relevant behaviours and tactics of abuse. Unlike interviews or statements within case files, my notes from non-participant observation did not include verbatim quotations beyond several words or a short phrase.

The operational and strategic board meetings were chaired by a local Council representative and involved membership of adult social care, children's social care, housing, health, police, probation, and local specialist domestic abuse and community support services. Local council areas may differ in the frequency of these meetings, which increased during my observations, but the majority took place quarterly. Any board members working outside of domestic abuse specific services were individuals tasked with safeguarding responsibilities for their organisation. Most of those present received specialist domestic abuse training for their role. As reflected in the multi-agency partner interview sample, most individuals in attendance at the operational and strategic board meetings were female.

The observed MARAC and DHR meetings involved a similar membership to that described above, but these meetings relate to specific cases rather than general operational and strategic practice. MARAC meetings were held every month to discuss safeguarding for cases involving high-risk domestic abuse, whilst DHR meetings related to the review of one victim's death to learn lessons and improve local practice to prevent future deaths. Attendance or written contributions and feedback were compulsory for those agencies who had contact with the victim or perpetrator involved in the observed DHR (police, social care, health, drug and alcohol services, and housing). Moreover, any other partners were also able to attend. Representatives from all partner agencies are expected, but not required, to attend MARAC meetings, even if their agencies did not interact with the victim(s) or perpetrator(s). Additionally, Domestic Abuse Coordinator (DAC) meetings involved the four DAC representatives for the county, who help run their local operational and strategic board meetings. On several occasions, these DACs also invited a guest to provide additional information relevant to their topic of discussion.

After informed consent procedures, multi-agency meeting observations involved few one-on-one or direct interactions with police officers and their multi-agency partners. In many cases, the individuals in attendance were those I had interviewed or already recognised the research from conversations with colleagues, and I was introduced to the meetings by a trusted 'insider' (Dwyer and Buckle 2009), typically the chair of the meeting. With this base level of familiarity, they proceeded with 'business as usual' without much interest in my presence. However, this perception is not to discount the ability of my attendance to influence the behaviour of those attending the meeting, as this is always a potential challenge for observational research (Gray 2021; Leavy 2014).

Notably, at no point did I experience any direct questioning of why I was there, requests for individuals to stop speaking about a particular topic because I was present, or directives to leave the room or stop taking notes. This experience suggests a level of comfortability with my observation, making my presence rather unremarkable. In fact, in some cases, it became a challenge to remain a non-participant observer, particularly when attendees raised questions about coercive control, which they thought I might assist with based on my research experience. At such times, I was often able to direct them to further resources at the close of the meeting without providing personal opinions or recommending particular practices or decisions.

Observations: Domestic Abuse Matters training

The final observation included in data collection was the delivery of Domestic Abuse (DA) Matters training to local police officers and staff in February 2020. In November 2017, the Bureau of

Investigative Journalism (BIJ) identified several forces as having 'brought fewer than one charge of coercive and controlling behaviour for every 100,000 people in their jurisdiction' (*BIJ* 24 November 2017). This concern about the rate of charge for the offence was then related to the finding that only eight of 43 police forces had taken on DA Matters training at that point in time (*The Guardian* 29 December 2017). The site of this research study was one of the forces with a low charge rate that had not yet commissioned the DA Matters training. However, my observation was one of the first training sessions in the force area, with DA Matters being rolled out and delivered to all police officers and staff at the beginning of 2020. I secured access to observe this session through an interviewee involved in officer training in the local force area.

The DA Matters training observation included 15 trainees and two trainers, one a (male) former police officer and the other a (female) representative for the charity SafeLives.[38] Within the trainees, there was a relatively even split between (eight) male and (seven) female police officers and staff whose roles ranged from 999 call handler to detective. In adherence to ethical guidelines, both trainers and all trainees received information about the research prior to providing their consent to participate. For this training observation, collected data (written notes) included details about the topics covered in the session, how the information was presented, and trainer/trainee responses and questions. As per the observation consent form, these notes did not include verbatim quotations beyond a few words or short phrases. Moreover, as in all observations, I recorded any (direct or indirect) mention of coercive control as a criminal offence or form of abusive behaviour. I present findings from the observed training session in Chapter Four.

[38] SafeLives developed the training in partnership with the College of Policing.

Ethical considerations

This study presents several ethical issues for consideration. The design of this research includes collecting and sharing recorded outcomes statistics, information about the experiences of victims, suspects and witnesses within police case files, and direct interactions with practitioners (participants) during interviews and observations of practice. Whilst the quantitative data (e.g., recorded outcome statistics) lack any personal or identifiable information, the collection and sharing of that information required the completion of a data sharing agreement with the force. Additionally, two members of police staff were tasked with gathering the requested data, and it is necessary to recognise their involvement with and contribution to this research.

The University of Oxford CUREC approved all research activities following an initial application and consultation period. In addition to the primary application, which described the research and ethical considerations, I provided supplemental materials, including the semi-structured interview schedule (see Appendix III), recruitment materials, information sheet, and consent form. I also received relevant training on research ethics through the University prior to commencing the research. This training included consideration of the possible experience of secondary trauma by the researcher (me), and the participants, during or following the discussion of sensitive topics. For this reason, all interviewees were told that they may stop the interview at any time, take breaks, or step out of the room as required. Prior to commencing the interviews, my introduction also mentioned their organisational after-care.

Using semi-structured interviews, police case files, and non-participant observations raises potential ethical concerns regarding collecting data from human participants (Israel and Hay 2012).

One ethical consideration is the possibility for a participant to be identified based on the collected or presented data. To maintain confidentiality, I assigned all interview participants, observations, and case files a number to anonymise recorded data prior to collection, review, and analysis. None of my written notes included names, dates, locations or otherwise identifiable or sensitive information.

I took care that the presented analysis does not allow the identification of the local area or individual participants. For instance, in presenting data from police case files, I removed any details which could be considered sensitive or unique to a specific case. Instead, I focus on general emerging themes, relevant examples of abusive behaviour, and any references to the decision-making process by the police and CPS. Moreover, the anonymisation of these case files by two police staff members helped address a concern about using the personal information of members of the public (victims, suspects, witnesses) who have not consented to participate in the research.

Regarding interviews, participants who were audio recorded were also asked not to include identifiable details in their verbal responses. Additionally, because more senior participants may be identified by their official job title, the presentation of relevant data analysis provides a general description of their role. Participants may have also had concerns about how their responses would be perceived by colleagues, supervisors, or the research audience. For this reason, interview questions centred on participants' experiences and professional judgement rather than probing personal opinions, beliefs, or attitudes that were not directly relevant (although some participants voluntarily presented these).

The above ethical concerns are partially addressed by providing detailed information about the collection, storage, analysis and presentation of data within the practice of informed consent. I provided interview and observation participants with an information sheet detailing the research aims, methods of gathering and recording the data, and how their data would be used. After reading the information sheet, participants completed a consent form relating to the interview/observation, audio recording (for interviews), confidentiality, data use and storage, and the dissemination of findings. Interviews were recorded using a digital voice recorder, alongside written notes for use if the recording device failed. Three interviewees declined to consent to audio recording, with only written notes utilised for data collection. One further interviewee also declined to answer specific questions. Furthermore, all observations involved the use of written notes without audio recording.

Due to the inclusion of participants across agencies, departments, and seniority levels, it was essential to consider how these different contexts may impact the ethics of the research. For example, ethical concerns relating to the interview or observation of a frontline police officer or IDVA may differ from a senior-level strategic lead based upon possible power dynamics between the researcher and participant ('elite' interviews, Petintseva et al. 2020). Moreover, the police, in particular, carry an entrenched hierarchy (Giacomantonio 2015; Reiner 2010) that heightens potential concerns regarding power dynamics.

On the one hand, although the consent materials clearly stated an individual's choice to decline participation or remove consent at any time without consequence, there was an inherent power dynamic present within the interview sampling process described earlier. For example, the officer's manager or supervisor often delivered the initial request for volunteers for police officer interviews. For multi-agency interviews, the chair of the board meetings initially introduced the research project. On the other hand, this sampling process allowed individuals to decline participation prior to the formal consent process and without the potential pressure of a researcher's presence when making that decision. Finally, as mentioned, my identity (young, white, female, research student) could further influence these dynamics.

III. Data analysis

Interviews

Beginning with the thematic analysis of semi-structured interviews, following the completion of each interview, I assigned each audio recording an anonymised identifier and uploaded them onto NVivo. Importantly, using primarily inductive methods, analysis of the interview data was completed throughout data collection rather than solely after completion of all interviews. De Bie and De Poot previously utilised this method (2016) in an analysis of police case files and semi-structured interviews with officers using a grounded theory-influenced[39] 'constructivist' approach (Charmaz 1996; Charmaz and Belgrave 2012; Corbin and Strauss 1990; Glaser and Strauss 1967), whereby observed categories are analysed in relation to one another, and the codes within these categories help develop more focused coding throughout the analysis.

Based on the three-year data collection period for police officer interviews, substantive differences between the initial and later samples were possible. Since the 'newness' of the legislation itself (December 2015) may be an influential factor, I noted when the interview was conducted (e.g., January 2018 compared to February 2020). Furthermore, my analysis considered the potential

[39] According to literature on grounded theory, 'you start with individual cases, incidents or experiences and develop progressively more abstract conceptual categories to synthesise, to explain and to understand your data and to identify patterned relationships within it' (Charmaz 1996: 28).

impact of developments with practical (organisational or legal) implications for police officers, such as DA Matters training or changes to crime recording that occurred during data collection (see Chapters One and Two).

As mentioned, I designed the semi-structured interview schedule to help answer research questions that were informed by initial (lack of) use of the coercive control offence by the police and early literature on the potential challenges associated with the coercive control legislation. However, initial coding and analysis during data collection drew upon a 'constructivist' approach whereby emerging results can help shape further collection, deriving codes and categories from the realities present in the data (Charmaz 1996: 41; Charmaz and Belgrave 2012; Maruna 2010: 131). For instance, as noted, the importance of body-worn cameras in several pilot interviews was explored further in later interviews when probing questions about evidencing and evidence-led prosecution. This approach to initial analysis also matched the criminalisation of coercive control as a new and continually evolving area of research.

After listening to the interview recording and reviewing written notes, I coded the audio files using NVivo. Similar to the methods described by Wainwright and Russell (2010), codes (labelled as 'nodes' in NVivo) were attached to specific sections of audio that could be referenced and replayed. For the three interviews which were not audio recorded, typed notes were also uploaded for coding and analysis. I selected the codes based on emerging or recurring themes, referencing the relevant research question(s).

Following the initial coding process, I completed additional rounds of coding such that any identified categories were examined in greater detail. For instance, a code labelled 'coercive controlling behaviour as subtle/hidden' was grouped within the category of 'understanding of coercive control.' Furthermore, sections from all interviews relating to similar or overlapping categories were compiled and analysed for additional relationships between responses. After initial coding, the theoretical framework developed in Chapter Two provided a lens through which to analyse the data further, ensuring that discussion of the findings responds to and engages with various levels of influence (e.g., individual, interpersonal, organisational, multi-agency, and structural) on police officers' use of discretion.

Using NVivo software, I analysed the nodes using frequency and matrix queries and data visualisation tools. Any positive or negative valence assessments and mentions of key terms were also coded and grouped within categories. For example, regarding evidence-led prosecution in the absence of support from the victim, using the language of interviewed officers, I labelled one code 'victimless prosecution (why would or would not pursue).' This code was then included within a broader, more abstract category such as 'interactions with victims.' Throughout this process, I also transcribed coded audio sections in Microsoft Word for further analysis, noting audio time codes for reference.

The typed transcription provided the opportunity to search for particular phrases, words, or themes identified throughout data collection and analysis. In this way, relevant quotations, including their contextual basis, could be recorded and reviewed in-depth. Notations, such as the number of interviewees who utilised the word 'subtle' and when assault or physical violence was mentioned or used as a means of comparison to coercive controlling behaviour, provided additional insight.

Although a relatively small sample, this allowed me to systematically examine the produced qualitative data to identify themes or patterns within the research as a whole.

Outcome data

My analysis of police-recorded outcome data utilised Microsoft Excel to produce the descriptive statistics and data visualisation presented in the introduction. Police-recorded quantitative outcome data has several limitations, such as the potential for recording errors and unknown or uncontrolled variables, including changes to recording practices or policies that could influence resulting outcomes. Regarding domestic abuse, in particular, the ONS (2021a) recognises that police-recorded incidents and crimes do not reflect the prevalence of domestic abuse and recent increases in domestic abuse-related 'may reflect improved recording by the police.' Therefore, as detailed further in the Discussion and Conclusion of this thesis, caution must be used when interpreting this data. Based on the sample size and identified limitations of the provided local outcome data, I did not include further statistical analysis (e.g., significance testing, analysis of variance).

Case files

Qualitative analysis of the 13 anonymised case files followed similar methods to the interviews involving thematic analysis, alongside content analysis of the text itself. I collected five initial paper (printed) case files in person during the pilot. Next, I highlighted paper copies of the files and saved my notes (including verbatim excerpts) in Microsoft Word before uploading them to

NVivo. For the remaining eight case files, redacted and encrypted PDF files were sent via email from another police representative, assigned an anonymised identifier, uploaded to NVivo for analysis, and saved on a protected drive for further reference. As above, I also took separate notes in Microsoft Word that were similarly uploaded to NVivo. The case files contained information recorded or collected by the police on official forms. Therefore, documents across all case files followed a similar structure. Whilst the interviews were informed by the developed research questions, case file analysis utilised a secondary source of police-recorded information, decision-making, and practice.

I reviewed the files, noting the individuals involved in the production of each document (i.e., uniformed officer, domestic abuse specialist, supervisor, Evidential Review Officer, CPS prosecutor, victim, witness, suspect) and a general summary of the material. As with interview recordings, following an initial review, these NVivo audio files were coded, arranged into categories, and analysed in relation to emerging themes. However, rather than attempting to match themes to those identified during the interview process, the coding and analysis of each data source were initially considered separately prior to any analysis of potential overlapping or contradictory evidence. This inductive process allowed consideration of themes and ideas that could otherwise have been overlooked.

Observations

Finally, all collected observational data (meetings, ride-alongs, training session) included written notes which I typed into a Microsoft Word document. Similar to other qualitative data, I uploaded these documents to NVivo and coded them for analysis. The analysis followed a similar process to the case files and interviews without audio recording since I attached the nodes to specific words and sections of text. Again, this included thematic analysis using frequency and matrix queries and visualisations of the data where relevant. Due to the nature of these observations, analysed data often involved commentary about tone, body language, and other dynamics between individuals, which might otherwise be lost in descriptions of the specific practices, actions, and discussion points raised by participants.

Conclusion

This chapter detailed the data collection and analysis methods utilised in this thesis, describing the primary and complementary qualitative and quantitative data sources. The research design facilitates an in-depth examination of officers' self-reported, recorded, and observed decision-making and practice in relation to coercive control. These methods also present the opportunity to identify areas of corroboration or contradiction between sources using triangulation. Additionally, the design allows consideration of the interacting influences on police officers' use of discretion, including within a multi-agency context. Therefore, the collected data can address the concerns raised about the ability of officers to understand and identify coercive control, engage with victims, and evidence the offence to achieve a charge and conviction. Although this is a relatively small-scale case study, the remaining chapters illustrate how the results of this multi-method research provide unique insight. The findings contribute to the existing literature about the use of the coercive control legislation in England and Wales and broader scholarship on policing and law in practice.

Chapter Four: Police Navigation of Coercive Control – Understanding, Structural influences, and Challenges

Introduction

Informed by the reviewed literature and theoretical framework, the analysis presented in Chapter Four utilises interview, ride-along and case file data to interrogate the influences of officer understanding of coercive control, and organisational, legal, and structural factors. The findings provide empirical support for associated challenges translating the legislation into practice arising from its demand on officers' time and resources, a high evidential threshold for the offence, and an induced safeguarding conflict. The analysis considers how these conditions can facilitate officers' use of de facto discretion to resolve this conflict by pursuing alternative protective measures. The findings suggest that where coercive control is identified and understood, some officers actively decide not to pursue a charge for coercive controlling behaviour in favour of established working practices. This chapter provides evidence of how a legislative intervention may not necessarily disrupt or transform practice to achieve its instrumental aims.

I. Making sense of coercive control: Police perspectives

Understanding of coercive controlling behaviour

As described in the theoretical framework, officers' knowledge and understanding of coercive control is one aspect which informs their identification, risk assessment, and response to this form of abuse.[40] Moreover, with questions raised about whether practitioners, particularly within the criminal justice system, understand coercive controlling behaviour (Barlow et al. 2019; Walklate et al. 2018), all interviews began by asking about their understanding of this form of abuse. Therefore, this section details findings from interviews about how the police make sense of coercive control as a pattern of abusive behaviour and piece of legislation. The empirical evidence involves several data sources (e.g., case files, ride-along observations) but primarily draws upon qualitative data from officer interviews. Particular attention is paid to possible differences in individual understanding that may be linked to organisational factors such as the hierarchical, rank-based structure of the police and the role of specialisation.

Overall, the qualitative analysis of the interview data found that, for many officers, their understanding of coercive controlling behaviour aligned with some aspects of Stark's (2007) conceptualisation and the cross-Government definition and associated statutory guidance framework (Home Office 2015b; see Chapter One). This understanding was evidenced by officers using relevant terms or language such as 'subordinate,' 'isolate,' and discussion about the use of 'manipulation,' or occurrence of the behaviour within a 'pattern.' Furthermore, there were also

[40] Note that the influence of understanding coercive control is also considered in Chapter Five within the context of officer interactions with and perceptions of victims.

evident nuances to this understanding, including organisational differences in knowledge based on speciality or rank within the police, perceived subtlety or intangibility of some abusive behaviours, and a tendency to use physical abuse as a comparator to aid explanation of coercive control.

Subtle complexity

Although some officers expressed a lack of confidence or qualified their responses by saying that they could not give or would have to look up the 'legal' definition, they all attempted to give their interpretation or understanding of coercive control. Echoing Stark's (2007) conceptualisation and findings of a perpetrator's reach (see also Sharpe-Jeffs et al. 2017: 'space for action'; Wiener 2017; Woodlock 2017), in examples of self-reported practice, officers described abuse which touched every aspect of a victim's life. These behaviours included the perpetrator controlling their victim's clothing choices, diet, and bathroom habits, and extending this abuse outside of the home to reach interactions at work, with friends, family, and professionals, whether in person or by using technology (mobile phone, social media, tracking or spyware applications). Self-reported understanding of coercive control demonstrated several emerging themes, such as descriptions of the abusive pattern of behaviour as subtle or intangible, also alluding to its complexity. For instance, one officer used an example from a recent case handling experience, saying:

> It won't be the formal or legal definition…She's been coerced back into the relationship. Her liberty has been controlled. Her access to mobile phones has been controlled. I mean this is obviously quite extreme, but the abuse can be so subtle…It's mind manipulation a lot of it, isn't it? It subtle, it's coercive, it's persuasive…that little voice in your ear…it's the chip, chip, chip away at you (Interviewee 30a: Detective in the DAIU).

This officer was a specialist detective in the area of domestic abuse who also held more than ten years of experience in the force. In this quotation, she described the perpetrator's manipulation as potentially 'subtle' and 'little' whilst explicitly referencing abuse's effect on the victim's liberty. This detective's description of chipping away at someone also matched other officers' descriptions of the gradual, 'drip, drip' effects of coercive control that may allow the abuse to develop slowly over time. Those who presented this view of coercive control acknowledged that, because of its subtlety, the abuse might occur without a victim identifying themselves as experiencing abuse.

This quotation also referenced the role of psychological tactics, like manipulation, contributing to the identification of coercive control. This commentary was similar to the academic discussions around gaslighting and the perpetrator's creation of an 'unreality' (see Chapter One; Williamson 2010). Moreover, without explicitly using the terms 'love bombing' or 'grooming' (see Chapter One; Wiener 2017), this detective later explained that rather than moving slowly, abuse may also follow from a period of intense romantic declarations and fast-moving commitments. Therefore, whilst it may not be a verbatim 'legal' definition of coercive control, this detective and many other officers were able to use their experience to describe several conceptual distinctions.

It was also common for officers, particularly those without specialist roles (e.g., uniformed frontline officers), to describe phenomena in the coercive control literature without necessarily using the same language. To illustrate, one officer described coercive controlling behaviour as:

> It's the more subtle, nit-picky behaviour … tried to control his spending of money, where he goes… It's knocking someone's confidence … causes someone to act in a way that can be perceived as irrational, changes their behaviour…removing their confidence,

> independence (Interviewee 4a: Police Constable (PC) on the Emergency Response Team).[41]

The above quotation provides the perspective of a frontline officer, who would be considered a generalist, street-level bureaucrat (SLB) as the first point of contact or 'gatekeeper' of the criminal justice system (see Chapter Two; Hohl and Stanko 2015; Zacka 2017). Frontline officers must have a high level, practical understanding of all crime types to identify, assess, and respond to an emergency. In keeping with that responsibility, this PC included examples of possible controlling behaviours around finances but did explicitly label this as financial or economic abuse. Moreover, she noted possible changes in behaviour, perceptions by others as being irrational, and the impact of the abuse on self-confidence and independence without specifically quoting government guidance or labelling this as control over an individual's 'liberty' (see above; Stark's 2007). As described in Section I, specialist or strategic-level members of the police may utilise specific academic or legal language based upon their developed expertise and role responsibilities.

The two quotations above indicate that both officers possess some knowledge and understanding of coercive control. In contrast, several officers acknowledged that some of their colleagues, particularly those working on emergency response, may lack a developed understanding of coercive control. As one senior officer explained:

> If you're a uniformed police officer, you're the first to the scene, and quite often you won't have that level of expertise. It's not because they're not capable…There's still some officers that don't quite get it, and I think that will always be the way, and there's some that really get it (Interviewee 17a: Senior-level strategic specialist).

[41] Whilst her hypothetical example describes a male victim and female offender, she also acknowledged this was outside of the 'norm' of the typical gender dynamics officers witness in cases of domestic abuse.

This senior-level strategic specialist was previously involved in helping to develop and deliver training to new recruits (see Section II), which placed him in a unique position to comment on the expressed knowledge of his colleagues. For example, he highlighted that some officers understand coercive control (‘really get it’) whilst others do not, which is associated with expertise rather than capability. He also noted that uniformed frontline officers are the first to interact with members of the public during an emergency (i.e., SLBs), acknowledging the importance of their organisational role in responding to abuse.

Additionally, in several interviews, senior officers qualified similar statements about some colleagues’ remaining lack of knowledge by comparing it to the poor understanding or practice they previously observed. These officers expressed that although not all of their colleagues have a detailed understanding of coercive control, it is still an improvement from previous years. In one case, an officer referenced the overall improvement in the police response to domestic abuse over the past two years, saying he was pleased that ‘people are a lot more hot on it now’ (Interviewee 24a: Multi-Agency Safeguarding Hub (MASH) Officer). Interestingly, this timeline would place the improvement between 2017 and 2019, which corresponds to the period one to three years following the introduction of the coercive control legislation. The officer did not identify the cause of this perceived improvement. However, his comment supports the previously discussed symbolic or educative effect of the legislation in raising awareness and developing knowledge of coercive control.

Comparison with physical violence

Another theme which emerged from police descriptions of coercive controlling behaviour was the use of comparisons drawn to physical violence. In fact, the coding and analysis identified at least 21 of 35 (60%) police interviews that utilised comparison to physical injury or assault to distinguish coercive control from other crimes or forms of abuse. The following two quotations illustrate this tendency, with one officer comparing coercive control to a 'simple' assault and a former DAIU detective referencing physical injuries as more 'tangible':

> With coercive control…it's a lot of different areas that people can be controlling. It's not a simple assault where the person is being hit…There are so many things that amount to that control…Someone else's situation could be entirely different and they're not going to fit that pattern (Interviewee 20a: Police Constable (PC) on the Emergency Response Team*)*.

> It's one of those things that's very difficult to measure…It's not as tangible as an assault. An assault you have a resulting injury from it. Coercive control could take any number of forms, and I think it's dependent on the perception of the victim as to how they're being coerced (Interviewee 15a: Senior-level strategic specialist, former detective in the DAIU).

Although all participants were initially asked about their understanding of coercive control as a form of abuse, most officers framed their understanding within the context of a criminal response (see Section I). In the first quotation, this PC described her understanding within the context of a case of coercive control she handled and how she identified the abusive behaviour, which is wide-ranging and does not always follow the same pattern. By referencing a physical assault, such as a hit, as 'simple,' she also suggests that coercive control lacks this simplicity. Her description of the many different aspects of control demonstrates overlap with Stark's (2007) conceptualisation, recognising the individualised tactics that perpetrators may use. However, this comparison also appears to consider physical violence as separate from coercive control. This perspective differs from Stark's (2007) conceptualisation in which an assault may be used as a tool to reinforce the exerted coercive control.

Similarly, from the perspective of the strategic specialist, 'measurement' of the impact of coercive control appears to be more challenging than an assault associated with visible injury. She described the physical injury as 'tangible' or material evidence that may be lacking in cases of coercive control. Her description illustrates practitioner agreement with the academic discussion about the difficulties of operationalising the concept of coercive control in practice (Brennan et al. 2019; Hamberger et al. 2017). This former DAIU detective also identified the associated importance of victim engagement in identifying abuse, which is discussed in Chapter Five.

The above quotations also highlight the potential dichotomy between physical violence and coercive control. A review of the literature identified the possibility that abuse which includes visible physical assault, would be perceived as more serious than abuse which does not (Bettinson and Bishop 2015; Brennan et al. 2019). Furthermore, within Stark's (2007) conceptualisation, physical and sexual violence are tactics which serve to (re)enforce coercive control through fear of repercussions. This nuanced understanding is not captured within dichotomous descriptions.

Whilst the above descriptions do not necessarily support a hierarchy between physical and non-physical abuse, they suggest physical violence is perceived as a distinguishing factor of assault that is more easily understood, recognised, and measured than a pattern of coercive controlling behaviour. The expressed difficulty surrounding the measurement of coercive control and comparisons to offences like assault have implications for the criminal justice response, transitioning this discussion from an understanding of coercive control as a form of abuse to the legislation itself.

Understanding of, and response to, the legislation

Some aims of this legislative intervention were to serve an educative or expressive function by officially identifying the coercive controlling behaviour as a crime, helping to raise awareness about this form of abuse, and reducing the associated risk of domestic homicide by facilitating criminal justice intervention (see Chapter One). Therefore, rather than speculating, it is essential to consider how introducing the offence of coercive control was perceived by the officers tasked with using this legislation.

Set within the context of the theoretical framework developed in Chapter Two, these findings illustrate police officers' perceptions of the structural, legal context surrounding the criminalisation of controlling or coercive behaviour. Based upon the criminal justice system within which they work, it may be unsurprising that many police officers initially described their understanding of coercive controlling behaviour by referencing the legislation. During analysis, it was challenging to separate these intertwined forms of understanding, coercive control as a form of abuse compared to written law. However, when discussing the criminalisation of coercive control, most officers commented on the ability of the law to 'fill a gap' to reach abusive behaviour that may not have been 'actioned' previously. For example, many participants recognised the previously lacking legal recognition for domestic abuse, which prevented the police and other criminal justice professionals from responding to a pattern of abusive behaviour involving 'non-crime' incidents. This finding also supports the Home Office's (2014a) narrative around the need for legislative intervention to fill this gap (see Wiener 2020: 164).

Not all the individuals interviewed had the experience of policing domestic abuse prior to the introduction of the coercive control legislation at the end of December 2015. However, several Police Constables (PCs) described the legislation as allowing them to respond to psychological and emotional abuse. This commentary suggests the law did help to facilitate their practice. One officer spoke about the structural utility of the legislation using a metaphor of 'boxes,' describing how:

> In the criminal system everything needs to be black and white…and coercive control didn't fit the boxes of any offences that we had…so had to create a box where it could be covered (Interviewee 19a: PC on the Emergency Response Team).

Based on his statements, the legislative intervention appears to have provided a criminal justice outlet to respond to coercive control that did not exist previously. This PC used a description of the law as 'black and white' to demonstrate the need to clearly understand precisely what offence was committed and how someone has broken the law. Prior to the coercive control legislation, this PC acknowledged a lack of options in response to this abuse pattern of behaviour. Therefore, he interpreted the coercive control offence as helping the police to act in situations where evidence may not have 'fit the boxes' of their existing legal powers.

Providing further evidence of comparison, several officers described pre-existing offences, like assault, as more 'established,' 'easier' to prove, or more 'clear cut' in terms of the police response. Additionally, a few participants (inadvertently) reinforced a hierarchy between abuse which does or does not involve physical assault by describing the coercive control offence as providing them with a means to help victims before the abuse 'escalated' to something physical (e.g., 'being beaten'). By considering coercive control as a precursor to physical violence, this hierarchical framing moves away from the conception of a pattern of coercive controlling behaviour as inherently high-risk.

However, many officers also referenced the 'massive,' 'serious' harm caused by coercive control. This discussion harkens back to the academic debate about violence as a potential or assumed tactic of reinforcing control, compared to all violence being coercive and controlling (coercive control vs intimate terrorism vs domestic violent crime, see Walby and Towers 2018). It also relates to whether the initial framing of the offence and legislative intervention as responding to non-physical abuse marginalises physical and sexual violence from the legal conception of coercive control (Wiener 2020; Wiener and Palmer 2022).

Additionally, even during interviews conducted four years after the introduction of the offence, participants who mentioned a lack of understanding of coercive control or relatively low use of the offence described the 'newness' of the legislation as an influential factor. The perception of the legislation as 'new' indicates the length of time perceived to be necessary to embed the law into practice. Furthermore, when asked about their understanding of coercive control, several PCs identified a lack of experience using the offence whilst also expressing the commonality (prevalence) of the behaviour in domestic abuse incidents. This mismatch between the potential compared to experienced use or utility of the legislation supports concerns about translating a clinical term into a legal concept (Walklate et al. 2018, 2019). In consideration of a strategic perspective, a senior specialist clearly articulated this tension between the experience of the abuse and the offence of coercive control, explaining:

> There's a concept of it and a crime of it. Conceptually, I look at it as someone exercising undue influence, adverse influence over another person… But the crime has different elements than that. It's much more about the obvious use of threatened violence and a

> significant impact on their day-to-day activities…Sometimes the crime implies things that don't actually feature in the reality. How do you define something that's quite difficult to define? When does that malign influence become a coercive controlling relationship? Sometimes that is quite difficult to distinguish… It's the difference between the concept, or phenomenon, of coercive control and the offence. Sometimes that gap can be difficult to bridge (Interviewee 26a: Strategic specialist for officer guidance, former DAIU detective).

This specialist was involved in the development of training and guidance and made a clear distinction between coercive control as a concept compared to a crime. His strategic role provided him with in-depth knowledge of formal policy, practice, and legal requirements, but he also had previous operational experience. The above excerpt shows his use of language within the legislation, such as 'day-to-day activities,' and the retained importance of (threats of) violence. Moreover, in this case, the 'gap' does not reference how the legislation fills a gap in police powers to respond. Instead, he referred to the gap between the phenomenon (experience and presentation of abuse) and the criminal offence, suggesting a challenge for operational practitioners in translating between the two.

Although much of the data collected in this study supports previous hypotheses from the reviewed literature, it is also important to recognise those aspects for which evidence was not found. Prior research raised concerns about the 'false dichotomy' between coercive control and stalking offences, with similar behaviour but different responses based on the relationship status as a current or ex-intimate partner (see Chapter One; Monckton Smith et al. 2017). Moreover, although some officers mentioned the behaviour or offences of harassment and stalking, none of them explicitly expressed this overlap or expressed confusion about which charges to pursue.

As street-level bureaucrats (SLBs) with inherent discretion, police officers' knowledge and understanding of coercive control and the associated legislation will impact the identification, assessment, investigation, and response to this form of abuse. Domestic abuse specialists and officers in strategic roles were more likely to use legal or academic terminology, whereas many ‘generalist’ frontline officers (SLBs) described the similar concepts with alternative language. Although the officers identified progress in the police understanding and response to coercive control, they did not perceive all colleagues to have a strong understanding of the dynamics involved in this form of abuse.

Officers described coercive control as having distinct features of subtlety and intangibility that make it more complex than ’a simple assault.’ Self-described understanding of the coercive control legislation demonstrated continued use of comparison to offences involving physical violence and recognition of the law as filling a gap for police responses to non-criminal (particularly non-physical) abuse when viewed as part of a pattern of behaviour. Police officers did not express concern about a ‘false dichotomy’ between coercive control and stalking and harassment offences. However, for some participants, there remained a possible disconnect between the offence of controlling or coercive behaviour and the lived experience of abuse.

II. Organisational tools and cultural influences - Reflections on training and risk assessment

Training (and guidance)

At an organisational level, there are numerous potential influences on police officers’ practice and use of discretion (see Chapter Two). The analysis presented below reveals the importance of the provided tools (training, guidance), organisational structure (specialised, hierarchical), and previously identified characteristics of police culture. When asking participants about guidance, organisational policies, and associated training specific to coercive control, almost all officers mentioned there being national (College of Policing) guidelines and said that they must have received some training. However, many of those in non-specialist roles could not recall specific details of the training they had received or referenced it as part of a larger online learning package. Unsurprisingly, it was officers in the Domestic Abuse Investigation Unit (DAIU) who received the most training on coercive control, whereas frontline officers were not provided with such in-depth, specialised training.[42]

Regarding guidance specific to domestic abuse or coercive control, most officers were aware of the College of Policing (2015/2022) Authorised Professional Practice (APP) or responded with an assumption that there must be national and or local guidance for handling cases involving coercive control. However, very few officers referenced using the guidelines themselves or credited police-led training with their understanding of coercive control. Instead, in support of SLB theory (Zacka 2017), there was a tendency to associate their understanding with 'on-the-job' experience. The following quotation provides a perspective on training around the coercive control legislation:

> It's quite generic really...there's nothing set out to prove, case law...Probably get an hour and a half on coercive control...e-learning packages...they're not the greatest. Mainly it comes from experience...we'll talk about different jobs that we've had, what we've found good, what we've found that's been quite obstructive or negative (Participant 9a: Detective in the DAIU).

At the time of this interview, this officer remarked on the lack of available case law to reference, her distaste for learning through standardised online training programmes, and the demonstrated

[42] As mentioned, Domestic Abuse Matters training was not delivered at the point of police officer interviews.

preference and utility of learning by experience instead. She was particularly confident in her understanding of coercive control and the legislation but, like many other officers, credited her colleagues and professional experience with developing those skills. By sharing experiences of facilitative and 'obstructive' tactics to respond to coercive control, this officer indicates an interactive process of learning between colleagues (see Chapter Five).

Further demonstrating the importance of on-the job-experience, one officer described his initial scepticism about the coercive control offence as changing with experience in the role. This DAIU detective began by mentioning previous concerns about the purpose of creating a new offence, saying:

> When any new legislation is brought in, until you've got some case law, until you've actually tried it, you don't really have a clue how it's going to work out. To start off with, it was a bit like, I don't understand what gap this fits?... We've got substantive offences already. Now, what it does is bridges that gap between what you'll get that is not an offence… Almost like the mental element of false imprisonment, which you'd never get a charge of, but it's great evidence of coercive control…Won't have a charge of assault, but we can talk about the assaults as part of that coercive control (Interviewee 29a: Detective in the DAIU).

The above quotation mentions the general requirements for case law and on-the-job experience to embed a 'new' offence into practice. Whilst interviews only present self-described understanding and practice, the above quotation demonstrates a change in perception about the utility of the legislation and recognition of the 'gap' he initially did not believe existed. In this case, the gap was illustrated through the ability to use previously inadmissible evidence such as 'mental' imprisonment or an assault that occurred more than six months ago to support a charge of controlling or coercive behaviour. Later in the interview, this detective said that he is not sure whether his experience would reflect the intended use of the legislation, but this is how he conceives of it and uses it.

As in SLB theory (Lipsky 1980, 2010; Zacka 2017), this expression about how the detective uses this law, even if not in the way it was intended, indicates how law not only shapes practitioner responses but can also facilitate their use of discretion. Although a DAIU detective may not necessarily fit the traditional definition of an SLB based upon their specialist role, training, and supervision of frontline police officers, they do interact with the public, have discretionary power, and their actions influence whether or not a case is referred to the CPS for a charge. This detective also shared his experience of the introduction of the offence, describing his unit, the DAIU, receiving a phone call and one sheet of paper describing the legislation and then being told they would be the experts whom officers would come to for advice. He did not initially feel prepared to do so without training or personal experience, and he said this coloured his initial understanding and perception of the offence.

It is important to note that just after the completion of officer interviews in this force, the area began delivery of Domestic Abuse Matters training to all police officers and staff with the express aim of closing the gap in knowledge between specialists and non-specialists. As in Chapter Two, SLBs, like police officers, are more likely to uphold policies and perceive them as meaningful for the service user when afforded discretion (Tummer and Bekkers 2014). Additionally, training is often used to guide an SLB's use of discretion without placing limitations on its use (ibid). Thus, the local introduction of Domestic Abuse Matters training aimed to improve police responses to domestic abuse and the use of the coercive control legislation by guiding officers' use of discretion through improved knowledge and understanding.

As part of supplementary data collection, an observation of one of the force's first Domestic Abuse Matters training sessions provided a better sense of how the written training materials were translated into an interactive course. Viewing the written material that trainers are expected to cover before observing the delivery of this training facilitated additional comparison. Among many resources, this training includes viewing a video of the sustained assault of a woman by her partner and later police attendance, all of which was unknowingly recorded on a home videotape. During the debrief, the trainees (officers and staff) described this video as distressing but enormously impactful. Trainees identified this impact as relating to the video's clear demonstration of the difference between what happened in the home prior to police arrival, what was 'visible' to the officers, and how both parties then portrayed this. Although this training video includes evidence of physical assault, there are also clear signs of coercive controlling behaviour.

Coercive control is a central topic within this training. However, during the observed in-person training, time management did not allow all material or activities to be completed in-depth. Notably, at the end of the session, one of the trainers asked if anyone had a 'successful' coercive control case (i.e. conviction for controlling or coercive behaviour). When no one raised their hand, this trainer mentioned the difficulty of proving the offence. Whether or not the trainees had preconceptions about the challenges associated with pursuing a charge of coercive control, these comments might be discouraging and serve to sustain the broader organisational narrative demonstrated during interviews (see Section III). Importantly, however, I only observed one training session, and the trainers spent more time on areas in which the group was interested. Nearly half of the 15 trainees gave specific feedback regarding the benefits of what they learned about the 'stages,' or presentation of coercive control.

Furthermore, although this local force area did not provide me with arrest data, national research suggests an overall increase in the number of arrests for coercive control, with the rate of arrest for coercive control crimes increasing significantly for around eight months after police forces receive Domestic Abuse Matters training (Brennan et al. 2021). This finding provides additional support for the potential influence of organisationally-provided training on police officers' exercise of discretion.

Risk assessment

Risk assessment forms are an organisational tool whose utility depends upon officers' understanding and decision-making. The association between coercive control and high frequency, high severity abuse, and domestic homicide (Myhill 2015; Myhill and Hohl 2016) demonstrates risk assessment as crucial to the police response to domestic abuse. Chapter Two identified previous research on police officers' use of the Domestic Abuse Stalking and Harassment (DASH) risk assessment and raised questions about the ability of police officers to identify signs of coercive control. The College of Policing (2015/2022) also requires police officers to complete a risk assessment when responding to a domestic abuse-related incident. Therefore, risk assessment forms are an essential organisational tool, providing a useful example of how SLB discretion may be applied in practice. While not all officers recalled their training or were aware of specific organisational guidance about responding to coercive control, every participant referenced or described their experience with the risk assessment process.

I did not have access to completed risk assessment forms in this study, except when provided within anonymised case files (see Section IV). However, analysis of collected interview and ride-along data identified important information about professional attitudes towards risk assessment tools (coloured by 'cop culture') and the use of discretion when completing them. The findings include evidence of negative perceptions of the risk assessment process and its bureaucratic requirements, concerns about the ability of the actuarial process to identify risks associated with coercive control, and developed working practice (de facto discretion; Evans 2010) regarding if, how, and when to complete risk assessment forms.

During interviews, descriptions of self-reported experience, perceptions, and use of risk assessment tools highlighted emerging themes around bureaucratic standardisation compared to informed professional judgment. For example, several police officers described the forms as 'blunt' or 'static' tools, which did not match their understanding of coercive control as subtle, complex, and dynamic. Furthermore, although the form prescribes a list of questions, each officer must choose what follow up questions to ask in response and in which instances to do so. As one Police Constable explained:

> The question on the domestic risk assessment form is something like, "Does this person control you?" Which is quite blunt, not very specific...doesn't go into all the aspects of control... So, it's up to the individual officer to then prompt questions... It's going to vary from officer to officer how they follow that question up. You've got to think around it...use open questioning' (Interviewee 31a: PC in the Criminal Investigation Department (CID)).

This PC recognised officers' abilities to use discretion in asking the relevant questions and whether they utilise professional curiosity to probe further. Moreover, she also voiced concern about whether officers can identify coercive control from a closed, 'yes' or 'no,' question. Later in the interview, this PC described her use of open follow up questions about the relationship, how disagreements are settled, and so on to improve her assessment of risk. Other participants also identified the difficulty of risk assessing a victim of coercive control who may not respond to the questions or may provide false responses due to their ongoing fear of repercussions (see Chapter Five).

The (local) organisation will determine who fills out the risk assessment forms and any possible review or additional follow up processes. Whilst there is an overarching mandate for police to complete a risk assessment form for every domestic abuse-related call out, observations during ride-alongs with frontline emergency response teams identified an existing ability to exercise discretion. Therefore, those on the frontline (SLBs) retain initial discretion about if, when, where, and how to complete that form.

For instance, during one ride-along observation, following a call to respond to a 'domestic disturbance,' officers arrived to find a teenage girl (aged 17) yelling after her boyfriend (aged 19). He was fleeing the house on foot through a side door, which sent one of the officers running to catch him. I observed the other officer speaking to the teenage girl at the front of the house. At that moment, the observed officer did not have the paper assessment form on hand, and his partner was using the team's only available tablet to interview the boyfriend separately. The officer I observed, who was highly experienced, expressed that he had all questions memorised and proceeded to ask them of the teenage girl.

After this process, the officer returned to the squad car and quickly attempted to complete the official form as his partner drove them to the next emergency call. Although the conversation between him and the victim was very brief, he expressed confidence in his ability to make a risk assessment and follow up as needed since both parties were previously known to the police. The officer's risk assessment may not have adhered to formal force policy due to the officer's verbal delivery of questions from memory and recording of responses after leaving the scene. However, these observations demonstrated the real-world pressures those on the frontline face and how officers exercise discretion during an emergency.

During interviews, officers also identified similar discretion and de facto (Evans 2010) working practice regarding risk assessment. For example, they described a similar memorisation of questions, which allowed the officers to reference them in casual conversation. These actions were said to reduce the formal nature of the process and experienced bureaucratic nuisance for both the victim and the officer. For instance, when asked about her experience with risk assessment, one officer replied that:

> People don't want to do them. It's time-consuming…It's a useful tool, it just takes time to fill it out…We normally memorise most of the questions on there and we try to slip them into conversation…If they say don't want to answer them, actually they've inadvertently answered about 10 of them, 15 of them. For some incidents...domestic non-recordables, they've rung us because they've had a verbal argument and actually the risk assessment form is a complete waste of our time. We have to do it, we do it anyway...But, talking to them, there's nothing deeper going on (Interviewee 14a: PC on the Emergency Response Team).

In addition to discretion about how (and if) to ask risk assessment questions, this frontline officer describes an organisational, cultural frustration with a bureaucratic process seen as getting in the way of 'real' or 'action-oriented' police work (see Chapter Two; Reiner 2010). Additionally, by labelling verbal arguments as not going any deeper and 'wasting' police time, the organisational culture around what 'real' police work involves may translate to missed opportunities to identify coercive control. In this case, it would suggest that officers treat these incidents which involve 'verbal arguments' less seriously, so they may not identify anything 'deeper.'

On the other hand, I also observed officers who completed these risk assessment forms with victims in extreme depth when given the appropriate material resources and relieved time pressure. One ride-along observation included the response to rape committed by an intimate partner. The PC spent three hours with the victim, probing and asking follow-up questions where she identified potential risks (e.g., victim's impending separation from the suspect, suspect's history of jealous and controlling behaviour). The officer then took a statement from the victim, went through each of the resources for support attached to the risk assessment form, and discussed potential safeguarding options. This observation provides an example of the overlap between domestic-related rape and coercive control and the associated time required to complete a thorough response (see Chapter One). Interactions between the police officers (SLBs) and victims of abuse (service users) are explored further in Chapter Five.

Importantly, risk assessment forms are also relied upon for future review and to aid evidence-gathering, including to support a charge for controlling or coercive behaviour. Therefore, as previously identified (Myhill and Hohl 2016), incomplete or missing information may have serious implications for risk to the victim and or result in the inability to prosecute any criminal offences. Additionally, several officers also described a concern that cases assessed as medium- or standard-risk were 'slipping under the radar.' From this perspective, because the force DAIU only responds to cases assessed as high-risk, a frontline officer with 'maybe two years of experience and not a lot of supervision or guidance' (Interviewee 33a: Senior-level operational supervisor in the DAIU) would be given initial responsibility for the investigation. In support of SLB theory (Lipsky 1980, 2010), this lack of guidance and supervision of the frontline officer allows for the use of discretion in making decisions that will influence case outcomes (e.g., arrest, Hoyle 1998; Myhill 2019). Based on these concerns, several participants preferred to have a specialist team investigate all domestic abuse cases. However, organisational capacity and resourcing issues were identified as preventing the implementation of such a solution (see Section III, below).

III. Challenges for police translating law into practice: Resources, evidence, and the safeguarding conflict

Resources (time)

This research identified three interrelated challenges regarding the translation of the coercive control legislation into police practice, the first of which is the resources (time) required to identify and investigate coercive control. As in the above findings on risk assessment, one of the practical barriers to identifying coercive control relates to the resource (or pressure) of time. All interviewed police officers, particularly those with an operational, public-facing role (SLBs), must prioritise their available time. Police are the 'gatekeepers' of the criminal justice system (Hohl and Stanko 2015), and time pressure has previously been identified within academic literature on coercive control as a particular challenge for the response of frontline officers (Tolmie 2018; Walklate et al. 2018). In this study, time pressure was evidenced in interviews and ride-alongs with police officers on the Emergency Response Team.

When interviewed officers described experienced or perceived difficulties identifying coercive control, they often referred to the abusive behaviour as 'low level,' 'seemingly small,' or 'hidden.' This is in line with the understanding described in Section I, which noted the subtle nature coercive control. It also indicates the associated effort and resources that must be devoted to identifying and responding to this form of abuse. Moreover, Section II referenced the time required to complete the bureaucratic task of risk assessment, which was paired with an associated use of discretion by officers to lessen that burden.

Additionally, ride-along observations evidenced general time pressures. Officers sometimes worked long shifts that did not provide any chance for breaks and potentially extended their shift even further when capacity was stretched. In contrast, the opposite was also observed, whereby officers could spend an entire shift filling out paperwork and waiting to take someone into custody. Thus, observed frontline officers experienced both having too much time waiting or completing bureaucratic tasks or not having enough time to complete their 'action-oriented' work. Callouts to what officers referred to as 'domestics' were labelled as some of the most time-consuming for frontline professionals because of the actions necessary to identify the abuse, assess the associated risk, record the abuse within a statement, and respond accordingly.

Specialist and senior-level officers often related the strain on resources to heavy caseloads. They acknowledged the pressures experienced by the officers they supervised, questioning their abilities to conduct a thorough investigation in the face of competing demands on their time. This finding supports Evans' (2010) 'discursive managerialism' in that supervisors also had prior experience as frontline officers (SLB), meaning they held a shared professional background and culture. This shared background produced overall alignment with the concerns of the SLBs rather than strict adherence to managerial performance demands. Whilst by no means a universal sentiment, one officer expressed frustration with an organisational push to focus on achieving a charge and conviction for the offence of controlling or coercive behaviour. He explained:

> If we spend loads of time investigating crime reports of something that is never going to be provable, the public's paying for the police, there's only so many of them. So, for my part, I'd much rather be dealing with the stuff we can get people convicted for. I'm not a fan of investigating things that are going nowhere (Interviewee 25a: Detective in the DAIU).

The above quotation, including phrases such as 'never going to be provable' and 'going nowhere,' provides strong evidence of the cynical and 'action-oriented' perspective identified as characteristic of police culture (Reiner 2010; see also Chapter Two). Although it pushes against an organisation-led objective regarding the investigation of coercive control, this quotation also demonstrates how pressured resources (e.g., time, available officers) facilitate a managerialist-style attitude focused on achieving a performance outcome. This perspective would support a practice of 'creaming' (Lipsky 1980, 2010) in which SLBs take action for those service users whose cases are most likely to produce the desired outcome (e.g., conviction). Similarly, according to Zacka's (2017) 'moral dispositions,' this detective presents as 'indifferent' by placing value on achieving a conviction for an offence over the investigation process and responding to coercive control. Although DAIU detectives would not technically qualify as SLBs due to their specialisation, the expressed perspective is likely to be reinforced by this detective's interactions with, and supervision of, frontline response officers.

It is important to note similarities between the above detective's perspective and the previous mention of 'wasting' time described in relation to frontline officer completion of risk assessment forms in cases of 'verbal arguments.' Together, these findings would support academic concerns about the inability of the police to take the time to identify and respond to coercive control as a pattern of behaviour (Barlow et al. 2019; Walklate et al. 2018).

Evidence

The second identified challenge is the perceived or actual evidential threshold for charge and conviction. Within interviews, the most commonly identified challenge for the police response to coercive control was providing the evidence to prove the offence in court. In fact, in at least 24 of the 35 (69%) interviews with police officers, they described the most significant challenges to responding to coercive control as the evidence, or 'evidential threshold,' required to the achieve a charge and conviction for the offence of controlling or coercive behaviour. Although some officers described the potential benefits of using body-worn camera footage as supporting evidence, most of the collected data demonstrate officers' perception of the coercive control offence as intractable. Again, consideration is given to the associated influence of the organisational structure and culture of the police on officer perceptions of and attempts to utilise the coercive control legislation.

Chapter One described Barlow et al.'s (2019: 171) analysis, which found evidence that officers dismissed domestic abuse cases as 'one word against the other.' The authors proposed that this sentiment may be more prominent in cases of coercive control since this abuse is perceived to involve less 'tangible' evidence than overt physical violence (ibid). In this thesis, these views were evidenced within the case file analysis (see Section IV) and officer interviews. The perception of coercive control as 'one word against the other' was particularly notable in interviews with frontline officers conducted early in the research. For instance, two PCs found that the coercive control offence:

> It's just really hard to prove, you know, one word against the other (Interviewee 2a: PC on the Emergency Response Team).

> Nine times out of ten it's going to be one person's word against the other's (Interviewee 3a: PC on the Emergency Response Team).

Furthermore, ride-along observations did not involve asking these officers about their understanding of coercive control since data collection focused on their 'real-world' practice. However, during each of the seven observed shifts, officers asked what aspect of policing I was researching. When I replied with 'responses to coercive control,' their immediate response included comments like, 'that is really difficult to prove.' These negative responses about the ability to prove the offence offered without any probing or direct questions about their opinion of the legislation indicate a deeply held perception of barriers to translating this law into practice. However, not only frontline officers but also those in senior positions with strategic roles identified coercive control as difficult to evidence. The quantitative data presented in the Introduction, recent findings from Brennan and Myhill (2022), and the Home Office (2021a) review of the offence also reflect this challenge, as the majority of recorded disposal outcomes for the offence of controlling or coercive behaviour involve 'evidential difficulties.' These corroboratory findings are explored further in the concluding chapter.

In contrast to previous descriptions of assault being easier to evidence than coercive control, some participants also described domestic-related rape and sexual assault as being 'even more difficult to prove' (Interviewee 18a: Detective in the DAIU) than coercive control. Although interviews did not explicitly ask about the use of sexual violence, officers often described its commonality within a wider pattern of coercive controlling behaviour. This finding also speaks to previously discussed overlaps between criminal justice response to rape and coercive control offences. For instance, both crimes often occur in private without additional witnesses, which can induce competing accounts (‘one word against the other’) and an associated reliance on victim engagement (see Chapter One). The results demonstrate an organisational culture in which domestic abuse-related offences are often considered too difficult to pursue if they do not involve visible, ‘physical,’ and third-party evidence or rely heavily upon the impact on, or consent of, a victim. Furthermore, observed and interviewed officers associated an outcome of ‘evidential difficulties’ with the practice of the CPS rather than that of the police. Chapters Six and Seven discuss this multi-agency working relationship between the police and CPS.

Similar to the examples listed in the College of Policing (2015/2022) APP, officers described the evidential sources for the offence of coercive controlling as including statements from family, friends, neighbours, and co-workers about any witnessed abuse or changes in everyday behaviour, financial statements, mobile phone and social media data, health records, and body-worn camera or CCTV footage. Body-worn camera footage as evidence in domestic abuse cases was commonly discussed in officer interviews, with a recent organisational push to pursue evidence-led (victimless) prosecutions. There were mixed perceptions about the utility of the body-worn footage in cases of coercive control. However, most officers were optimistic about this tool for evidence gathering because they thought the camera was not very noticeable. In addition, these officers thought most people say more when officers first arrive than when they ask the victim or suspect to provide a formal statement.

During interviews, two Evidential Review Officers (EROs) also mentioned using body-worn footage in relation to ‘res gestae’ evidence and ‘hearsay’ applications. This possibility allows statements by the victim or witnesses captured on body-worn camera to be introduced as supporting evidence without requiring their engagement in the prosecution. This legal opportunity is based upon the proximity of the statement to the offence (res gestae) or with evidence that the 'victim is in fear' or it is in the 'interests of justice to do so' (hearsay) (see College of Policing 2015/2022; CPS 2020). Praising the utility of this technology, one specialist explained that body-worn footage is:

> Really impactive because you see that victim as they're at that point of crisis...demeanour, state of the house... physical evidence...It's very difficult to write that into a statement or anything else later on. So, if you've got body worn it tells a very good story (Interviewee 17a: Senior-level strategic specialist).

As expressed in several other interviews, this quotation identifies the potential use of body-worn camera footage because of its potential impact when presented in court. Whilst the commentary about physical evidence could relate to numerous offences, his mention of its ability to show 'demeanour' relates explicitly to evidence of coercive control. Other officers also credited this video footage with helping them write their statements because of the captured detail that they would not be able to include in their written notes. Showing alignment with the College of Policing APP (2015/2022), the officers who mentioned using visual evidence of the victim's fearful 'demeanour' linked it to a demonstration of the serious effect of coercive control on the victim, which may be visible, but difficult to express with words. In contrast, some officers said that using a camera made people 'switch off' and that the body-worn video evidence is incident-focused, so it could not capture years of abuse as in coercive control cases.

The following interview excerpt provides an example of self-described practice when responding to a case involving coercive control. This quotation addresses evidential challenges and organisational 'policy' around custody timing and shift changes, which the officer suggests might have prevented a referral for charge:

> The incident that we went to was a very low-level assault between the two. He'd pushed her face into some dirty tea towels. On the face of it, a no injury assault that was very difficult to prove anyway...Hadn't seen her grandkids, wasn't allowed to leave the house...everything she did for him was wrong... He would say things like 'I'll die, I'll kill myself, I'll kill the kids'... I went off shift and handed over to another officer because he was in custody, so it had to be dealt with within 24 hours...It was NFA'd...no injuries, no witnesses, and unfortunately policy does not favour the victim' (Interviewee 32a: PC on the Emergency Response Team).

In this case, the officer was called out to a specific incident, the assault, which was described as 'low-level' because of the lack of visible physical injury associated with it. At an organisational level, this exemplifies the (physical) incident-focus of the police. However, this officer identified the coercive controlling behaviour (control of movement, social interactions, threats of suicide and homicide) but also used her discretion to make an immediate arrest for the assault. She decided to arrest with the aim of gathering additional evidence of the coercive controlling behaviour in support of an additional charge. Unfortunately, due to shift patterns and time constraints, she had to hand over the case to another officer. Her replacement officer may or may not have been as knowledgeable about coercive control. Moreover, once the 24-hour time limit in custody elapsed, no further action was taken, and the perpetrator was released. In expressing her frustration, this PC highlighted that 'policy does not favour the victim,' identifying the lack of injury and witnesses as preventing further action.

As above, many evidential challenges associated with coercive control relate to the ‘incidentalism’ (single incident of physical harm focus) of the police and criminal justice system (Kelly and Westmarland 2016, see Chapter One). However, when this approach is applied to coercive control involving a generalised fear and broader pattern of behaviour, there is a disconnect between the experience of abuse and the legislative tools available to use in response. For example, the following excerpt from an interview with a DAIU detective explained this organisational, structural challenge, saying:

> Because of the way the law deals with domestic abuse, it often better handles it as single events, single incident episodes. The court can understand that on that day these things happened, and these are the witnesses to that behaviour. … With this [coercive control] you’re asking them to look at a number of different incidents and draw the connection between them (Interviewee 29a: Detective in the DAIU).

In addition to understanding the dynamics of coercive control, this detective identifies that officers must learn to gather evidence that the court will recognise. These officers may also need to assist other criminal justice professionals, such as prosecutors and judges, in drawing ‘connections’ to a broader pattern of abusive behaviour. This detective’s background and experience investigating domestic abuse with the aim of criminal prosecution provide him with a specialist legal perspective on why coercive controlling behaviour is challenging to translate into legislation and for officers to then put into practice.

Together, the presented findings demonstrate the challenges associated with evidencing and proving the offence of controlling or coercive behaviour in an intimate or family relationship. When considered in relation to the theoretical framework, police officers feel these challenges and are influenced by the structure (incidentalism, resource constraints) and culture (‘one word against the other,' 'waste of time') of the organisation. These influences support a narrative around the difficulty of pursuing the offence that informs police officers' discretionary responses to cases involving coercive control (e.g., evidence gathering, investigation).

Safeguarding conflict

The third interrelated challenge surrounds victim safeguarding responsibilities, which can present conflict with organisational aims or performance objectives. Safeguarding, or keeping children and vulnerable adults safe from further harm, is the responsibility of all professionals who interact with individuals experiencing coercive control. For the police, this may involve signposting or referring to specialist support services, aiding in the development of a safety plan, issuing a Domestic Violence Protection Notice (DVPN), holding a MARAC for those assessed as at high risk of harm, and or arrest and pursuit of a criminal charge (College of Policing 2015/2022). However, the police described barriers to this process that were associated with the unique impacts of coercive controlling behaviour, identifying a tension between aims related to criminal justice outcomes as compared to safeguarding responsibilities.

The following quotation from a senior-level specialist illustrates many themes which emerged from the available data to create what I have labelled a 'safeguarding conflict,' which can influence officers' use of discretion to pursue alternative charges or protective measures. Within the context of SLB theory and the developed framework, for a police officer, the described safeguarding responsibilities associated with the needs of a service user (victim) may be perceived to conflict with the demands of the coercive control legislation and associated organisational performance measures such as rates of arrest, charge, prosecution and conviction. The specialist officer explained:

> It's really difficult to prove the serious effect … [the legislation] It's useful in that it exists, but I suppose largely useless because we can't really charge them, rarely do we charge them…It's easier to prove the assault, and the primary objective is to keep that victim safe from further harm. A restraining order can do that. If we can get a restraining order off the back of a very easy assault that we can prove, why would we go through the whole process of trying to prove coercive control and then get a restraining order?…Not going to go through some six-month evidence-gathering process that we may lose at court. We may not get the restraining order, and we certainly haven't met our primary objective of keeping the victim safe…Maybe right now a refuge is better…Our [DAIU] objective is slightly different than other police departments, our primary focus is not the investigation, it's keeping the victim safe (Interviewee 7a: Senior-level strategic and operational specialist in the DAIU).

This senior-level specialist held both operational and strategic responsibilities, meaning that he was aware of the demands faced by police officers across various roles. Although this excerpt comes from one of the earlier interviews (conducted in early 2018), it summarises several emerging themes from police interviews. This perspective is supported by nearly identical descriptions from later interviews (e.g., Interviewee 29a). Notably, the above specialist had previously articulated a specialised, in-depth understanding of coercive control as a form of abuse. However, the application of this understanding to the interpretation of the law and its subsequent translation into practice proved problematic.

First, regarding his understanding of the coercive control legislation, he referenced the requirement to prove the abuse had a 'serious effect' on the victim whilst also identifying this as difficult to achieve. This senior specialist labelled the coercive control legislation as 'useful,' but effectively 'useless,' based on the inability to translate it into a charge for the offence. Additionally, this quotation provides another example of the tendency to compare coercive control to a physical assault which is perceived as ‘easy’ to prove. Moreover, he also provided the example of getting a restraining order ‘the next day’ using ‘just a scratch on the forehead.’ This language emphasises the impact of evidence of physical injury and the time required to respond to that incident instead of the lengthy process of investigating coercive control (i.e., six months). Finally, there is a justification for using discretion by seeking an alternative charge and protection order or helping the victim secure a place in a refuge rather than pursuing the offence of controlling or coercive behaviour. This decision-making is attributed to the primacy of the objective to safeguard the victim as quickly as possible, which he also identifies as a unique aim of the specialist unit.

Returning to SLBs’ use of discretion, rather than ‘creaming’ (Lipsky 1980, 2010), by choosing whether to help a service user based on the likelihood of an organisationally desired outcome, the above is an example of an ‘impossible decision’ (Zacka 2017). In this case, using the coercive control legislation could undermine an overarching safeguarding objective. This specialist described police officers as exercising their discretion to prioritise the existing obligation to safeguard an individual victim (service user) over a new organisational aim and associated criminal justice performance measure. Presenting some cynicism about the utility of the legislation whilst favouring a ‘caring’ moral disposition (Zacka 2017), he described officers making an active choice not to investigate and pursue a charge of coercive control in order to achieve the higher-priority safeguarding objective.

Previous research, which reviewed 91 case files recorded as involving domestic abuse-related crimes of assault occasioning actual bodily harm (ABH), found that in the vast majority (87%) of these cases, police officers did not pursue evidence of coercive controlling behaviour (Barlow et al. 2019). Moreover, previous research on the police response to domestic abuse also demonstrated how officers might exercise discretion to subvert or circumvent arrest policies based on perceived risk to and desired response of the victim (Hoyle 1998; Myhill 2019). The interview excerpt above raises questions about whether, in some cases, officers identify coercive control but make a deliberate decision not to record or pursue this offence.

This type of action goes against official guidance and policy around crime recording, but officers did describe the practice in their interviews. This working practice may not be captured by official measures due to a frontline officer's de facto discretion (see Chapter Two). Illustrating this possibility, one PC described a case involving coercive control she handled in which the victim withdrew her complaint. When I asked how this case was officially recorded on police systems, she said the case had 'very few details of coercive control initially, so it was recorded as an assault, and no further action' (Interviewee 14a: PC on the Emergency Response Team).

The examples above demonstrate the need to include data from qualitative sources to understand how the police translate this legislation into practice. The reviewed literature, theoretical framework, and analysis presented thus far contribute to two possible understandings of officer decisions not to record, arrest, investigate, or refer for charge cases which include identified coercive controlling behaviour. The first is what could be termed a pessimistic reading of police responses, whereby officers avoid pursuing a charge of coercive control because they perceive it as too complex, time-consuming, and generally intractable. This could also be described as a work-centred approach. In contrast, an optimistic reading of police responses would consider officers to identify and understand the risks associated with coercive controlling behaviour. However, these officers then choose to pursue lesser offences (e.g., common assault), protection orders, or other safeguarding measures based on their assessment of those actions as providing better protection for a victim at risk of future harm. This optimistic reading could be considered a victim-centred approach or one more associated with victim empowerment.

IV. Recorded police practice: Case file comparison

As described in Chapter Three, the police force provided 13 anonymised case files (see Chapter Three and Appendix A.III) that were sampled from cases that included a recorded crime of controlling or coercive behaviour. The cases received a range of disposal outcomes. However, as shown in the Introduction of this thesis, the majority of police-recorded offences of controlling or coercive behaviour result in 'evidential difficulties.' This section includes a comparative analysis of two cases, the first of which received the outcome of NFA based on insufficient evidence, whilst the second case resulted in a charge for controlling or coercive behaviour but received convictions for other offences. These case examples facilitate an examination of how police officers translate the coercive control legislation into practice, including recorded outcomes, through their use of discretion.

Case example – NFA

The first example is Case #7 (see Appendix A.III), which received a reported outcome of 'NFA, insufficient evidence.' In this case, there was a prior arrest and charge of assault for abuse, including non-fatal strangulation. The suspect was also known for domestic abuse against a previous partner. The victim's most recent report to the police described the suspect as becoming more manipulative and controlling since the assault charge went to court. She stated she could not see friends, attend a doctor's appointment alone, or do anything else without asking him first. The victim also stated that she attempted to separate from him after the assault but was frightened of what he might do, saying she 'wants him gone.' Both the victim and suspect had a history of drug misuse, and the victim was previously diagnosed with depression.

The incident to which police were called out was initially graded as high-risk by attending officers but later downgraded to medium-risk upon review by their supervisor (Custody Sergeant). According to the case file, the suspect told the victim she could not go to a friend's house, and the victim said she feared what he might do if she tried to leave. She also mentioned that he looked agitated and was shaking his leg. The victim said she texted her friend to tell her not to come over but to call the police instead. Attending officers used their initial discretion to arrest him for false imprisonment. The Custody Sergeant's statement re-identified the suspect's behaviour as coercive control but also explained their decision not to pursue any further action:

> For the offence of false imprisonment there is insufficient evidence...The statement deals with controlling behaviour, however, there is no evidence from other potential witnesses...Does not describe any positive threats or physical actions to prevent her from leaving...Felt he would assault her, but this is in conflict with her statement in which she describes no assault during their relationship (Custody Sergeant, Case #7).

In justification of the 'insufficient evidence' outcome, this Custody Sergeant wrote that the victim's statement 'suggests controlling behaviour' but claims that the friend and associated text messages do not corroborate this statement. Furthermore, the Custody Sergeant said that the victim did not describe any 'positive threats or physical actions' and did not disclose an assault. This comment appears to discount the victim's experienced fear. Confusingly, this Custody Sergeant also wrote that the victim did not describe assault within the relationship in her statement, even though there is clear evidence of a high-risk assault which was actioned by the police only a few months prior. Notably, the suspect provided an alibi for the period in question, upholding the decision to take no further action due to insufficient evidence. However, the case file did not mention any follow-up for the coercive controlling behaviour, nor was there any record of additional safeguarding measures.

Explanation of the discrepancy between the previous assault record and the Custody Sergeant's claim of no evidence of a prior assault is not identifiable within the available case documents. The recognition of possible coercive control rather than false imprisonment shows that the Custody Sergeant's knowledge of this offence may have surpassed the attending officers. However, the Custody Sergeant used their professional discretion by deciding to downgrade the risk and not to send the case to CPS for a charge.[43] Although the suspect's alibi may explain this decision, the additional statements by the Custody Sergeant raise questions about the police response to coercive control. The Custody Sergeant's statement indicated that their understanding of coercive control did not extend to a generalised fear which may not require the suspect to enact a physical assault to exert control over the victim or how the impact of this abuse might explain the withdrawal of, or change to, a statement.

Overall, this case example demonstrates how a prior pattern of abuse, subtle behaviour (e.g., agitation, leg shaking), and other potential evidence was not identified or else determined to be 'insufficient' to pursue a charge of controlling or coercive behaviour. This case file also illustrates how the application of officers' (mis)understanding of coercive control as a form of abuse and

[43] Based on the case file, whether the victim was receiving support from or referred to any partner agencies is unknown. Additionally, the pronoun 'their' is used in relation to the Custody Sergeant due to the anonymisation of the case files.

legislation may influence their use of discretion, such as when recording, risk assessing, investigating, evidencing, and referring the case for a charge.

Case example – Conviction for other offences

The following case example provides a comparison regarding both circumstance and outcome. This case (Case #1, see Appendix A.III) resulted in a charge and prosecution for coercive control but was unsuccessful in achieving a conviction for that offence.

In this case, the crime was brought to the attention of police by a witness who reported a man chasing a woman down the street with an offensive weapon. This man was later found to be the woman's husband. Prior to the most recent report that officers assessed as high-risk, four standard-risk incidents received no further action. Three of these incidents were classed as 'verbal arguments,' with the victim recorded as refusing to provide a statement. Although the anonymised case files did not include a record of the victim's or suspect's ethnicity, one of the previous police reports included an officer's explanation that withdrawal was suspected to be based on 'traditional cultural issues.' The background of this case demonstrates not only an escalating pattern of abusive behaviour but also potential missed opportunities to investigate 'verbal arguments,' which officers may not have taken as seriously as recorded physical assaults. Previous literature on the 'hierarchy of harm' (Bishop 2016) supports this possibility, suggesting that physical violence is considered more serious than other (non-physical) abuse tactics.

In the victim's statement, she described her husband's mental health issues and alcoholism, and threats to kill her, her children, her brother, and himself. The victim's and witness' statements also identified previous assaults, including non-fatal strangulation, hair pulling, being thrown down the stairs, and resulting injury to her hand, for which she went to the hospital. The officers identified and recorded the victim's description of being 'fearful for her life' and suicidal thoughts such as, 'she wishes she wasn't here anymore.' The perpetrator made comments in custody about wanting to kill his wife, saying that he blamed her for him losing his job and driving license (he was arrested for drink driving) and claimed that her depression sometimes makes her 'confused.'

Beyond his apparent threat to kill and wielding of a weapon, the attending officers identified additional evidence of coercive control in the suspect's attempt to shift blame from himself to the victim for his behaviour and manipulation regarding her mental ill-health whilst dismissing his own. These individuals encountered a unique set of external circumstances, but the actions taken by these frontline officers allowed them to identify the pattern of coercive controlling behaviour and then gather and record this evidence. Furthermore, the officers' decision-making allowed further action to be taken on this occasion, unlike the couple's four previous contacts with the police.

Having passed review by a Custody Sergeant, the Evidential Review Officer (ERO) referred the case to the CPS for common assault and coercive control offences, proving a detailed rationale for this choice. Signifying an understanding of the dynamics of coercive controlling abuse, the ERO's report to the CPS described the suspect expecting the victim to do specific things and threatening or actioning consequences if she did not, which had impacted her mental health. The ERO also noted that this experience might explain her minimisation of the abuse compared to what her brother described witnessing. The ERO wrote that:

> The suspect has repeatedly assaulted, threatened, and abused the victim over the past year…Satisfied that the evidence supports the effect of this behaviour in that she feels powerless to act (make a statement) or leave and wants to die – serious effect – She is also

> on anti-depressants…I am satisfied that the suspect ought to know of this effect….not a case where the suspect could say he did not perceive his behaviour was abusive – the fact that he drinks to oblivion should not furnish him with a defence (ERO, Case #1).

Several professionals within the police (and the public) had to act to identify the abuse and reach the stage of referral to the CPS. In addition to the overt threat of violence visible during police attendance, the responding officers took time to probe questions about possible coercive control. As mentioned above, this initial response allowed the ERO to make a case for referral to the CPS for the offence of controlling or coercive behaviour. Returning to the influence of the legal context surrounding coercive control, the ERO used language commensurate with the legislation. This language includes the ERO's use of the term 'repeatedly,' highlighting the evidence of a 'serious effect' on the victim (e.g., mental health diagnosis and medication) and claiming that the suspect 'knows or ought to know' that the behaviour was abusive regardless of his intoxication level. The ERO also identified possible reasons for the victim's previous minimisation of the abuse.

The strengths of the case were listed to include the victim's support for prosecution, police officers as witnesses to offensive weapon use, the suspect's threats to the victim's life expressed prior to his interview, and statements from the victim's brother that provide evidence of coercive controlling behaviour. On the other hand, the lack of injury, comments from the suspect's sister that they 'each complain about each other,' and the suspect's denial of any offences in the interview were recorded as weaknesses. The ERO's assessment supports claims within previously reviewed literature about the importance of a victim's engagement (see Chapter Five), the role of 'tangible' evidence of physical injury, the pursuit of assault alongside a pattern of coercive control, and the potential perception of one being 'as bad as the other.' Notably, the ERO also suggested that the CPS prosecute the case even if the victim were to withdraw her support, citing the strength of the evidence.

Whilst the CPS response included additional requests for the police regarding evidence gathering (e.g., 999 call, hospital records, witness statements) and confirmation of existing safeguarding measures, this case resulted in a charge for controlling or coercive behaviour in an intimate or family relationship. The suspect was not convicted for this offence, as the second assault and coercive control changes were reported as 'quashed.' However, he was found guilty of assault and possession of an offensive weapon, and the judge granted a restraining order, two-year community order, and rehabilitation conditions.

Although the charge did not result in a conviction for coercive control, recognising this pattern of behaviour undoubtedly informed the Evidential Review Officer's referral to the CPS. This recognition also appears to have influenced the (high) risk assessment by attending officers. The case file does not provide evidence of the judicial decision-making process. However, it does include recorded police practice of evidence gathering and pursuit of a charge for coercive control alongside other offences that aligns with organisational guidance. Whilst it is outside the scope of this analysis to determine the effect of identifying coercive control or the presence of related legislation on the outcome of this case, it is conceivable that evidence of coercive control may have contributed to the resulting sentencing conditions or safeguarding measures.

These case examples support wider analysis and illustrate police practice and points of discretion in identifying a pattern of coercive control, gathering evidence and investigation to support a charge of controlling or coercive behaviour, and the assessment of the strengths and weaknesses of that evidence. In both cases, the 'hierarchy of harm' (Bishop 2016) in the legal system and associated assessment of evidence continues to prioritise the strength of visible physical injury over other aspects of abuse. Although neither case successfully achieved a conviction for coercive control, the first case exemplifies a potential misunderstanding of coercive control. In contrast, the second case illustrates police practice aligned with the relevant legislative aims and organisational guidance surrounding coercive control described earlier.

Conclusion

Chapter Four provides empirical support for many theoretically-informed hypotheses about why police officers might struggle to utilise the coercive control legislation. These include the persistent structural and cultural prioritisation of single incidents of physical violence, the time-consuming bureaucracy associated with responding to coercive control, and the perceived high evidential threshold for proving the offence. Notably, the analysis presented in this chapter demonstrates how police officers who identify coercive control, but do not pursue a charge of controlling or coercive behaviour, may not deliberately subvert law or policy. Instead, as officers are not mandated to pursue a specific offence in response to domestic abuse, they describe utilising their de facto discretion to pursue alternative safeguarding measures. The findings show how a negative perception or experience of the legislation as intractable or time-consuming induced a conflict and potential 'impossible dilemma' (Zacka 2017) between the written law and organisational goals ('successful' criminal justice outcomes), alongside an overarching safeguarding responsibility.

Officers pursuing more established offences or protective orders maintain existing working practices and cultural norms. These officers often explained their decision-making process as deliberately prioritising the victim's safety (optimistic, victim-centred perspective) rather than following the path of least resistance (pessimistic, work-focused perspective). From either perspective, the recorded outcome of relatively low use of the coercive control offence would be the same. Thus, the presented evidence provides an example of a practical application of SLB theory within the context of policing. This thesis illustrates the importance of examining the practice that generates officially recorded outcomes and considering why a legislative invention may fail to reach its instrumental aims.

Chapter Five – Police Navigation of Coercive Control: Interpersonal Interactions

Introduction

As in the theoretical framework, a police officer's decisions are not taken in isolation, as interactions with 'service users' (victims, perpetrators, family members) and colleagues also influence their use of discretion. The presented analysis provides an additional layer of understanding around how interacting influences can reinforce challenges to practice. The analysis of data collected from the interviews, case files, and ride-along observations provides additional empirical support for the victim engagement challenges present within the police response to domestic abuse, which the conditions of coercive control further exaggerate. The findings examine how officers identify cases of coercive control, perceive the associated victims, and how officers' interpersonal interactions are associated with the safeguarding conflict and 'impossible dilemma' (Zacka 2017) described in the previous chapter. Chapter Five demonstrates why this level of the theoretical framework must be considered in conjunction with organisational and legal factors to make sense of police officers' use of the coercive control legislation.

I. Reporting and Identifying Coercive Control

This section considers how officers may identify coercive controlling behaviour through their interactions with victims. When asked about a victim's decision to report abuse involving coercive controlling behaviour, officers commonly acknowledged the possibility that a third party would contact the police rather than the victim. As discussed in Chapter Two, there are numerous reasons why victims may choose not to report or pursue a criminal justice response to coercive control, such as concerns about its impact on their safety and well-being, and that of their children. All officers described interactions with victims of coercive control, and also provided perceptions of why victims may choose not to report the abuse, provide a statement, or support criminal proceedings. In consideration of the circumstances whereby victims may choose to report coercive controlling abuse, one PC expressed:

> It's [coercive control] a real personal crime…Standing up to someone that you have loved, do love, and potentially always will love…Often it has to come to a sort of crisis point…Something very serious has to happen, or potentially there's a concern about one of their children. There's always that one thing that will push someone a bit too far and they'll say I'm not doing this anymore…It's very individualised, and there's sort of no hard and fast rules to it (Interviewee 5a: PC on the Problem Solving Team).

This quotation described how the 'personal' nature (or domestic context) of a crime like coercive control might impact the decision to report (or not). Several officers shared a similar perspective of coercive control as a unique type of crime within policing because it is committed by someone the victim knows and may currently or previously have trust(ed) and love(d) (see discussion of 'domestic' context in Chapter Two). Moreover, the role of children was particularly evident, both as a possible reason for victims to remain in, or to leave, an abusive relationship. This PC's description of victims reporting abuse to the police when they have reached ‘crisis point,’ was also commonly supported in other officer interviews (e.g., 15a: ‘when they’ve had enough, when it comes to a head’).

Furthermore, previous research on perpetrators’ use of gaslighting and creation of an ‘unreality’ (Stark 2012; Williamson 2010), as well findings relating to the ‘drip drip’ of abuse (see Chapter Four), illustrate how the perpetrator may obscure the ability of a victim to recognise the behaviour as abuse. This perspective presents another reason why victims may not report the abuse to the police. Based on a general lack of public awareness, when abusive behaviour was reported to the police by a victim or a third party, most officers felt that the individual would be unlikely to identify the abuse to the police using the term ‘coercive control.’

Instead, officers often described receiving reports of other offences, with evidence of coercive control being identified later in the response and investigation process. For instance, one Police Constable (PC) explained:

> I feel coercive control cases come out when there’s been a serious event that’s happened. Normally, it would come to light maybe when there’s been an act of violence. Sometimes a coercive control investigation would run alongside a GBH, serious ABH, or a rape case. And that’s because a serious event has happened and then the victim discloses more about the control in their relationship when the officer is taking their statement (Interviewee 6a: PC in the Criminal Investigation Department (CID)).

This quotation reflects victims reporting an incident of physical or sexual violence to the police and how officers’ interactions with victims whilst taking their statements may uncover indications of coercive controlling behaviour. The association between seriousness and violence provides support for and could reinforce the 'hierarchy of harm' (Bishop 2016), which considers physical violence more serious than other forms of abuse that may be less visible or tangible (see Chapter Two). In this case, the officer must move beyond that hierarchy and organisational 'incidentalism' (Kelly and Westmarland 2016) to identify a pattern of coercive controlling behaviour (see Chapters One and Two). The officer also mentions that a case of coercive control may continue 'alongside' another related offence. This approach was mentioned in Chapter Four and will be discussed later in this chapter.

However, not all officers perceived the identification of coercive control as emerging from serious incidents of physical violence. Another officer described how the police might identify relevant evidence whilst responding to 'something relatively small,' such as a verbal argument reported by a third party. This officer described that,

> Lots of domestic incidents aren't reported by a partner, but by other people…It's very normal for it to be a third-party report…Often you may be called to something relatively small, like a report of noise and they will hear an argument going on. But then, delving a bit deeper into the situation, you find evidence of coercive control. I think a lot depends on who the officer sort of debriefs, and maybe how perceptive they are. Using the DASH you can fire through very quick if they're saying no to things, and people can be reluctant to say yes to lots of questions and wouldn't want to reveal parts…You can pick up on body language (Interviewee 19a: PC on the Emergency Response Team).

As mentioned above, it was routine for a report of domestic abuse to be made by a third party. In this excerpt, the officer also describes how an officer might become aware of coercive control when responding to a seemingly 'small' noise complaint and verbal argument. Moving from reporting abuse to identifying coercive control and its associated risks, Chapter Four also discussed risk assessment forms, like the DASH, as an organisational tool used to structure officer responses. Regarding officers' interactions with victims of abuse, this PC noted that a victim might respond with a 'no' to specific questions (e.g., asking if the suspect is controlling) and described a perception that individual officers may differ in their practice. He explained that it is the officer's responsibility to be perceptive and use non-verbal cues. In other interviews and the observation of the DA Matters training session, this type of action was described as 'professional curiosity.' These findings provide additional evidence for how officers' discretion when using organisational tools may impact the identification of coercive control.

Importantly, the operational challenges described in the previous chapter (e.g., bureaucratisation, resources) may hinder opportunities to engage in the necessary probing and open questioning. Shaped by interactions with victims, the following excerpt supports the need to 'unpick' responses to a risk assessment to identify coercive controlling behaviour. However, it also raises questions about frontline officers' ability to accomplish this under current working conditions. This specialist explained:

> There are some things on DASH that will indicate it [coercive control] …But, some victims minimise, and they don't tell you the truth. Sometimes you just have to unpick things a little bit more. And there's sometimes a pressure to get the job done and move on to the next one…sometimes that pressure, through no fault of the officers means we don't spend as much time with victims as we could, or we should do (Interviewee 7a: Senior-level strategic and operational specialist in the DAIU).

Although this excerpt was taken from an interview with a senior-level officer, in support of Evan's (2010) 'discursive managerialism,' this supervisor identifies with the challenges faced by frontline officers (SLBs). He acknowledged the lack of time afforded to officers to identify coercive control, which requires 'unpicking.' Thus, the aforementioned organisational resource pressures are again perceived to have detrimental implications for frontline officers' recognition of coercive control and associated interactions with victims (see Chapters Two and Four). Additionally, similar to the earlier reference about victims not revealing all information and denying the abuse, this officer also described victims as potentially minimising or not telling the 'truth' about the abuse they experience. This tendency to minimise the abuse was also described in previous literature (Dempsey 2016; Stark 2007; Tolmie 2018) and referenced in the comparative case file analysis presented in Chapter Four.

II. Responding to coercive control: Arrest, attrition, victim absent prosecution, and use of a protection order

Arrest and attrition: The role of time and fear

Although local force areas and the College of Policing (2015/2022) provide frontline officers with relevant guidance and organisational policy, as SLBs, these officers can also utilise discretion in their decision to arrest someone for a criminal offence. Prior research demonstrated the importance and application of this discretion in the police response to domestic abuse (Hoyle 1998, Myhil 2019). Moreover, Brennan et al. (2021) highlighted the potential impact of Domestic Abuse Matters training on improved arrest rates for coercive control. In many interviews, officers in both frontline and strategic roles often repeated a specific statistic about the experience of domestic abuse.

Whilst the precise number referenced varied anywhere from 27 to 50, many officers mentioned the number of times a victim experiences domestic abuse before calling the police. Most of those interviewed could not recall where they remembered that statistic but believed it was shared with them at a training session. Supporting themes raised in Section I, officers used this reference to express the experience of a victim of abuse and the circumstances surrounding the police response to any callout. In the following example, a senior-level supervisor cited this statistic in relation to what that means for police culture and the use of arrest:

> There's a study isn't there. I quote it, but I can't remember it. But there's a statement that the average victim of domestic abuse experiences 37, 38 incidents before they ever call the police. I think we have to acknowledge that in order to take domestic abuse seriously. We have changed our culture and our approach to actually arresting people…There's other research that getting to a domestic abuse call early and arresting somebody would lead to more confidence. Then we can charge that person and try to prevent re-offending (Interviewee 28a: Senior-level supervisor in the DAIU).

This officer referenced prior research to demonstrate why the police should take all reports of domestic abuse 'seriously.' This comment also echoes ideas about domestic abuse as being 'everyone's business' (HMIC 2014) rather than a private matter between two people or within a family. Senior officers (with eight or more years of experience) and those holding strategic management roles most often referenced broader changes in police culture around domestic abuse based on their prior organisational knowledge. The literature review and theoretical framework (Chapters One and Two) considered the role of police culture around domestic abuse, highlighting the potential for officers to develop victim-blaming attitudes (e.g., Loftus 2009; Stewart et al. 2013) and how the conditions surrounding coercive control may exacerbate these attitudes. Later in the interview, the above officer described more recent improvements relating to 'verbal' incidents. This DAIU supervisor noted that officers would have previously considered these incidents ‘low-level,’ facilitating a less robust response or investigation than other crimes.

Furthermore, the above quotation cites early arrest as increasing the victim’s confidence in the criminal justice process. Additional interviews also referenced the same article on police practice which evidenced the role of time in domestic abuse cases and recommended targeting resources within an early window of opportunity (Barrow-Grint 2016). Barrow-Grint (2016) found that victim attrition, relating to the retraction of a victim’s statement and withdrawal of support for prosecution, was most likely to occur five days after the report of abuse. The author associated this finding with the recommendation to target resources within an early window of opportunity (ibid). The officers who referenced this piece of research often used it to illustrate a possible link between the prolonged investigations required to charge controlling or coercive behaviour and a greater possibility of attrition compared with other offences, like assault.

Previously reviewed literature and officer interviews demonstrate how the challenge of pursuing the offence of controlling or coercive behaviour with limited resources arises from its experience and operationalisation as an abusive pattern of behaviour (or course of conduct) rather than a single incident. The victim’s experience with the criminal justice process is linked to this resource constraint. When comparing coercive control to other offences, one officer described the importance of time for the victim’s experience of safety, as well as the criminal justice system response explaining that,

> Although it’s [controlling or coercive behaviour] a more serious offence [than ABH], the level of evidence required is greater, and actually the abuse might have to go on longer. This might bring drawbacks to your victim. Victims that have left that relationship and are looking backwards and are therefore in a safer place to reflect on their relationship … But again, the whole element of time plays a big part. It’s not about victim’s disengaging so

> much, but actually their requirements change, and they don't see the need for prosecution (Interviewee 26a: Strategic specialist for officer guidance, former DAIU detective).

In the first part of this quotation, this officer stated the relative seriousness of the coercive control offence according to official guidance on counting and recording crime, which is higher than that of ABH (see Introduction and Chapter Two). He also related evidential difficulties surrounding coercive control to the possibility that the victim would experience abuse for a more extended period in order to complete an investigation that would surpass the evidential threshold. This experience overlaps with the working practice demonstrated in Chapter Four, whereby officers described choosing alternative measures (another criminal offence, protective order, partner agency referral) rather than pursuing an arrest and charge for coercive control. Although the above quotation highlights a high evidential threshold for using the coercive control offence, it also supports an optimistic view about why officers would identify coercive control but not pursue a charge for the offence, with safeguarding considerations as a driving factor. This officer provided a unique perspective and depth of knowledge, having held an operational role within the DAIU before providing strategic guidance for officers. In this way, his perspective on the use of the coercive control legislation has the potential to shape the actions of frontline officers.

The second half of the above excerpt described the possible safeguarding implications of the victim separating from the perpetrator. This officer suggested that those victims who are no longer in a relationship with the perpetrator of abuse might be more willing to pursue the criminal justice process. However, the officer also acknowledged this time and space as potentially allowing a victim to 'move on,' suggesting that a victim who achieved the aim of ending the abuse might not want to re-live those events. Other officers also expressed that victims may place themselves at greater risk by pursuing a criminal justice outcome, including after leaving, or 'breaking away' from, an abuser. The following section also discusses separation as a theme within analysed case files.

Notably, as described in some interviews (see Section I and Chapter Four), police officers can pursue an alternative offence or protective measure whilst collecting evidence of coercive control. This possibility means there need not be a zero-sum game in which choosing to arrest for ABH would mean losing the opportunity to consider the offence of controlling or coercive behaviour. However, as above, this approach may allow the abuse to continue whilst the police and the victim gather evidence. The following quotation comes from an officer on the Emergency Response Team who previously described a case in which an assault gave rise to the disclosure of information about coercive controlling behaviour (see Chapter Four, Section III). A 24-hour custody limit and changing shift pattern meant this officer could not interview the suspect or follow up with the case directly. The officer explained,

> When we were talking to her about the assault, she was kind of disclosing more and more…We arrested him initially for assault because it gives us more time and leeway to then arrest later in the future for coercive control. But we can ask him all of the relevant questions in the interview anyway and then kind of deal with the coercive control in our own time…But yeah, I think they're still together. I don't think she managed to get out, which is heart-breaking, and we've never heard from her since (Interviewee 32a: PC on the Emergency Response Team).

In this example, the attending officers used their discretion to pursue an immediate outcome, suggesting that they were prioritising the initial safeguarding of a victim (see above discussion of an optimistic viewpoint). Ultimately, no charges were brought forward for the assault or overarching pattern of coercive control. Although unsuccessful from the standpoint of a criminal justice performance measure, this officer describes an intention to gather additional supporting evidence of coercive control, including during the interview surrounding the assault. It is not known why the victim has not contacted the police again. One explanation, supported by other officers and the domestic abuse literature (Walklate and Fitz-Gibbon 2019), is that a lack of ‘success’ or negative experience after contacting the police reduces confidence in the police response, disenfranchising the victim from the criminal justice system. However, another interviewee (30a) described success in using this technique to achieve a charge of coercive control in a case initially recorded as false imprisonment. This type of practice aligns with organisational guidance and allows freedom from resource constraints relating to time.

In addition to the time required for the police and criminal justice response to coercive control, many officers described the unique nature of coercive controlling behaviour and ongoing experience of fear relating to victims’ decisions to withdraw their statements. Illustrating this challenge in relation to officers’ interactions with victims, one officer described her recent experience saying:

> I had a feeling she would withdraw. Because, especially with coercive control, there’s that element of fear that’s attached with it, and the fear of consequences because they’ve been geared to think a certain way because of this person’s behaviour…And sometimes, especially when they know someone’s already in custody, it gives them a brief moment where they feel empowered enough to do it. But then in the long term, even with the safeguarding we put in place…It isn’t just sitting down and giving a statement, and there will be consequences to this…From previous experience they’ve given statements and withdrawn them, but that doesn’t change how we deal with because there’s always that chance this is going to be the time (Interviewee 31a: PC in the Criminal Investigation Department (CID)).

This officer said she took a five-hour statement from this victim, which included experiences of coercive controlling abuse and the impact this had on the victim's physical and mental well-being. Even with the officer's 'feeling' that the victim would withdraw the statement, rather than deeming the victim uncooperative and using discretion to adjust her practice accordingly, the officer held that the police never know when a victim will support prosecution. The officer acknowledges that removing a perpetrator into custody can be a moment of empowerment for victims. However, it may also become evident to victims that the criminal justice process brings long term consequences. This officer described going to court as a drawn-out process in which victims must continue to relive their experience of abuse.

Furthermore, based on the isolated 'bubble' created by a coercively controlling perpetrator, other officers also highlighted the possible loneliness victims experience when they remove the perpetrator. Moreover, similar to discussions about the legal process as coercive or abusive to victims (see Chapter One), several officers described the 'horrendous' and 'traumatic' experience of going to court, even where special measures are taken to minimise its effect on the victim. The above findings show how interactions with and perceptions of coercive control victims may influence officers' use of discretion to investigate and arrest a perpetrator.

Evidence-led prosecution of coercive control

The Introduction presented local and national outcome statistics relating to case disposal, which demonstrated a high number of cases of coercive control involving insufficient evidence, both with and without the complainant's (victim's) support. Additional chapters described the importance of a victim's statement and engagement with police in domestic abuse cases (see Hoyle 1998; Hoyle and Sanders 2000; Myhill 2019). In the case of coercive control, reports may or may not include evidence from witnesses or of visible physical injury. This possibility relates to the burden placed on victims of coercive control to support the criminal justice process (Stark and Hester 2019). Therefore, it was vital to ask officers about any experiences or perceptions of investigating cases of coercive control in which victims did not provide or withdrew their statements and did not support prosecution.

Most officers quickly replied that they had no experience pursuing coercive control without support from the victim and echoed concerns raised within the literature about the potential difficulty of proving a serious effect of abuse on a victim without the evidence from that individual (see Chapter One). However, there is some evidence of successful evidence-led prosecution of controlling or coercive behaviour in England and Wales (Barlow et al. 2019: 12). One officer described her previous experience pursuing an evidence-led prosecution in the case of a serious assault. She explained the potential unintended consequences of that decision, as well as why it may be necessary, stating that,

> Victim withdrawal, that's common place. [Evidence-led prosecution] It has been done, but it's not always successful. We pursued a victimless prosecution, we were successful, and she said, "I'll never ring the police again." She was assaulted very badly, but once the bruises had healed and the pain had gone, she withdrew, she lost faith in us…He assaulted her when she was carrying their young child and that behaviour is not acceptable, it must be dealt with. We have a duty to safeguard and support even if they do not want to pursue the case (Interviewee 15a: Senior-level strategic specialist, former detective in the DAIU).

Another officer described her recent experience of pursuing a similar investigation without victim support commenting:

> I did one [evidence-led prosecution] the other day. I'll look at the history of the victim and suspect. Their reasons why they don't want to support and maybe explore them a bit more. Victims that tell you what happened but then don't want to give a statement, it's like they want to do something but don't want to put pen to paper because of the repercussions…We'll take it to court, the suspect won't blame you for going ahead, and it'll bring some peace (Interviewee 30a: Detective in the DAIU).

In the first example, this officer's experience, although a 'successful' outcome according to organisational performance measures, was described as damaging the victim's confidence in the criminal justice system. This first quotation demonstrates an example of what was previously described as a victim's disenfranchisement from the criminal justice system (Walklate and Fitz-Gibbon 2019), which may occur through coerced participation (e.g., subpoena to testify; see Porter 2019) or taking a case forward without the victim's support. Other officers also expressed that one of their fears about pursuing a case without support is that the victim would no longer reach out to the police for help when experiencing further abuse.

In contrast, the officer in the second example considered evidence-led prosecution as releasing the victim from blame by the perpetrator and associated 'repercussions' or risk of harm. The first quotation also described an officer's responsibility to safeguard that victim and her child from further harm. This second excerpt suggests that the officers (and CPS prosecutors) involved in the case perceived a prosecution to be in the interest of the victims and their families. These accounts support the officers' decision-making as influenced by a duty of care to the victim (optimistic view) rather than based on performance measures or taking a path of least resistance (pessimistic view). Overall, most officers spoke about their ability and responsibility to exercise discretion based on the assessed risk of harm to the victim. This safeguarding responsibility holds real-world consequences, particularly when the perpetrator losing 'control' over the victim through criminal justice involvement (or separation) could be associated with an escalation of coercive controlling behaviour and associated risk of harm.

Use of a protection order: The DVPN/O

In lieu of an arrest, investigation, and criminal prosecution, police officers are also able to utilise Domestic Violence Prevention Orders (DVPO)[44] (see references in Introduction and Chapters One and Two). The following discussion describes how officers may utilise their discretion to pursue safeguarding measures outside of the criminal justice system and provides an example of the potential influence of officers' interactions with their colleagues. To provide additional background, one officer detailed the use of this order by police, saying:

> It's a police-based order. It's not linked to coercive control, but the use or the threat of violence…If the police are investigating a crime, we would not seek a DVPN because you can't do the two things at the same time. It's only when the investigation has concluded that the DVPN becomes an option…When we think there is a need for it given the risk to the victim (Interviewee 23a: Detective in the DAIU).

The first piece of essential information from this officer's description is that the police apply for the DVPN instead of requiring a criminal conviction or initiative by the victim (e.g., restraining order, non-molestation order). Second, the police cannot pursue this order until they conclude the investigation, and the case disposal outcome is to take no further action. Furthermore, the risk to

[44] The DVPO will become a Domestic Abuse Protection Order, which involves different processes, regulations, and powers, as listed in the *Domestic Abuse Act 2021*.

the victim, defined by threat or use of violence, determines the use of a DVPN, not necessarily a pattern of coercive controlling behaviour. It is also important to note that other officers also expressed some concern about the efficacy of these orders based on the time limit (28 days) and lack of surveillance or follow up to identify a breach of orders. Nevertheless, even with the identified limitations of the DVPN/O,[45] several officers described using this order as a potential alternative safeguarding measure when it is not possible to achieve a charge for a criminal offence, such as controlling or coercive behaviour.

The following excerpt describes an officer's experience pursuing DVPNs and how she works with other officers to use them. The officer explained that in her force:

> My main role is to kind of give advice and guidance…If they know that I'm on duty, or I'm sat next to them, or sometimes I'll even look to see who is in custody. I'll go to the officer and ask, "what are you doing about this person"? I will ask them if they are considering a DVPN, give them advice…I will either go to court or make sure there is a representative there as well as legal services and make sure the victim knows if it's gone ahead…I had one last week where the suspect turned up and said victim doesn't want to go ahead…I made some calls and spoke to the victim. In the end I decided to pull the plug because I was satisfied it wouldn't make any difference in the victim's life and the risk had actually reduced (Interviewee 27a: PC on the Problem Solving Team).

The above quotation demonstrates active interaction with other officers, and victims and perpetrators of abuse. For instance, the above officer not only advises her colleagues when asked but also takes the initiative to seek out opportunities to support them. In line with official guidance (College of Policing 2015/2022), this PC also states that if an officer suspects a case will receive no further action, then the officer should consider a possible use of a DVPN/O. In the example

[45] Also, note that the *Domestic Abuse Act 2021 attempts to address* some potential efficacy challenges in developing the DAPO.

mentioned above, a potential coercive controlling behaviour (suspect turning up at court to say the victim no longer wanted to pursue a protection order) led the officer to speak to the victim directly before making an operational decision. In this case, the officer based her decision on a perceived lack of impact on 'the victim's life' and associated reduction in risk.

Additionally, this officer explained she was 'confident and comfortable' managing risk due to her specialist training. As in the above quotation, this meant not only knowing about the order and when to use it but also when a DVPN/O could be ineffective or even harmful. In contrast, she mentioned that other colleagues were not as confident in choosing whether or not to pursue this order because of the potential consequences. These consequences include the personal and professional repercussions if the victim should be seriously harmed or killed after an officer chose not to pursue a DVPN in that case. This perception of risk would support an 'overuse' of the DVPN, even in cases where it may not reduce the victim's risk (or may increase it).

The other possibility is a general underutilisation whereby the risks were not correctly identified and considered. The potential for a developed 'risk aversion' (Robinson and Howarth 2012) was raised in Chapter One (Section IV). For example, where coercive controlling behaviours are not identified or understood by police officers, the pattern of abuse could be marginalised in the risk assessment process, thereby dismissing concern for protective measures once the case receives an NFA outcome.

This officer's practice has implications related to organisational resources. Her work on DVPN/Os was completed in addition to her primary role, inducing additional demands on her time. This officer's supervisor designated her this unofficial 'advisor' role, noting her success in achieving DVPN/Os. This PC explained that she wanted to help her colleagues but lacked the capacity to file all the orders, noting that 'they should learn how to apply for them on their own.' This interview was not the only one to mention using protective orders, including the DVPN/O. However, it provides a relevant practice example that aligns with organisational guidance, demonstrates the potential influence of interpersonal interactions through the initiative to provide informal advising of internal police colleagues, and considers perceived risk to the victim.

III. Experienced abuse and interactions with officers: Emerging themes from case file analysis

Victim experiences of coercive control

The analysis of anonymised case files highlighted victims' experiences of coercive controlling behaviour and the influence of their interactions with police officers. Descriptions of coercive controlling behaviour within victims' and witnesses' statements related to previously identified conceptualisations of coercive control and officer understanding expressed during interviews. For instance, the following excerpt demonstrates one victim's mental and physical experience of coercive control. The victim's statement described her experience, stating:

> I don't feel safe around him…I feel very isolated…must obey him…shouting and swearing… tell me he didn't want to see me…push me 2-3 times a week…I thought maybe he was frustrated and if I gave him love and respect things would get better, but it never did and only got worse…suffering…Can't eat or sleep (Case #4).

This quotation illustrates a feeling of isolation, being unsafe, and changes to everyday behaviour (eating, sleeping) that correspond to aspects of coercive control detailed in Chapters One and Four.

The belief expressed by this victim about changing her behaviour with the hope that the abuse would stop exemplifies how a victim could potentially blame themselves for the abusive behaviour of the perpetrator (Stark 2007; Williamson 2010). The case file contained witness statements from the victim's cousin and aunt, including additional information about the suspect's behaviour and how they perceived this to have impacted the victim. Although the case was dismissed in court (see Appendix II), the case file mentioned the victim's referral to Women's Aid and mental health services. Whilst this information on partnership working was not included in all analysed case files, it provides an example of how other agencies can provide support where the criminal justice outcome is 'unsuccessful' (see Chapters Six and Seven).

The following excerpt builds upon the earlier discussion about how officers may perceive a victim's decision not to engage with the criminal justice system, and the importance of officer judgements surrounding interpersonal interactions between a victim and suspect. The quotation was taken from an officer's statement in lieu of a statement from the victim. The case file described the suspect taking the victim's keys to prevent her from leaving for work and then assaulting her when she tried to retrieve them. This assault occurred in the presence of their young son. The officer in charge of the case wrote that,

> She minimised the incident from the day before and refused to engage with officers. This may have been exacerbated by the fact that [blank] was being obstructive…[Blank] is very controlling…smashed up her phone when she refused to give him her pin number…He is constantly verbally abusive. [Blank] displayed controlling behaviour by not allowing the police to speak with her privately. I believe she is afraid of [blank] and of the repercussions reporting him would have on her…Potential to cause serious harm but is unlikely to do so unless there is a change in circumstances (Case #11).

As described in Chapters One and Two, the first sentence within this excerpt explains the victim minimising the abuse, which the officer later identified as a possible safeguarding technique or influenced by the pattern of coercive controlling behaviour. In addition, the officer used the language of 'refusal' regarding engagement by the victim in this particular 'incident' (see references to 'incidentalism' of the police), which could signify potential frustration with the victim's decision not to support a prosecution. However, the officer also appeared to recognise the potential influence of the suspect's abuse on the victim's behaviour and decision-making. Therefore, this officer attributed the victim's actions to her fear of the abuser and the consequences of pursuing a criminal justice outcome.

In this way, the officer acknowledged the impact of the abuse by considering the victim's actions as a type of coping mechanism and safety measure. Moreover, as identified within previous literature (e.g., Hoyle 1998), the police chose to support the victim's decision by not taking any further action (the outcome disposal for Case #11 was NFA). The 'incident' was assessed as medium-risk. Based on the final sentence, the officer might have perceived a decision to take further action as increasing the victim's risk of 'serious harm' rather than reducing it (see Chapter Four, optimistic viewpoint).

Role of separation

Moving from an overarching description of experienced abuse, the rest of this section considers specific themes raised within the analysis of anonymised case files. One such theme was the victim's desire or attempt to separate. In fact, six of the 13 victim statements mention wanting to, or already having, separate(d) from the abuser. This theme is particularly notable since the (perceived, attempted, or actual) separation of a victim from a perpetrator is considered a prominent risk factor for domestic homicide (see Chapter One; Campbell et al. 2007; Dobash and Dobash 2016). Additionally, as described earlier in this chapter, police officers often considered separation to lower a victim's risk of abuse. Beginning with an example of a victim's desire to separate from a perpetrator, one victim's statement read: 'It's like dating Jekyll and Hyde…I just want safety and leaving alone. I fear if he finds me, he will hurt me or take my child out of spite' (Case #2). In addition to separation, this victim's statement brings attention to the idea of someone acting differently in public compared to when they are at home alone, the fear induced by coercive control, and how threats relating to children can be a tactic of control (see Chapter One).

Similar to descriptions within Case #7 (see Chapter Four), another victim's statement included that she 'tried three or four times to separate,' whilst he (the suspect) continued to constantly contact her, track her, and accuse her of having affairs (Case #8). This example supports Myhill's (2015) finding that domestic abuse involving a pattern of coercive controlling behaviour was more likely to continue after separation and termination of a relationship compared to 'situational violence' (see Chapter One). Moreover, similar to the example of minimisation presented earlier in this section, the officer's statement noted that the victim is 'not frightened because she has become accustomed to his behaviour.' This minimisation led the officer to assert a higher risk assessment than the victim's self-report.

Furthermore, from a legislative perspective, victims of coercive control might be expected, or required, to be fearful according to points to prove the offence of controlling or coercive behaviour (Tolmie 2018; *Serious Crime Act 2015* c. 6, part 5, ss. 76, see Appendix I). Therefore, the case could be undermined without this officer's clarifying statement by a minimising comment that appeared to reduce evidence of the abuse's 'serious effect' on the victim. Notably, both cases (#7, #8) received convictions of coercive control.

Non-fatal strangulation as a tactic of control

Stark's (2007) conceptualisation considers (threats of) physical violence as a tactic used to develop and maintain control over a victim (see Chapter One). Non-fatal strangulation is one form of physical violence which is associated with coercive control and later risk of domestic homicide (and potentially suicide by a victim) that may not always be visible, identified and responded to by the criminal justice system (Bates et al. 2021; Dobash and Dobash 2015; Douglas and Fitzgerald 2020; Matias et al. 2020; Pitchard 2017; Stansfield and Williams 2018; Thomas et al. 2014).

In this thesis, although no case files used the term 'non-fatal strangulation,' six of the 13 analysed case files mention the victim being choked, strangled, or (almost) passing out after the suspect had their hands around their neck. For instance, a witness statement from case #4 mentioned 'the incident where [blank] grabbed her tightly until she blacked out.' Although it was not always clear from the case file, some victims appeared to contact the police shortly after, or as a result of, the episode of non-fatal strangulation. This finding was also present in those cases where the victim's statement described a long history of coercive controlling behaviour prior to contacting the police for help. This evidence supports officers' self-described perception that victims of coercive control often call the police following 'incidents' of serious physical violence or at a particular 'crisis' point (see Chapter Four) rather than initially reporting a pattern of coercive control.

Similarly, one of the victims described the fear induced by experiencing non-fatal strangulation and associated motivation for reporting the broader pattern of abuse, saying:

> I was scared of him and his reaction…pictures show the purple spots and marks around my eyes afterwards…I want a restraining order and no further contact (Case #5).

The victim in case #5 was a university student, and the statements from her friends and housemates identified the suspect's controlling behaviour, threats of suicide, and the victim's change in behaviour whilst dating and then after separating from the suspect. With one short line in the excerpt above, this victim clearly expressed an intention to prevent any contact between herself and her ex-partner. Regarding 'physical' evidence, this victim described the marks around her eyes, which resulted from non-fatal strangulation that caused her to lose consciousness.

This excerpt was drawn from within a detailed description of the victim being 'choked' during sexual intercourse. The victim explained that she and her ex-partner never spoke about using violence during sex and that she never consented to that behaviour, a claim the suspect made during his interview with the police. This example supports the use of physical and sexual violence within a pattern of coercive controlling behaviour and the previously described potential for 'rough sex' to be reconceptualised through an understanding of coercive control (see Chapter One; Bows and Herring 2020; Wiener 2022). The suspect was found not guilty of coercive control, received a conditional discharge for criminal damage to the victim's home due to his guilty plea, and appeared to have received mental health treatment. However, the judge denied the restraining order, and it is unclear what support was provided to the victim after this time or whether any additional charges were brought forward.

Another example of a reference to non-fatal strangulation came from a case which included a statement from the victim that documented controlling behaviour and a recent assault. In this case (#9), the suspect was alleged to control the victim's interactions with friends and family, monitor her phone calls, and financially abuse, degrade, and assault her. Most descriptions of abusive behaviour revolved around the victim's contact with her son, to whom the suspect was not related. The excerpt below details the suspect intentionally breaking both his and the victim's phone to prevent the victim from contacting anyone. This description is followed by the victim's disclosure that she was previously 'grabbed' by the throat, expressing fear of what the suspect might do next.

> After throwing the phones he had a face like thunder, like he could kill. I was really scared at this point… I was crying because I knew I then had no way of contacting anyone. I couldn't phone the police and I don't know anyone nearby to go to for help…. Three weekends ago he also grabbed me around the throat, which hurt at the time and left red marks. This was when we were again discussing my son. I'm petrified of him (Case #9).

Expressing evidence of the fear associated with experiencing coercive control (see Chapters One and Four), this victim stated that she was 'petrified' of the suspect, whom she described as having a 'face like thunder' when the abuse occurred. Throughout her statement, the victim detailed her belief that he could kill her, her son, or her family, experiencing what the attending officers labelled a 'credible threat.' This description also matches Stark's (2007, 2020) conceptualisation whereby perpetrators use physical and sexual violence to introduce a credible threat of harm ('or else' proviso) that facilitates ongoing fear and control of a victim.

Whilst I did not directly observe the attending officers, the length and detail within the victim statement and comments around the interview with the suspect provide some insight into their interactions with both parties. For instance, the case file (#9) included that the officer who interviewed the suspect said he had the 'classic signs of being a DV abuser.' This comment related to the suspect's claims that the victim fell down the stairs, has a drinking problem, is mentally unstable, and that she had been aggressive with him due to these problems. The suspect also claimed he had to 'help her think straight' and accused her of flirting with other men, demonstrating signs of coercive controlling behaviour. Attending officers reportedly perceived these statements and counter-allegations as attempts of manipulation, supporting the possibility that increased awareness of coercive control could reduce the risk of perpetrators being able to manipulate police officers and other practitioners (see Chapters One and Two).

In this case (#9), the suspect had a police-recorded history of domestic abuse associated with previous partners, including assault, harassment, and previously alleged attempted strangulation, most of which did not receive further action or resulted in a caution. In support of concerns about the criminal justice response to coercive control, this history demonstrates a pattern of abusive behaviour which had not resulted in prosecution and conviction. Furthermore, this case (#9) was dismissed in court. However, the case file provides evidence of officers' concerns for the victim's safety, time dedicated to taking a complete statement, resisting the suspects' manipulative tactics, and following up with claims of controlling behaviour. The six identified cases demonstrate the use of non-fatal strangulation within a broader pattern of coercive controlling behaviour. The above examples provide further insight into victims' experiences and associated perceptions of police officers involved in the case.

Familial coercive control

Finally, although the vast majority of police officers focused on cases between intimate partners during interviews, a few officers also provided examples of coercive control that involved abuse between other family members, including (adult) children and their parents or grandparents.[46] For instance, one officer said:

> Some of the cases that I've seen have actually been about family members…Effectively parental or fatherly coercive control rather than intimate partner… The father exercises some kind of paternalistic, almost patriarchal role in the family. I am not sure that was necessarily anticipated or foreseen in the legislation…The case we had, he pled guilty and the family didn't want the outcome. They just wanted him to be a better dad, or a less unreasonable dad (Interviewee 23a: Detective in the DAIU).

In the above quotation, the victims wanted to stop the use of coercive controlling behaviour but did not necessarily support the criminal outcome. This example overlaps with officer perceptions and previous literature about the potential influence of the 'domestic' and personal context of coercive control (see Chapter One). As discussed earlier in this chapter, the expressed dilemma about the family's reaction returns to questions about whether the officers use their discretion to support the victims' expressed wishes and close the case or continue pursuing their investigation. Again, an evidence-led prosecution risks disenfranchising the victim(s) from the criminal justice system (see also Chapter One).

The officer also commented that he is not sure the legislation was intended to be used in cases of a parent controlling a child. Although the legislation includes both intimate partners and family

[46] See Miles and Condry (2014) for research on the police response to adolescent to parent violence.

members, the victim would need to be 16 years of age or older for the offence to apply (*Serious Crime Act 2015*, c. 9, part 5, ss. 76). Other officers also described experiences handling cases of adult children or grandchildren who financially controlled their parents or grandparents. Additionally, most academic literature around coercive control also describes abuse between intimate partners, such as Stark's (2007) conceptualisation. Where the literature discusses controlling behaviour as occurring between family members, it is often within the context of so-called 'honour-based' violence and abuse (e.g., Mayeda et al. 2019).

The mention of patriarchal control by a father in the above excerpt is similar to one of the case files analysed in this thesis. Specifically, in Case #3, the father (perpetrator) was reported to have accused his daughter of shaming him by ruining his reputation, threatened to kill his wife and children, and physically assaulted them. The daughter audio-recorded his 'chilling, cold' verbal abuse, which was played in court as evidence, and described herself as 'petrified' of him. The case file also noted that the attending officers found it difficult for the victims to provide the specific dates of abuse. This description also supports a generalised, ongoing pattern of abusive behaviour as presenting a challenge for an incident-focused criminal justice system (see Chapter Two).

Although the common assaults against the suspect's wife and daughter were 'historic'[47] and could not be prosecuted, the father was found guilty of two counts of controlling or coercive behaviour and received a 24-month suspended sentence. Due to the anonymity of the case files, it is unknown whether the case referenced in the above quotation is that which was recorded in the case file (#3).

[47] Note that there was a six-month limit on reporting of a common assault at the time of research, which is set to extend to two years within the *Police, Crime, Sentencing and Courts Bill* (Ministry of Justice 2022).

However, both examples illustrate how coercive control may be applied to relationships between family members as well as intimate partners.

IV. Victim-blaming and domestic abuse 'compassion fatigue': Overcoming challenges

Victim-blaming: Observed police response to domestic abuse in the presence of children

As in the theoretical framework, police officers' perceptions of victims of coercive control can influence the officers' response to this form of abuse and present barriers to practice. Furthermore, nearly all emergency responses, particularly those related to domestic abuse, involve interactions with more than one individual. Whether that be both the victim and perpetrator or includes other friends and family members. During the ride-alongs I observed an average of one response to a report of domestic abuse per shift (7 total).[48] Children under the age of 16 were present in the home during the police response in three of these callouts. Typically, one officer would speak with the children, or another family member would watch the children whilst the victim and perpetrator were interviewed privately by one or more officers. This specific observation differed from others as the response involved four officers (rather than two) based on their proximity to and previous

[48] Several other members of the Emergency Response Team concurrently responded to reports, some of which may have involved domestic abuse but could not be observed. Therefore, there will have been more than seven incidents or crimes in the local area during the week of observation. Additionally, not all reports related to a crime in progress, as I also observed responses to recent 'historic' reports. Finally, not all domestic abuse-related incidents involved coercive controlling behaviour.

experience with the household. Another difference during this observation was that the children were present as officers spoke to the victim and suspect.

Two officers spoke to the suspect and his older son (from a previous relationship), whilst I observed the two other officers speaking to the victim in another room where two young children were also present. Before reaching the address, the attending officers informed me that they frequently attended this address due to domestic abuse between the victim and suspect. They also said there were (counter) allegations made against both parties. In most prior callouts, the officers assessed the female partner as the 'primary' victim. However, she had not previously provided any formal statements or otherwise engaged with the criminal justice process.

One of the two officers I observed spoke to the victim about the number of times they had attended the address and their concern for her safety and that of her children. As in previous reports, the victim declined to provide a statement in support of prosecution. Following this, another officer commented that if the victim did not act to protect her children, someone would take them away from her. This officer then pointed toward the children sitting on the couch, who were now crying, telling the victim to look at them and see how much this abuse was hurting them. As described later, although officers recognise the children as victims, using the threat of their removal as a tactic to induce the victim's cooperation could also be considered coercion perpetrated by the state.

After this discussion, officers asked where the victim might be able to stay overnight in an attempt to separate the two parties in lieu of the ability to make an arrest without a formal statement. Soon after safeguarding measures were agreed upon, both teams of officers left to respond to their next call. This observation did not specifically involve indications of coercive controlling behaviour. However, it does demonstrate the potential frustration experienced and expressed by officers towards victims whose addresses they respond to regularly without (civil, criminal, or other) resolution. This outcome may result in officers blaming the victim for 'staying' in a relationship or the home with a perpetrator and associated questions about 'why doesn't she/he leave'? (e.g., problematic 'interpretive schema' Quilter 2011; see also Hoyle and Sanders 2000; Loftus 2009; Tolmie 2018).

Perceptions of domestic abuse: fatigue-inducing and 'grief-y'

It is necessary to consider the potential development of victim-blaming attitudes and officer perspectives on how the context of domestic abuse and coercive control may impact associated police responses. For example, an operational supervisor in the DAIU described first responders as experiencing domestic abuse 'fatigue' whereby they no longer want to respond to domestic abuse-related callouts. He added that this was associated with the high demand in this local area, citing 25 to 30 'domestic incidents' occurring in a typical 24-hour period (Interviewee 33a). This officer described that,

> We try to make it [domestic abuse] really, really important. But they're going to jobs over and over again without seeing that they're making a difference. You go to an assault, you see a victim with an injury, and you've got a perpetrator…we'll arrest the perpetrator, do an investigation, and do our best to get a charge. It's the stuff underneath that which is quite difficult, when it hasn't got to that point yet that they get called to time and time again, which is the challenging bit (Interviewee 33a: Senior-level operational supervisor in the DAIU).

The above discussion arose from a conversation about domestic homicide prevention and the challenges of police response to coercive control. This quotation returns to coercive controlling behaviour when considered as isolated incidents being more challenging to respond to and needing more corroboration than a physical assault (see Chapters One, Two and Four). Additionally, using the language of ‘hasn’t got to that point’ also suggests an escalation from lower level (what the officer later called ‘bog standard’) incidents up through to assault and later homicide that could also reinforce a ‘hierarchy of harm’ (Bishop 2016). The impact of this ‘compassion fatigue’ on officer responses to victims of domestic abuse, including coercive control, is noteworthy. Furthermore, this concept of domestic abuse ‘fatigue’ is similar to the general description of the cynicism and pessimism that characterise police culture, particularly for those who have spent significant time on the job (Logan 2006; Reiner 2010; Robinson and Chandek 2000).

Earlier discussion about police culture acknowledged some positive developments (see Section II). However, the frustration described here recognises ongoing potential challenges for the police to identify a pattern of coercive controlling behaviour. This frustration was associated with police contact, involving numerous responses to ‘low level’ or verbal incidents. Relevant to the role of a manager in shaping the exercise of discretion by frontline officers (SLBs; see Chapter Two; Evans 2011), this operational supervisor considered how senior officers could motivate frontline officers’ continued attendance and appropriate response to coercive control. He explained that the officers consistently feel they are unable to make a ‘difference’ or stop the abuse. Other officers also described a similar experience and sense of frustration, which could facilitate the development of victim-blaming attitudes. Chapter Seven provides additional analysis from the perspective of multi-agency partners around the potential for victim-blaming attitudes to influence practitioner behaviour.

Notably, turning to the perspective of a PC on the Problem Solving Team, her response exemplified defiance of several potential stereotypes or assumptions about poor police responses to and understanding of coercive control. As a 'Domestic Abuse Champion' trained by a local specialist charity organisation, this officer had received several additional days of input on domestic abuse, which included a focus on coercive controlling behaviour.[49] However, whilst providing her perspective on effective for victim engagement, she also described how other police officers might conceive of, or respond to, coercive control. She explained:

> Not a lot of officers like domestic incidents because they're seen as grief-y, but I don't mind them…I think one of the worst things you can say to someone is, "Leave them, just leave. Why haven't you left yet?"…It's more about educating people about control. Like, how does this person make you feel? I use this analogy of drains and radiators. Do they drain you of your time and energy, or do they radiate you and make you feel good about yourself?…I'd rather people report it and get back with them than never to report it at all…The officers doing their duty statements when they are there need to ask themselves, what can you see? You are basically the victim's voice…What you saw, how the victim acted, and use your personal opinion. We're very much about fact in the police and we need to be a bit more honest about what we see and what we feel about something…like, there's something not right here (Interviewee 27a: PC on the Problem Solving Team).

This quotation presents several points of interest regarding the interaction between a victim of coercive control and a police officer. The first is a description of some officers thinking that responding to domestic abuse reports is 'grief-y,' meaning they often consider them difficult and time-consuming. The officer also mentioned the problem of practitioners, family, friends, or others asking a victim of abuse why they have not left the perpetrator, which suggests victim-blaming and overlaps with earlier discussions (see above, also Chapter Two). Additionally, she explained

[49] Whilst both training programmes discuss coercive controlling behaviour, the Domestic Abuse Champions training is not related to the Domestic Abuse Matters training now delivered to all staff and officers in the local force area.

her preference for victims to report the abuse to the police even if they do not leave the relationship rather than not contacting the police at all.

Furthermore, the above PC proposed an example of an alternative method of interacting with victims, which is to focus on the victims' feelings about the perpetrator and help the victim understand and identify coercive controlling behaviour. Finally, she suggested that police officers use their statements to describe what they observed (e.g., the victim and perpetrator's behaviour) and include their own opinion about what does not feel 'right' about the situation. Whist the above officer is aware that the law is about 'facts,' she contends that many other officers might not consider including their observations about behaviour and demeanour in a duty statement or the potential necessity of that information to help prove an offence like coercive control. Within this quotation, she acknowledged an existing organisational culture around domestic abuse and coercive control as intractable, using her knowledge to dismantle those attitudes and beliefs and act as a 'champion' by suggesting a change in practice. As indicated earlier, the rest of this section considers additional strategies used by officers attempting to overcome presented challenges.

Overcoming challenges: Use of body worn camera footage and successful victim engagement

During interviews, where officers identified challenges to the police response to coercive control, they also described (or were asked about) any potential solutions or successful strategies. The above comment about frontline officers as a source of evidence and the 'voice' of the victim also relates to the earlier discussion about 'res gestae' evidence (see Chapter Four, Section III) and the use of body-worn camera footage. The following excerpt considers how this evidence source might alleviate 'pressure' from the victim to testify during the court process. One senior officer described:

> If they [victims] have been prepared properly for court, and they understand what to expect, they will be a lot less nervous. But you can't always put across to the court how they were at that time. Victims don't always come across fantastically well, and that's not their fault. It's just some people deal with court better than others …. [body worn] is massively impactive. So, that has the potential to have a really positive impact and take some pressure off the victim (Interviewee 17a: Senior-level strategic specialist).

At the time of the interview, this officer had a strategic role but previously held an operational role and delivered training to recruits, providing him with a wide-ranging perspective. The above statement came from a broader conversation about previous experience interacting with victims throughout the criminal justice process. In this quotation, the officer explained a need to work with a victim to prepare them for court by setting expectations to reduce any nerves, with the possible concern about how that victim will be perceived. Other officers also described the jury or judge's perception of a victim as relevant to their decision in that case. This finding relates to the idea of a stereotype, misconception or preconceived notion of how a typical victim of domestic abuse might behave, and the possibility that a victim who no longer appears to be 'controlled' would not be believed when presenting a statement at court (see Chapter Two). In this case, the officer proposed that body-worn camera footage could be a beneficial alternative source of evidence due to its impact when presented in court and associated means of alleviating pressure on the victim to engage with the criminal justice process.

The final part of this section uses the example of an interview with an officer who achieved a conviction for controlling or coercive behaviour to consider how other officers might overcome some of the challenges relating to victim engagement. Although the exact details of this case are not divulged to protect the officer's anonymity, the response she provided when asked about her interactions with victims of coercive control provides insight into potential successful strategies. This officer did not claim to know what factors led to the convictions for controlling or coercive behaviour, saying she was 'just in the right place at the right time.' However, she described that she,

> Had a really good relationship with her [the victim]. And I think she trusted me because I am very honest with victims, and I kind of try and manage their expectations from the outset…What she needed was some actual time to process and to leave the relationship properly…He'd caused a profound effect on her life, and now she was quite defiant and wanted to tell someone then. (Interviewee 35a: Detective in the DAIU).

The force deemed this conviction a 'success story' and shared it with other officers to promote promising practice. This officer described the victim as previously reporting abuse but never chose to provide a statement. She credited the eventual conviction with her work building up a rapport and trust between herself and the victim long before the victim chose to support the prosecution. The above excerpt identified her general strategy as being honest with victims about the challenges involved in the criminal justice process and managing their expectations accordingly.

Regarding the successful conviction for controlling or coercive behaviour, this officer also attributed the victim's decision to support the case to the prolonged absence of the perpetrator, who was convicted of another crime and placed on remand. The officer explained that, typically, the victim and perpetrator would have a maximum of 24 hours apart if he was arrested. However, on this occasion, his conviction for another offence allowed the victim more space and time apart from the perpetrator to end the relationship (see Section I), which led the victim to share the 'profound effect' he had on her everyday life. Overall, the above example demonstrated the importance of patience, expectation setting, and rapport development to induce trust as crucial for victim engagement to aid prosecution and conviction for the coercive control offence.

Conclusion

Chapter Five built upon the findings around a potential conflict between using the coercive control legislation, and safeguarding responsibilities, specifically how this relates to officers' interactions with and engagement of victims. Again highlighting a societally-engrained hierarchy of harm, the analysis demonstrated how cases of coercive control often come to the attention of police following reports of physical violence. Supporting theorised concerns, officers identified the uniquely 'personal' nature of the crime, manipulation by perpetrators, and the possibility of victims minimising abuse as necessitating additional time and resources to uncover coercive controlling behaviour. Officers also described the conditions of coercive control as preventing or dissuading victims from engaging in the criminal justice process. More than the officer's expended time, a perception that the longer it takes to secure an outcome, the less likely a victim is to remain engaged, the coercive control legislation is placed at a disadvantage compared to 'simpler' and 'quicker' offences, like assault.

Furthermore, an organisational perception of domestic abuse as 'grief-y,' alongside observed 'compassion fatigue' experienced by officers, was described as resulting in victim-blaming attitudes that can influence practice, including via their interactions with colleagues. However, supporting the influence of training and on-the-job experience, two officers demonstrated how rapport building could help overcome victim engagement challenges. Additionally, officers' use of discretion to pursue protective orders and mixed views about utilising evidence-led prosecution in cases of coercive control further illustrated how safeguarding responsibilities, combined with perceived evidential challenges, facilitate officers' use of alternative measures. These findings develop an understanding of why officers may utilise their discretion not to utilise the legislative intervention in favour of established working practice.

Chapter Six – Partnership working in response to coercive control: Police Perspectives

Introduction

From interrogating the overall police response to the coercive control legislation, and how their interactions with 'service users' and internal colleagues influence this response, Chapter Six turns to officers' working relationship with their multi-agency partners. As in the theoretical framework, the police aim to work in partnership with agencies such as (mental) health, social care, probation, the CPS, housing, drug and alcohol misuse services, specialist domestic abuse services, and local authority councils within a 'Coordinated Community Response' (CCR) to domestic abuse. Therefore, consideration of multi-agency practice is another means by which to examine how the law is interpreted and translated into practice. The analysis illustrates the benefits and challenges of multi-agency working from the perspective of police officers, including how partners may ameliorate or reinforce identified barriers to practice, particularly those around evidencing the offence and engaging victims of coercive control.

I. Police working relationship with the CPS

With shared responsibility for the criminal justice response, one crucial partner for the police response to coercive control is the Crown Prosecution Service (CPS). The police present a case to the CPS for a charging decision, and the actions of both organisations determine the potential outcome of that case. This first section examines the potential influence of differences in organisational responsibilities, goals, or priorities between the police and the CPS (see the theoretical framework in Chapter Two). Additionally, this section provides additional support for the challenges of evidencing coercive control (i.e., 'evidential difficulties') and highlights officers' mixed experiences and perceptions of working with the CPS.

Importantly, officer experience of, and responsibility for, working with multi-agency partners tends to be more limited for Police Constables (PCs) as compared to those of higher rank, and increases with specialisation (e.g., Emergency Response Team versus Domestic Abuse Investigation Unit (DAIU)). Thus, it is necessary to consider the perspective of frontline officers and those in more specialised and senior roles. As described in previous chapters, although not all interviewed police officers and partner agency professionals would be considered SLBs because they do not work at the lowest hierarchical level (Lipsky 1980, 2010), all interviewees are involved in the process of interpreting and translating legislation from the 'state' to the 'street.' Moreover, those with an operational role often interact directly with the public using a similarly high level of imbued discretion to act as they see fit.

All interviews with police officers acknowledged their role in evidence gathering and investigation of an offence and the impact of police work on the CPS decision of whether or not to charge and prosecute that case. An understanding of the police response to this pattern of abuse must not only consider their independent role in identifying, evidencing, and investigating coercive control, but also how they work with the CPS throughout the legal process. When asked about the police relationship with the CPS, most frontline emergency response officers said they would provide written statements but not regularly attend court or interact with prosecutors. Instead, they indicated that Detectives, Evidence Review Officers (EROs), and Sergeants interact with the CPS directly. Therefore, excerpts utilised in this section come from interviews with those officers who described their interactions with the CPS or in the court process. Although it was not possible to interview CPS prosecutors, police officer responses and previous discussions of charging decisions within case files (see Chapter Four) begin to form a picture of the CPS based upon their interactions with police and the officers' perceptions of this process.

Competing organisational aims: How police officers make sense of CPS charging decisions

A general theme that emerged across discussions about the relationship between the CPS and the police was how a difference in performance measurement could create competing goals, resulting in expressed disappointment or aggravation. For example, whereas the police may aim to achieve a charge for the offence they are investigating, the CPS (2018b) aim to charge those cases that they believe have a 'reasonable prospect of conviction.' Thus, depending on the CPS assessment of the case developed by the police, these goals may not always align. Therefore, whilst police officers may use performance measures involving the numbers of recorded crimes or arrest and charge rates for a particular crime, officers also recognised that the CPS performance measures would focus on achieving successful prosecutions and convictions.

Examined through the lens of the theoretical framework developed in Chapter Two, findings from officer interviews demonstrate the potential influence of different organisational priorities that present barriers to police officers' translation of the coercive control law into practice (Edwards

2010; Lipsky 1980, 2010; Zacka 2017). Several interviews acknowledged these competing aims as a point of tension, holding practical implications. For instance, during a discussion about crime recording and the possibility and process of charging more than one offence (e.g., coercive control and ABH), one officer responded that,

> You can charge more than one, but that's a CPS decision. That is down to CPS to authorise that. How we record crime is very different to what is charged, and what we take to CPS, and what goes to court. They are very separate things because CPS has their own charging standards (Interviewee 12a: Senior-level operational specialist in the DAIU).

The above excerpt identifies general differences between how a crime is recorded, whether or not that crime receives a charge, and the decision to proceed with a prosecution. This particular officer identified points of potential tension as arising from the 'charging standards' of the CPS, which the officer describes as separate from those that the police use during crime recording. In this way, the officer made clear that even if the police wanted to record coercive control and another offence jointly, the police do not have the authority to dictate what charges are brought forward to court. Later discussions specific to the CPS evidential threshold expand upon this policy and practice experience.

Relatedly, another theme which emerged from police interviews about their partnership with the CPS was the lingering question of what would be considered a strong case for the offence of controlling or coercive behaviour. For instance, one officer highlighted how the introduction of the new legislation brings with it a need to try and learn how the CPS may respond, saying:

> Speaking as someone with ten plus years of experience, I pretty much know what CPS are going to say, not much comes as a surprise…Until we get use to what will and won't be charged, there's a little bit of, what will or won't stick? …We don't know what's enough and what isn't quite enough, so I guess it's just about having a go I suppose (Interviewee 18a: Detective in the DAIU).

The officer attributed his years of experience to his overall understanding of what cases would or would not receive a charge from the CPS. Note that the role of on-the-job experience was also previously identified as important, potentially even more so than training, to the development of officers' understanding of coercive control (see Chapter Four). For example, the above officer expressed some uncertainty about what evidence might be required to charge a case of coercive control but was willing to put cases forward by simply 'having a go.' Later in the interview, this officer also mentioned an 'appeal' process, which police can undertake if they feel there was, in fact, enough evidence for a charge and prosecution for the offence.

Similarly, in an interview attended jointly by two PCs,[50] they described encouraging other officers to challenge CPS decisions not to charge cases involving coercive controlling behaviour (Interviewees 21a and 22a: PCs on the Problem Solving Team). Their initiative was then met by the knowledge that this can only be done whilst the suspect is in custody or in light of 'new' evidence. Although this perspective relates to a process-driven barrier, whereby very little could be done to appeal a decision by the CPS, these officers referenced the issue as perpetuated by CPS prosecutors' lack of understanding of coercive control. From this perspective, if the officer(s) in charge of a case does not immediately challenge the prosecutor's lack of understanding of coercive

[50] The decision was taken to convene a joint interview based upon the officers' scheduling conflicts due to unexpected resource demands.

control, then it would not be possible to appeal this decision retroactively. The interviewed officers expressed frustration at how these limitations had negatively impacted the response to cases involving what they perceived to be strong evidence of coercive control.

Whilst the CPS is responsible for presenting the case at court, several officers described presenting evidence and having been involved in witness care during the lead up to the case. As in the previous excerpt about what is required to pursue a charge of coercive controlling behaviour, the following quotation from a detective in the DAIU described how individual differences impact the working relationship between the police and CPS. She explained:

> The courts, they don't understand coercive control. The CPS don't have case law they can refer to and say this case that we got will go to court and get a sentence, so I think they get kind of nervous … you could take one case to three different lawyers or solicitors and they would each give you a different result of what they think will happen in that case (Interviewee 9a: Detective in the DAIU).

Just as some officers commented on how the 'newness' of the legislation might impact the police response (see Chapter Four), the lack of case law or examples of successful prosecutions was perceived to have a similarly negative effect on decision-making by the CPS. Importantly, this interview was conducted relatively early in the data collection process, meaning that the legislation was recently introduced. However, officers in later interviews (e.g. 25a: Detective in the DAIU) also described that bringing a case to one CPS prosecutor might result in an entirely different outcome than if the case was assigned to another lawyer within the same agency.

Likewise, another officer described decisions made by CPS prosecutors about whether to pursue an evidence-led (victimless) prosecution as being dependent on the individual lawyer's attitude at that precise moment, saying:

> I am not sure what CPS would do, because sometimes they go along with victimless prosecutions and other times they don't. So I suppose it's all about the attitude of the CPS lawyer at the time, on the day… [speaking about the police role at court] We're just sat there like a minion if you like for the CPS. We are like the go-between for the victim and CPS (Interviewee 13a: Detective in the DAIU).

In the above quotation, there is a broader commentary about the likelihood of achieving a 'victimless' prosecution in domestic abuse cases. This excerpt would suggest that an element of luck or timing can help determine the outcome of a case, with the individual lawyer's attitude also identified as a contributing factor. Based on the officers' tone and body language, her comment did not appear to arise from a place of irritation. However, comparing a police officer to a CPS 'minion' evokes a feeling of police officers lacking individual agency or influence on the decision-making process and being subservient to CPS prosecutors. This idea that the police are a 'go between for the victim and CPS' pinpoints a responsibility for officers to support and communicate with the victim throughout the criminal justice process.

Potential impact of this working relationship on victim engagement

As in the above comment about the police being a 'go-between,' officers identified themselves as being tasked with relaying to victims the CPS decision about whether the case is proceeding and the next steps in the process. Several officers raised concern that by interacting with victims in this way, the police may also become the focus of blame when this does not match the outcome desired by the victim. Building from previous theory and evidence around victim engagement (see Chapters Two and Five), the following excerpts contain officers' references to informing victims of the CPS decision not to pursue a case.

For instance, below is a quotation about a case involving stalking, which an officer raised during the interview to illustrate how the CPS judgement may impact the officer's relationship with the victim:

> Although not specifically coercive control, I recently had a case of stalking with violence. And CPS said, 'no we're not doing it because we can't prove she was scared'…He [the suspect] wrote diaries about how he knew when she would be on her morning walk and how he fanaticised about tying up her boyfriend, putting him in a car, and setting the car on fire. How are we supposed to go back to that victim and say, sorry we haven't got a conviction or it's just going to be a summary offence? Proving it, that's our main challenge with most things to be fair (Interviewee 16a: Operational supervisor in the CID).

This officer used an example of stalking rather than coercive control. However, the similarities between these offences involving a course of conduct, and the requirement to prove impact on the victim, such as fear, present a logical comparison (see Chapter One). Moreover, it is important to recognise that some challenges faced by officers are not unique to coercive control, but they are potentially exacerbated by features of the abuse and the 'domestic' relationship between the victim and perpetrator. This officer provided specific examples of evidence contained within a diary that the police felt indicated a criminal offence, whether or not it demonstrated the victim herself as being 'scared.' As described, the responsibility fell to the police to deliver potentially disappointing news to the victim even though they believed the evidence would surpass the CPS 'threshold.'

The next quotation ties together several emerging themes around the police response to coercive control, and their relationship with victims and partnership with the CPS. The operational supervisor quoted below had previously detailed a policy within the CPS that when a suspect in a domestic abuse incident is in custody, the CPS will look at the case only if the police are looking to remand that suspect in custody and consider the case high-risk. Whereas, for all other cases, the CPS will not immediately decide how to proceed. In these cases, the suspect must be bailed whilst the CPS decision is made, a policy that officers identified as potentially impacting future engagement with the victim. This officer considered that policy harmful to his case's success but recognised that if the 'strength' of the evidence was not high enough, due process required that the suspect be released until the evidence met CPS thresholds. He went on to describe how,

> In the ideal world you identify an offence, arrest the perpetrator, you take them into custody, you go back to your victim who gives a statement, and you resolve it and charge that perpetrator. What we are actually doing, is we are arresting somebody, we are putting them into custody, we are going back to see our victim and our victim's going, "Oh, I'm not really sure I want to give a complaint, I just wanted him out." And then we are releasing that person, and they are going back into the family home, or they are having contact, so we are losing cases, over and over again where the victim is just going, "What's the point?"…We have got our understanding, but we still need to find ways to present that to CPS…I think CPS are a lot better at charging coercive control than they were even last year. So, it's getting better. I think there's still room to improve (Interviewee 33a: Senior-level operational supervisor in the DAIU).

This excerpt begins with the officer's 'ideal' handling of a case from initial identification to arrest and charge of a perpetrator using a victim's statement. However, this is often not possible when the victim declines to provide a statement after achieving their aim of having the perpetrator removed in the face of immediate risk of harm. This officer's experience suggests that cases are often lost in this manner, echoing acknowledgement of the victim's perspective about why the police are called and how a victim may respond to criminal justice intervention. His statements are reminiscent of the domestic abuse 'compassion fatigue' (see Chapter Five), in which officers are frustrated by a seemingly perpetual cycle of abuse they feel powerless to stop.

Moving beyond an 'impossible decision' (Zacka 2017) between two goals or values, officers expressed that through their interactions with the CPS, police officers may experience the compounding challenge of failing to achieve an organisational performance goal (e.g., a charge), not fulfilling their safeguarding responsibilities, and harming the victim's perception of the criminal justice system (see also Chapters One, Two and Five). In contrast, the end of this quotation suggests that while there is 'room to improve' in terms of how the police investigate, evidence, and present cases of coercive control, this officer identified a recent change in CPS outcomes for these cases. Although this experience may vary by the local area, and the officer's rank and specialisation, it does provide support for perceived or actual improvement in the CPS response to coercive control and presentation of cases referred by the police.

Evidential difficulty in practice

As above, the police described the 'evidential threshold' for charge and proving a case at court as the biggest challenge they face when responding to coercive control. This barrier was similarly demonstrated within recorded outcomes for cases resulting in 'evidential difficulties' (see Introduction and Chapter Four). Officers associated this challenge with the CPS, acting as an additional 'gatekeeper' to the criminal justice system. In fact, one officer went so far as to label the CPS as the 'number one enemy' of his team. He used this label because his officers were spending more time 'fighting CPS decisions' than the officers were 'fighting perpetrators' of abuse (Interviewee 28a: Senior-level supervisor in the DAIU). On the other hand, several officers mentioned that they personally had good working relationships with the CPS, including one officer who had several convictions for cases involving coercive control. However, even those officers who described positive interactions with the CPS recognised that their colleagues were often frustrated by the CPS's denial of charges for cases the police perceived as including clear evidence of coercive controlling behaviour.

The following excerpt provides a case example of an officer that expressed irritation with a CPS decision not to charge a case. The quotation below relates to a case of malicious communications, which the officer believed to form part of a pattern of coercive controlling behaviour. This officer utilised a case example to describe how definitive evidence for this type of behaviour can be challenging to obtain. In this case, the difficulties related to the use of technology and consent:

> He'd gotten into her Facebook account, and we just couldn't prove it. We had the technical data to prove that he had accessed it. But, in his view, he stated that she had given him consent, or implied consent because, when they were together, he had her password. And then she says that she didn't give consent. It's just proving, you can't ever prove that, you know? CPS likes to take to court cases they can win, and they'd never be able to win something like that. And that would form part of the coercive control. All of the relationships that he's had with partners, professionals since then, it's evident that he's a very controlling man. He's well-educated, he's wealthy, he's got a good job, and he's used to getting what he wants (Interviewee 8a: Senior operational specialist in the DAIU).

With a comment about the CPS taking cases to court that they can 'win,' this officer identified that CPS lawyers would choose to take on cases they believed met not only the legal evidential threshold for the offence, but also had a reasonable prospect of achieving a conviction (CPS 2018b). This case provides an example of how a defence might be presented around consenting to share passwords and access accounts. In this example, the evidence could prove the suspect accessed the account, but not the malicious intent, based on the proposed implied consent.

Other interviews also raised the concern that even 'tangible' evidence of phone and bank records obtained on computers or smartphones may not be enough to support a case of coercive control. At the end of this excerpt, the officer also described how other professionals also found the suspect to be very controlling, noting the way in which his education, employment, and socioeconomic status may afford him certain privileges. When considering the presented excerpts as a whole, it is clear that officer cynicism and pessimism (e.g., 'cop culture') about the prospect of pursuing a case involving coercive control can be influenced not only by interactions with victims and perpetrators but also by other professional organisations, including the CPS.

II. Police working relationship with Independent Domestic Violence Advisors (IDVAs)

Interviewed officers commonly discussed partnership work with Independent Domestic Violence Advisors (IDVAs), who support high-risk victims of domestic abuse,[51] as delivering practical and emotional support to victims, that provides the police with additional time and resources to focus on the legal process. It is important to note that frontline officers (SLBs) might refer or signpost

[51] Some of these specialists within local domestic abuse charities are also responsible for supporting medium-risk victims; however, they are often given a separate title, such as 'outreach worker.'

someone to a partner agency, but they are unlikely to have first-hand experience working with IDVAs. This is because frontline emergency response officers do not typically attend multi-agency meetings, such as MARACs (Multi-Agency Risk Assessment Conferences; see Chapter Two), and, in most force areas, do not work with high-risk victims after the initial response to a call out. Therefore, whereas frontline officers identified some interaction with agencies like social care (see section III), most IDVAs work with specialist officers within the Domestic Abuse Investigation Unit (DAIU) because they are similarly responsible for responding to high-risk cases. For instance, when describing the benefits of working in partnership when responding to coercive control, one officer said:

> The case would hopefully have an IDVA to help provide emotional support … As an investigator, I could then concentrate on gathering evidence and keeping the victim updated, focusing on building a case that I could take to CPS (Interviewee 18a: Detective in the DAIU).

Given previously identified challenges surrounding the sustained engagement of the victim of that abuse (see above, Chapters Two and Five), it is not surprising that officers would praise individuals who take up some of the civil, social, bureaucratic, and emotional responsibilities associated with victim support. This excerpt contends that IDVAs allow officers to direct their resources towards more 'stereotypical' or 'action-oriented' police work (e.g., evidence gathering and investigation, see Reiner's 2010 'cop culture' Chapter Two). This quotation also highlights how shared responsibilities could facilitate a better experience for the victim and free up police resources to focus on achieving a charge for controlling or coercive behaviour. Within officer interviews, this research has identified a high demand for resources required to investigate, evidence, and provide the CPS with a case that results in a charge for controlling or coercive behaviour.

Similarly, another specialist explained the importance of multi-agency support by acknowledging that the police:

> Could not do their job without the support networks that are out there…IDVA service…The support they provide to that victim, which is way beyond what we are able to provide, is essential…Refuge, non-molestation orders, child contact, education, benefits, housing, employment…We'd never be able to manage that level of additional work…helping them out with their families, finances, moving them if necessary, and they're experts in their field. Without them we would struggle (Interviewee 15a: Senior-level strategic specialist, former detective in the DAIU).

In support of Edwards' (2010) 'relational expertise,' this officer acknowledges the 'struggle' the police would face if they also carried the responsibility to manage the victim's family relationships, childcare, family court, civil orders, financial support, refuge and other aspects of the practitioner response to coercive control. Other officers also noted the benefit of a victim having one dedicated person to speak to, which avoids the need to repeat information more than once. The officers described the IDVAs' work as 'holistic' and providing a key role in coordination.

Returning to a theme from Chapter Five and associated findings within the reviewed literature, victims of coercive control might aim to end the abuse when calling the police but might not wish to pursue a criminal conviction for various reasons. However, questions remain about the ability of the criminal justice system and coercive control offence to fulfil this goal (e.g., Walklate and Fitz-Gibbon 2019). Therefore, additional or alternative methods of safeguarding and support may be necessary. The following senior-level officer recognised the limitations of the criminal justice response and helped facilitate multi-agency working through the co-location of an IDVA within the police DAIU:

> We recognise that we are not going to solve domestic abuse purely through a policing response. In fact a lot of victims don't want a criminal justice outcome, they just want the abuse to stop…We are piloting having a [charity name] IDVA representative within the office of the domestic abuse investigation team…Would contact them within 24 hours, give safety planning, and encourage further support…We work very well together (Interviewee 11a: Senior-level strategic specialist).

This officer's comments recognised that victims might call the police with an immediate safeguarding aim of stopping the abuse and removing the perpetrator. However, the victims may then wish to pursue alternative options provided through civil court, utilise the support of specialist domestic abuse services, or follow another course of action outside the legal system. Again, this excerpt highlights the police-recognised benefits of working in partnership with an IDVA. In this case, the local force area introduced an IDVA into the DAIU office to streamline the transition from the initial police response, to the support provided by a specialist domestic abuse charity to high-risk victims of abuse.

This force was not the only local area to partake in this type of partnership work. For example, some areas are piloting dedicated patrol cars for domestic abuse cases that would include an independent partner agency specialist (e.g., Office of the Police and Crime Commissioner Devon and Cornwall 2021). The goal of these types of programmes was described as providing victims with all relevant resources in one place, thereby improving both safeguarding and criminal justice outcomes. As in Ward-Lasher et al.'s (2017) research on the police perception of the utility of partnership with social work practitioners, the above quotations are a tangible acknowledgement by police of the benefits of efficient, effective multi-agency partnerships.

In order to bridge the gap between the needs of a victim, requirements of the criminal justice response, and available police resources, many officers identified the importance of support from specialist domestic abuse support services, including IDVAs. Notably, as previously identified, the 'impossible decision' (Zacka 2017) between criminal justice outcomes (e.g., charge and conviction for coercive control) and victim safeguarding responsibilities presented officers with a 'safeguarding conflict' (see Chapter Four). The findings illustrate how this type of multi-agency partnership working could help resolve this conflict.

III. Police perspectives on multi-agency working

Returning themes: Risk management, expectation setting, and a safeguarding conflict

The theoretical framework described in Chapter Two identified interactions with partner agencies as bringing together practitioners with different priorities, goals, and background knowledge within a 'web of accountability' that requires 'relational expertise' (see Edwards 2010; Spencer 2016). This section includes additional officer perspectives on multi-agency working relationships. Beginning with a general description of how the police work with other agencies in cases involving coercive control, the following excerpt comes from the response of a senior-level officer who had recently moved from an operational to a strategic role:

> It [multi-agency working] is about referrals to other agencies, signposting to other agencies. Obviously, some cases would be high-risk and would go to MARAC…You may also discuss refuge…we are conscious of the risk the victim faces and how to manage that.

> Part of that conversation is to be realistic about likelihood or otherwise of success for a prosecution because we do not want to give anybody false hope, and the victim themselves may wish to take steps to rectify the situation themselves…seek a non-molestation order or other remedy without involving the police…We don't sort of do an investigation for three months, go well we can't do much about it, and then refer people on… then the ship has already sailed…want the risks addressed at the beginning (Interviewee 26a: Strategic specialist for officer guidance, former DAIU detective)

Regarding multi-agency working, this officer mentioned signposting, referral to MARAC for high-risk cases, and the potential use of refuge services, also describing why these referrals are essential. He recognised that officers need to address immediate risks to the victim (before the 'ship has sailed') rather than focusing only on the police response. This quotation also acknowledged that an investigation and prosecution may not always be successful or desirable for the victim. Furthermore, his comment addressed the possibility of deferring to a victim's preference and his priority to safeguard the victim as quickly as possible, as discussed in the literature review and Chapters Four and Five (see 'safeguarding conflict').

Moreover, as was commonly addressed within officer interviews, the comment about not providing 'false hope' relates to the police officer's role in setting victims' expectations around potential criminal justice outcomes (see also Chapter Five). This need to manage victim expectations may apply to other offences with low conviction rates, particularly those relating to domestic and sexual abuse (Hohl and Stanko 2015; McPhee et al. 2021; Ministry of Justice 2021; see Chapter One). However, the evidence presented in this thesis clearly shows that unsuccessful prosecution is a prominent concern for officers handling cases involving coercive controlling behaviour (see Section I and Chapter Four). The above excerpt shows that whilst the police have a safeguarding responsibility, multi-agency working is required to fulfil that duty.

Multi-agency working in the context of children

Turning to the perspective of frontline officers (SLBs), the analysis of interview data revealed mixed findings around their discussion of multi-agency working. For instance, some Police Constables (PCs) mentioned providing victims with the resources on the back of the risk assessment form and following routine referral procedures, but they did not elaborate on these interactions. However, others provided more detail on what these interactions with partners may involve. For example, the following officer's response demonstrated specific actions and use of initiative. She described that,

> We obviously do our multi-agency safeguarding hub, MASH, referral for any domestic case. But then again you build up a rapport with different agencies that you speak to on a daily basis… Children's social services, because a lot of times there are children involved in domestic incidents…A lot of people put in their MASH referral and that's it they're done, but I like to chase it up. I'll try to get a name of the social worker or try to attend a meeting where they are talking about the children (Interviewee 27a: PC on the Problem Solving Team).

The above idea of developing a rapport with agencies they regularly interact with was commonly observed in officer interviews. Regarding this rapport between officers and multi-agency partners, the officers described it as dependent upon working relationships with known individuals rather than the partner agency as a whole. In this case, the officer moves beyond a policy-driven response of referral to the MASH (see Chapter Two), to direct follow-ups with the individual social worker assigned to that case and asking to attend strategy meetings discussing that victim's children. Whilst this extends beyond the remit of this PC's job requirements, this particular officer was also described in Chapter Five as actively taking the initiative to go beyond her official duties. This officer believed that these actions would make it more likely for her cases, including those involving coercive control, to achieve positive outcomes.

As within the reviewed literature and theoretical framework, a shared perspective of officers was the commonality of children involved in domestic abuse cases. For instance, one officer responded to questions about multi-agency working by identifying specialist domestic abuse services and children's social care as the most commonly involved agencies in cases of coercive control. To illustrate this, she began to describe a case she was currently working on in which the victim had several intersecting vulnerabilities ('complex needs,' e.g., mental health, substance misuse and housing and financial insecurity; see Chapter Two). The officer chose this example to explain how children may be involved in cases of coercive control and the potential impact of the interaction of professionals within this aspect of the victim's life. In this case example, the 'complex needs' of the victim were causing her denial of access to several refuges. This officer had to have a difficult discussion with the victim about child custody and described that,

> She [the victim] is complex needs, and the last point of contact with her was yesterday as she was waiting to see if one of two refuges would take her. If not, then I know a refuge which will take her but it is a bit further away…Going to a strategy meeting about the family…I see, hey wait a minute, there's three children…No record of anyone having checked, other than it being written that Mum says they are safe and with her family…They are placed by not by social services, this was a family intervention…There's no orders in place…She's entitled to take them….She told me two weeks ago she stopped taking cocaine and heroin…I don't want those children going back to her until all the relevant assessments are done (Interviewee 30a: Detective in the DAIU).

Just as this officer began discussing this case in the interview, she received a phone call from the victim, who was very upset after being informed that she could not take the children with her. As a result, the interview was paused so that the officer could speak with the victim. In the above quotation, the officer indicates that information about the child contact situation was not initially considered or shared as widely as was necessary to safeguard the children. This example highlights the importance of information sharing between agencies and demonstrates this officer's initiative to follow up and act as perceived necessary (i.e., with SLB-like discretion).

In the above example, although the work was not necessarily related to traditional policing responsibilities, the officer flagged up a potential safeguarding issue with children's social care whilst also utilising her own resources to find a refuge that would accept the victim. Due to the circumstances of the informal caring arrangements, initially, children's social care was not formally involved. Furthermore, it is unknown how the conversation concluded or how the officer's role in preventing the victim's care for the children will have impacted her rapport and relationship with the victim. However, this case does exemplify a proactive multi-agency working relationship.

Other officers also discussed the way in which children may be removed from a victim of abuse. Even where social care is responsible for the removal of the children, the police remain involved in associated discussions with the victim. Some officers described their link to this event (child removal) as damaging their rapport with the victim with consequences for their engagement with the criminal justice system (e.g., disenfranchisement, Walklate and Fitz-Gibbon 2019). Chapter Five provided the example from ride-along observations of an officer threatening removal of the children in an attempt to gain a statement and engagement from the victim. Moreover, some officers also identified that perpetrators could utilise children as tools of coercive control based on threats to report the victim to children's services (see Chapters One and Two). However, most police officers agreed that removal by authorities was a necessary safeguarding duty where children are also considered primary victims of abuse that occurs within their home,[52] or when substance misuse presents an associated risk of harm to the children.

Perspectives on MARAC meetings

One of the ways that the police work with other agencies is through multi-agency meetings, such as a Multi-agency Risk Assessment Conference (MARAC). As described (see Chapter Two), MARAC meetings are held for high-risk cases of domestic abuse, which can be referred in by any relevant partner agency, including the police. Importantly, these risk assessment conferences are hosted and chaired by the police in most areas, with the attending officer(s) holding strategic and specialist roles. The following excerpt relates to a frontline officer who requested to attend one of these meetings to understand better what happens to cases following her initial response and risk assessment. She explained:

> It [MARAC] was a lot of different agencies sat around the same table, talking about the same person, the same problems we're having and trying to solve it, which was really nice to see. But, if someone couldn't answer an issue, it was always, 'Oh, the police will deal with that.' And I am sat there thinking we don't have the power to do that, so surely there's someone else that can help? …It's quite annoying because we'll arrest someone, it will be NFA, we'll return them to the same house with that person and no matter how many meetings you have, they're still in the house together. It'd be interesting to know about things more in depth and how they safeguard people…Nothing seems to be getting done, but I am sure someone is in a council office stressing about this, doing the best they can. It'd be nice to know what happens (Interviewee 32a: PC on the Emergency Response Team).

[52] Children's formal, legal rights as primary victims of domestic abuse are included within the *Domestic Abuse Act 2021*.

Returning to the benefits of ‘relational expertise’ (Edwards 2010), this officer begins by speaking about the importance of bringing together agencies with different perspectives in one room, engaging in a shared discussion about a specific case. However, she also observed that any difficult question to answer was labelled as a police responsibility, even in situations where she did not perceive the police to have the power (and or remit) to act. Chapter Seven considers this point further, which discusses the findings from observations of multi-agency operational, risk assessment, and strategic meetings.

The comment in the middle of this quotation about how a victim may continue to live in the same home as a perpetrator, regardless of the number of meetings that are held, also relates to the previously discussed domestic abuse ‘compassion fatigue’ experienced by some police officers. This ‘fatigue’ can occur when officers repeatedly respond to abuse between the same individuals as part of a pattern of coercive controlling behaviour without any observable change. This experience is also associated with aspects of ‘cop culture’ such as cynicism, pessimism, pragmatism, heuristic stereotyping, and preference for action-oriented police work (Reiner 2010; see Chapters Two and Five).

However, the biggest question for the officer quoted above surrounded the specific actions taken to safeguard victims of abuse. This officer expressed hope that even if a change is not immediately visible, professionals from other agencies must also be working to support that victim. As was common in interviews with frontline officers, this officer expressed discomfort that she is not often told the outcome or the measures taken to safeguard the victim of a case to which she responded. Whilst the operational and strategic separation of the workforce may be practical in terms of resourcing, training, and coordination (Giacomantonio 2015), this officer wanted to know more about the safeguarding process following her emergency response and risk assessment. This case outcome knowledge is not commonly available to someone in an operational emergency response role. The officer quoted above requested that observation of a strategic meeting forms part of the training of frontline officers to understand how a case progresses after referral to a partner agency.

Moving to consider the strategic perspective, one of the officers detailed his experience attending and chairing MARAC meetings, including those which involved cases of coercive control. This strategic specialist highlighted the multi-agency working dynamic and recent improvements in the police response, explaining that,

> MARAC, obviously it's a tool to safeguard high-risk victims and families from abuse. And risk is very subjective sometimes…So, as chair we don't gate keep. We list and hear and discuss every case…sometimes there's some hidden harm is there that I may not see as a police officer…Quite often, our partners do identify coercive control… we will review conversations with the victim, and then determine whether there's anything to then take forward in terms of that coercive control element…The identification, the signposting, the awareness of that offence is better than it was a year ago or a couple of years ago… about the police working with partners and investigating those offences…I think it's a lot better now than it was before (Interviewee 34a: Senior-level strategic specialist).

Although this thesis previously labelled the police as the 'gatekeepers' of the criminal justice system (Hohl and Stanko 2015; see also Chapters One and Two), this officer believes that label does not apply to the police role in chairing MARAC meetings. Therefore, if the police have not assessed a case as high-risk or have not had any contact with the victim and perpetrator, but another agency referred that case to MARAC, that case will be discussed and actioned at the meeting. By mentioning the 'subjectivity of risk' and 'hidden harm' around coercive control, this officer described how partner agencies might have information different from that which is available to police. This quotation mentions partner agencies often identifying coercive control and the police then investigating relevant evidence. This officer also labelled the police as having improved in recent years, since the introduction of the coercive control legislation. The claims described above will be considered against findings from multi-agency meeting observations detailed in the following chapter.

Conclusion

Developing the contours of this thesis, Chapter Six illustrated the self-described joint role of police officers in responding to coercive control within a multi-agency context. The analysis presented in this chapter echoes previous research highlighting the importance of information sharing, coordination, and associated 'relational expertise' (Edwards 2010, see Chapter Two) on police officers' use of discretion. As services that can directly support (or hinder) police officers' use of the coercive control legislation and engagement with victims, findings from this chapter began by highlighting the working relationship between the police and the CPS and local domestic abuse service IDVAs (independent domestic violence advisors).

Officers' experiences working with the CPS in an attempt to pursue a charge for coercive control demonstrated perceived differences between the 'evidential threshold' of the CPS as compared to the police crime recording and evidence gathering process. These experiences contributed to officers' frustration and feeling of powerlessness to end a cycle of abuse, echoing themes across previous chapters. Whilst the working relationship between the police and CPS is crucial for criminal justice outcomes, this is not the only partner agency of the police, nor is this the only response available to a victim of coercive control. Police officers, particularly within the specialist domestic abuse investigation units (DAIU), identified IDVAs as relieving pressures on the police to provide practical and emotional support to victims, which allows officers to dedicate their limited resources towards investigation and evidence gathering. Furthermore, the analysis also identified the importance of individual working relationships and the communication benefits of physical co-location. This chapter shows how officially-recorded criminal justice outcomes, including the use of the coercive control legislation, can be influenced by multi-agency working that extends beyond partners within the criminal justice system.

Chapter Seven - Multi-agency working: Partner perspectives and meeting observations

Introduction

Chapter Seven draws together ideas from across the thesis by interrogating how multi-agency partners make sense of coercive control, and how they work with the police to respond to this form of abuse. Directly building upon the previous chapter, this examination of multi-agency partners' understanding of coercive control, priorities, and experienced challenges provides an alternative but complementary perspective that necessarily influences police practice. As officers do not work in isolation and are influenced by their interpersonal interactions, the findings show that both police officers' perceptions of their partners and the partner's perceptions of the police impact their working relationship and the officers' resulting translation of law into practice. The described analysis utilises evidence from self-reported and observed practice to identify overlap with and distinction from previous literature, the developed theoretical framework, and findings from police officer interviews. Whilst the police and their partners share an overarching responsibility to safeguard victims of abuse, this chapter shows how the factors that influence their practice may differ and how partnership working can help overcome individual challenges.

I. Multi-agency understanding of coercive control: From concept to legislation

Understanding non-physical abuse: Fear of repercussions

Using interview data, this section details multi-agency professionals' understanding of coercive controlling behaviour as a form of abuse and their perceptions of the associated legislation. Emerging themes and findings from multi-agency partner interviews are considered with relative comparison to the responses of police officers described in previous chapters.

The involvement of non-physical abuse within a pattern of coercive control was described throughout multi-agency partner interviews. Unlike police officer interviews (see Chapter Four), references to physical violence were not necessarily used to compare the response they would have to one type of 'incident' or the other or to explain why coercive control is different from other forms of abuse. Instead, discussion of non-physical abuse was more often used to describe the prevalence of these abuse behaviours across nearly all cases of domestic abuse. Therefore, rather than focusing on a 'legal' definition of coercive control, comparing the offence to assault, or considering their professional experience only as relating to cases which received a charge for the offence, multi-agency partners spoke to a wide range of professional experience. When asked about her understanding of coercive control, the following senior-level strategic specialist explained:

> Coercive control is just such a massive element of domestic abuse overall…Domestic abuse is one person's way of systematically dismantling the autonomy of the person that they are abusing…Whether that's through threats and through fear…Not always for me coercion necessarily around the threat and fear of violence or have repercussions that are physical…Sometimes that's around the threat they might become incredibly verbally

> abusive. A case I'm supporting at the moment…. If she doesn't do as he wants, he will report her to children's services, or make false allegations to her workplace about her…Sometimes people assume that the fear relates directly to physical abuse or physical assault…It's still a control through fear of repercussions…still effects their overall decision-making processes and their ability to choose freely for themselves (Interviewee 10b: Strategic specialist in domestic abuse support service).

This senior-level strategic specialist was recently required to take on an operational caseload due to resourcing demands. There are several layers within her expressed understanding of coercive control. The first is the use of 'autonomy' and reference to freedom of decision-making that is similar to Stark's (2007) conceptualisation of coercive control as a 'liberty' crime. Next, she referenced threats made with an enduring fear of repercussions to facilitate control, and a recognition that those repercussions need not be physical, such as the use of verbal abuse. As included within previous discussions of coercive control tactics and interactions with 'service users' (see Chapters One and Two; Heward-Belle 2017; Katz et al. 2020; Stark 2007), the case she referenced included examples of coercive control exerted through threats to remove the victim's children and false allegations used to harm the victim's professional career. Similar to some police officer interviews (see Chapter Five), describing the dynamics of coercive control through a correlation with fear was a common theme throughout multi-agency partner interviews, as illustrated below.

Developing understanding: On-the-job and through training

Interviews also asked multi-agency partners how their knowledge and understanding of coercive control developed. Presenting overlap with officer interviews and demonstrating support for the application of street-level bureaucracy theory (see Chapters Two and Four), one overarching theme for multi-agency practitioners was the importance of on-the-job experience. For example, one Independent Domestic Violence Advisor (IDVA) had recently changed careers after completing training as a social worker. She was able to identify when she was first exposed to the concept of 'coercive control' and the idea that the dynamics of domestic abuse may not necessarily revolve around physical violence. This moment came whilst she attended court proceedings, during which time a pattern of coercive controlling behaviour was presented:

> Before this, I think my layman's assumption was when I think of domestic abuse I would think of domestic violence, and it's more the fear of violence … I trained in social work …shadowed here…got an idea of how domestic abuse works at an emotional level. A lot of my high-risk cases involve really high levels of control, but there wasn't any physical violence, which I think people still struggle to reconcile…I'd say my understanding has developed just by watching the work people do here and familiarising myself with risk assessment (Interviewee 22b: IDVA).

Similar to police officers' description of their understanding of coercive control coming from other officers and experience on the job (see Chapter Four), this IDVA acknowledged how she gained greater understanding from working with those around her and her review of their risk assessment tool. This excerpt is representative of the responses provided by domestic abuse specialists who often referred to their case handling experience as crucial to their developed understanding of coercive control. The above quotation moves from a discussion about how her understanding of domestic abuse and risk changed to her own experience of handling high-risk cases involving coercive control, including those which did not involve any physical violence. As evidenced in officer interviews and potentially influenced by a 'hierarchy of harm' (Bishop 2016), this IDVA recognised that other professionals without this experience may not be able to 'reconcile' high-risk domestic abuse with cases that do not involve physical violence.

In addition to on-the-job experience, several practitioners referenced the training they received as contributing to their knowledge of coercive controlling behaviour. This finding was in contrast to the vast majority of police officers who were either unable to recall training specific to coercive control or did not perceive it as influencing their understanding and practice (see Chapter Four). These results may be partly explained by the fact that many of the multi-agency professionals interviewed held specialist roles or were directly involved in delivering domestic abuse training for their own or partner organisations. The insights provided by these individuals provide essential context as a source of multi-agency partners' understanding of coercive control. For instance, an interview with a professional who delivers training on domestic abuse to specialists and non-specialists illustrated the role of language and how a victim of coercive control might respond to an immediate threat of harm compared to the wider impact of this abuse. She described how domestic abuse support organisations:

> Have always talked about power and control…It's the language…I don't think most people understand what the word coercion means…You kind of have to spell it out. So, driving fast in a car is coercive if someone is scared. A normal person would go, you don't like that, I'll stop doing it. Whereas someone who's coercing you and trying to take control of you is going to be swerving as well, they're going to up it because they know that scares you. It's enforcing fear…We talk about chronic fear and immediate risk. The victim lives in chronic fear and then when an incident happens, that's when they're at immediate risk…Might call the police, and they might go I need help now, but as soon as the police have come it's like, you need to go away now because now you're interfering with my strategy to keep safe. I'm safe now because you've come, but now you're going to push

> his buttons and he'll be pissed off that I've called the police. (Interviewee 2b: Training Specialist in domestic abuse support service).

This trainer, and many other specialists, mentioned a pre-existing understanding of power and control within the domestic abuse charity sector many years prior to Stark's (2007) conceptualisation or the introduction of legislation and a legal label. However, the trainer identified the term 'coercion' as something her trainees struggle to recognise, highlighting the importance of the language used to describe this form of abuse. This trainer formerly held an operational role working directly with victims (i.e., as an SLB) and could, therefore, provide numerous examples from previous cases. She explained that for the training, she often tried to pick those examples with which anyone could relate. In the above quotation, she provided an example of someone using another person's fear to abuse them. In the presented case of dangerous driving, the perpetrator continues and accentuates the behaviour (e.g., swerving), which is fear-inducing, to use that fear to control the other individual.

One of the other topics raised within her coercive control training module is the idea of a difference between a victim's response to the immediate fear compared to the induced chronic fear, which is the long term lived reality. For example, as described in police interviews (see Chapter Five), the immediate fear associated with a specific 'incident' can evoke a victim's initial response to contact the police. However, multi-agency partners often identified the criminal justice response as potentially interfering with a more comprehensive safeguarding strategy to address the victims' chronic fear and abuse. In this way, multi-agency partners acknowledged one of the reasons why a victim of coercive control may not necessarily choose to remain engaged in the criminal justice process.

From policy to practice: Perceptions of the legislation

Notably, several interviews with multi-agency professionals discussed personal experiences with domestic abuse, including those who self-described as survivors of domestic abuse and coercive control. The following quotation comes from one such professional who explained her perspective on the criminalisation of coercive control and how cases present to her organisation, highlighting the ongoing and remaining work. She explained that,

> Having the legislation absolutely validates it, but I'm not convinced we've caught up to that in terms of practice…I think we're still playing catch up with emotional abuse and other forms of non-physical abuse…Coercive control, that's just slotted alongside viewing abuse that's not physical. And especially around the age-old question of "why don't you just leave?" That lack of understanding is still there around those other aspects of abuse that mean you can't just leave…On a case basis, survivors don't recognise the coercive control when they come to us. Predominately they come to us because there's been something physical and coercive control lies beyond that (Interviewee 19b: Strategic specialist in domestic abuse support service).

This excerpt brings together themes shared across police and multi-agency interviews. First, this strategic specialist mentioned that a piece of legislation criminalising coercive control 'validates' this pattern of behaviour as a form of abuse. Again, this relates to the previous discussion of the symbolic, educative effect of labelling that is associated with the legislation and act of criminalisation (see Chapters One and Two). Second, as raised in previous chapters, she mentioned the remaining challenge of responding to abuse that does not necessarily involve physical violence, indicating an enduring 'hierarchy of harm' (Bishop 2016). Importantly, she described all relevant multi-agency professionals rather than singling out the police or another partner agency by referring to 'we' when highlighting a need for practice to catch up.

Third, similar to findings from police officer interviews, she explained that when she held an operational role working directly with victims of coercive control, she observed them reaching out to support services following their experiences of physical abuse. This tendency required professionals to identify the coercive controlling behaviour which sat ‘beyond’ that, forming part of a broader pattern of abuse. Finally, the above strategic specialist also identified that those subjected to coercive control are still asked why they do not just leave an abusive partner (see Chapters Two and Five). She described professionals as asking victims this question without understanding why separation may not be safe or possible precisely because of the tactics involved in coercive controlling behaviour (see also Section III).

Furthermore, as in police officer interviews (e.g., frontline emergency response versus DAIU officers), there were differences in the understanding of coercive control between specialist and non-specialist professionals. There was some disparity in the responses of multi-agency partners who worked within generalist (e.g., Housing, Social Care) compared to domestic abuse specialist organisations. When asked about their understanding of coercive control, non-specialist professionals often qualified their responses as not being the ‘legal’ or ‘formal’ definition (see also Chapter Four). On the other hand, domestic abuse specialists confidently described coercive controlling behaviour as something they witnessed across nearly all domestic abuse cases, particularly between intimate partners. The observed variation in responses may reflect their organisational aims (legal or non-legal), training, and experience, alongside associated (lack of) confidence in their knowledge of this pattern of abuse. However, demonstrating overarching commonality, when describing their understanding of coercive control, many multi-agency professionals identified similar complexity and evidencing challenges to those raised by police officers. For example, one IDVA explained:

> Coercive control is so complex. For me, it's around the psychological control and damage it does to a person, usually with a threat of physical violence or consequence. Which completely disables them from having any kind of free and happy existence …I think more recently it's been given a name. So, we knew that this was a significant area of power and control that the perpetrator would wield over the person. But to have the label of it, kind of helped. That label also needs unpicking, and it is so difficult to evidence in terms of legality. There's so many layers and folds to what coercive control may or may not look like (Interviewee 12b: IDVA).

This excerpt supports not only previously shared police officer perspectives but also academic literature, which highlights the potential barriers to translating the concept into law and policy (Brennan et al. 2019). This practitioner was confident in her understanding of, and ability to recognise, coercive control as an abusive pattern of behaviour. However, as in officer interviews (see Chapter Four), she also described this form of abuse as 'complex' and in need of 'unpicking' regarding its legal presentation and ability to evidence the offence in a court of law. Many specialist practitioners understood domestic abuse as involving power and control prior to the legislation, but they also noted the importance of having a 'label' for that pattern of behaviour. This finding would also support the 'symbolic,' educative effect of this legislation and associated labelling of coercive control as criminal (see Chapters One and Two; Burman and Brooks-Hay 2018; Walklate et al. 2018). In the above excerpt, the IDVA also described the difficulty of translating that experience and label of coercive control into practice, including through the criminal justice system.

Additionally, it is essential to consider the perspective of those multi-agency partners who may not directly support victims of coercive control but have a central role in the strategic response across the local area. Although they are not technically frontline, street-level bureaucrats (SLBs), strategic specialists contribute to the setting and evaluation of policy. Therefore, their perspectives on the challenges that practitioners face can influence the direction and support for those working at an operational level (Evans 2010; see Chapter Two). Like many police officers, some multi-agency strategic specialists' understanding of coercive controlling behaviour as a form of abuse was associated with the legislation itself. This finding indicated the strategic importance of the police and criminal justice system for the multi-agency response to coercive control.

The following excerpt presents the understanding of a strategic domestic abuse specialist in a local area council who chaired the local multi-agency strategic and operational board meetings. Although this strategic lead was not directly involved in the criminal justice process, when asked about her understanding of abuse involving coercive controlling behaviour, she addressed the experienced evidential challenges and physical incident-focus of the police:

> By definition, this behaviour happens in private…It's the threat of harm or the fear of harm, the knowledge that you're going to be harmed. So there's no real evidence, it's a dynamic between two people that can't be seen very easily by an external observer…The other part of the challenge is that it's a pattern of behaviour…Something that maybe on the face of it, looking not very serious at all, but if you link that with all of the other elements…it becomes incredibly frightening…The biggest challenge is changing the culture, the way we view domestic abuse as single incidents of violence…All of our systems are set up to just record one incident. So you have to have systems that are set up to connect those incidents into patterns of behaviour (Interviewee 1b: Strategic domestic abuse specialist in local area council).

There are apparent similarities between the perceived challenges identified here and those expressed by police officers (see Chapter Four). For example, this strategic lead mentioned the abusive behaviour as occurring in private, associated fear of harm, cultural understanding of domestic abuse as single incidents of physical violence (i.e., 'incidentialism' Hohl and Stanko 2015), and the associated need to link together different 'elements' to identify the abuse. Furthermore, she identified a communication- and organisational resource-based challenge raised in other interviews and observed in multi-agency meetings regarding data collection systems that may not be fit for purpose (see also Sections II and V).

II. Multi-agency perspectives on responding to coercive control: Risk, resources, and technology

Risk assessment

This section builds upon police perspectives, continuing to identify potential barriers to practice and areas for improvement according to their multi-agency partners. Risk assessment is an essential aspect of the multi-agency response to domestic abuse and coercive control. Outside of the policing context, there are also unique (organisational) considerations for their multi-agency partners. Whilst risk assessment forms may differ between agencies, they all require asking potential victims of abuse very sensitive and personal questions. Like police officers (see Chapter Four), multi-agency partners often discussed risk assessment as a routine aspect of their response, particularly those with experience as domestic abuse specialists. In contrast, for multi-agency partners who did not hold specialist roles or began their careers without experience in safeguarding and vulnerability, raising the topic of abuse required them to develop greater confidence in their understanding of coercive control. The following excerpt speaks to the role of training and experience and provides support for the idea that frontline practitioners' (SLBs') understanding of coercive control could influence confidence in their ability to act (see Chapter Two; Bradbury-Jones and Broadhurst 2015; Oram et al. 2017; Sohal et al. 2020; Taylor et al. 2013). This safeguarding nurse explained:

> When I started this job, I was very uncomfortable about asking such questions. With confidence it's grown, and with the training that I've had, you get you get more experienced to know what to ask. Because within a few minutes of meeting these patients, we're asking quite direct but gentle questions, and they sort of pour their heart out to us… Someone might be high-risk, but actually those lower down the risk categories could be equally at risk. And once they disclose something, we're aware that could put them at even more risk. (Interviewee 16b: Safeguarding Nurse).

Most multi-agency partners highlighted the importance of developing a working relationship and rapport with a victim of abuse. For instance, the above safeguarding nurse described an initial lack of confidence and comfort in asking questions about domestic abuse and coercive control, particularly under time-pressured conditions (see Section III). This nurse attributed her growth in this area to training and experience in learning what questions to ask and how to interact with a potential victim. As in the previous section, this demonstrates similarity to officers' attributions of their understanding of coercive control and confidence in case handling being associated with their own experience and that of their colleagues (see Chapter Four).

As in Cuthill and Johnston's (2019) research about the influence of the 'domestic' context on health visitors' discretion to ask about domestic abuse, the above quotation indicates how the sensitive context around coercive control could hinder the response of practitioners who lack confidence or fear damaging their rapport with the victim. There were numerous comments across multi-agency partner interviews about the dynamic nature of risk associated with coercive control. An associated challenge raised in interviews was the importance of time spent developing the necessary rapport with a victim to assess risk accurately, as discussed below.

Resources: time, space and funding

Demonstrating additional overlap with responses from police officers, many multi-agency partners raised resource limitations as one of the biggest challenges in their response to coercive control. One of these resources was time. Specifically, this concern of time pressure was raised by all five safeguarding nurses who were interviewed. Whilst all multi-agency professionals work within limited timescales with varying resource demands, the hospital's safeguarding response is similar to the demands placed on frontline police officers. Police officers and healthcare workers are both SLBs who often use their imbued discretion to respond to an acute emergency (see Chapter Two).[53] These overlaps present similar barriers to developing appropriate rapport with a victim. For instance, one safeguarding nurse explained:

> I think the challenge for us is the length of stay of the patient. So, you know, these things are often flagged when the patient's in A&E, but they've got four hours to turn people over and get people out. That doesn't give you a lot of opportunity to build trust with someone and really unpick what is going on in their life…We're really privileged in hospital that we have got the opportunity of insisting that partners step away because we can fake an examination that's needed…But, it's getting that opportunity on those short stays, those short visits (Interviewee 13b: Safeguarding Nurse).

A safeguarding nurse will receive a report of a safeguarding concern from hospital staff and be asked to assess the risk posed to that individual. As identified in the above quotation, on the one hand, circumstances of patient admission to departments like A&E (Accident and Emergency) means that these nurses have an extremely limited time to speak to the victim, develop a rapport, assess the risks posed, and initiate safeguarding procedures. On the other hand, regarding the

[53] Note that in addition to safeguarding nurses, some areas in England and Wales have piloted the use of IDVA's within the hospital setting (see Halliwell et al. 2019).

positive aspects of the hospital's organisational context, all interviewed safeguarding nurses mentioned the benefit of speaking to a potential victim in private by ordering exams that do not allow the presence of partners or family members and requesting follow up visits.

The ability to identify and respond to the coercive control experienced by someone seeking support for substance misuse presents another unique set of circumstances, whereby one practitioner highlighted the importance of creating 'a safe space.' The following excerpt was taken from the interview of an operational professional working within drug and alcohol services. She described this service as providing a non-threatening space for victims to disclose the abuse and professionals to provide support:

> If we're sitting here having discussions with people around the fact that they're injecting heroin, to talk to us about the fact that their partner is being controlling is probably quite easy to discuss…I think we do provide a safer space… takes a lot for someone to disclose. To get those words out of your mouth I think is the hardest thing in the world. And once you've said it, you can't take it back, so I think you've definitely got to take the time to listen, and you work at that person's pace (Interviewee 20b: Operational professional working in drug and alcohol services).

In contrast to the challenges experienced by health visitors asking about domestic abuse within the home (Cuthill and Johnston 2019; see Chapter Two), the above practitioner expressed that once she developed enough trust and rapport with victims for them to share experiences of drug use, it may be easier for these victims to disclose coercive control. This professional also referenced the importance of non-judgmental listening and working to the victim's pace, taking the necessary 'time to listen.' Most clients attend the centre for several appointments, so she did not feel there would be the same time pressure described by frontline officers or safeguarding nurses. Later in the interview, this practitioner also described how she asks (plain-clothed) police officers to meet with victims or perpetrators at the treatment centre to provide a neutral location, which may be less ‘threatening’ than a police station. Thus, she conceived of the physical space in which practitioners work as influencing their ability to develop a relationship with the victim (or perpetrator), presenting an additional barrier for the police response to coercive control.

As mentioned, for multi-agency partners, one of the most commonly identified challenges to practice was resources. Notably, a few interviewees were also advocates who campaigned for an improved response to domestic abuse. These interviews brought forward discussions of a more political nature as compared to interviews with police officers. For example, one IDVA listed several problems with the current domestic abuse policy:

> There’s a greater understanding of coercive control, but the policy doesn’t back it up…When you look at universal credit…it all goes into one person’s bank account. Perpetrators can justify having all the money…If you’re being domestically abused, you can go to the job centre and tell them…The perpetrator’s thinking well, “why is it going into both of our accounts, not just mine? You’ve obviously done something” …Even stuff with the police, like we’ve got this coercive control law, but it seems like people don’t want to touch it because it’s difficult to evidence…We’re encouraging people to disclose, but when they actually need that safety blanket, it’s not there… Especially people who’ve got no recourse to public funds… I think the government will say, as a country, we say domestic abuse is a priority. It’s all well and good to say it, but we need to show it (Interviewee 22b: IDVA).

First, this IDVA identified a specific danger regarding universal credit, which allows a perpetrator to justify financial control and places a victim at risk if they attempt to split these payments into separate accounts. Second, as described in depth, she acknowledged that some officers do not ‘want to touch’ the coercive control law based on the evidential difficulties (see also Section IV). This perspective would support the pessimistic viewpoint of officers’ decisions not to pursue a case involving coercive control being based on the likelihood of success or resource constraints rather than the victim's needs (work-centred approach, see Chapter Four).

Third, she commented on what is promised compared to what is delivered, with a particular concern for victims without recourse to public funds.[54] And finally, her comment about the government needing to show that domestic abuse is a priority was directed toward the availability of funding. Several professionals within the charity sector specifically raised a concern about whether their services would continue to be funded into the following year. Although several practitioners described time pressures, those within the charity sector, in particular, expressed an overarching concern about the monetary funding of services that police officer interviews did not identify.

Information Communication Technology (ICT) and information sharing

Whereas officers often spoke about technology in relation to evidential challenges and the use of body-worn camera footage (see Chapters Four and Six), the use of mobile phones, social media, GPS tracking, and other existing ICT (information communication technology) can also amplify coercive controlling behaviour (Messing et al. 2020; Woodlock 2017, 2020; Yardley 2020). For many multi-agency partners, technology gave rise to some of the main challenges in handling cases

[54] Importantly, all interviews were conducted before the formal introduction of the *Domestic Abuse Act 2021*, which addresses some of these concerns, placing domestic abuse on a statutory footing (Home Office 2021c). However, advocates still have demands around assistance for those with no recourse to public funds and several other points of contention (e.g. Bettinson 2022; *Legal Action Group* July 2021).

of coercive control because of its use within daily life and safeguarding implications.[55] Several professionals discussed how they had to be 'creative' to safeguard and support victims of coercive control. They described this creativity as related to how they communicate with victims, where they can meet with victims, and generally ensuring that any interactions do not place victims at greater risk of harm.

Practitioners associated coercive control with unique safeguarding demands due to its reduced visibility to those outside the relationship, alongside its high risk of harm. Moreover, one multi-agency professional stated that technology:

> Heightens the abuse in a lot of ways because we've given people a lot more avenues to be able to track, monitor, what people are doing. I think as we continue to develop in a more technological world, abuse is going to worsen (Interviewee 21b: Council representative in an operational role).

This practitioner drew a direct connection or correlation between greater (societal) use of technology and the perpetration and experience of domestic abuse. There is some support for this possibility that is uniquely related to coercive control. Monitoring and surveillance are integral aspects of the conceptualisation and operation of coercive controlling behaviour and are facilitated by technology (Stark 2007; Woodlock 2017, 2020). The above professional's prediction about abuse worsening with ICT advancement presents an ominous viewpoint that was also shared by those in other agencies. Similar statements were often followed by a discussion of how this is particularly relevant to the abuse experienced by young people, which was then linked with the

[55] See Thumala et al. (2015) for a discussion about the 'social life' of GPS tracking as a personal security good within caregiving relationships.

associated need to provide education about healthy relationships. However, interviewees were not convinced that it is possible to prevent its abuse whilst also allowing broad access to all forms of technology.[56]

The way in which a perpetrator may utilise technology and social media to coercively control a victim was not the only technology-based challenge described by multi-agency partners. The second type of challenge related to the technological systems used within relevant support organisations that did not facilitate or, in some cases, blocked effective partnership working. For instance, several interviewees mentioned agencies utilising operating systems to which other partner agencies did not have access. They described this complication as forcing practitioners to call, or meet in person, with the individuals working at those agencies to gather relevant information. This potential obstacle relates to later discussion of observed multi-agency meetings, which allow agencies to come together and share information.

To avoid these technological barriers to communication and coordination, some agencies, including the police, have adjusted to working within the same physical location (see Chapter Four). To provide another successful example, one social worker described how,

> Sitting in the same office, we have domestic abuse workers, mental health practitioners, substance misuse workers…We try to make the family life and the lives of the children safer. And I think it's brilliant, because it's just, the communication is so much easier…It means that if something happens you find out about it quite quickly…I can raise awareness of domestic abuse, and raise awareness of things that are going on, and kind of be that voice of challenge for victim-blaming (Interviewee 8b: Social Worker in Children's Social Care).

[56] Some technology companies have identified this concern and are working to ensure that their applications are resistant to use as a tool for coercive controlling behaviour (Nuttal et al. 2020).

In this case, a potential barrier to effective communication, coordination, and information sharing between partner agencies was overcome by co-location. The practitioners work together with a perceived improvement in the efficiency of communication. Chapter Six previously highlighted an example of co-locating an IDVA within the police station, whilst this example described the benefits of a larger multi-agency team. Although not all practitioners would feel comfortable 'challenging' their colleagues, this social worker also identified the added benefit of being able to actively and immediately speak up against expressed 'victim-blaming' attitudes (see also Section III).

When considering the importance of (intra- and inter-agency) information sharing, similar to the 'moral dilemmas' faced by SLBs (Zacka 2017), practitioners must balance their duty (or a victim's expectations) of confidentiality as compared to overarching safeguarding responsibilities. For instance, one safeguarding nurse explained that:

> From adult safeguarding reviews,[57] the majority of things that go wrong are because people didn't share, and people didn't understand when to share…You don't hear very often now I didn't do anything because I didn't want to breach someone's confidentiality…almost kind of think actually is that negligent not to breach? (Interviewee 15b: Safeguarding Nurse).

This quotation illustrates a recurring theme around the potential conflict between a practitioner's maintenance of confidentiality compared to the need to share information between partner agencies. Referencing learning from Safeguarding Adult Reviews (SARs), this nurse resolved the

[57] A Safeguarding Adult Review (SAR) is a multi-agency process aimed to 'promote effective learning and improvement action to prevent future deaths or serious harm' (Department of Health and Social Care 2022). The SAR differs from a DHR in that it relates an adult known or suspected to have experienced (or died from) from serious abuse or neglect (ibid).

dilemma by explaining that, in some cases, a practitioner could consider it 'negligent not to breach' the confidentiality of a victim of abuse. She followed these comments by referencing a case involving a young woman who had been subjected to non-fatal strangulation twice by an intimate partner with whom she had only very recently begun a relationship.

As described by practitioners (see also Section III), this victim was hesitant about involving the police and explicitly stated that she did not want the information to be shared. Supporting the potential influence of the domestic and sexual context of the abuse on victim disclosure and engagement (Burman 2009; Cuthill and Johnston 2019), one reason the victim provided for not wanting her information shared was embarrassment that the abuse occurred during sex. She also expressed self-blame (see also Moulding et al. 2015) for not 'stopping' the perpetrator. The safeguarding nurse described visible blood blisters in the victim's eye as 'really serious,' identified escalation of abuse over a short period, and recognised the case as high-risk using a recency, frequency, gravity (RFG) framework.

With a safeguarding objective, this nurse chose to refer the case to MARAC (see Section V), which required sharing the victim's details. At this meeting, the police downgraded the case to medium-risk, seemingly because the criminal justice response to the perpetrator was ongoing due to a previous offence. Like an officer's experienced 'safeguarding contradiction' (see Chapter Four), many practitioners described a delicate balance between maintaining confidentiality, trust, and developed rapport with a victim of abuse compared to their duty to safeguard that individual. However, most practitioners agreed that where a risk of harm is involved, there could be a serious, if not fatal, cost to refusing to break confidentiality.

III. Multi-agency perspectives on victim-blaming

Victim-blaming and stereotypes of the 'good' victim

In consideration of the potential influence of professional interactions with a victim of coercive control, Chapter Two discussed victim-blaming attitudes and problematic 'interpretive schema' as potentially hindering the translation of the coercive control law into practice (Hoyle and Sanders 2000; Loftus 2009; Stewart et al. 2013; Tolmie 2018: 56). Findings from officer interviews in Chapter Five highlighted the development of domestic abuse 'compassion fatigue' as influencing some officers' use of discretion in response to coercive control. From a multi-agency perspective, the following quotation exemplifies recurring themes regarding how professional responses can be harmful to victims (especially mothers), perpetuate systemic abuse, and how this relates to victims minimising their abuse or blaming themselves. An operational specialist in a domestic abuse support service, who is also a survivor of coercive control, explained:

> We talked about "why don't you just leave," "you can't be a good mother, you haven't protected your children." You know all of those bits, failing to see the complexity of coercive control. Failing to see the economic impact…Seeing someone as just drinking, as opposed to what they have to deal with. So, you're drinking, therefore you're a bad mother, or your children are dirty, therefore you're a bad mother, not the fact that there might be something behind that…For as long as we see the only safety option removing a woman from her home, as opposed to removing the abuser, that's where the victim-blaming starts…It's your fault, it must be, because why else would we be uprooting everybody? The whole system puts that blame on the victim (Interviewee 6b: Strategic specialist in a domestic abuse support service).[58]

[58] This specialist works only with female victims of domestic abuse, so refers to all victims as she/her, women, and mothers.

Previous chapters included reviewed literature, self-described, and observed practice relating to the experiences and professional treatment of victims of coercive control with children (see Chapters One, Two and Five). Grounded within ideas of motherhood and being a 'good mother' (Heward-Belle 2017; Moulding et al. 2015), this specialist described why victims might begin to blame themselves for the abuse. She says the systemically sustained experience of victim-blaming begins with the response to 'uproot' (move) the victim and their children to another location for safeguarding purposes, rather than removing the perpetrator.

It was common for multi-agency partners to express frustration about the onus and burden placed upon victims to protect themselves from abuse when perpetrators are not seen as being held to account. As identified in some officer interviews (see Chapter Four), this specialist referenced coercive control's complexity. Moreover, she explained that coercive control could have an economic impact, be associated with alcohol misuse, or facilitate conditions to perpetuate the victim's perception as a 'bad' mother who does not protect or care for her children. Additionally, a few practitioners mentioned how risks might be dismissed based on preconceptions about the archetypical victim or perpetrator according to characteristics such as age, ethnicity, sexual orientation, socio-economic status, and appearance of victims and perpetrators. For example, one multi-agency partner noted, 'They [the abuser] never look like what you'll think they look like' (Interviewee 18b: Safeguarding Nurse). These findings suggest that practitioners have preconceived notions about how a victim or perpetrator of coercive control may present themselves, impacting the practitioner's use of discretion in response.

As detailed in Chapters One and Two, several authors raised concerns about the potential impact of practitioner's perceptions of victims of coercive control on criminal justice system responses, including the potential unintended consequence of arresting a victim of abuse (Burman and Brooks-Hay 2018: 76; Deleon-Granados et al. 2006; Tolmie 2018). The following excerpt provides supporting evidence for this prospect, highlighting the difficulty of achieving a 'victimless' prosecution, as similarly described in officer interviews (see Chapter Five). The practitioner quoted below worked with perpetrators of domestic abuse within the context of their involvement with children's social care. When asked about whether there are any remaining myths or stereotypes about victims of coercive control, he responded that there are,

> The classic ones, you know, she's as bad as he is, a lack of understanding of violent resistance. When a victim reacts with violence, you know quite often she will take responsibilities for her actions and say yes, I did it. So, she's immediately charged…yet he'll deny everything…Saying she's crazy…using her mental or emotional health against her…That's a huge frustration, when the police will not proceed because they say, well, the victim is not a 'good' victim. I mean, what on earth does that mean? Surely if she's been traumatised…you would expect her not to be a 'good' victim…Why can we not continue the prosecution, a victimless prosecution on the basis that she's traumatised? (9b: Social Worker in Children's Social Care).

First, this social worker brought up the possibility that a victim will engage in 'violent resistance,' which was a term used by Johnson (2008; see Chapter One); this is the idea that a victim of 'intimate terrorism,' which is conceptually similar to coercive control (ibid; see also Walby and Towers 2018), may retaliate and defend themselves through the use of violence. It was clear from this social worker's experience that some of the female 'perpetrators' he interacted with instead appeared to be the primary victim of abuse. Based on his experience, he described a tendency for women who used violent resistance to accept responsibility for this violence and be charged. In contrast, the primary perpetrator would deny any abusive behaviour and portray that victim as 'crazy.' Therefore, the victim could be the only one criminalised in this process.

Furthermore, this social worker was frustrated when the police would label the person subject to abuse as not being a 'good' victim. His description returns to Tolmie's (2018) concern about how the court may perceive victims of coercive control. The above quotation illustrates a challenge to this idea whereby the victim's response or mental health should instead be considered a reasonable response to trauma. The CPS would determine whether or not to pursue an evidence-based prosecution. However, this social worker expressed frustration toward the messenger of that information, the police. Regarding the impact of police practice, it is possible for the officers' impression of the victim to influence the CPS decision, such as through officers' completion of case files. The police also have the ability not to refer the case to the CPS for a charge based on their initial assessments. Multi-agency partner perspectives on working with the police are discussed further in Section IV.

Family Court: Site of abuse within the legal system

Within multi-agency interviews, discussions of a victim's experiences at court also demonstrated similar themes to those expressed by police officers (see Chapter Five). These themes included how the defence may attack the victims' character, and the length and delay of the legal process could dissuade a victim from supporting prosecution. There were also overlaps between multi-agency partner perspectives and the literature on legal systems abuse and decriminalisation (Douglas 2018; Goodmark 2018; Walklate and Fitz-Gibbon 2019). Furthermore, indicating the effects of domestic abuse 'fatigue' (see Chapter Five), several IDVAs described how a victim's disengagement might induce victim-blaming by professionals. However, these IDVAs perceived that withdrawal or support or disengagement should be considered a 'failure' of the process or relevant agency, rather than the victim.

Relatedly, many multi-agency partners identified how victims of coercive control were subjected to further abuse by the State through their interactions in court, particularly at Family Court. Whilst this was not a focus of police interviews, which were situated mainly within criminal law, it is important to consider the main challenges and concerns raised by the multi-agency partners with whom they work. For instance, the following IDVA identified that,

> Within the family courts, children and child access are being used to further abuse…That fear and peril that children will be taken away is used by the court system to further abuse. And I don't use those words lightly, because it is the case… I think our court system still, at all those levels, from criminal through to family court, are still not providing a supportive environment for victims (Interviewee 11b: IDVA).

Discussion about the role of children within a pattern of coercive controlling behaviour often turned from how the perpetrator may utilise the children within their tactics of abuse (e.g., Katz et al. 2020) to how the broader legal system can facilitate this. For instance, in the above quotation, this IDVA described the court using victims' fears of having their children removed from their care as means of further abuse and coercion of victims. Supporting international concerns raised by Walklate and Fitz-Gibbon (2019) and Goodmark (2018) about the ability of the criminal justice system to protect and support victims of abuse, this IDVA does not believe that any level of the court system facilitates a 'supportive environment' for those subjected to coercive control.

This IDVA's example also presents similarities to previously described findings, such as the observation of a police officer who used a victim's fear of her children being taken away as a means of obtaining the victim's statement and support for prosecution (see Chapter Five). Moreover, this perspective also relates to the earlier description of professionals associating victimisation with 'bad' parenting/motherhood and the academic literature on the legal system facilitating abuse and coercion of a victim by the state (Douglas 2018; Porter 2019).

What does a successful outcome look like?

Previous research demonstrated the role of victim preference in police officer decisions to arrest (Hoyle 1998; Myhill 2019). Additionally, Chapter Five illustrated how some police officers considered the victim's perspective, acknowledging how circumstances, chronic fear, and forced dependence on a perpetrator may prevent or discourage a victim from engaging with the criminal justice process. After multi-agency partners discussed the harmful impact of myths and stereotypes about abuse victims, these practitioners often presented what they considered to be a more nuanced understanding. Typically, they described taking account of the victim's perspective and the impact of coercive control before drawing conclusions about a victim's response to offers of support.

One of the ways in which interviewed multi-agency partners (other than the CPS and probation) differ from the police is that they are not directly invested in the criminal justice outcome. Therefore, their organisational aims and 'performance measures' do not rely upon arrest, charge, or conviction rates. It is important to consider how this may influence their decision-making and associated response. For instance, the following IDVA answered the question of what success looks like for victims of coercive control by explaining that,

> I think success is kind of difficult to say in a coercive control case…It could be something as simple as a client being able to see a friend once a month, to a client being able to break free completely with the children and be in a safe house and not be a victim of any further abuse. Success is very, very individual …. For me, it's the client realising that they are not on their own...to have that strength to be able to make their own decisions. They might not be ready to leave, but you've planted that seed to make them believe in themselves again (Interviewee 23b: IDVA).

As exemplified in the above quotation, individuality emerged as a theme within multi-agency partner interviews. This IDVA's description of coercive control as 'individual' referred to the specific behaviours used to perpetrate coercive control, the impact and response of the victim subjected to that abuse, and the practitioner's definition of a successful outcome. Similar to the vision for a coordinated community response (CCR) to provide victim empowerment (Spencer 2016), this IDVA's overarching aim is to help victims recognise that they are no longer isolated and have power over their own decision-making. However, she stated that this decision or experience will vary for each victim, describing a wide range of achievements and an understanding that not all victims will separate from a perpetrator and 'break free completely.' Moreover, other practitioners' responses included similar language, such as following the victim's 'pace' (e.g., Section II) and describing their organisations as 'victim-led.' This evidence of 'individuality' suggests that simplistic or quantitative-based performance measures may not be representative of 'successful' outcomes for victims of coercive control.

IV. Multi-agency working relationship with the police

Decision (not) to work with the police

Every interview discussed the relationship between multi-agency partner organisations and the police. This section draws upon ideas raised throughout this chapter, considering specific themes around joint work with the police in response to coercive control. As described in the previous section, theoretical framework, and demonstrated in police officer interviews, multi-agency partners appreciate that victims of coercive control may have different motivations in (not) contacting the police. First, several practitioners expressed the potential benefits of working with the police and helping victims to access the criminal justice system. Illustrating this perspective, the following excerpt comes from an operational specialist within a domestic abuse charity, who said:

> We will support women to go to the police if that's what they want to do. We also support them if they don't want to go to the police, but we do try and help them go down that route…The more people who report to the police, the more prosecutions we're likely to have, and hopefully the more judges will learn how to deal with it (Interviewee 4b: Operational professional in a specialist domestic abuse charity).

This operational specialist explained that she would support victims whether or not they wish to report the abuse to the police and help victims access the criminal justice route if they decide to do so. The identified benefit of this assistance is the possibility that the greater the number of cases which are reported to the police, the more cases are likely to reach prosecution at court and potentially achieve convictions. In addition, this practitioner believes that the experience handling coercive control cases would then provide education for judges. Her perspective was similar to that which was shared by police officers, whereby having examples of successful cases or case law was perceived to help improve both the police and CPS response to coercive control (see Chapter Six).

On the other hand, building on the previous discussion about the ‘safeguarding conflict’ (see Chapter Four) and expressing additional process- or system-level concerns, some multi-agency partners shared reasons why the specific conditions associated with coercive controlling behaviour may not be conducive to a criminal justice response. For instance, the following quotation comes from a social worker who described why she chose not to involve the police in a high-risk case of coercive control:

> I was concerned about the level of coercive control there, the isolation, the fact that this woman is not free in any sense of the word. …There is coercive control going on. There probably would be enough to arrest the guy, but there probably wouldn’t be enough to charge him…He would then be released, and that would then put her in more danger…He could just get away with it because we’re not able to step in because of her safety. And it just makes it quite complex (Interviewee 8b: Social worker in Children’s Social Care).

In this case, the social worker raised concerns about the level of coercive controlling behaviour, but she did not believe the evidence would reach the threshold of a charge. Therefore, by involving the police, they might have been able to arrest the perpetrator, but when he was released without charge, the victim could, in fact, be at greater risk. Similar to the previously described understanding of coercive control, this situation was labelled as ‘complex.’ Later on, the social worker explained that an IDVA supported this case, allowing non-criminal safeguarding measures to be put in place. However, she did not know what happened to this victim after that point.

It was relatively common for multi-agency partners to describe the criminal justice process as potentially elevating risk to the victim. This finding could support the optimistic hypothesis (see Chapter Four) that police officers may not pursue an investigation and charge for coercive control based on their overarching safeguarding responsibilities through a victim-centred or victim empowerment approach. Specifically, suppose it is known that the police response could increase the victim's risk. In that case, a decision not to pursue a charge of coercive control could be considered a safeguarding tactic. In contrast, identified organisational (cultural, resource) and legal (evidential threshold) barriers to practice may also contribute to a pessimistic view that police officers use discretion not to pursue a charge of coercive control because the offence is perceived to be intractable. The conclusion of this thesis includes further discussion about optimistic and pessimistic viewpoints.

Case example: complexities of coercive control

In some cases, practitioners perceived multi-agency partners (including the police) as doing 'everything right' but still did not achieve the desired outcome for a victim. The below example of multi-agency working exemplified challenges in responding to coercive control. The excerpt below relates to an IDVA's case that involved multi-agency working with the police, mental health services, drug and alcohol services, and housing. She described all these agencies as having a good relationship with one another and the individual practitioners having a good understanding of coercive control. In this case, the perpetrator was currently married and had children with a woman who was not the (known) victim of the abuse. The IDVA described the abuse as having unimaginable reach from afar, which included the victim not leaving the house unless approved by the perpetrator and wearing what he (the perpetrator) told her (the victim). In addition, he would message services pretending to be her and show up at all her scheduled appointments. This IDVA explained:

> If, and often there are, the added complications of drug and alcohol abuse, then it can be really, really difficult to actually understand what's going on…Coercive control and its effects can often look like mental health issues, can look like drug and alcohol addiction, because of the chaotic and sometimes secretive nature around it…It can be so difficult for the police to find evidence or charge. It's difficult to evidence the effect…And you've got that one particular case, even with multiple professionals, and two statements of her having her liberty taken away, and that she's in the hospital where she cannot leave…We're still finding it difficult to unpick exactly which came first. There is no doubt that she is in a coercively controlling relationship, and there's third-party, lots of evidence to support that (Interviewee 12b: IDVA).

This quotation brings together ideas about the impact of coercive control and evidential challenges associated with the offence. Coercive control is known to impact a victim's mental health negatively, whilst perpetrators may also gaslight a victim or manipulate the perceptions of those around them (Stark 2007; Myhill 2015). This IDVA also used Stark's (2007) language of removing the victim's 'liberty' and noted seemingly strong evidence for coercive control in her case example, but not necessarily proof of the causation between the abuse and mental illness or substance misuse. The individual referenced above had been 'sectioned' (kept in hospital under the Mental Health Act) on several occasions since the relationship began. This IDVA described the victim's mental ill-health and substance misuse as 'complications' and 'chaotic,' whilst other practitioners referred to overlapping vulnerabilities as 'complex needs' (Harris and Hodges 2019). Potentially, this individual would not be perceived as a stereotypically 'good' victim within the court process because of her mental ill-health and substance misuse (see Section III; Tolmie 2018). This IDVA later expressed frustration that there were now limited opportunities to support this victim after handling the case for a long time.

Concerns about the police response to coercive control

Previously identified conceptual and empirical research has questioned the ability of the police and criminal justice system to respond to coercive control (e.g., Barlow et al. 2019; Walklate and Fitz-Gibbon 2019). In support of this apprehension, several multi-agency partners shared specific concerns about police practice based on either, direct experience, or the description of events by a victim with whom they worked. To provide context for the following excerpt, this strategic domestic abuse specialist previously described the local Domestic Abuse Investigation Unit (DAIU) as an excellent resource for victims of coercive control. However, she also said this provision leaves a gap for those victims who are not deemed to be high-risk. For this reason, her organisation also provides safety planning for medium-risk cases. This specialist described the role of practitioners as believing the victim of abuse. She also praised the coercive control legislation as helping both victims and practitioners identify risks related to non-physical abuse. She went on to describe examples of problematic police responses:

> Generally, we have a very good working relationship with the police…But I'm still astonished in 2019, nearly 2020, to hear cases where because there's no physical violence, that it's seen as just a "domestic," which I still hear. I worked with one client who said that the police turned up at her door, and that was coercive control, and the police officer, who was a very young police officer, turned around to her and said, "I turned up and there's two very nice cars in the driveway, so I have absolutely no idea why I'm here"…Another one, an older officer actually…The officer said, "well I'm just here to stop the two of you throwing punches at each other." So, whilst I'd like to think that those are rare and not

> standard practice, they do still happen (Interviewee 19b: Strategic specialist in domestic abuse support service).

This practitioner specified the issues which might arise from stereotypes about victims. Importantly, these concerns are not only limited to the police response (see Section III). The above comments from police officers were shared with this specialist by victims of coercive control, rather than being directly observed. However, the decision of these victims to share their comments with her signifies the importance of the response by frontline officers (SLBs; Lipsky 1980, 2010), who are 'gatekeepers' to the criminal justice system (Hohl and Stanko 2015). The previous comments insinuated that the victim was also a perpetrator, related to stereotypes about the socioeconomic status of domestic abuse victims, and perpetuated an understanding of abuse that follows Bishop's (2016) 'hierarchy of harm,' which was only concerned with immediate physical violence.

Of these two comments, one was made by a young officer with limited experience, whilst the other had more experience in the police, which suggests these stereotypes and attitudes may be formed early and become reinforced by the 'cop culture' (Reiner 2010). At an organisational level (see Chapter Two), this type of culture raises concerns about the attitudes and beliefs of some frontline professionals. As acknowledged within police interviews, multi-agency partners identified initial interactions with frontline officers as leaving lasting impressions, influencing the level of victim engagement and associated case outcomes (see Chapter Five). Whilst several practitioners described improvements made to the police and criminal justice response to domestic abuse over the past several decades, the police referring to calls as 'just a domestic' was a lingering frustration. Similar to views expressed by officers in Chapter Six, multi-agency partners identified the quality of a response from any agency as depending on the individual practitioner rather than necessarily extending throughout the entire organisation.

V. Multi-agency meeting observations

Observational data collection, although supplementary to that of interviews, is crucial to understanding how police engage and work with their multi-agency partners. This final section describes findings from observations of practice within multi-agency meetings, relating this to relevant self-reported experiences from interviews. Whilst the analytical focus remains on the police response to coercive control, this section highlights relevant practice by, and interactions with, their multi-agency partners. All partner agencies share an overarching responsibility to victims of abuse and are similarly involved in interpreting state-imposed policy, including by SLBs (see Chapter Two). Thus, observations of multi-agency meetings present another way in which to interrogate practitioner understanding, identification, and response to coercive control.

Strategic and operational board meetings

At the time of observation, local area governance held separate meetings for practitioners involved in the operational and strategic response to domestic abuse. Street-level bureaucrats (SLBs) who work directly with members of the public were represented by the operational board. This board was primarily tasked with reviewing and monitoring set outcomes or targets (e.g., partnership referrals, DVPOs) and ensuring effective implementation of new policies or procedures. The remit of the operational board also extended to assisting the delivery of the domestic abuse strategic action plan and raising any identified concerns to the strategic board. The strategic board was responsible for developing and amending the action plan and addressing any concerns escalated by the operational board. The strands of this action plan included the 'four Ps,' prevention (of domestic abuse), provision (of services), pursuit (i.e., reducing harm, safeguarding, holding perpetrators to account), and partnership.

Several interviewees raised concerns about a lack of attendance by particular agency representatives at local multi-agency board meetings. Observations found that attendance varied from meeting to meeting, both in terms of overall numbers as well as the individuals present (e.g., based on practitioner availability or staff turnover). Where the board identified that a particular agency was regularly absent, the domestic abuse coordinator was assigned an action to follow up with that agency to improve attendance. Both governance meetings were chaired by a local Council representative and involved membership of adult social care, children's social care, housing, health, police, probation, and local specialist domestic abuse and community support services. The police play an essential role in these board meetings because many of the targets and measured outcomes within the category of 'pursuit' relate to the criminal justice response (e.g., incidents, crimes, convictions) and information held on police systems (e.g., DVPN/O use). As with all agencies, the police were asked to provide an update on operational practices or strategic level concerns and to follow up on any actions from the previous meeting.

Regarding coercive control, practitioners' understanding of this form of abuse was a topic of discussion on multiple occasions. Some of these references include the rollout of Domestic Abuse Matters and locally run partner agency training, and discussion of ongoing awareness campaigns by the Police and Crime Commissioner. The Domestic Abuse Matters training was praised by police representatives as improving the police culture around domestic abuse, particularly regarding the identification of coercive control, challenging myths or stereotypes around victims, and addressing 'compassion fatigue' (see Chapter Five).

However, after speaking to some of the trainees, one multi-agency partner raised concerns about the efficacy of Domestic Abuse Matters because they believed the trainers did not have the requisite knowledge of the local agencies and safeguarding pathways. On the other hand, this practitioner also expressed praise for the locally developed domestic abuse training. After escalating these concerns from the operational to the strategic board, the relevant practitioner observed the delivery of DA Matters training and subsequently expressed satisfaction with the experience. Considered through the developed theoretical framework, this provides an example of the multi-agency boards addressing some of the difficulties applying a national intervention at a local level (Terpstra and Fyfe 2015), navigating differing opinions between agencies ('relational expertise,' Edwards 2010), and an action which was fulfilled following escalation from operational to strategic representatives.

Regarding police-recorded outcomes, board meetings often discussed the use of Domestic Violence Protection Orders (DVPOs). Chapter Five referenced officers self-described use of these orders, including an example of why an officer used discretion not to pursue a DVPO based on the perceived needs of the victim. Following a practice assessment request by operational board members, the police identified an initially low use of DVPOs in the local area. However, they said this was followed by a substantial increase after an organisational push encouraged their use. These findings suggest the potential for organisational change and associated management practices to influence officer discretion (e.g., Evans 2010; Zacka 2017).

On the other hand, police representatives explained why civil order (and criminal justice) outcomes might not be adequate measures of performance because they do not necessarily measure the impact of that intervention on the victim. Police representatives referenced concerns across policing regarding the efficacy of actions taken after an order is put in place. It is not known how the updated local domestic abuse strategy addressed this performance measurement concern. However, this observation illustrates the limitations of quantitative performance measures, supporting the use of mixed methods and triangulation of data sources to look beyond crime, arrest, charge, prosecution, or conviction rates.

It is important to note that both operational and strategic board meetings addressed concerns about the MARAC process.[59] Several practitioners referenced previous critiques of MARACs within learning from local DHRs, which highlighted the meetings as ineffective. Apparently lacking the necessary 'relational expertise' (Edwards 2010) as part of a Coordinated Community Response (CCR; Spencer 2016), partners described MARAC as feeling like a police meeting rather than a multi-agency one. Following escalation from the operational to the strategic board, a task and finish review group drafted a report highlighting existing issues and possible solutions. Recommendations included shifting from a police-only to a joint agency chair and making MARAC outcomes a standing item on the meeting agenda. The police representatives on both

[59] MARAC observations are discussed later in this section (see below).

boards were receptive to change, particularly because the chair's responsibilities are resource-intensive, and the police supported sharing these responsibilities between partners.

Domestic Abuse Coordinator meetings

Each local area had a domestic abuse coordinator (DAC) who would help run local board meetings. DACs also met quarterly to share relevant information, including police-recorded outcome data. Although it was a small sample, observations of three of these meetings demonstrated overlapping discussion with the local strategic and operational boards, alongside sharing of learning from other counties within the force area, such as the results of a DHR. There were examples of local nuances in practice, including differences in the perceived efficacy of pilots and interventions. One example of this was the addition of a 'court IDVA' who specifically addressed support needs within the criminal legal process. One local area found this specialisation useful in reducing demands on a previously generalised IDVA service, whilst another area found that court IDVA's responsibilities could be accomplished within their existing service provision.

Notably, in one of the meetings, the DACs discussed the 2018 change in police practice in this force area that led to the completion of initial crime recording by call handlers prior to the arrival of emergency response officers on the scene. The DACs described this change in policy as impacting any use or comparison of police-recorded statistics (see Introduction). Based on the DACs' discussion with the police, as a consequence of this change, frontline officers would be unlikely to amend the crime(s) recorded by the call handler and work on that basis. One coordinator utilised the coercive control offence as an example, explaining that if the handler does not identify that pattern of behaviour, then it could become a missed opportunity to pursue a criminal charge. This example signifies the importance of understanding and decision-making of call handlers as influencing criminal justice outcomes and would support the force's application of Domestic Abuse Matter's training across all officers as well as staff. Additionally, it demonstrates some of the pitfalls of using only quantitative outcomes to evidence claims about practice or performance.

Domestic Homicide Review meetings

Observations also included four meetings relating to a single Domestic Homicide Review (DHR; see Chapter Three). As the contents of this DHR are not yet publicly available, this section describes observations relevant to multi-agency working practice. This homicide involved a female victim suspected to have been killed by her male intimate partner, who then died by suicide. The parties were known to various agencies, including the police, mental health services, health (NHS), housing, and probation. In this case, practitioners did not explicitly identify coercive controlling behaviour prior to the homicide. However, the reviewers recognised points during intake and risk assessment by several agencies, including the police, in which practitioners could have probed more around signs of controlling behaviour.

As in the theoretical framework (see Chapter Two) and discussion of multi-agency working within interviews (see Section II and Chapter Six), DHR meetings illustrated concerns (and solutions) related to communication, coordination and information sharing, often concerning technological systems. For instance, the review raised learning around the challenges organisations face with multiple recording systems that prevent intra- and inter-agency information sharing. However, there was also an example of a positive development within policing by changing the call handler operating system to display the risk level associated with the caller automatically. The homicide occurred prior to that organisational change in practice. The amended practice ensures that abandoned 999 calls still receive a response when the number is associated with a victim (or perpetrator) of abuse. Discussion of this improvement arose from the identification of potential missed opportunities for safeguarding after discovering abandoned 999 calls placed by the victim. The above example illustrates the importance of intra-agency communication (e.g., Giacomantonio 2015).

Importantly, in sharing and presenting individual agency reports, it was not uncommon for tensions to arise if a practitioner perceived their agency was being singled out or challenged on particular actions (taken or not taken). During these points of tension, the chair was able to summarise potential learning without attributing blame to the agency to which the action related whilst also recognising organisational nuances and potential for hindsight bias. Statutory guidance identifies the need for an 'independent' chair (Home Office 2016). As exemplified in observed DHR meetings, this chair must be trained to facilitate 'relational expertise' (Edwards 2010) and mediation of different actors.

Observed DHR meetings support themes identified in previous chapters, with learning for multi-agency partners, including increasing information sharing between agencies, probing or using 'professional curiosity' when assessing risk (e.g., risk around pregnancy, missed medical appointments), and improving communication with the victim (e.g., informing the victim about changes to bail conditions). As described within policing (see Chapter Four), issues completing an initial risk assessment (poorly, not thoroughly enough) were identified as having negative consequences for each subsequent agency interaction.

Multi-Agency Risk Assessment Conference (MARAC) observations

As discussed in the Methods chapter (see Chapter Three), data collection involved the observation of three MARAC[60] meetings across three local areas (A, B, C) within the force. Multi-agency meetings, like Multi-Agency Risk Assessment Conferences (MARACs), are an important area of partnership working for the police in domestic abuse and coercive control cases. These meetings provide an opportunity for multi-agency partners to come together to discuss cases involving high-risk domestic abuse and determine what safeguarding actions may be required to protect the victims (see also Chapter One). These partners discussed 22 cases in total, six in local area A, nine in local area B, and seven in local area C. Of these cases, eight (36%) specifically discussed the presence or possibility of coercive controlling behaviour (see Table 3). Whilst the following discussion focuses on these eight cases, examining those without indications of coercive controlling behaviour also provides evidence of how the police interact with partner agencies.

Table 3. MARAC case referrals by area, including discussion of coercive controlling behaviour (CCB).

MARAC Area	Cases discussed	CCB mentions	% of total
Area A	6	2	33%

[60] At the time of observation, MARAC meetings were held monthly. Note that this force area also utilises MATAC (Multi-agency Tasking and Coordination) meetings for safeguarding. This is a police initiative that was recently adopted in the local force area to manage repeat, serial, and high-risk domestic abuse perpetrators.

Area B	9	1	11%
Area C	7	5	71%
Total	22	8	36%

Notably, most explicit mentions of coercive controlling behaviour were limited to the cases discussed in area C, which, in fact, made up five of the seven (71%) case referrals to that local MARAC. Of the remaining three referrals observed to reference coercive control, two came from area A and one from area B. Although the circumstances of each case will differ, and the sample size is very small, this concentration of discussion around coercive control in one area raises the possibility of local differences in practitioner knowledge, training, or understanding.

At each meeting the (police) chair would begin by describing the goal of MARAC to be sharing information about risk (to the victim, children, and public) and working jointly to mitigate and manage that risk. Prior to the meeting, practitioners had access to information about the victim, suspect, and any children, including if and how they were known to partner agencies. The structure of the three MARAC meetings was broadly similar, beginning with an introduction of the attending practitioners, agreeing on the previous minutes, going over the progress of previous actions, and summarising the cases to be heard. Next, they discussed each case one by one, with relevant agencies presenting the information known to them. Towards the end of the discussion, the practitioners decided whether the case would remain high-risk or be reduced to medium- or standard-risk once they agreed upon any safeguarding.

Regarding practitioner interviews, when asked about how decisions are made regarding the risk assessment of cases which are referred to MARAC, one IDVA explained that,

> It's always a multi-disciplinary decision about risk. But the IDVA opinion is usually listened to. Not always, definitely not always, but usually it's the IDVA that will help to determine the risk of the victim (Interviewee 22b: IDVA).

Interestingly, concerning multi-agency work such as through MARAC, this IDVA experienced her opinion about the victim's risk as being validated and accepted by representatives of other agencies. However, multi-agency partners do not always agree about the level of risk assigned to a case, and as described below, some agencies are more likely to make the final decision. This finding is particularly important because the resources and support provided to a victim vary based on this risk assessment, with a previously identified gap in resourcing between high-risk compared to medium- or standard-risk cases.

Importantly, as the police chair these meetings, they may have considerable influence over discussion and decision-making. For example, the police chair would often propose an outcome based on their judgement of the presented information and then ask whether or not there was agreement from those present. Whilst there were cases in which the chair asked all practitioners for their assessment prior to rendering a decision, or a practitioner felt comfortable challenging the chair's decision, most cases received the risk assessment and actions proposed by the chair. This finding indicates the importance of the police and individual chair in the outcome of a MARAC referral. Moreover, this chairing responsibility could contribute to previously described perceptions of MARAC as a 'police meeting' and officers' descriptions of the high level of responsibility held by the police, including for issues outside of the criminal justice jurisdiction (see Chapter Six).

As mentioned above, the agencies that are most actively involved in the discussion are likely to influence the outcome of the MARAC. When compared to observed strategic and operational board meetings, MARAC meetings had a fuller representation of agencies who chose, or were able, to attend. However, some practitioners requested to leave the MARAC meeting after discussing the case relevant to their agency rather than contributing or listening to the other cases being heard that day. As described in Section II, this was often said to be due to time pressure and was most common for healthcare practitioners. In addition to the police, the most active participants at the observed MARAC meetings were the Independent Domestic Violence Advisors (IDVAs). They were followed by other services, such as children's social care, health, or probation, depending on the circumstances of each case and which agency had made the referral. Furthermore, as raised within the theoretical framework (see Chapter Two), the governance, decision-making process, and working dynamics between partner agencies are crucial for victims' safeguarding and perpetrators' criminal justice outcomes.

MARAC observations of coercive control

As mentioned, eight observed MARAC cases involved an explicit reference to coercive or controlling behaviour (using terms coercive and or control(ling)). Although this research involves a small, local sample, the observation of MARAC meetings provides a rich data source through which to understand the multi-agency response to high-risk abuse involving coercive control. The observations include examples of the type of behaviour identified as coercively controlling, local differences in labelling and identification, the reasoning behind risk assessment decisions, potential safeguarding actions, and the associated responsibility and influence of the police and IDVAs in the final ratification process.

Some common themes arising from these cases were: concerns about child contact or the use of the children as a means of control (e.g., using them to pass messages, threatening to have them removed), mental ill-health of the victim or perpetrator described as a complicating factor, and stalking or harassment through the use of friends or family members. These themes support previous research and findings regarding coercive control tactics (Katz et al. 2020; Stark 2007) and the potential challenges of responding to individuals with 'complex needs' (Harris and Hodges 2019; see Section IV).

The following case example demonstrates the benefits of bringing together practitioners working with different family members (i.e., through a CCR; Hardesty and Ogolsky 2020). This case also illustrates the far-reaching impact of coercive control (on the victims' children and mental health), and the potential for agencies to continue working in partnership to support those cases 'lowered' to medium-risk. The social worker who referred the case (area C #4) labelled the abuse as being 'physical, sexual, financial, emotional, and controlling.' This social worker also described the perpetrator as 'playing games' by having the children pass on messages to the victim and creating fake Facebook profiles to continue contacting the victim.

Additional practitioners described the perpetrator as being in constant contact with the victim. They stated that the victim felt she could not function without him because of her declining mental health. The police did not have a recorded history of domestic abuse between the couple as this abuse was not reported to them. The perpetrator was subject to a non-molestation order associated with another offence and was not allowed to have contact with the children without supervision. However, one practitioner raised the point that the children did not want to have any contact with the perpetrator, and there were concerns raised about the ability to extend the coercive control during periods of child contact (see Section III). Therefore, although the risk was assessed to be medium based on existing protections, a referral was made regarding the concerns about child contact.

Another case of coercive control (area C #7) involved a male perpetrator and a female victim who was now his ex-partner. The perpetrator was having an 'affair' with the victim during the marriage. Presenting clear overlaps with Stark's (2007) conceptualisation, the abuse involved physical and sexual violence and 'isolating' and 'dominating' the victim to the point where she became 'like his possession.' The perpetrator also spread lies about the victim to turn her co-workers against her and utilised his friends and family to 'spy' on her after their separation. Additionally, one practitioner questioned whether this perpetrator has also abused his current wife and whether she might disclose this abuse.

This case remained as high-risk, with additional support provided relating to the ongoing stalking and harassment. Echoing the importance of victim empowerment and refuge or separation (White and Sienkiewicz 2018; see also Chapters Four and Five), the police described the need to build up the victim's confidence and maintain her safety now that he does not know where she is living. However, the police also commented that the victim 'comes across as really credible,' which relates to the stereotype of a 'good' victim (see Section III and Chapter Five).

As also raised within Chapter Five, one case of coercive control involved a familial rather than intimate partner relationship (area A #1). It is important to consider the ways in which domestic abuse may vary within different types of relationships. Social care referred this case in relation to violence against the perpetrator's mother and sister. The case had previously been referred to MARAC, and the perpetrator was also known to the police and mental health services. The family was described as 'walking on eggshells' around the perpetrator. The abuse against the perpetrator's sister was escalating. The sister rarely attended school out of fear for her mother's safety, whilst the mother was unable to safeguard her daughter because of the abuse.

The perpetrator had been sectioned due to the risks she posed to others, and the police did not think that a criminal justice intervention would be appropriate in this case. However, mental health services stated that their forensic mental health assessment suggested the perpetrator should be held responsible for her actions and experience the consequences. From this perspective, she (the perpetrator) deliberately targeted her sister and mother because she considered them more vulnerable than her father. The police said they would need the parents to report the assaults and support the legal process. One practitioner challenged the police, arguing that the police would deal with this case differently if the perpetrator were an intimate partner rather than a child. At the end of this discussion, they ratified the case as high-risk, with the IDVA continuing to support the mother. Additionally, a child protection conference would determine actions relating to the perpetrator's sister.

Furthermore, there were also MARAC cases in which the terms coercive or control were not explicitly mentioned, but the behaviours described by practitioners suggested this type of abuse. For instance, case (area A #5) did not involve explicit mention of coercive control but was observed to exemplify this pattern of behaviour. This MARAC case was the only one observed to involve abuse within a same-sex relationship (male ex-partners). The case was referred through the sexual assault referral centre (SARC)[61], with additional involvement from children's social care (relating to the victim's children with a previous partner), the police, and a specialist domestic

[61] Although the SARC referred the case, no information about a sexual assault was discussed in the meeting.

abuse service. The practitioners described the perpetrator as having locked the victim in the bathroom and previously using camera surveillance in his house to question the victim as to why he was not at home. The perpetrator was also described as being 'very manipulative' and knowing how to 'work the system' by initiating the violence and then reporting the victim when he would defend himself or 'fight back' (i.e., violent resistance).

The MARAC practitioners remarked that the victim tended to 'minimise' his abuse, declined consent to information sharing, and expressed that he would not report further incidents as he knows he may have to move from his current housing. This finding also supports an expectation or need for the victim to relocate (see Section III) and wider repercussions arising from the criminal justice process (see Chapters Two and Five). The perpetrator's abusive behaviours and the victim's response to this abuse indicate a pattern of coercive controlling behaviour (e.g. Myhill 2015; Stark 2007; Tolmie 2018; Woodlock et al. 2020). As shown in Chapters Five and Six, the police consider the ongoing support of an IDVA and the physical separation of the victim and perpetrator as reducing the potential risk. Based on these conditions, the chair proposed that the case be downgraded to medium-risk, with the action being to 'watch and brief.' This case provides an example of how practitioners may respond to a case involving (unnamed) coercive controlling behaviour between same-sex partners, as well as a victim who chooses not to engage with the criminal justice system.

This section has detailed findings from observations of several types of multi-agency meetings. First, observations of strategic and operational board meetings included examples of concerns around training, police use of protection orders (DVPOs), and the efficacy of MARAC. These examples demonstrated the importance of 'relational expertise' (Edwards 2010), pitfalls of quantitative performance measures, and attempts to influence frontline practitioners' (SLBs') use of discretion. Second, the Domestic Abuse Coordinator meeting observations highlighted local differences in the perceived efficacy of pilot interventions and how a change in organisational practice could impact the recording of the coercive control offence. Next, three meetings of a Domestic Homicide Review illustrated learning related to information sharing, risk assessment, and improved communication with victims. Finally, MARAC meeting observations demonstrated support for the influence of the police chair and IDVA on decision-making. The observations also evidenced previously identified themes around coercive control perpetration and victimisation (e.g., minimisation of abuse, use of children, 'complexity'), and the potential for local differences in practitioners' identification of coercive control.

Conclusion

The identified overlapping themes between police officer and multi-agency partner interviews support the application of the theoretical framework to other practitioners responding to coercive control. These similarities include experienced pressures of time and resources, and the importance of professional curiosity. Additionally, the multi-agency meeting observations shed light on how the dynamics of practitioner decision-making processes are filtered through a developed 'relational expertise' (Edwards 2010). For instance, interviews with both police officers and their multi-agency partners included attempts to understand the victim's perspective. However, unlike police officers or prosecutors, many multi-agency partners described successful outcomes as being individual to the victim and not necessarily associated with the victim leaving the perpetrator or achieving a conviction. Instead, particularly for those working within domestic abuse support services, success translated to the empowerment of victims to make their own decisions.

Multi-agency partners discussed victim engagement with the criminal justice process as linked to an immediate risk amid chronic experiences of fear. In this way, they acknowledged why retaining engagement could be challenging when the criminal justice process is associated with treating a symptom of that chronic fear rather than the cause. Furthermore, whilst there was a general acknowledgement of a positive relationship between the police and partner agencies, harmful stereotypes about victims of coercive control (particularly non-physical abuse) remain, which practitioners described as impacting frontline officer responses. Emphasising the influence of organisational structure and culture, the findings in this chapter illustrate why police officers' responses to coercive control could not be understood without considering how they overcome potentially conflicting perspectives and priorities to achieve the shared goal of safeguarding victims of abuse.

Discussion and conclusion

Introduction

As a legislative intervention, the coercive control legislation requires a change in practice to respond to a pattern of abusive behaviour that may not present visible evidence of physical violence. However, there is a dearth of research on the police response to coercive control that was conducted after its criminalisation in England and Wales in December 2015. This thesis helps make sense of how the police navigated the legislation in the first four years of its use. Framed within the reviewed literature and developed theoretical framework, this concluding chapter draws together findings across Chapters Four to Seven, presenting evidence of how individual, interpersonal, organisational, multi-agency, and legal factors may influence police officers' use of discretion.

The main aim of this research was to examine how police officers interpret the coercive control legislation and translate it into practice. The empirical objectives of this research were to collect and analyse data from interviews, case files, observations, and recorded outcomes to interrogate police officers': understanding of coercive control as a form of abuse and piece of legislation; use of organisational training and guidance; interactions with service users (victims, perpetrators, families) and multi-agency partners; experience responding to coercive control; and, finally, use of discretion and decision-making with regards to the coercive control offence. By achieving these aims and objectives, this study has sought to answer the following three research questions:

1. In what ways, if at all, has the coercive control legislation transformed, disrupted, or been embedded into practice by the police?
2. How do the police conceive of their individual and joint (multi-agency) roles in responding to coercive control?
3. How do the police negotiate the challenges to practice presented by the legislation?

The findings from various data sources corroborate, challenge, and build upon one another. With demonstrated gaps in the existing empirical literature, such as its limited consideration of the joint (multi-agency) role of the police (see Chapter One), this thesis makes an original contribution to the academic literature on the police response to coercive control, and domestic abuse more broadly. This study also provides empirical evidence to support conceptual and theoretical claims about the challenges presented by the criminalisation of coercive control. Furthermore, contributing to the literature on police reform and socio-legal law in practice, this thesis presents a case study of how a legislative intervention that aims to change practice may be interpreted and translated through discretionary action by the police. The findings demonstrate that whilst officers who pursue alternative safeguarding measures rather than a charge of controlling or coercive behaviour may not act to deliberately subvert the law, they do utilise de facto discretion to follow practice that reinforces existing cultural norms and ways of working.

I. Interpretation and translation into practice

As mentioned above, the criminalisation of coercive control in England and Wales necessitated a change in practice for police officers responding to domestic abuse. Research has identified that, as an organisation, the police are structured to respond to discrete incidents with visible evidence of physical violence (Barlow and Walklate 2021,2; Bettinson and Robson 2020; Bishop 2016; HMIC 2014). In contrast, the coercive control legislative intervention aimed to improve awareness, understanding, and practice in response to abuse that forms a harmful pattern of behaviour and may not present as overt physical harm (Hansard, Parliament 10 April 2014). However, the legislation was initially introduced following brief consultation and limited (online) training, which placed officers at a disadvantage in attempting to achieve that aim.

Based upon prior research on (failed) attempts to reform police practice and improve the police response to domestic abuse (Bullock and Johnson 2012; Duggan 2019; Hoyle 1998; Mackenzie et al. 2019; Paterson and Clamp 2012; Skogan 2008), academics raised concerns about the challenges and potential unintended consequences of criminalising coercive control. The proposed challenges and consequences included shifting policing away from 'incidentalism' (Kelly and Westmarland 2016), the knowledge and resources required of police officers to identify and respond to coercive control, mis- and under-use of existing domestic abuse-related offences, and the potential to criminalise victims (see Chapters One and Two; Bettinson and Bishop 2015; Burman and Brooks-Hay 2018; Monckton Smith et al. 2017; Tolmie 2018; Walklate et al. 2018).

I showed that existing criminal justice data demonstrate a relatively low but generally increasing use of the controlling or coercive behaviour offence since January 2016. The finding applies to local and national data, including police-recorded crimes, and criminal prosecutions and convictions. However, the rate of increase appeared to diminish over time. Furthermore, coercive control offences make up only a small proportion (3%) of all recorded domestic abuse-related offences in England and Wales (ONS 2020a). Additionally, over the four years of study, the vast majority (85%) of police-recorded coercive control offences in the local force area resulted in no further action (NFA) based on evidential difficulties. Barlow et al. (2019: 9) and Brennan and Myhill (2022: 481) similarly identified coercive control offences as more likely to result in evidential difficulties than other domestic abuse-related offences. These recorded outcome statistics would suggest that the legislative intervention encountered challenges that prevented its transformation of police practice. However, the analysis of quantitative criminal justice data as a sole measure of police practice has significant limitations (see Section IV and Chapter Three). Therefore, it was necessary that this study also utilise qualitative methods to provide an in-depth understanding of how officers have navigated the introduction of the coercive control legislation and utilised the offence in practice.

The (limits of) police understanding and identification of coercive control

Considered through the lens of the theoretical framework presented in Chapter Two, the first part of this section begins by discussing police officers' knowledge, understanding, and identification of coercive control. As street-level bureaucrats (SLBs; Lipsky 1980, 2010) with inherent discretion, operational police officers' understanding of coercive control can impact their interactions with victims, identification of the abusive behaviour, assessment of associated risk, and resulting discretionary actions (e.g., arrest, referral, use of alternative offences or protection orders).

Contrary to what may have been initially expected (e.g. Walklate 2018), all interviewees provided some understanding of coercive control. Thus, similar to Hoyle's (1998) findings on the impact of mandatory arrest policies for domestic abuse, this thesis presents evidence that the criminalisation of coercive control had a symbolic, educative effect on officers' awareness of this abuse. In fact, several officers of various ranks and specialisations utilised terms and ideas present in Stark's (2007) conceptualisation and the legislation and government definitions (Home Office 2013a). These included references to a serious effect, loss of liberty, isolation, manipulation, humiliation, intimidation and so on (see Chapter Four).[62] This finding supports the influence of the legal context on police practice that was also demonstrated within police case files. Specifically, officers' statements utilised language from the legislation, such as describing behaviour as having a 'serious effect' on the victim, being 'repeated or continuous,' and that a suspect 'ought to know' the impact of his actions. In this way, it initially appeared that part of the legislative intervention's aim, improving awareness and understanding of coercive controlling behaviour, was partially achieved.

However, as would be hypothesised based on SLB theory (Lipsky 1980, 2010) and the organisational structure of the police (Giacomantonio 2015), those who provided a detailed and nuanced understanding of coercive control were most often domestic abuse specialists rather than frontline emergency response officers. As 'generalist' SLBs (Zacka 2017), frontline officers lacked expertise, illustrating variability in the understanding of coercive control based on organisational responsibilities (see Chapters Two and Four). Additionally, some officers expressed a lack of confidence in their understanding of coercive control. Senior-level and strategic officers described how some officers 'really get it,' whilst others do not. This finding suggests that the impact of the legislative intervention was not distributed equally amongst all police officers.

[62] Please note that Section IV identifies the possible influence of sampling on findings related to officer understanding of coercive control.

It was challenging to separate officers' understanding of coercive control as a form of abuse or clinical concept compared to the associated legislation. In general, police officers often described coercive control as involving subtle or intangible behaviours whilst also being very complex (i.e., 'subtle complexity'). Moreover, at least 60% (n = 21/35) of police officers described coercive control through a comparison to physical violence and assault. As criminal offences, (common) assault and ABH were often described as 'black and white,' 'more clear-cut,' 'simple,' and 'easier to prove.' Prevalence of this comparison suggests the possibility that rather than conceiving of physical (and sexual) violence as tactics of abusive behaviour that serve to (re)enforce coercive control (Stark 2007; Wiener 2020), the legislation facilitates a potential dichotomy between physical violence and coercive control, which is perceived as non-violent.

In contrast, interview data also demonstrated the self-described experience of officers identifying coercive control when responding to reports of physical and sexual violence. Using supplementary data sources, this understanding of coercive control was compared with findings from case files and observed practice at MARAC meetings. Supported by previous research (Barlow et al. 2019; McGorrey and McMahon 2019; see Chapter One), this thesis provides evidence that most cases involving coercive control also include details about physical and or sexual violence.

Additionally, the theoretical framework recognised training as potentially influencing SLBs' actions without limiting their discretion (Tummer and Beckers 2014; Zacka 2017; see Chapter Two). When asked about organisational training, guidance, and policy around the coercive control legislation, police officers often assumed they had training at that there must be national guidance on the legislation; however, most were unable to recall specific details. As recognised within SLB theory (Zacka 2017), and also supporting an action-oriented cop culture (Reiner 2010), officers associated their understanding with on-the-job experience and advice from colleagues, rather than as informed by organisational resources. This emphasises the influence of interpersonal interactions.

Police officer interviews were conducted prior to the local introduction of Domestic Abuse Matters training to upskill all police officers' and staff's understanding of coercive control, which was shown in pilot research to significantly increase rates of arrest for the offence at least for eight months (Brennan et al. 2021). Therefore, it was not possible to determine how this training impacted officers' use of discretion in response to coercive control. However, this study did include an observation of one training session. This observation showed that several officers identified the training as improving their understanding of coercive control. However, one of the trainers also (inadvertently) reinforced the organisation's culturally-held belief that coercive control is uniquely difficult to prove.

Echoing support for the initial aims of the legislative intervention, when asked about why coercive control was criminalised, officers often expressed a perception that the legislation to helps fill a gap in police power to respond to a pattern of behaviour that did not necessarily meet criminal evidential thresholds in isolation. However, similar to Walklate et al.'s (2018, 2019) predictions, whilst officers suggested that understanding of coercive control had improved since the introduction of the legislation, some officers identified a remaining gap between coercive control as a phenomenon, and its legal application. Moreover, one officer (Interviewee 29a: Detective in the DAIU) explained that he was unsure how the offence was meant to be used, but it helped him capture previously inadmissible evidence (e.g., mental imprisonment, historic assaults) within a pattern of coercive control. Therefore, this thesis also builds empirical evidence to support SLB theory's contention that law can shape practice whilst also facilitating practitioners' use of discretion (Lipsky 1980, 2010; Zacka 2017).

The theoretical framework in Chapter Two described how individual understanding, alongside organisational culture and resources can impact officers' use of discretion. This was evidenced in the analysis of police officers' completion of risk assessment forms, an area within which frontline officers (as SLBs) retain discretion. As detailed in Chapter Four, many interviewed officers described risk assessment forms as blunt, static, and bureaucratic tools, indicating that the risk assessment process conflicts with action-oriented cop culture (Reiner 2010). Similarly, officers identified operational demands and associated time pressures as hindering risk assessment practices.

In contrast to organisational guidance (College of Policing 2015/2022), observations of police practice during ride-alongs illustrated officers' use of de facto discretion (Evans 2010) when completing risk assessments. This included working practice to memorise all questions on the risk assessment form, attempting to include the questions in an informal discussion, and then deciding whether to complete a written form, or choosing to complete the form long after attending the associated call out. Interviewed police officers echoed these statements, adding that there are individual differences in risk assessment based on the officer's understanding of domestic abuse and coercive control, as well as their use of professional curiosity to probe around yes or no answers and interpret non-verbal cues. These findings indicate that the legislative intervention has shaped the practice of some police officers, but there are also limitations to its influence.

For instance, the comparative analysis of case files in Chapter Four presented a case in which a victim asked her friend to call the police because her partner prevented her from leaving the house, and she was afraid of what he might do. The associated Custody Sergeant identified signs of coercive control within the victim's witness statement, such as isolation and the suspect preventing the victim from attending medical appointments. However, due to a lack of additional witnesses and no perceived positive threats or physical action taken to prevent the victim from leaving, they filed the case as having insufficient evidence. Returning to the framework's consideration of interpersonal interactions between colleagues (see Chapter Two), this case file provided an example of a supervisory police officer who identified abuse that frontline officers had not initially recorded as coercive control. However, it also showed how officers' perceptions of the legislation or misunderstanding of the dynamics of this abuse (e.g., generalised fear and control that does not require continued, overt use of physical violence) could result in missed opportunities to charge and prosecute coercive control.

Evidence, investigation, and response

As detailed in the theoretical framework, to understand how discretion influences the translation of law into practice, research must consider how officers gathered evidence of coercive control, investigated the offence, and how these experiences influenced their response. When describing their experience handling cases of coercive control, police officers often mentioned gathering evidence from witness statements describing the victims' change in day-to-day behaviour or isolation, mobile phone data, bank statements, and body-worn camera footage. Whilst officers' descriptions of evidence gathering appeared to match examples provided within organisational guidance (College of Policing 2015/2022), complementary data from the case file analysis also allowed this self-reported data to be compared with officers' recorded actions.

Anonymised case files showed that evidence of coercive control included references to isolation, manipulation, verbal denigration, and physical abuse (e.g., non-fatal strangulation, punching, shoving, hair-pulling), as well as rape and sexual assault. The police-recorded assessments of the strengths of this evidence often cited supporting victim and witness statements, corroboratory texts, emails, or social media messages, and visible physical injury. In contrast, acknowledged weaknesses included a lack of visible injuries or physical evidence, descriptions of the case as being 'one word against the other,' or the victim and suspect as 'one being as bad as the other,' mental ill health or alcohol and drug misuse by the victim, and withdrawal of support by the victim. These findings show that even where coercive control was identified, existing cultural norms, such as the prioritisation of visible physical injury within a hierarchy of harm (Bishop 2016) and perceptions of what makes a 'good' victim, continue to influence officers' discretion in choosing whether to pursue a charge for controlling or coercive behaviour.

Notably, one case exemplified the identification of coercive control following a history of standard-risk 'verbal incidents' in which the victim declined to provide a statement. The records of these 'verbal incidents' suggested the experienced challenges of victim engagement were associated with the initial lack of identification of coercive control by the police. However, the most recent report of the victim being chased down the street by the suspect (her husband) was assessed as high-risk by frontline officers. The Evidential Review Officer's report to the CPS highlighted the strengths of the case, explained reasons why the victim may have previously minimised the abuse, and stated that the case should continue even if the victim were to withdraw her support of the prosecution. This officer utilised discretion in not only choosing to refer the case for a charge of controlling or coercive behaviour, but actively undermining any potential weaknesses of the case according to existing legal structures.[63]

As suggested by SLB theory (Lipsky 1980, 2010) and explored by previous research on policing domestic abuse (Hoyle 1998; Myhill 2019), officers retain discretion and may not necessarily choose to arrest or take other action, even where the policy is mandatory. Considering a potential organisational influence on police officers' use of discretion (see Chapter Two), guidance from the College of Policing (APP; 2015/2022) states that officers have a 'duty to take positive action' when responding to domestic abuse, else justify a decision not to do so. Evidence from interviews about the police response to coercive control demonstrated an organisational understanding that victims experience domestic abuse for a considerable period of time before contacting the police, and that victims are more likely to support prosecution if the arrest and charge follow shortly after the initial response (e.g., Barrow-Grint 2016). Based on their perception or experience of the length of investigation necessary to prove coercive control, officers identified the pursuit of other offences (e.g., common assault), civil protective measures, or referrals to support agencies as a preferred response. Therefore, these officers fulfilled their organisational responsibilities according to existing guidance and policy requirements. However, this resulted in the officers' use of discretion not to utilise the coercive control legislation, even where they identified evidence of this form of abuse. Section III discusses this interpretation and translation of the coercive control legislation into working practice.

[63] Although the suspect was not convicted for coercive control, he was convicted for other offences (e.g., assault and possession of an offensive weapon).

With the acknowledged challenges of victim engagement, particularly within cases of coercive control (see Chapters Two and Five), the analysis considered officers' experiences and perceptions of using evidence-led prosecution in those cases without support from the victim. Officers recognised that organisational guidance and policy identify the potential use of evidence-led prosecution in cases of domestic abuse (College of Policing 2015/2022; CPS 2020) but held mixed perceptions of this action. Similarly, as suggested by Ellison (2002), by proceeding without the victim's involvement, some officers perceived evidence-led prosecution as removing the burden, and blame by the suspect, on the victim. These officers also perceived prosecution to be a safeguarding measure.

In contrast, as also recognised within academic literature (Douglas 2018; Walklate and Fitz-Gibbon 2019; see Chapter Two), some officers identified that evidence-led prosecution or coercion of a victim to testify in court could disenfranchise a victim from the criminal justice system. These officers identified victims whom they perceived to have reduced confidence in the police following a criminal justice intervention. This evidence provides an example of SLB theory applied in practice whereby the appraisal of law, policy, and organisational goals may conflict with the expectations and needs of a service user (Lipsky 1980, 2010; Zacka 2017). Specifically, the findings demonstrate how a 'successful' outcome according to organisational performance measures (e.g., charge, conviction) may not necessarily satisfy the needs and expectations of a victim.

II. Conception of (individual) and joint role

Framed within SLB theory (Lipsky 1980, 2010; see Chapter Two), this thesis builds evidence of how the introduction of a new piece of legislation can introduce organisational goals (criminal justice outcomes) that officers must appraise alongside the needs and expectations of service users (victims). Police officers in the force area of study conceived of their individual role in responding to coercive control as presenting a dual focus on achieving arrests and charges for the criminal offence, as well as an overarching duty to safeguard victims of abuse from further harm. The evidence discussed in the surrounding sections presents a detailed account of this individual role. However, the current section focuses on addressing a gap in understanding the potential influence of multi-agency working on the police use of the coercive control legislation.

Whilst there are limitations in extending the discretionary principles of SLB theory to other (i.e., multi-agency, strategic) contexts, the presented evidence shows that these inter-agency interactions can facilitate, or hinder, the police use of legislation. Moreover, police officers and their multi-agency partners share an objective to safeguard victims of abuse. Thus, the study of multi-agency working becomes another way to analyse the interpretation and translation of law into practice. Police officers regularly identified partnership working as both beneficial and harmful to their practice, depending upon how the partnership impacted the officers' dual objectives around criminal justice outcomes and victim safeguarding. For instance, the CPS is a crucial partner for the police's criminal justice outcome objectives regarding the coercive control legislation. Whilst it was not possible to include prosecutor perspectives on their working relationship with the police, Chapter Six detailed police perceptions of working with the CPS. This thesis evidenced a complex relationship between the police and CPS that was commonly perceived to hinder officers' use of the coercive control legislation in practice.

The theoretical framework suggested how multi-agency working could induce competing organisational goals that practitioners must navigate with 'relational expertise' (Edwards 2010). At an organisational level, performance measures directly associated with the police include arrest and charge rates, whilst the CPS often measure performance based upon data on prosecution and conviction. The CPS (2018b) pursue those cases perceived to have a 'reasonable prospect of conviction' and are in the 'public interest.' This condition facilitated competing organisational goals in those cases, whereby the police perceive there to be enough evidence for an arrest and charge, whilst the CPS does not believe conviction is a 'reasonable prospect.'

Whilst police practice contributes to criminal convictions, police officers' direct responsibility is to build a case for referral to the CPS for a charge. Officers in this study identified a difference between the standard for police crime recording compared to that of a criminal charge. Similar to Hoyle's (1998) findings around police officer arrest decisions, assumptions about the CPS response informed officers' use of discretion. Officers' direct or indirect (via colleagues) on-the-job experience of not achieving a charge for coercive control reinforced concerns about the evidential difficulties and challenges to victim engagement associated with the offence. This self-perpetuating cycle reinforced organisationally-held perceptions of the coercive control as intractable, and facilitated a negotiated working practice for officers to utilise their discretion to pursue alternative measures, such as more established, 'simpler,' offences, like assault.

In general, officers shared mixed responses to interactions with the CPS. However, many officers identified the possibility of individual differences in charging decisions, meaning that officers' success in achieving a charge may depend on who in the CPS reviews their case. Those with more experience shared some confidence in knowing which cases would or would not be taken on by the CPS. However, several officers described the lack of case law as preventing referral to successful examples. These officers often cited the 'newness' of the coercive control legislation. Furthermore, one officer labelled the police a 'minion' for the CPS, whilst another said the CPS were currently the 'number one enemy' of his unit based on the time spent fighting the CPS charging decisions. Thus, considered within the theoretical framework, officers' cynicism about the utility of the coercive control legislation (e.g., 'what's the point?') appeared to be influenced by their interactions with the CPS, which did not demonstrate the necessary 'relational expertise' (Edwards 2010) to overcome competing organisational priorities.

Within the context of policing, relevant literature often examines interactions with criminal justice partners, like prosecutors. However, this thesis also demonstrates how other partners, including specialist services, influence how the police interpret and translate law through a process framed within negotiated discretion. One multi-agency partner whom officers often praised as facilitating both their criminal justice and safeguarding objectives was the Independent Domestic Violence Advisor (IDVA). The interviewed officers described these specialists as providing support for (high-risk) victims related to the victims' practical, emotional, and safeguarding needs, which freed officers to focus on evidence gathering and investigation in support of a charge for coercive control. In addition, these officers viewed IDVAs as providing a coordinating role they perceived as key for an effective multi-agency response. Notably, the physical co-location of partners, including embedding domestic abuse specialists, such as IDVAs, within the police and social care teams was identified as particularly beneficial for multi-agency practice. Those officers who acknowledged that victims of coercive control may not always desire a criminal justice response highlighted the importance of broader multi-agency partnerships in helping achieve their safeguarding aims.

This analysis of meeting observations placed particular emphasis on understanding the role of the police in a multi-agency context. For instance, within local operational and strategic board meetings, a standing item on the pursuit of domestic abuse perpetrators ensured regular discussion about the police response to domestic abuse and coercive control (e.g., use of DVPN/Os, efficacy of Domestic Abuse Matters training and MARAC meetings). Furthermore, Domestic Abuse Coordinator meetings raised concerns about call handlers' initial crime recording introducing barriers to pursuing coercive control if the attending officers do not amend that recording when they identify evidence of coercive control during the risk assessment. Relatedly, the Domestic Homicide Review meetings highlighted learning about the importance of professional curiosity during initial risk assessment by police.

Building the evidence base, my observations of MARAC cases that referenced coercive control demonstrated support for findings from the academic literature, such as victims' minimisation of abuse, the perceived complexity of coercive control, and examples of abuse involving children and the use of technology (Myhill 2015; Katz et al. 2020; Stark 2007; Woodlock et al. 2020). These observations also reinforce the claims within multi-agency interviews that the MARAC is a 'police meeting' rather than a multi-agency one, as the police chair holds responsibility for general discussion and decision-making. This chair's responsibility included decisions about whether to reduce the risk level and any criminal justice or safeguarding actions. Furthermore, MARAC meetings observations also suggested there were local area differences in the understanding of coercive control, and in support of Barlow et al.'s (2019) analysis, potential missed opportunities to utilise the legislation.

Chapter Seven's interrogation of the perspective of multi-agency partners demonstrated overlap with the analysis of data collected from police officers, corroborating earlier findings and building support for applying the theoretical framework within this context. Identified similarities included a recognition of the educative impact of the coercive control legislation, an understanding of coercive controlling abuse that was often informed by on-the-job experience, and a need for time to develop a rapport with victims. However, multi-agency partners also identified victims of coercive control reporting abuse to the police based on an immediate risk, whilst living in chronic fear, noting the potential extension of a victim's abuse through the legal system. Moreover, as identified within the theoretical framework (see Chapter Two; Lea and Callaghan 2016; Spencer 2016), there was an overarching acknowledgement of the importance of information sharing, communication, and coordination between partners. This analysis of overarching similarities and differences in motivations and priorities in response to coercive control between the police and their multi-agency partners emphasises the importance of utilising 'relational expertise' (Edwards 2010) by recognising the skills held by practitioners in other agencies and working to overcome any competing organisational goals.

III. Negotiation of challenges to practice

Evidential challenges

Informed by the theoretical framework for negotiated discretion (see Chapter Two), this section considers how police officers navigated the two main challenges to police practice identified across data sources – evidential difficulties and victim engagement – which produced a 'safeguarding conflict' that influenced officers' use of discretion. Based upon Stark's (2007) conceptualisation of coercive control and its translation into the legislation in England and Wales, Tolmie (2018: 54) predicted that the identification, investigation, and evidencing of coercive control as a pattern of behaviour would be 'inherently time consuming, complex, and difficult to successfully prosecute' (see also Stark and Hester 2019). Additionally, local and national statistics and existing academic literature (Barlow et al. 2019; Brennan and Myhill 2022; see Introduction) identified a high proportion of offences of controlling or coercive behaviour that resulted in 'evidential difficulties' as compared to other domestic abuse-related offences.

The findings presented in this thesis support the hypothesis that officers perceive and experience the offence of controlling or coercive controlling behaviour as difficult to use. The analysis of police case files, interviews, and observational data suggested a pervasive perception of the difficulty of achieving a charge and conviction for coercive control, which was expressed across all levels of the organisation (frontline, operational, strategic, and senior-level officers). Whilst evidencing may be an expected challenge for most criminal offences based on the role of the police investigating crime, officers identified the coercive control legislation as presenting unique barriers to practice. The perceived evidential challenges related to the difficulty of surpassing the

CPS evidential threshold. Indicating the influence of organisational structure and culture, these difficulties were often experienced when there was a lack of ‘tangible,’ physical evidence.

Challenge of victim engagement

The related challenge of victim engagement was also commonly identified within police officer interviews. This challenge to practice was similarly evident in the high proportion of coercive control offences resulting in no further action (NFA) where the victim did not support prosecution. Officers described the evidential threshold for charging controlling or coercive behaviour as heightened by the legislation’s requirement to prove the abuse had a ‘serious effect’ on the victim, which necessarily increases the pressures on victim engagement. Officers with a specialist understanding of coercive control often associated the decision of a victim to withdraw or refuse to provide a statement to the police as relating to numerous potential factors, from the induced fear of repercussions and risks associated with separation to the (financial) dependence of the victim on the perpetrator induced by the control.

Furthermore, supporting Goodmark (2018) and Walklate and Fitz-Gibbon’s (2019) arguments around the harmful impact of the law in some cases of domestic abuse, findings from several officer interviews included descriptions of how the criminal justice response may harm victims through the ‘horrendous’ and ‘traumatic’ court process. Although officers did not discuss or overtly demonstrate the practice of (dual) arrest of a victim of coercive control, this remains a possible outcome of criminalisation (Burman and Brook-Hay 2018). This thesis also presents evidence of remaining victim-blaming attitudes (e.g., ‘why doesn’t she leave?’) and problematic 'interpretive schema' or stereotypes about victims (Hoyle and Sanders 2000; Loftus 2009; Quilter 2011; Tolmie 2018; see Chapters One and Two). Interview data identified these attitudes as relating to the experiences or actions of their colleagues, particularly those working in frontline emergency response. Moreover, some partners provided examples of officers who expressed stereotypes about victims of coercive control (e.g., class) or dismissed abuse, particularly if the case did not involve visible injuries or physical violence (e.g., 'just a domestic').

Ideas about whom the police and other practitioners perceive to be a 'good' victim were similarly corroborated within multi-agency meeting observations in which the police often referred to whether or not the victim was 'credible.' Demonstrating overlap with aspects of 'cop culture' identified in the theoretical framework (Myhill and Bradford 2013; Reiner 2010), practitioners described how cynical attitudes and perceptions of victims as uncooperative were compounded by experienced 'compassion fatigue' and perceptions of domestic abuse cases as 'grief-y' (too time-consuming and difficult). Importantly, however, it was not only the police who were described as perpetuating victim-blaming attitudes or stereotypes about victims of coercive control. Interviewed practitioners identified that some individuals within every multi-agency partner organisation are likely to hold these problematic 'interpretive schema' (Hoyle 1998; Tolmie 2018; Quilter 2011). Practitioners described these attitudes and actions as relating to individuals and broader societal beliefs, rather than being embedded within specific organisations. Therefore, whilst the legislative intervention may have improved overall awareness of the dynamics of coercive control, there are still individual differences and societally-held myths and stereotypes about victims of abuse that facilitate harmful practice.

Considered within the theoretical framework, an officer's perception of whether or not a victim is 'deserving' of help would influence the officer's 'moral disposition' (Zacka 2017) and interactions with the victim, which in turn shapes their use of discretion. In this way, officers may not take actions to identify, investigate, or appropriately safeguard the victim, or pursue the offence of coercive control. The example of a ride-along observation in which an officer expressed frustration about a victim's refusal to provide a statement and threatened that social services take the children away if the victim did not stop the abuse and leave the perpetrator presented first-hand evidence of how this translates to operational practice.

In contrast, interviewed and observed officers also spent time working to develop trust and rapport with victims and identified coercive control. These officers used open questions to probe further around yes or no responses to the risk assessment form, spent several hours listening to victims and taking their statements, and set expectations about the criminal justice response. Additionally, several officers, often those with specialist domestic abuse training, overtly defied victim-blaming attitudes and stereotypes about victims and recognised the role of a police officer in capturing the victim's voice when taking a statement. The findings from self-described, observed, and recorded police practice in response to coercive control all illustrate the impact of evidential challenges and associated reliance on victim engagement on officers' discretion in their use of the coercive control legislation.

Response to a 'safeguarding conflict'

By examining the translation of law into practice, this study found that where police officers identify coercive controlling behaviour, but perceive the associated legislation as presenting inherent challenges, officers may utilise discretion and deliberately decide not to pursue the offence. Framed within SLB theory, the legislative intervention of criminalising coercive control was previously described as introducing a 'safeguarding conflict,' resulting in a potential 'impossible decision' and 'moral dilemma' (Zacka 2017) for police officers. From an optimistic (victim-centred) perspective, officers experience a conflict between using a new law (the coercive control legislation) and associated organisational goals (of arrest and charge), compared to an organisationally-held value and self-understood responsibility to safeguard victims. To resolve this conflict, police officers often adhered to a working practice of pursuing alternative charges, protection orders, and referrals to support services. Moreover, officers' use of de facto discretion (Evans 2010) was often justified with reference to the prioritisation of victim safeguarding.

In contrast, a pessimistic (work-centred) perspective of this working practice would argue that officers' motivation for their use of discretion not to pursue coercive control was based on an organisational (or self-interested) protection of resources. Thus, the perceived difficulty of achieving a charge for coercive control may incentivise police officers to follow the path of least resistance, pursuing alternative offences or protective measures because they require less time and fewer investigative resources or are more likely to result in an organisationally-desired outcome. In fact, some officers referenced offences, like common assault and ABH (which involve discrete incidents of physical violence), as 'simpler' or 'easier' to prove. In contrast, they labelled the coercive control legislation ‘useless’ or a ‘waste of time.’ However, again, this was often in the context of an acknowledged need to safeguard the victim from further abuse.

Therefore, whilst the two perspectives are not mutually exclusive and benefit from the relative ease of using alternative measures, evidence from this case study supports that which is more optimistic. However, as in the developed theoretical framework, the above explanation does not preclude the potential for police officers and multi-agency partners not to identify coercive controlling behaviour based on a lack of understanding, professional curiosity, and poor multi-agency working practice. Additionally, the potential remains for victim-blaming attitudes, stereotypes, and compassion fatigue to influence officers’ use of discretion and resulting practice.

On the one hand, officers are required to record the offence of coercive or controlling behaviour according to specific guidelines (Home Office (2020) Counting Rules), and to take ‘positive action’ in response to evidence of domestic abuse (College of Policing APP 2015/2022). On the other hand, police officers still retain discretion in choosing that action, and are not mandated to pursue a charge for coercive control. Therefore, these officers do not subversively utilise their discretion if they pursue alternative protective measures and thereby fulfil their organisational responsibilities. However, even where officers’ actions are motivated by victim safeguarding, using de facto discretion not to pursue a charge of controlling or coercive behaviour where there is evidence of this offence suggests that the police are failing to do what this legislative intervention asks of them. Furthermore, the identification of this working practice helps explain why traditional measures of performance (e.g. arrest, charge, conviction) indicate that the legislation has not yet reached its full instrumental potential.

In contrast, there were also examples of officers who identified coercive control and investigated the offence of controlling or coercive behaviour alongside another offence, like assault. In this way, rather than a zero-sum game of either pursuing the offence of coercive control, or achieving a charge and conviction for an alternative, less resource-intensive offence, some officers pursued both actions. Such actions may attempt to overcome the 'moral dilemmas' (Zacka 2017) induced by the legislative intervention by achieving organisational aims around criminal justice outcomes, utilising the coercive control legislation, and safeguarding the victim as quickly as possible. Unfortunately, this attempt was not always successful. As one officer commented when a shift change and limited physical evidence prevented both a charge for assault and further investigation of coercive control, 'policy does not favour the victim' (Interviewee 32a: PC on the Emergency Response Team).

Furthermore, officers with previous success in charging and convicting perpetrators for controlling or coercive behaviour expressed confidence in their ability to present the CPS with appropriate evidence and retain victim engagement through developed trust and rapport, alongside managed expectations. One such officer described assisting her colleagues in investigating coercive control. Whilst not all cases of coercive control will result in a charge and conviction, this evidence suggests that entrenched, self-fulfilling perceptions of the coercive control legislation as intractable can be reduced or dismantled by positive 'on-the-job' experience by individual officers or their colleagues. However, this possibility also requires effective, relational partnership working and associated changes to practice within the CPS and court system.

The findings discussed in this thesis build upon previous literature on police use of discretion in response to domestic abuse and the developed theoretical framework. For example, Hoyle's (1998) research on police use of mandatory arrest policies found that officers developed working practice, using their de facto discretion as SLBs (Evans 2010; Lipsky 1980, 2010; Zacka 2017), not to arrest domestic abuse suspects. This practice occurred when the victim did not support a prosecution, and there was no clear evidence of what the officer perceived to be a serious offence (Hoyle 1998). As in this thesis, the officers did not believe the CPS would pursue an evidence-led prosecution. Therefore, the officers lacked organisational motivation to arrest and investigate the offence (ibid). Two decades later, Myhill's (2019: 64) study demonstrated that key elements of Hoyle's model of negotiated decision-making were still applicable to police use of arrest in cases of domestic abuse. The findings in this thesis demonstrate support for applying this model to the police response to coercive control, which should be interrogated further.

As concluded by Burman and Brooks-Hay's (2018: 78), on its own, legislative change is not able to improve the police and criminal justice response to coercive control since the efficacy of laws depend on those who,

> Enforce, prosecute and apply them. Improving these practices – through education, training and embedding best practice and domestic abuse expertise – is likely to be more effective than the creation of new offences alone.

This thesis supports the conclusion that the introduction of interventionist legislation does not necessarily affect positive change in practice unless it is supported by measures which address the multitude of factors that influence the interpretation and use of that law.

IV. Limitations

As with any research, this study does have limitations, some of which were previously acknowledged. The main limitation of this study is that it involved research conducted within a single police force in the South of England, which impacts the generalisability of the findings. The force area utilised as the site of this case study was of medium size, including rural and urban areas. Providing support for the study of this force area, locally collected quantitative data demonstrated similar findings to national figures across England and Wales collected during a comparable timeframe (e.g., a general increase in using the offence and proportion of cases resulting in 'evidential difficulties;' Brennan and Myhill 2022; Home Office 2021a; ONS 2021a; see also Section I). Overall, whilst quantitative outcomes from the local force area appeared to represent broader data collection and analysis by other researchers, findings across this thesis will not be entirely representative of the experiences of all police forces across England and Wales. However, as one of the few empirical studies conducted since the introduction of the legislation, this thesis develops the evidence base on the police response to coercive control.

Furthermore, the collection of local police-recorded outcome data identified additional limitations. First, the ONS (2021a) does not recognise police data as national statistics based upon recognised concerns around data quality across police force systems. As a result, the ONS does not always receive usable data from all police forces, introducing caution in interpreting the results. Second, the local police-recorded data was collected by two members of police staff on two separate occasions from IMS records. Without direct access, any data cleaning (e.g., removal of duplicate entries) was prevented before receiving the raw data. Additionally, identified data quality issues associated with local figures on the police use of DVPN/Os and MARAC case referrals precluded the inclusion of this data within the analysis.

Due to organisational demands and concern about releasing information on protected characteristics, the local force area did not include information about the victim's and suspect's sex, age, or ethnicity, which prevented additional (intersectional) analysis. Moreover, between the first and second data collection, changes to the recording of offence disposals and stalking and harassment prevented the comparison of the second half of 2019 to the rest of the dataset. The impact of uncontrolled changes to police (recording) practices also introduces the potential for confounding variables. More sophisticated analytical tests were not conducted based on these concerns, but this data was used to provide a contextual backdrop for the current study. This thesis aims to better understand how officers interpret and translate the legislation into practice, which requires gathering data beyond recorded use of the offence to consider how officers' discretionary decision-making produces those statistics. Therefore, I designed the research to focus on qualitative data collection.

The methods of research, including the sample size within some data sources (e.g., case files, observations) and the self-selecting interview sampling method, present additional limitations, which are tempered by the use and triangulation of multiple complementary sources. First, regarding limitations of the qualitative data, interviews necessarily involve self-described perceptions and experiences (King et al. 2019). The practitioners included in this research study were recruited for participation through the request of their supervisors for volunteers, based on attendance of multi-agency meetings, and through 'snowball'-type sampling from previous study participants. As in Chapter Three, beyond the expressed concern about limiting potential hierarchical pressures, this sampling introduces a potential selection bias whereby those interviewed may have been individuals with greater knowledge and understanding of coercive control and domestic abuse.[64]

However, most of the interviewed practitioners were very open, often qualifying their responses or expressing a lack of confidence in certain areas and offering an assessment of their colleagues' knowledge and practice. Whilst multi-agency partner interviews included a range of agencies, each represented by a small number of individuals, this data was analysed in relation to their work with the police and considered overarching similarities to SLBs (see Zacka 2017). The sample involved police officers and multi-agency practitioners with a range of experience, including within operational, strategic, and senior-level positions, including specialists and non-specialists, to consider the perspective of frontline SLBs and their managers or supervisors.

The inclusion of anonymised case files provided more data on victims' recorded experience of abuse, police evidence gathering, and decision-making regarding referral to the CPS. Their associated reasoning for charging decisions added important context. As with other supplementary data sources, the sample size of case files was relatively small, and the local police staff conducted the sampling. Additionally, the anonymisation of these case files precluded sampling interviewees based on their involvement in the case files and asking questions directed toward the recorded practice. However, I always asked the interviewed officers to recall and speak to professional experience handling a specific case.

[64] Note that multi-agency partners who were sampled from operational and strategic board meetings or had dedicated safeguarding roles would likely have more specialist knowledge about coercive control, but this was not the case for all multi-agency partners.

Both self-described practice during interviews and recorded practice within case files may be considered as, in some ways, 'constructed' by the individuals studied (Myhill 2019: 58). Non-participant observations of 'real-world' practice provide an additional perspective that can help triangulate some findings from other sources. Finally, although time, resource, and access constraints relating to the research and participants limited the sample size of several data sources, qualitative coding and analysis of emerging themes using NVivo allowed in-depth study of the collected data that a larger dataset would have inhibited.

Thus, this study used complementary mixed methods to compare and contrast the results, delivering a richer and more rigorous set of findings. Despite the acknowledged limitations, this research contributes to the literature on police responses to coercive control and domestic abuse, as well as broader research on multi-agency working, police reform, and the translation of law into practice.

V. Recommendations for future research

The scope of this study did not encompass direct research with victims of coercive control. Victims' experiences of coercive controlling abuse are represented within Stark's (2007) conceptualisation, Wiener's (2017) working model of coercive control, and much of the foundational research in this field. However, there remains a dearth of research on these victims' experiences of, and perspectives on, the police and criminal justice response to coercive control in England and Wales. This is an important area for future research and evaluation, given the ongoing international academic attention and debates surrounding offences which criminalise coercive controlling behaviour, as well as associated concerns about the potential for the law to harm the victims it aims to protect (Barlow and Walklate 2022; Goodmark 2018; Walklate and Fitz-Gibbon 2019). Additionally, at the time of writing, there are forthcoming amendments to the coercive control legislation from the *Domestic Abuse Act 2021*, an ongoing consultation for the Home Office (2022) statutory guidance, and international debates about the criminalisation of coercive control (e.g., Fitz-Gibbon et al. 2022).

Furthermore, lack of access to the CPS and wider court system precluded analysis of prosecutors' and judges' perspectives on the criminalisation of coercive control, working relationships with the police, and their interpretation and use of the coercive control legislation. As the police are the initial 'gatekeepers' (Hohl and Stank 2015) in the criminal justice system, it follows that further research should be conducted throughout the criminal justice process. Analysis of judicial decision-making and associated knowledge about coercive control would provide a richer understanding of how recorded criminal justice outcomes are produced. This area of research is likely to be developed by legal academics, such as Wiener and Palmer (2022) or McGorrey and McMahon (2019).

Additionally, the findings in this thesis present evidence that raises concerns about the relationship between the police and CPS in the context of coercive control, particularly concerning conflicting organisational objectives or performance measures (i.e., safeguarding, arrests, charges versus successful prosecutions, likelihood of conviction). Moreover, the police experienced 'evidential difficulties' and an inability to prosecute cases of coercive control based upon the CPS charging decisions, especially for those cases which lacked victim engagement in the criminal justice process. This experience seemingly perpetuated officer cynicism about the utility of the coercive control legislation.

In other words, the CPS rejection of referrals to charge coercive control and associated perception of a high evidential threshold discouraged officers from pursuing an investigation of the offence. Therefore, there will be fewer cases of coercive control reaching the court system and producing associated case law to inform future practice. This dynamic relationship between the police and CPS is also supported by previous research on the criminal justice response to domestic abuse that similarly raises the importance of engagement by a victim (Hoyle 1998; Hoyle and Sanders 2000; Porter 2019). Similarly, further research on evidence-led prosecutions of coercive control presents another area of interest. Bringing together research with victims of coercive control who have experienced the criminal justice response and research with criminal justice practitioners (police, prosecutors, judges) could provide unique insight into the translation of law into practice and debates surrounding (de)criminalisation.

Relatedly, it was not the aim of this study to evaluate the efficacy of the coercive control legislation in England and Wales. Instead, the focus was on how the police, alongside their multi-agency partners, interpret the law and utilise discretionary action to translate it into self-described, officially recorded, and observed practice. However, future utility and efficacy evaluations may also inform legislation in other jurisdictions. The coercive control offence is relatively 'new' by legislative standards, and I completed data collection for this study in 2020. Therefore, there are opportunities for further studies of long-term trends as the database grows and the *Domestic Abuse Act 2021* introduces changes that impact the coercive control legislation (e.g., definition of 'personally connected') and the broader coordinated community response to domestic abuse. The adoption of related legislation across the United Kingdom (*Domestic Abuse (Scotland) Act 2018*; *Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021*) and debates about the criminalisation of coercive control in Australia (Dale 2020; Fitz-Gibbon et al. 2022) also suggest the potential for comparative research studies.

Regarding methods, increased sample sizes from a variety (if not all) of police forces across England and Wales would be beneficial. However, this must move beyond quantitative recorded police and criminal justice outcomes reported by the ONS. Barlow et al. (2019) and Brennan and colleagues (2021, 2022) have conducted a rigorous quantitative analysis using sophisticated analytical techniques, but they present just part of the picture. As demonstrated throughout this thesis and by Barlow et al. (2019), in-depth qualitative analysis using multiple data sources and collection methods provides a contextualised evidence base that helps make sense of the associated quantitative data.

Although it was not a focus of the present study, the literature reviewed in Chapter One identified overlapping similarities between the legislation and criminal justice response to coercive control and other course of conduct offences (e.g., stalking and harassment), as well as rape and sexual assault (Burman and Brooks-Hay 2018; Monkton-Smith et al. 2017; Tolmie 2018; Wiener and Palmer 2022). Moreover, Stark's (2007) conceptualisation of coercive control involves behaviours including physical and sexual violence and stalking and harassment. Further research is needed to examine the relationship between these offences and identify relevant learning regarding the criminal justice operationalisation of coercive control. As mentioned, Wiener and Palmer (2022) identified the potential to apply the offence of controlling or coercive behaviour to the legal response and narrative around 'rough sex' and associated defence for murder or manslaughter; this is one example of an additional area of academic research.

Chapter One identified the gendered nature of domestic abuse, including coercive control. Stark's (2007) conceptualisation, which centres on tactics of abuse based on gender inequality, was based on his clinical work with female victims of intimate partner abuse perpetrated by men (intimate partners). Later work by Stark (2012) and others has identified the possibility for coercive control to develop from power dynamics and oppression forged by social marginalisation and structural inequality. A victim's experience of coercive control may be influenced by characteristics and identities such as ethnicity, cultural background, age, class, disability, or insecure immigration status, as well as their intersection.

Notably, one of the analysed case files mentioned an officer's assessment of the victim's withdrawal relating to 'traditional cultural issues.' This finding indicates a potential area for future research around how a coercive control victim's cultural background may impact the police and criminal justice response. Additionally, previously cited research assessing the abuse of male and female victims within same-sex relationships and non-binary and transgender victims demonstrates how coercive control may manifest in other contexts (Donovan and Barnes 2019a,b; Frankland and Brown 2014; Rogers 2017). Further research is required to expand understanding and conceptualisation of coercive control across intersectional identities, and how this relates to the police and criminal justice response to the abuse.

Returning to the potential benefits of criminalising coercive control, greater awareness and consensus on the impact of coercive control would inform its potential use as a mitigating defence for victims who harm or kill their perpetrators (e.g., *R. v Georgina Sarah Anne Louise Challen*;

Sheehy 2018). Moreover, a greater understanding of the prevalence of coercive control requires consensus on measurement and operationalisation, which is currently lacking (Hamberger et al. 2017; Brennan et al. 2021). In addition to evidence of the association between coercive control and risk of domestic homicide (Campbell et al. 2003, 2007; Dobash and Dobash 2015, 2016; Myhill and Hohl 2016), emerging learning and ongoing research into suspected victim suicides following domestic abuse has identified potential links between perpetration of coercive control and victims' deaths by suicide (Bates et al. 2021). This possibility supports the impact of experiencing coercive control on victims' mental health, the human 'cost' of domestic abuse (Myhill 2015; Oliver et al. 2019), and the potential for posthumous prosecution of the perpetrator which should be explored further.

Finally, as one of the first studies of the police response to coercive control to interview multi-agency partners (see also Wiener 2017), this research contributed to an understanding of how the police conceive of their joint role in responding to domestic abuse and coercive control. These initial findings support the need to utilise 'relational expertise' (Edwards 2010) and why some police officers recognise joint partnership working as beneficial to their practice. Specifically, officers highlighted their ability to dedicate resources to the criminal justice response when they had assistance from partners in meeting the victim's physical, emotional, practical, and safeguarding needs.

Coercive control, as a course of conduct offence with associated negative impacts on the victim (and their children's) physical and mental health (Arai et al. 2019; Callaghan et al. 2019; Katz 2016), is likely to involve the victim's, perpetrator's, or family's contact with services outside the police. In this study, where practitioners had awareness and understanding of coercive control, multi-agency meetings provided an opportunity to bring together disparate information and identify potential attempts of the perpetrator to manipulate practitioners. As the Domestic Abuse Act 2021 comes into force, it is essential to continue studying the multi-agency response to coercive control.

Conclusion

The thesis has discussed the results of a timely and relevant mixed-methods case study of how police officers in one force area have navigated the criminalisation of coercive control, providing nuanced insight into how the offence has been interpreted and translated into practice. This thesis moves from quantitative performance measures to qualitative data triangulation that helps make sense of officers' decision-making that produces the recorded criminal justice outcomes. The presented analysis demonstrates how the police translate law into practice through a negotiated discretion influenced by individual, interpersonal, organisational, and legal factors. Although in some cases, these interacting influences prevented the coercive control legislation from fully achieving its primary instrumental aim, this legislative intervention was also associated with a symbolic, educative impact on police officers' discretionary practice.

One contribution of this thesis is developing empirical literature on the police response to coercive control. This study found that the identified challenges to police practice associated with using the offence of controlling or coercive behaviour generally aligned with previous theoretical and empirical literature (see Barlow et al. 2019; Brennan and Myhill 2022; Burman and Brooks-Hay 2018; Myhill 2019; Tolmie 2018). Furthermore, this thesis begins to fill a gap in the literature by including multi-agency working perspectives to consider the joint role of police in responding to coercive control. Whilst this thesis includes multi-agency practitioner perspectives, the main focus remains on police practice and I utilise analysis of multi-agency partnership working to further interrogate how the police work with other agencies to interpret and translate the law into practice. By considering both the individual and joint roles of the police in responding to offences like coercive control, their discretionary practice and decision-making can be better understood.

Additionally, this research expands the empirical application of street-level bureaucracy (SLB) theory (Lipsky 1980, 2010) within policing and a multi-agency working context. As suggested by Evans (2010,11,16), in this thesis, I include data collected from strategic and senior-level practitioners about their work with SLBs to demonstrate how managers, supervisors, and senior operational staff may serve to reinforce, rather than restrict, frontline discretion and existing working practice. Whilst there are recognised limitations of SLB theory in terms of generalisability between agencies with varying organisational influences (e.g., levels of discretion, autonomy, and accountability), many operational practitioners face similar resource and time pressures whilst providing discretionary responses to emergent situations.

Within the context of responding to coercive control, alongside the police, SLBs within partner agencies also have a shared responsibility for victim safeguarding. There were overarching similarities between the police and their partners concerning the perceived difficulties of developing the required trust and rapport of a victim of coercive control when under time pressure. Additionally, these practitioners identified remaining victim-blaming attitudes and 'compassion fatigue' that the dynamics of such cases can exaggerate. They also highlighted the importance of opportunities for intra- and inter-agency information sharing, including through individual working relationships.

Moreover, understanding the ways in which partner agencies may differ from the police in terms of their knowledge of coercive control, organisational priorities, perceptions of the criminal justice process, and experienced challenges in responding to coercive control helps make sense of associated police responses. For instance, evidence of multi-agency partnership working illustrated a reliance of the police on the emotional and practical support of domestic abuse specialists in order for officers to focus their resources on evidence gathering and investigation. In contrast, officers expressed frustration with CPS decision-making that reinforced the discretionary working practice not to refer cases for a charge of controlling or coercive control.

Building upon policing literature about attempted practical reforms, including in relation to domestic abuse (Bullock and Johnson 2012; Hoyle 1998; Myhill 2019; Skogan 2008), this thesis also contributes to the broader understanding of how police officers' de facto discretion allows law and policy to be made to fit 'prevailing cultural norms and ways of working' (Myhill and Johnson 2016: 5). Using the legislative intervention of the criminalisation of coercive control as a case study, this thesis shows that police officers have developed working rules to navigate and resolve the conflicts or 'impossible decisions' (Zacka 2017) arising from the legislation. I describe how an entrenched perception of the legislation as intractable, which is based on perceived or experienced demands (e.g., evidential threshold for a charge, burden on victim engagement), is reinforced within and between relevant partner organisations. This perception facilitates the continued use of established working practice to pursue alternative offences or protective measures thought to more quickly and easily achieve a positive outcome for the victim.

The use of these alternative measures was also in line with established police 'incidentalism,' focused on discrete incidents of physical violence (Kelly and Westmarland 2016; Bishop 2016). In favour of the optimistic (victim-centred) perspective, most officers justified this use of discretion not to pursue coercive control with the use of organisational cultural norms around a duty to safeguard victims of abuse. Thus, even where police officers identified coercive controlling behaviour, it may not have been actioned through the use of the criminal offence. However, this thesis also provides evidence that experienced challenges may be (partially) ameliorated through the direct or indirect on-the-job experience of successful practice, such as achieved convictions or associated case law.

It is not yet possible to determine whether the coercive control legislation has 'failed' or 'succeeded' in improving the experience of justice for victims of coercive control. Nonetheless, the presented analysis shows that although the police have generally increased their use of the coercive control legislation, in some cases, the legislative invention has 'failed' to achieve its primary instrumental impact. This thesis evidences missed opportunities and deliberate decisions not to use the coercive control legislation. Moreover, where officers utilise alternative safeguarding measures, their operation of discretion in this manner is not subversive in that these officers continue to adhere to organisational responsibilities, such as the 'duty to take positive action' in domestic abuse cases (College of Policing APP 2015/2022). However, whether based on a perceived difficulty in proving the offence, victim safeguarding responsibilities, or a combination of influences, officers' choosing not to pursue a charge of controlling or coercive behaviour when they have identified evidence of the crime demonstrates that the police are not using the legislation to its fullest extent.

Notably, these findings raise the question of whether police officers' use of the offence should be considered the primary aim of this legislative intervention. Shifting away from its potential instrumental impact, the legislation did serve an educative function for some officers, whose knowledge of the offence improved their understanding of the dynamics of coercive control, the impact of this abuse on its victims, and the officers' associated identification of risk. Therefore, with an improved understanding of coercive control, even where officers utilised discretion to follow working practice (e.g., pursuing evidence of a single assault), the motivation behind this action may have changed, and they may have taken 'positive action' where they otherwise would not have.

This analysis does not suggest that new laws or policies will never reform, disrupt, or transform practice, but rather that discretionary police practice often reflects working rules that are influenced by individual, interpersonal, organisational, and legal factors. This thesis, therefore, demonstrates how law overcomes the rigid confines of written legislation, and is embedded into practice through a process of negotiated discretion.

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Appendix I. Controlling or Coercive Behaviour in an Intimate or Family Relationship

Status: *This is the original version (as it was originally enacted).*

Serious Crime Act 2015

2015 CHAPTER 9

PART 5

PROTECTION OF CHILDREN AND OTHERS

Domestic abuse

76 Controlling or coercive behaviour in an intimate or family relationship

(1) A person (A) commits an offence if—
- (a) A repeatedly or continuously engages in behaviour towards another person (B) that is controlling or coercive,
- (b) at the time of the behaviour, A and B are personally connected,
- (c) the behaviour has a serious effect on B, and
- (d) A knows or ought to know that the behaviour will have a serious effect on B.

(2) A and B are "personally connected" if—
- (a) A is in an intimate personal relationship with B, or
- (b) A and B live together and—
  - (i) they are members of the same family, or
  - (ii) they have previously been in an intimate personal relationship with each other.

(3) But A does not commit an offence under this section if at the time of the behaviour in question—
- (a) A has responsibility for B, for the purposes of Part 1 of the Children and Young Persons Act 1933 (see section 17 of that Act), and
- (b) B is under 16.

(4) A's behaviour has a "serious effect" on B if—
- (a) it causes B to fear, on at least two occasions, that violence will be used against B, or

2 *Serious Crime Act 2015 (c. 9)*
PART 5 – Protection of children and others
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Status: *This is the original version (as it was originally enacted).*

(b) it causes B serious alarm or distress which has a substantial adverse effect on B's usual day-to-day activities.

(5) For the purposes of subsection (1)(d) A "ought to know" that which a reasonable person in possession of the same information would know.

(6) For the purposes of subsection (2)(b)(i) A and B are members of the same family if—
- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they are relatives;
- (d) they have agreed to marry one another (whether or not the agreement has been terminated);
- (e) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (f) they are both parents of the same child;
- (g) they have, or have had, parental responsibility for the same child.

(7) In subsection (6)—

"civil partnership agreement" has the meaning given by section 73 of the Civil Partnership Act 2004;

"child" means a person under the age of 18 years;

"parental responsibility" has the same meaning as in the Children Act 1989;

"relative" has the meaning given by section 63(1) of the Family Law Act 1996.

(8) In proceedings for an offence under this section it is a defence for A to show that—
- (a) in engaging in the behaviour in question, A believed that he or she was acting in B's best interests, and
- (b) the behaviour was in all the circumstances reasonable.

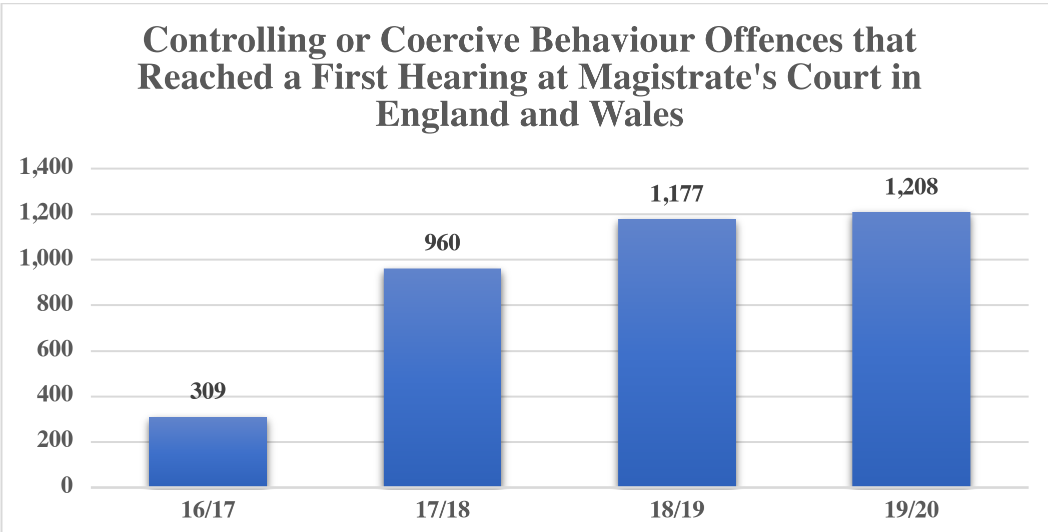
(9) A is to be taken to have shown the facts mentioned in subsection (8) if—
- (a) sufficient evidence of the facts is adduced to raise an issue with respect to them, and
- (b) the contrary is not proved beyond reasonable doubt.

(10) The defence in subsection (8) is not available to A in relation to behaviour that causes B to fear that violence will be used against B.

(11) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or a fine, or both;
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or a fine, or both.

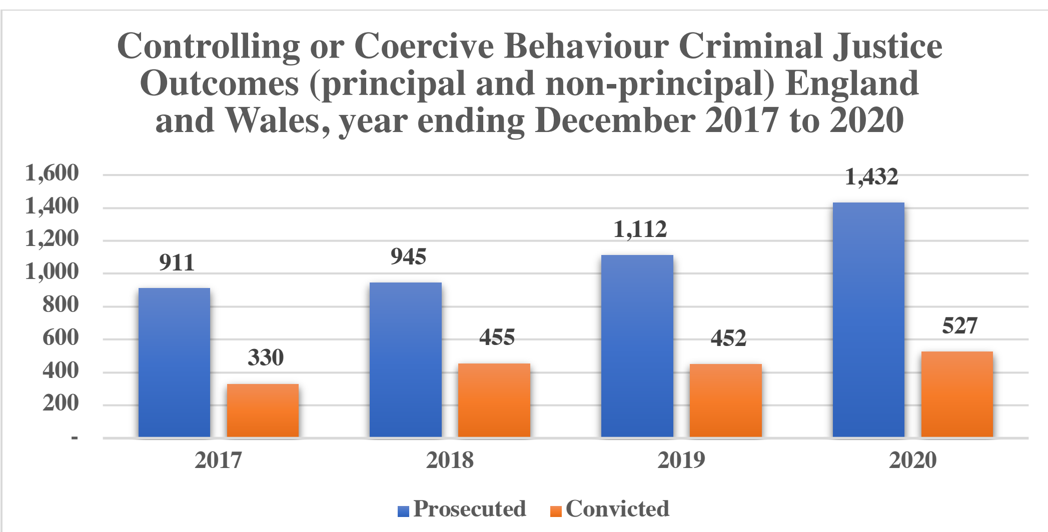
Appendix II. Additional police and criminal justice outcome data

a. Controlling or coercive behaviour offences reaching a first hearing at magistrate's court in England and Wales, statistics provided by the CPS to the ONS (2021a)



Raw data source: ONS (2021a) Appendix Tables

b. Controlling or coercive behaviour prosecutions and convictions as principal and non-principal offence year ending December 2017 to 2020, experimental statistics provided by the Ministry of Justice to the ONS (2021a)



Raw data source: ONS (2021a) Appendix Tables

c. Local force area domestic abuse occurrences and outcomes 1st January 2016 to 31st May 2019

		Domestic Abuse Related								
		Coercive or Controlling Behaviour	Common Assault	ABH	GBH	Stalking	Harassment	TTK	Criminal Damage	Rape
Total Crimes Recorded	**2016**	***69***	4487	3630	142	41	1074	213	1315	637
	2017	***111***	4637	3648	183	76	1105	232	1386	686
	2018	***163***	6756	4543	141	224	2824	537	1748	715
	2019	***104***	2895	1801	57	108	1360	145	723	316
Non Crime Occurrences	**2016**	***7***	204	174	17	9	128	55	93	122
	2017	***1***	193	140	4	8	134	36	98	184
	2018	***17***	492	265	6	22	477	104	197	145
	2019* up to 31st May	***7***	125	69	2	9	135	56	43	60

2016	Domestic Abuse Related Disposals								
	Coercive or Controlling	Common Assault	ABH	GBH	Stalking	Harassment	TTK	Criminal Damage	Rape
10 - Formal Action against suspect not in the Public Interest - Police	-	22	9	1	-	5	-	7	1
12 - Suspect Identified - Too ill (physical/mental health) to Prosecute	-	17	13	3	-	2	2	3	1
13 - Suspect Identified - Victim/Key Witness dead/too ill to give evidence	-	2	-	-	-	-	-	-	1
14 - Suspect not identified - Victim Declines/Unable to identify suspect	-	7	9	-	-	1	-	4	6
15 - Suspect Identified - Evidential Difficulties - Victim supports action	12	785	670	15	8	366	85	253	193
16 - Suspect Identified - Evidential Difficulties - Victim not supporting	30	2327	1524	61	7	210	70	428	546
17 - Suspect Identified - Prosecution Time Limit Expired	-	123	30	-	-	2	-	-	-
18 - No Suspect - Investigation Complete. Filed pending further Informatio	1	75	31	2	-	40	4	122	-
20 - Other Agency dealing	-	37	30	-	-	2	-	1	1
21 - Invest supports action against sus - Police decide not in public interes	-	16	2	-	-	7	-	3	-
5 - Offender Dead - All Offences	-	1	3	-	-	1	-	-	2
9 - Prosecution not in the Public Interest - CPS	-	9	8	-	-	1	-	1	-
Charge / Summons Served	2	751	1016	44	19	438	39	340	25
Cautions	-	176	140	1	0	23	1	101	-
Taken into Consideration Recorded	-	-	-	-	-	-	-	1	-
Restorative disposals	-	6	5	-	-	1	-	7	-
Under Investigation	-	-	-	-	-	-	-	-	1
Total	**45**	**4354**	**3490**	**127**	**34**	**1099**	**201**	**1271**	**777**

2017	Domestic Abuse Related Disposals								
	Coercive or Controlling	Common Assault	ABH	GBH	Stalking	Harassmen t	TTK	Criminal Damage	Rape
10 - Formal Action against suspect not in the Public Interest - Police	-	6	3	-	-	2	-	6	1
12 - Suspect Identified - Too ill (physical/mental health) to Prosecute	-	12	13	-	-	6	-	4	-
13 - Suspect Identified - Victim/Key Witness dead/too ill to give evidence	-	1	1	1	-	-	-	-	1
14 - Suspect not identified - Victim Declines/Unable to identify suspect	-	6	3	-	-	1	-	2	11
15 - Suspect Identified - Evidential Difficulties - Victim supports action	31	744	617	37	25	332	85	218	190
16 - Suspect Identified - Evidential Difficulties - Victim not supporting	41	2518	1645	74	8	233	76	539	510
17 - Suspect Identified - Prosecution Time Limit Expired	-	88	23	-	-	1	-	1	-
18 - No Suspect - Investigation Complete. Filed pending further Informatio	-	50	35	2	-	19	2	99	4
20 - Other Agency dealing	-	50	30	1	-	6	1	1	-
21 - Invest supports action against sus - Police decide not in public interes	-	35	12	-	-	12	-	14	-
5 - Offender Dead - All Offences	-	-	-	-	-	-	-	-	1
9 - Prosecution not in the Public Interest - CPS	-	5	6	1	-	1	-	1	2
Charge / Summons	17	596	840	60	33	408	52	298	23
Cautions	-	111	94	1	-	13	-	98	-
Restorative Diposals	-	5	3	-	-	-	-	11	-
Under Investigation	-	1	1	-	1	2	-	2	9
Total	**89**	**4228**	**3326**	**177**	**67**	**1036**	**216**	**1294**	**752**

2018	Domestic Abuse Related Disposals								
	Coercive or Controlling	Common Assault	ABH	GBH	Stalking	Harassment	TTK	Criminal Damage	Rape
10 - Formal Action against suspect not in the Public Interest - Police	-	2	2	-	-	2	-	-	-
12 - Suspect Identified - Too ill (physical/mental health) to Prosecute	-	8	7	-	-	1	-	2	1
13 - Suspect Identified - Victim/Key Witness dead/too ill to give evidence	-	4	2	1	-	-	1	-	2
14 - Suspect not identified - Victim Declines/Unable to identify suspect	-	11	10	-	1	6	2	4	9
15 - Suspect Identified - Evidential Difficulties - Victim supports action	39	837	688	19	44	643	112	254	137
16 - Suspect Identified - Evidential Difficulties - Victim not supporting	65	3946	2353	70	54	861	172	752	458
17 - Suspect Identified - Prosecution Time Limit Expired	-	78	30	-	1	8	-	2	-
18 - No Suspect - Investigation Complete. Filed pending further Informatio	3	68	37	1	3	73	7	129	1
20 - Other Agency dealing	-	51	32	-	-	4	2	1	-
21 - Invest supports action against sus - Police decide not in public interes	1	23	3	-	-	3	-	2	1
5 - Offender Dead - All Offences	-	2	2	-	-	-	-	-	1
9 - Prosecution not in the Public Interest - CPS	-	2	7	1	-	-	-	2	-
Charge / Summons Served	20	483	726	56	49	436	53	256	12
Cautions	2	75	52	-	-	11	-	66	-
Restorative disposals	-	6	8	-	-	2	-	2	-
Under Investigation	4	9	6	-	1	13	4	5	19
Total	**134**	**5605**	**3965**	**148**	**153**	**2063**	**353**	**1477**	**641**

2019 - 1st January to 31st May	Domestic Abuse Related Disposals								
	Coercive or Controlling	Common Assault	ABH	GBH	Stalking	Harassment	TTK	Criminal Damage	Rape
10 - Formal Action against suspect not in the Public Interest - Police	-	1	1	-	-	1	-	-	-
11 - Suspect Identified - Below Age of Criminal Responsibility	-	1	-	-	-	-	-	-	-
12 - Suspect Identified - Too ill (physical/mental health) to Prosecute	-	4	4	-	-	-	-	1	-
13 - Suspect Identified - Victim/Key Witness dead/too ill to give evidence	-	1	5	-	-	2	-	-	2
14 - Suspect not identified - Victim Declines/Unable to identify suspect	-	14	13	-	-	5	-	6	5
15 - Suspect Identified - Evidential Difficulties - Victim supports action	29	534	394	11	38	530	83	209	63
16 - Suspect Identified - Evidential Difficulties - Victim not supporting	56	2915	1605	39	61	869	127	583	206
17 - Suspect Identified - Prosecution Time Limit Expired	-	76	22	-	2	10	-	-	-
18 - No Suspect - Investigation Complete. Filed pending further Informatio	1	32	24	-	4	24	10	56	2
20 - Other Agency dealing	-	48	28	1	-	3	-	-	-
21 - Investigation supports action against suspect - Police decide not in pu	-	12	3	-	-	6	1	3	-
5 - Offender Dead - All Offences	-	-	-	1	-	1	-	-	-
Charge / Summons Served	17	186	264	14	21	149	24	98	8
Cautions	-	22	29	-	-	2	-	26	-
Restorative disposals	-	4	1	-	-	1	-	1	-
Under Investigation	2	24	22	3	6	25	2	1	27
Total	**105**	**3874**	**2415**	**69**	**132**	**1628**	**247**	**984**	**313**

d. Local force area domestic abuse occurrences and outcomes 1st January 2019 to 31st December 2019

Domestic Abuse Occurrences, Outcomes Data from 1st January 2019 to 31st December 2019

1st January 2019 to 31st December 2019	Total Number of Domestic Abuse Related Occurrences							
	Coercive or Controlling Behaviour	Common Assault	ABH	GBH	Stalking/Harassment	TTK	Criminal Damage	Rape
Valid Crimes	494	7962	4827	161	4919	335	1901	809
Non Crime Occurrences	36	398	238	10	570	106	143	168
Total Occurrences	**530**	**8360**	**5065**	**171**	**5489**	**441**	**2044**	**977**

The above data is looking at Domestic Abuse related Valid Crimes and Non Crime Occurrences recorded between 1st January 2019 and 31st December 2019. Data was established whereby the

1st January 2019 to 31st December 2019	Disposals for Domestic Abuse Related Occurrences							
	Coercive or Controlling	Common Assault	ABH	GBH	Stalking/Harassment	TTK	Criminal Damage	Rape
Charges/summons	38	460	633	45	410	49	197	16
Cautions	0	90	74	0	21	1	69	0
Restorative Disposals	0	6	3	0	2	0	3	0
Fixed penalty notice	0	0	0	0	0	0	1	0
No Further Action	337	8193	4511	108	4525	390	1827	755
Ongoing Investigation	5	16	18	7	45	2	1	35
Investigation Complete, filed Pending Further Information	0	0	1	0	0	0	0	0
Total	**380**	**8765**	**5240**	**160**	**5003**	**442**	**2098**	**806**

The above data is looking at Disposals for Domestic Abuse Related Recorded Crimes. Data identified by using 'Offence Status Disposal Date' between 1st January 2019 and 31st December 2019.

Appendix III. Additional information about data sources

a. Interview participant overview:

Total interviews conducted = 59

1. **Police interviews** (labelled with 'a') – Total = 35

- * Police constables (frontline uniformed officers) = 13
- Detectives in the Domestic Abuse Investigation Unit (DAIU) = 9
- Senior-level operational specialists = 5
- Senior-level strategic specialists = 5
- Senior-level operational and strategic specialist = 1
- Other operational professionals (including Police Multi-Agency Safeguarding Hub) = 2

* This sample includes frontline officers on three different teams. First, the Emergency Response team (7 interviewed officers), who are genreralist responding to 999 calls involving emergencies of all types. Second, the 'Problem Solving' team (4 interviewed officers), who were assigned to work within areas of high demand within the force area, including domestic abuse, to provide resources for support and help address any identified by senior officers. Third, the Criminal Investigation Department (CID; 2 interviewed officers), who sit within the Major Crime Unit (MCU) and support the response to complex, serious, and series crimes covering a range of offences.

- Female = 20
- Male = 15

Dates conducted: 1-19a = January 2018 – May 2018; 20-35a = January 2019 – February 2020

2. **Multi-agency partner interviews**[65] (labelled with 'b') **–** Total = 24

- Safeguarding nurse = 5
- Strategic or specialist operational role in domestic abuse service = 5
- IDVA = 4
- Council representative (including housing, anti-social behaviour and specialist strategic-level roles) = 4
- Social Care = 3
- NPS / CRC (probation) = 2
- Drug and alcohol services = 1

- Female = 20
- Male = 4

Dates conducted: 1-24b: 24 January 2019 – February 2020

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[65] Participants sampled from individuals who attended observed Multi-Agency Risk Assessment Conferences and local area strategic and operational board meetings. Number of female participants largely reflects the gender of those in attendance.

b. Combined interview schedule

Combined Interview Schedule for Police and Multi-Agency Partners

1. Introduction	Before recording: • Thanks for taking the time / agreeing to be interviewed • Details of the study and answer any remaining questions • Information sheet (reviewed again), then informed consent • Anonymity/ confidentiality of the research data • Discuss audio-recording of the interviews (not to discuss personal or confidential information when recording)
2. Can you tell me a bit about your role as a …. (police officer / IDVA / support worker etc.)?	Prompts: • Can you describe a typical day? • Types of cases dealt with?
3. How would you describe the form of domestic abuse known as 'coercive control'? a. Do you have a sense of why this behaviour was criminalised?	• Don't need a legal or Home Office definition, just what they think makes this distinct from other forms of domestic violence and abuse / how they would identify it in the field
4. Does your agency follow any particular guidelines for dealing with cases involving coercive or controlling behaviour?	• Also ask about any policies, procedures specific to the local area if not brought up
5. Have you received any training on dealing with cases of coercive or controlling behaviour?	• What did this involve? • How long? • What form (online, in person)?
6. Have you recorded / prosecuted / handled any domestic abuse cases as involving coercive control?	• Estimated proportion of total case load? • What were the circumstances?

a. Can you describe a case you've dealt with in the past? (If no but received training, ask if any examples of cases were covered if they can remember them)	• What actions were taken? • Risk assessment? For police: • Prior calls? • What evidence was examined / used? – Body worn camera usage? • What was the outcome / was the report pursued?
7. Do you have a sense of why or when victims choose to report / seek support after experiencing coercive control?	• Circumstances? • Motivations? • What do they say when report abuse? • What do they ask of your organisation, (any actions desired)?
8. What has been your experience in working with victims of domestic abuse? What are your responsibilities/ duties / obligations to these individuals? a. How, if at all, does a victim's withdrawal of support for prosecution affect the criminal justice response?	• In what ways do you interact with victims? What actions do you take to support / safeguard etc. • Withdrawal of support by victim/ change their mind → what effect on police response? • Thoughts on victimless / evidence-based prosecutions in these cases
9. How would you describe your working relationship with other agencies involved in the response to domestic abuse? a. Under what circumstances are cases of domestic abuse and coercive control referred to other agencies? How do you work together or support each other's work?	• Support services • Shelters/ refuges/ voluntary organisations • Criminal Justice System agencies • IDVAs • Health • Drug and alcohol services • Social care • Etc.
10. When would a case be referred to the Crown Prosecution Service / police / other agencies?	• What is the process • Would you need victim support for prosecution? • How often are referred cases taken up by CPS? • Procedures if don't refer? (i.e. follow-up)
	• Testify in court? • Further investigation?

11. What role do the police have once CPS decides to pursue prosecution of an offender? (police only)	
12. Overall, have you come across any successful strategies when handling cases involving control? a. What, if any, would you say are the biggest challenges, faced by officers / specialists / case workers / support workers etc. when responding to coercive control?	• Bring up anything they mentioned previously, but nothing that wasn't already expressed = ex: Evidence, Victim cooperation, Relationship to other agencies • How might these challenges be overcome?
13. Is there anything we haven't discussed that you think is important for me to know/ understand about coercive control, and the response to this type of abuse?	• Final thoughts?
14. Wrap up / debrief	• Thank them for their time • Remind about anonymity • Ask if they have any follow-up questions now • Go over contact details of researchers if have questions in the future

c. Case file summary – disposal outcomes:

Case File number	Disposal outcome for controlling or coercive behaviour	Additional outcome details	Most recent risk assessment
#1	Dismissed	'Controlling or coercive behaviour dismissed at court, conviction for assault and possession of an offensive weapon, restraining order, condition of rehabilitation, and 2 year community order'	High
#2	Conviction	'Conviction for controlling or coercive behaviour, suspended sentence (8 months), restraining order, condition of rehabilitation'	Medium
#3	Conviction	'Conviction, guilty of 2x controlling or coercive behaviour, suspended sentence (24 months)' * Note HBVA, familial context	High
#4	Dismissed	'dismissed at court'	High
#5	Not guilty	'Conditional discharge for criminal damage – guilty plea; not guilty for controlling or coercive behaviour; judge refused restraining order'	High
#6	Dismissed	'dismissed by CPS at court'	Medium
#7	No Further Action	'NFA, insufficient evidence'	High (downgraded to medium on review)
#8	Conviction	'Conviction, restraining order, conditions of drug rehabilitation, and attendance of Building Better Relationships programme'	High (downgraded to medium on review)
#9	Dismissed	'case dismissed at court'	Medium
#10	No Further Action	'NFA'	Standard (previously medium)
#11	No Further Action	'NFA'	Medium
#12	Discontinued	'discontinued at court'	High
#13	No Further Action	'NFA'	Medium

Controlling or coercive behaviour – Combined outcome summary:

a) Dismissed at court, n = 4
b) No Further Action (NFA), n = 4

c) Convictions, n = 3 (4 total victims)
d) Not guilty, n = 1
e) Discontinued at court, n =1

- **Note:** Convictions or disposal outcome listed for offences other than controlling or coercive behaviour, n = 2 (assault and possession of an offensive weapon; criminal damage)

d. Ride-along observation information:

Total = 7 shifts across 7 days, 45.25 hours, 3 different teams of emergency response officers

Ride-along number	Length of observation, timing	Date
#1	5.5 hours, Afternoon	Sunday, 10/2/19
#2	7.25 hours, Morning	Monday, 11/2/19
#3	6.5 hours, Afternoon	Tuesday, 13/2/19
#4	6.0 hours, Morning	Wednesday, 14/2/19
#5	8.0 hours, Overnight	Thursday, 15/2/19
#6	6.0 hours, Evening	Friday, 15/2/19
#7	6.0 hours, Overnight	Saturday, 16/2/19