

**DOMESTIC HOMICIDE REVIEW -
A CONSULTATION**

SUMMARY OF RESPONSES AND WAY FORWARD

January 2019

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1. EXECUTIVE SUMMARY

1.1. This document provides a summary of responses to the public consultation on a proposed model for the introduction of Domestic Homicide Reviews (DHRs) in Northern Ireland carried out between 4 July 2018 and 28 September 2018. This Executive Summary sets out a high level indication of some of the key issues identified in the consultation responses. Fuller detail on responses to each of the 16 consultation questions can be accessed in **Section 3** of this document.

1.2. In total, over 500 consultation letters were issued to organisations working in the area and individuals who may have an interest. The consultation included an easy read version and a questionnaire which asked consultees to respond to specific questions. There was also an opportunity to provide additional comments. Provision was made for the consultation to be made available in alternative formats. There were no requests for the consultation in an alternative format or language other than English.

1.3. The proposals were subject to an initial Equality Screening and Rural Needs Impact Assessment which concluded that the proposal will apply, and be beneficial, equally to all individuals, will not adversely affect any particular group and should be made accessible to relevant individuals who wish to participate in the review. Following consultation the policy was re-screened and re-assessed, the outcome of both remains unchanged. Updated screening and assessment documents can be accessed alongside this document on the Department of Justice (DOJ) [website](#).

1.4. The Department received 35 written responses (see **Annex A**) to the consultation and one relating exclusively to the equality screening document. As part of the consultation officials met/provided information on the proposed model to four groups:

1. South Eastern Domestic and Sexual Violence Partnership;
2. Belfast Domestic and Sexual Violence Partnership – Strategic advisory Group;
3. Women’s Policy Group; and

4. Women's Aid Forum.

1.5. A number of individuals corresponded with the Department to share their personal accounts of domestic violence and abuse. As a breadth of issues were discussed which did not relate specifically to the consultation topic, and personal information was shared, we have not published nor included their responses in this document. We have, however, taken cognisance of the insight and comments shared by all respondents.

1.6. The document comprises four sections:

1. Executive Summary
2. Introduction
3. Summary of consultation responses
4. Conclusion and Way Forward

1.7. This document is available on the [DOJ Website](#). It can also be made available in alternative formats, on request. Contact details are as follows:

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DHR Proposed Model

1.8. The consultation sought views on a proposed model for the introduction of DHRs in Northern Ireland, which will seek opportunities for learning from cases of homicide resulting from domestic violence and abuse. This is a key initiative to be delivered under the *Stopping Domestic and Sexual Violence and Abuse Strategy*.

1.9. DHRs will be provided for locally, when Section 9 of the Domestic Violence, Crimes and Victims Act 2004 is commenced. DoJ did not, as part of the consultation, seek views on the primary legislation given that this is already in place. The scope of the 2004 Act provides for:

a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence or abuse or neglect by:

- (a) a person that they were related to (familial relationship);*
- (b) a person with whom they were, or had been, in an intimate personal relationship (this would cover a current or past relationship at the time of death); or*
- (c) a member of the same household.*

Summary of Views

1.10. Respondents welcomed the introduction of DHRs to Northern Ireland. They unanimously supported the purpose of a DHR, as set out in section 5 of the consultation document. They recognised that the purpose is not to apportion blame or investigate the conduct of a particular individual; rather it is to understand the context and environment in which professionals made decisions and took (or did not take) action, for example, culture, training, supervision and leadership. They also considered that the overarching purpose is to prevent future domestic homicides and improve service responses for all domestic abuse victims and their children.

1.11. A number of respondents considered that **death by suicide** should be included within the scope of the process from the outset. Others understood the

reasoning of the Department not to include suicide in the initial roll-out of the DHR process but welcomed that it would be kept under review. In order to make the process fit to tackle the complexities of domestic abuse-related suicide, it was suggested that it may be prudent to allow the DHR process to first bed-in. It was also suggested that a fact-finding exercise should be conducted by the Department, speaking to those in other jurisdictions who have experience of DHRs and suicides, as well as gathering learning and good practice. Respondents noted that once this had been done, domestic abuse-related suicides should be brought within the remit of DHRs in Northern Ireland.

1.12. We consider that the main DHR process should be allowed to bed-in, and that the Department should conduct a fact-finding exercise as suggested by respondents. We have commenced this fact finding exercise by speaking to colleagues in the Home Office to get an estimate of numbers, in order to understand the proportion of cases that might fall into scope. They were able to advise that in 2017 (in England and Wales), around 100 DHR reports were quality assured by the Home Office Quality Assurance Panel and two of these related specifically to victims who had taken their own lives following domestic abuse in their relationship.

1.13. We have also started to engage with Chairs elsewhere to identify the complexities of conducting a DHR relating to a suicide. This fact finding exercise with other jurisdictions will be coupled with a scoping exercise to provide information on the scale and characteristics of domestic abuse-related suicides in Northern Ireland. Following the completion of both exercises, and a bedding-in period of around 18-24 months, the Department will review how death by suicide could be brought into the remit of the DHR process. We are conscious that it would not be practicable to conduct DHRs for every suicide that may have an element of domestic abuse and we will work with the Task and Finish Group to develop clear criteria on identifying those suicides that should be included.

1.14. Respondents accepted the suggestion that a **regional panel** and **Chair** would be appropriate, given the size of Northern Ireland and the presence of a range of province-wide bodies. The majority of respondents agreed that there should be

more than one Chair. It was considered that this would provide a contingency if the Chair is absent for a period of time or there is an increased number of DHRs.

1.15. While respondents agreed that there should be a **core panel membership** for DHRs, they welcomed panel membership varying according to the circumstances of the case. For example, it may be necessary to have ad-hoc representation from organisations with expertise in substance misuse, mental health, Black and Minority Ethnic (BME) issues or rural issues. Respondents also supported the proposal to include **representatives from the voluntary and community sector**, who would bring a particular expertise and insight that may not be gained through statutory partners, as well as an important 'challenge' function.

1.16. A number of respondents welcomed the Department's proposal to invite the victim's **families** to be **involved** in the process. They stated that interaction with families would require skilful management and that clear communication will be essential to ensure that they understand the process. Respondents also agreed that the process should include input from other relevant individuals, for example, friends or work colleagues, as they may hold insight that family members do not have. It was emphasised that there should be a clear remit for the inclusion of any other individuals and that the family should be made aware of any other people involved. It was also suggested that the importance of confidentiality is flagged with any person outside an agency / organisation, who chooses to be involved in a DHR, given the potential impact of social media and information sharing.

1.17. Respondents generally agreed that Individual Management Reviews (IMRs), as used in England and Wales, appear to be an appropriate means of gaining information regarding the involvement that agencies had with a domestic homicide victim and/or perpetrator. Nevertheless, respondents welcomed the proposal in the consultation document to **adapt the IMR process** to obtain information in a 'more **dynamic way**'.

1.18. The majority of respondents agreed that a **single DHR report** should be published at the end of the review process. They welcomed that this would be concise, focused and proportionate. Respondents also agreed that there would be

merit in a brief **thematic report** being produced; a **minimum of every two years**, to reflect what has been learned from DHR cases collectively.

1.19. Respondents suggested that a short action plan should be devised to ensure the consistent interpretation and application of any learning objectives identified. It is intended that an **action plan** would be developed by the Chair as part of the review process, to address the recommendations made. The Senior Oversight Forum (SOF) would be responsible for monitoring the implementation of recommendations emerging from each DHR. Respondents considered that this function would be vital.

1.20. A number of respondents raised concerns about the **enforceability of recommendations** and stressed the importance of organisations being held to account for delivery. They considered that if recommendations were being repeated in subsequent reports this would indicate that action is not being progressed. It was recommended that the Department should examine enforcement models used in different jurisdictions.

Way forward

1.21. The Department will now work with the DHR Task and Finish Group to:

- finalise a DHR model which is reflective of respondents' comments;
- finalise and agree a governance arrangements document and multi-agency guidance;
- consider if additional training for those inputting into the Review is necessary, or if the guidance would suffice;
- develop a job specification for the Chair, which will take on board suggestions made by respondents;
- commence a recruitment exercise for the Chair; and
- commence the relevant provision under the Domestic Violence, Crimes and Victims Act 2004.

2. INTRODUCTION

2.1. This document provides a summary of responses received as a result of the Department of Justice's consultation on a proposed model for DHRs in Northern Ireland.

2.2. The public consultation was launched on 4 July 2018 and officially closed on 28 September 2018. One organisation requested further time to respond and was given until 12 October 2018 to do so.

2.3. As set out in the consultation document, DHRs will not seek to apportion blame, rather, they will provide the appropriate forum and framework to consider what happened and what, if anything, could have been done differently. They are intended to maintain good practice, where needed improve frontline services by informing changes, and ultimately learn from these tragic crimes to save lives in the future. Our obligation will always be to the victim and this focus should not stop in the tragic circumstances where an individual has been killed as a direct result of domestic violence and abuse.

2.4. The Department received a total of 35 written responses from a range of organisations and individuals across the sectors (listed at **Annex A**) and one response relating specifically to the equality screening. A number of individuals corresponded with the Department to share their personal accounts of domestic violence and abuse. As a breadth of issues were discussed which did not relate specifically to the consultation topic, and personal information was shared, we have not published nor included their responses in this document. We have, however, taken cognisance of the insight and comments shared by all respondents. To assist organisations (and individuals) in providing responses, DOJ officials offered and, following requests, delivered four presentations to the following stakeholders across Northern Ireland, namely:

- South Eastern Domestic and Sexual Violence Partnership;

- Belfast Domestic and Sexual Violence Partnership – Strategic advisory Group;
- Women’s Policy Group; and
- Women’s Aid Forum.

2.5. The consultation was accompanied by an easy read version and a consultation questionnaire which asked consultees to respond to specific questions. There was also an opportunity to provide additional comments. Many respondents completed the questionnaire however a number of responses were made in alternative formats.

2.6. Evidence from respondents has also been used for the purposes of rescreening the proposals made. The Equality Screening form associated with the consultation document has been updated to reflect this, with additions and revisions highlighted. DOJ met with the Equality Commission for Northern Ireland to discuss the rescreening exercise. The rescreening has not changed the outcome, in that we do not consider a full equality impact assessment is required. However, we have highlighted how equality issues will inform DHR implementation.

3. SUMMARY OF CONSULTATION RESPONSES

3.1. Respondents were generally supportive of the proposed DHR model which will seek opportunities for learning and involve a number of new multi-agency fora. They considered that the overarching purpose is to prevent future domestic homicides and improve service responses for all domestic abuse victims and their children.

3.2. This section provides a summary of the key points raised in relation to each specific consultation question. The Department's response to the key points made is referenced below in bold and italics. It should be noted that some of the issues raised may relate to more than one question/area, therefore in order to ensure that we accurately reflect the issues raised, there may be some duplication in the content.

3.3. The Department would like to thank all respondents for taking the time to provide such comprehensive responses to the model suggested within the consultation document. We would also like to thank those groups, highlighted in para 2.4 who invited officials to provide further detail to inform their responses. We look forward to working in partnership with key stakeholders to introduce DHRs in Northern Ireland.

Question 1: Do you have any comments to make about the purpose of a DHR?

3.4. Respondents unanimously supported the purpose of a DHR, as set out in section 5 of the consultation document. They recognised that the purpose is not to apportion blame or investigate the conduct of any particular individual(s). Rather it is to understand the context and environment in which professionals made decisions and took (or did not take) action, for example, culture, training, supervision and leadership.

3.5. They also considered that the overarching purpose is to prevent future domestic homicides and improve service responses for all domestic abuse victims and their children.

3.6. Respondents welcomed the inclusion of 'highlighting good practice' under the purpose. Some considered that this should not be confused with standard practice. They emphasised that good practice would include examples of innovation, where an agency has implemented something that goes above and beyond normal practice. It was suggested that a definition of good practice should be provided.

3.7. Respondents made additional suggestions on what should be captured by the purpose. For example, several respondents suggested that the purpose should be to capture the voice of victims. One respondent considered that the purpose should be to obtain the perspectives of family and friends on how organisations worked individually, and together, with the victim or perpetrator and another noted that the purpose should be to enable families to get answers to their questions.

3.8. ***Once the model has been finalised, we will produce multi-agency statutory guidance for the conduct of DHRs and a governance arrangements document. These documents will explain the purpose of DHRs and will clearly identify that the overarching purpose is to prevent future domestic homicides and improve service responses for all domestic abuse victims and their children.***

3.9. ***The documents will also address misconceptions about what a DHR should or should not do and will provide a definition of 'good practice.'*** The

importance of ensuring that the process is victim focused, and that family and friends are involved if they choose to be, will also be emphasised throughout both documents.

3.10. Respondents considered that more detail is needed on who is responsible for following up the recommendations and ensuring that they have been implemented. ***The issue of monitoring recommendations and ensuring that they are implemented is addressed further under Question 12 and 13. We propose that the Senior Oversight Forum (SOF) would monitor the implementation of recommendations emerging from each DHR. We consider that detail on monitoring of recommendations would not fall under the purpose of DHRs, but that it is nonetheless important to include in guidance and the governance arrangements.***

3.11. It was also suggested that detail should be provided on how learning from each case will be disseminated to prevent further homicides. ***Again, we consider that this level of detail would not be covered under the purpose of DHRs but would be reflected in guidance and the governance arrangements document.***

3.12. One respondent considered that the purpose should explicitly consider the impact of children witnessing or experiencing domestic homicides and that learning should be sought in relation to this. ***We recognise the devastating impact that domestic homicide and abuse can have on children and the process will be mindful of this.***

3.13. One respondent was supportive of the purpose of DHRs but questioned the necessity to create an additional review process or structure given the current serious case review processes already in place. ***We have considered existing review processes and consider that introduction of the DHR process is necessary to review the specific circumstances of a domestic homicide, consider organisational and service responses and seek out opportunities for learning. We will ensure that the DHR model dovetails with the range of case reviews and public protection arrangements (including PPANI) already in place locally.***

Question 2: Do you have anything to say about when a DHR will or will not be commissioned?

Inclusion of domestic abuse-related suicide

3.14. A number of respondents considered that death by suicide should be included within the scope of the process from the outset. Others understood the reasoning of the Department not to include suicide in the initial roll-out of the DHR process but welcomed that it would be kept under review. One respondent noted that they had spoken to contacts who have been involved in DHR processes in England, who indicated that suicides can be particularly difficult to successfully review in the DHR process.

3.15. In order to make the process fit to tackle the complexities of domestic abuse-related suicide, it was suggested that it may be prudent to allow the DHR process to first bed-in. It was also suggested that a fact-finding exercise should be conducted by the Department. This would involve speaking to those in other jurisdictions, who have experience of DHRs and suicides, and gathering learning and good practice. Respondents stressed that once this had been done, domestic abuse-related suicides should be brought within the remit of DHRs in Northern Ireland.

3.16. We consider that the main DHR process should be allowed to bed-in, and that the Department should conduct a fact-finding exercise as suggested by respondents. We have commenced this fact finding exercise by speaking to colleagues in the Home Office to get an estimate of numbers, in order to understand the proportion of cases that might fall into scope. They were able to advise that in 2017 (in England and Wales), around 100 DHR reports were quality assured by the Home Office Quality Assurance Panel and two of these related specifically to victims who had taken their own lives following domestic abuse in their relationship.

3.17. We have also started to engage with Chairs elsewhere to identify the complexities of conducting a DHR relating to a suicide. This fact finding exercise with other jurisdictions will be coupled with a scoping exercise to

provide information on the scale and characteristics of domestic abuse-related suicides in Northern Ireland. Following the completion of both exercises, and a bedding-in period of around 18-24 months, the Department will review how death by suicide could be brought into the remit of the DHR process. We are conscious that it would not be practicable to conduct DHRs for every suicide that has an element of domestic abuse and we will work with the Task and Finish Group to develop clear criteria on identifying those suicides that could be included.

Age

3.18. Some respondents raised an issue with DHRs being commissioned for any young person aged 16-18 years given that, broadly in law, any young person under 18 years is still a child. Similarly, it was noted that the word 'adult' was used in the consultation document to refer to those who are aged 16 years or over and that this may cause some confusion.

3.19. Some respondents highlighted the Department's suggestion in the consultation document that the DHR process would cover the homicide of a 16 – 18 year old victim within a teenage intimate relationship but that another review process, for example a case management review (CMR), may be more appropriate in cases where the victim is under 18 and has been the victim of a domestic homicide by a close family member. One respondent questioned whether it would be better for all cases involving children under 18 to be dealt with under the CMR process. Another respondent cautioned against taking an absolute position and considered that decisions as to which review process should be progressed should be made depending on the individual circumstances of the case.

3.20. We recognise that a person who is aged 16-18 years is still legally a child and it is intended that the terminology used in the process will not refer to them as adults. When there is a domestic homicide of a person aged 16-18 years, we consider that a decision as to which review process should be progressed should be made depending on the individual circumstances of the case.

'One-off' incidents

3.21. Respondents welcomed the intention that it would only be in exceptional circumstances where a review would not be commissioned. However, they questioned the example in the consultation document which suggested that there may be 'one-off' incidents, with no history of domestic violence and abuse and no contact with services, where there is no scope for seeking out learning.

Respondents considered that, even if there had been no contact with services, it is possible that there was abuse in the relationship. In those cases, there would be much learning to gain from examining how the abuse never reached any agencies or organisations, and what could be done better to disrupt abuse at the earliest possible stage. ***We agree with respondents that there is likely to be learning to be gained even if there was no contact with services. The statutory guidance and governance arrangements documents will stress that it would only be in exceptional circumstances where a review would not be commissioned and will suggest that this could be, for example, when a victim arrived in the country directly prior to the homicide and there was no opportunity for engagement with services.***

Question 3: Do you have anything to say about what may 'typically' be outlined within the terms of reference?

3.22. Respondents agreed with the 'typical' terms of reference set out in the consultation document. Some respondents suggested that the terms of reference should capture how information is processed and how matters concerning the media will be managed. Another respondent suggested that the terms of reference should usually capture information on whether the victim sought information about the perpetrator's criminal history under the Domestic Violence and Abuse Disclosure Scheme.

3.23. Other respondents noted that the terms of reference should be underpinned by principles by which the Chair and panel will abide, such as to conduct themselves with honesty, transparency, humility and a desire to learn lessons. It was suggested that a key principle would also be keeping the humanity of the victim at the centre of

the review. ***The Department notes this suggestion and intends to develop a 'code of practice and ethics' for the Chair and panel.***

3.24. Respondents agreed that specific cases may warrant additional input to the terms of reference due to unique factors which may not be present in all cases, for example, immigration status. Respondents also welcomed that the terms of reference will include any evident equality and diversity issues for example, gender identity, ethnicity and disability. It was also considered that the terms of reference should set out how schools and universities can contribute to the review, given that DHRs will cover the domestic homicide of a person from age 16.

3.25. ***The terms of reference are not intended to be a comprehensive list. We consider the above points made by respondents to be valid and intend that they would be captured in the appropriate documentation.***

3.26. Other suggestions were made around “considering what type of intervention might be used to persuade men to adopt non-abusive modes of communication and identifying successful interventions from a global perspective”. ***We consider that these additions would be outside the scope of the terms of reference which seeks to define the parameters of the review.***

Question 4: Do you have anything to say about:

- **the knowledge and skills of the chair**
- **the recruitment and contingency for the role of chair?**

Knowledge and skills of the chair

3.27. Respondents supported the proposed knowledge and skills of the Chair as set out in the consultation document. Respondents unanimously agreed that the Chair must be independent from other agencies involved in the process and they must also be seen to be independent. It was considered that this would provide public confidence and reassurance, including for family members of the victim.

3.28. Respondents made some additional suggestions on what knowledge and skills the Chair should possess. For example, they noted that the Chair should be an expert in the field of domestic abuse and should have a proven in-depth understanding of all aspects of domestic abuse, including coercive control and the gendered nature of domestic abuse. It was also suggested that the Chair would need strategic vision to allow for opportunities to be identified to link in to, and inform, strategies such as the 'Stopping Domestic and Sexual Violence and Abuse' Strategy.

3.29. Respondents stressed that the Chair should be able to communicate empathetically with individuals involved in the review, particularly the victim's family. This would include the ability to write letters to the family which have a balance of information in plain English, explanation of the process and compassion. Others considered that the Chair should have a proven track record in managing relationships with multiple agencies and groups and should be able to secure buy-in from those involved. Respondents also suggested that the Chair should have experience in managing large, complex processes like DHRs.

3.30. A respondent also suggested that there may be issues associated with the legacy of the troubles and/or potential sensitivities of families from different communities. Particularly in relation to the appointment of a Chair with perceived political views or background. ***We intend that these suggestions with regards to skills and objectivity will be reflected in the job specification for recruitment of the Chair.***

3.31. One respondent suggested that candidates should have experience of DHR processes in other jurisdictions. ***We note the suggestion but would propose to invite individuals with a wider scope of experience to ensure we do not potentially exclude suitable candidates.***

3.32. Another respondent noted that there was no reference in the consultation document to additional training that might be required for the Chair and suggested that the Department of Justice should develop practical sessions for Chairs, as well as panel members working in statutory organisations and the voluntary and

community sector. ***The Department will produce statutory guidance and will arrange appropriate training to equip the Chair and panel members to engage in the process effectively and ensure appropriate professional development.***

Recruitment and contingency for the role of the Chair

3.33. Respondents accepted the suggestion that a regional panel and Chair would be appropriate, given the size of Northern Ireland and the presence of a range of province-wide bodies. There were mixed views on the appropriate number of Chairs. While one respondent considered that there may be a cost burden of recruiting more than one Chair, referencing the low number of reviews, the majority of respondents agreed that there should be more than one Chair. They considered that this would provide a contingency if the Chair is absent for a period of time or there is an increased numbers of DHRs. Some respondents suggested that there should be a pool of Chairs who have the skills and expertise to Chair on a rotational basis. ***This supports the Department's intention to recruit two Chairs.***

Question 5: Do you have any comments to make about DHR panel membership?

Core membership and ad-hoc representation

3.34. While respondents agreed that there should be a core panel membership for DHRs, they welcomed panel membership varying according to the circumstances of the case. For example, it may be necessary to have ad-hoc representation from organisations with expertise in substance misuse, mental health, Black and Minority Ethnic (BME) issues or rural issues. Others noted that some cases may require representatives from the Education Authority, if a school aged child is involved as either a victim, perpetrator or family member. Others noted the importance of including organisations that could represent the voices of children and share their experiences. Respondents also stressed the importance of the panel having members from groups representing both male and female victims of domestic violence and abuse. ***These issues will be reflected in the guidance and governance arrangements documents as appropriate.***

3.35. Respondents also supported the proposal to include representatives from the voluntary and community sector, who would bring a particular expertise and insight that may not be gained through statutory partners, as well as an important 'challenge' function. ***We have noted the unanimous support for inclusion of the voluntary sector on the panel and intend to reflect the importance of this in the governance arrangements document.***

3.36. It was suggested that the voluntary and community sector should be funded to participate in DHR panels. ***It is intended that organisations typically involved in panels will participate as part of their wider core functions.***

Further requirements

3.37. It was also suggested that panel members should have practical front-line experience and should be of sufficient seniority to agree strategic recommendations. ***We intend to reflect these suggestions in the guidance and governance arrangements document.***

3.38. One respondent stressed that panel members should be independent of any line management of staff involved in the case. ***Every effort will be made to ensure the objectivity of the panel, for example, we will ensure that the direct line managers of staff involved in the case are not sitting on the panel.***

Timeframe for membership

3.39. It was agreed that there should be a minimum timeframe for members to sit on the core panel. Some respondents considered that it may be ambitious for three to five year membership, given organisational changes and staff turnaround. One respondent suggested that a period of two years may be more practical, but that the optimum time would need to be formulated on the basis of how long a DHR process might take. ***While indicative minimum membership periods will be established, account will be taken of individual circumstances.***

Deputy panel members

3.40. Other respondents agreed with the suggestion of having deputy panel members, providing an opportunity to enhance and share knowledge and skills. However, it was considered that there would need to be consistency and a clear process regarding roles and responsibilities of the main and deputy member. ***While it is considered that deputy panel members should be an exception, the statutory guidance and governance arrangements will clearly set out roles and responsibilities and reflect the importance of capacity building/succession planning.***

Question 6: Do you have any comments to make about the consideration of equality and diversity issues by the panel?

3.41. Respondents agreed, in line with our proposal, that the protected characteristics under equality legislation should be taken into consideration by the panel.

Racial group

3.42. Respondents considered that in cases where victims are foreign nationals or not 'indigenous', that their cultural context and 'norms' should be examined. Some respondents also considered that experts may be needed to assist understanding of the specific cultural context of the case and that translation services might also be required.

Sexual orientation

3.43. Respondents agreed that the DHR process should have due regard to equality and diversity issues in relation to persons of different sexual orientation. One respondent noted that domestic abuse is prevalent in all relationships; however, there may be additional issues in LGBTQ+ relationships, for example, awareness within the victim's family.

Rural needs

3.44. A number of respondents stated that the panel should have due regard to equality and diversity issues in relation to rural needs.

3.45. ***These issues will be reflected in guidance and practice associated with DHRs.***

Men and Women generally

3.46. Some respondents also urged that the gendered nature of the killing of women should not be overlooked in equality and diversity considerations in DHRs. They noted that women comprise the majority of victims of domestic violence, high risk cases, and domestic homicides. They felt that the DHR has the potential to better safeguard the human rights of women.

3.47. Other respondents noted that anyone can be a victim of domestic homicide and suggested that all terminology in the guidance should be gender neutral, avoiding phrases men and women generally and using ‘persons irrespective of gender.’ ***The Department will consider how best this issue can be addressed.***

3.47. ***In terms of equality, diversity and rural needs, following consultation, the DHR model has been re-screened and reassessed. The equality screening and Rural Needs Impact Assessment can both be accessed at <https://www.justice-ni.gov.uk/consultations/domestic-homicide-reviews>***

Question 7: Do you have anything to say about family involvement in the process?

3.48. A number of respondents welcomed the Department’s proposal to invite victim’s families to be involved in the process. It was considered that families should be treated as an important stakeholder and that family contributions must be afforded at least the same status as other contributors. One respondent considered that the consultation document was too cautious about managing family expectations and not strong enough on the value of DHRs to families or the value of involving families in the process. Others suggested that family involvement should be reflected more strongly in the proposals and suggested that the process should be a partnership between the Chair/panel and family. ***It is considered that families can***

provide an abundance of important information and insight. This will be reflected in the statutory guidance and governance arrangements.

3.49. Respondents stated that interaction with families would require skilful management and that clear communication will be essential to ensure that they understand the process. It was also noted that families are seldom similar and that homicides often reveal the frailty of family relationships, with competing views being expressed by family members.

3.50. In addition, a number of respondents advised that children can offer a unique insight and perspective into their parents'/family's lives and suggested that, where possible, consideration is given to their involvement in a review. They emphasised that engagement should reflect the child's age and stage of development and that they should be properly supported to participate when they feel they want to and where it is appropriate, without exposing them to further harm. ***We will ensure that the job specification for the Chair emphasises the need to be able to engage with families. We will also ensure that guidance and training provides advice on engagement with families and sets out clear guidelines for engaging with children.***

Support for families

3.51. Respondents stressed that participation in the process could possibly lead to re-traumatisation of family members and highlighted the importance of ensuring that they are supported emotionally and mentally throughout the process. It is noted that families may prefer to engage through specialist, independent and expert advocates. ***These issues will be considered as part of the advocacy support work currently being progressed by the Department.***

Concerns about level of engagement with families

3.52. One respondent expressed concerns about the level of engagement being sought with families and considered that it may pose a risk to future criminal proceedings. It was noted that records made during engagement with families may potentially be disclosable to any criminal proceedings. Another respondent

highlighted that the reviews relate to a criminal act that there may be legal considerations for family members or other individuals who may contribute to the review. It was suggested that there would need to be very clear protocols in relation to this, given the potential risk for individuals to unwittingly implicate themselves.

Advice will be sought in relation to any potential impacts of a DHR process on the progress of the case through the criminal justice system, along with engagement with PSNI and PPS.

Question 8: Do you have anything to say about the involvement of other individuals in the process?

3.53. Respondents agreed that the process should include input from other relevant individuals, for example, friends or work colleagues, as they may hold insight that family members do not have.

3.54. One respondent noted that a victim may have disclosed that they were being abused to an employer, particularly given the recent introduction of domestic abuse workplace policies in many businesses and organisations. It was also noted that the victim's children may have spoken about abuse in the home to schools or support agencies. Respondents re-emphasised the importance of involving the voluntary and community sector as victims may have disclosed details of abuse to support workers or volunteers.

3.55. Some respondents felt that engaging with the perpetrator's family in the review would also be useful. It was noted that it should not be assumed that a perpetrator's family would automatically align themselves with the perpetrator. It was stressed that sensitivity when contacting the perpetrator's family would be necessary.

3.56. It was emphasised that there should be a clear remit for the inclusion of any other individuals and that the family should be made aware of any other people involved. It was also suggested that the importance of confidentiality is raised with any person outside an agency / organisation, who chooses to be involved in a DHR, given the potential impact of social media and information sharing. ***We will ensure***

that guidance and training provides advice on engagement with other individuals.

3.57. Respondents stressed that participation in the process could possibly lead to re-traumatisation of those involved, for example friends or colleagues and stressed the importance of ensuring that they are supported emotionally and mentally throughout the process. ***This issue will be considered as part of the process and we will also consider with regard to the scope of the advocacy support work currently being progressed by the Department.***

Question 9: Do you have any comments about the two key elements of the DHR process:

- (i) initial findings, learning and identification of actions needed; and**
- (ii) identification of key findings, learning, actions and longer term change to improve service and the response in future cases of domestic violence and abuse?**

3.58. A number of respondents agreed with the two key elements of the DHR process. They considered that this was a pragmatic approach which would allow for some recommendations to be taken forward immediately while allowing for a fuller examination of lessons learned at a later stage. Most respondents recognised that reviews may not be completed and published for some time, due to ongoing criminal proceedings, and that the focus on capturing and disseminating early learning (where possible) was therefore to be welcomed.

3.59. One respondent considered that a police investigation would need to happen before the DHR Process commenced. Another respondent stated that the publication of any findings, prior to the completion of a criminal investigation or prosecution, was fraught with risks.

3.60. One respondent raised concern that defence teams would seek disclosure of the material used to arrive at 'initial findings'. The respondent clarified that the early

learning document would not in itself be particularly challenging, but that the material upon which it is based could be challenged.

3.61. Some respondents welcomed that advice would be sought as necessary, in relation to any potential impacts on the progress of the case through the criminal justice system. ***Advice will be sought in relation to any potential impacts of a DHR process on the progress of the case through the criminal justice system, along with engagement with PSNI and PPS.***

Question 10: Do you have any comment on the approach proposed regarding gathering information, or any suggestions as to how best this could be undertaken?

3.62. Respondents generally agreed that Individual Management Reviews (IMRs), as used in England and Wales, appear to be an appropriate means of gaining information into the involvement that agencies had with a domestic homicide victim or perpetrator. One respondent considered that it would be more effective for the DHR panel to gather information by hosting a meeting with relevant agencies.

3.63. Nevertheless, respondents welcomed the proposal in the consultation document to adapt the IMR process to obtain information in a more dynamic way. A number of respondents noted that more clarity was needed as to what format each organisation's summary narrative would take. It was suggested that a short outline template or framework should be developed for organisations to complete. It was noted that training for those completing the template would be essential to ensure consistency. Another respondent stressed the importance of IMRs being sufficiently focused, so as to prevent 'fishing expeditions' into matters not connected to the homicide. ***We consider that the information gathered should be focused and that a template could be developed for agencies inputting to the process. This could be included in the statutory guidance, along with associated notes on how it should be completed. The Department will also consider if additional training for those inputting into the Review is necessary or if the guidance will suffice.***

3.64. ***We agree with respondents that those gathering information for IMRs should not have been directly involved with the victim, the perpetrator or the families and should not have been the immediate line manager of any staff involved in the case. Every effort will be made to ensure the objectivity of the panel.***

3.65. One respondent considered that copies of police statements and other evidence should be restricted to the post-trial phase or the conclusion of a police investigation. It was also stressed that police recommendations as to whether a matter should be prosecuted or not should remain confidential. In addition, concerns were raised by one respondent that sensitive/private information (for example medical or social services records) could be disclosed to the Panel. It was concluded that careful consideration should be given before the release of these records. ***We consider that it will be necessary as part of the DHR process to effectively manage information provision in an appropriate manner, so that it in no way detracts from a police investigation. Advice on this will be included in the statutory guidance and, if appropriate, may need to be sought for individual cases.***

3.66. One respondent noted that the panel needs the appropriate powers to access information and that the Department needs to consider whether enabling legislation would be required to give the DHR panel access to the information that they need. ***Effective joint working with partners will be required to enable effective information sharing. We do not envisage that further legislation is required to do this. We consider effective working along with the legislative provision provided for under the Domestic Violence, Crimes and Victims Act 2004, once commenced, will be sufficient.***

3.67. Another respondent considered that the proposals do not provide information on what powers the panel will have to deal with those who refuse to participate or provide the information required. ***As well as joint working, referenced above, we consider that the provision of information will be in line with the agreed data sharing arrangements (as per GDPR). We think that embedding a learning***

culture around DHRs will also contribute to addressing potential concerns. Naturally this will be kept under review by SOF.

Question 11: Do you have any comment on the suggested approach around publication of the DHR report and do you have any views on the frequency of report publication?

3.68. The majority of respondents agreed that a single DHR report should be published at the end of the review process. They welcomed that this would be concise, focused and proportionate. It was agreed that detailed logs of each contact the victim or perpetrator had with services was not required. Respondents also agreed that there would be merit in a brief thematic report being produced; a minimum of every two years, to reflect what has been learned from domestic homicide cases collectively. One respondent suggested that the decision on whether to publish the thematic report every year or every two years should be based on the number of cases conducted.

3.69. Some respondents considered that a short report should be published but that a more detailed report for the family and relevant agencies should also be produced which is not published. Others suggested that a full report should be published and that a shorter Executive Summary and a 1-2 page key learning document should be produced and disseminated to frontline staff in all relevant organisations. ***We consider that there should be one version of the report, which is as robust and concise as possible and clearly flags key learning.***

3.70. One respondent requested that the PSNI and PPS are consulted with prior to publication. Another stated that the PPS should be provided with draft reports for review; prior to publication. ***It is likely that PSNI will be part of the panel and will be consulted as part of the review process, while both organisations are likely to be represented on SOF.***

3.71. Some respondents suggested that a template for a DHR report should be developed for stakeholders to comment on. ***A clear framework and guidance will be provided in terms of the format and content of reports. We consider that***

providing an example may lead to it being used as a basis for every report and this may potentially lead to an overly prescriptive format and approach being taken.

3.72. Respondents stressed the importance of ensuring that the impact of publication on those involved in the process, particularly the victim's family, is considered. They also suggested support should be put in place for families when they are reading the report. ***We recognise that support for families will be of paramount importance throughout the process, including during the consideration of the Report. This issue will be considered as part of the advocacy support work currently being progressed by the Department.***

3.73. In addition, it was also noted that the publication and dissemination of learning from DHRs had the potential to add to the trauma to individuals, notably any surviving children. One respondent urged that publication was considered on a case-by-case basis, with sensitivity and anonymity ensured where a case involves, or could affect, a child. They suggested that, in instances where reports were not fully published, that confidential versions could be shared with professional partners to ensure learning is not lost. ***With regards to publication, the impact on the privacy of individuals, especially family and friends, will always be considered.***

3.74. One respondent noted that perpetrators' rights under data protection legislation would have to be taken into account, particularly at the publication stage. Others stated that publications should be mindful of issues around data protection and potential to identify any children or relatives. ***We will ensure that these considerations, in terms of all the individuals involved, are dealt with in the statutory guidance.***

3.75. One respondent raised concerns under question 15 that that the publication of a review report could potentially have an adverse impact on individuals e.g. alleged perpetrators, where there is no previous criminal record or where no conviction is secured in the criminal case. ***We recognise that it may not be appropriate to publish a DHR report in some circumstances. Guidance and training will note***

the importance of considering, on a case-by-case basis, whether it is safe and appropriate to publish a report, particularly if children are involved.

Question 12: Do you have any comment on the potential outcome of the reviews through the development of reports?

3.76. Respondents welcomed that the reports will include recommendations that make a difference to victims, provide improvements and are tangible, achievable and proportionate.

3.77. Respondents agreed that good practice should be highlighted in reports and consideration given to how this can best be disseminated. They also agreed that identified learning and recommendations should be discussed with organisations, before a report is finalised.

3.78. Respondents suggested that a short action plan should be devised to ensure the consistent interpretation and application of any learning objectives identified. ***It is intended that an action plan would be developed by the Chair as part of the review process, to address the recommendations made.***

3.79. Respondents noted that there needs to be appropriate mechanisms in place for monitoring delivery against the action plan. ***As discussed further under Question 13, SOF will monitor the implementation of recommendations emerging from each DHR.***

3.80. A number of respondents raised concerns about the enforceability of recommendations and stressed the importance of organisations being held to account for delivery. They considered that the repetition of recommendations in subsequent reports may indicate that action is not being taken. It was recommended that the Department examines enforcement models used in different jurisdictions. Some respondents suggested under Question 15 (additional comments), that pathways for change should be established in each agency named in a given DHR. This could possibly include identifying a person responsible for overseeing changes based on recommendations in each agency. It was emphasised that this should be someone with seniority and in an appropriate role to take this forward. It was also

suggested that it might be valuable to include a requirement for agencies to report back to SOF, within a year, on the progress of implementing recommendations. ***We consider that these suggestions will assist SOF in monitoring progress and ensuring appropriate action is taken on recommendations made. We have already liaised with other jurisdictions to determine how they progress implementation of recommendations arising from reports. We will continue to seek out good DHR practice.***

3.81. Some respondents asked what government funding would be provided to directly support front-line service to increase protection for those at risk of domestic homicide. We envisage that the lead for each recommendation will be responsible for delivery, including funding.

Question 13: Do you have any comment on the role and scope of the Senior Oversight Forum?

3.82. Respondents considered, as the proposed model reflects, that a quality assurance function would be vital to the process and agreed that this function should sit with an expert panel made up of statutory and voluntary sector organisations under SOF and managed by the Department.

3.83. The broad outline of the role and scope of SOF was supported as well as its overall responsibility for establishing a review. It was suggested that the functions of SOF should include signing off on terms of reference, agreeing the membership of the panel and receiving updates on the progress of DHRs. It was suggested that governance requirements for DHRs in England should be carefully considered and adopted where appropriate. ***The arrangements for England have already been considered and we will ensure that there is robust governance in place, providing documented clarity on the role of SOF.***

3.84. As noted under Question 12, SOF will be responsible for monitoring the implementation of recommendations emerging from each DHR. Respondents considered that this function would be vital. One respondent requested further clarity on how SOF will monitor the implementation of recommendations. ***Officials shared***

supplementary information with the respondent on the role of SOF. Further detail on the monitoring of the implementation of recommendations will be provided in the governance arrangements document and guidance document.

3.85. Some respondents raised concerns under question 12 around the enforceability of recommendations. Similarly, others raised queries under this question on how SOF will be able to compel compliance with any recommendations. Another recommended that SOF's follow-up function, to review how findings of reviews are being implemented should, be written into the process in detail.

3.86. Some respondents suggested under Question 15 (additional comments), that pathways for change should be established in each agency named in a given DHR. This could possibly include identifying a person responsible for overseeing changes based on recommendations in each agency. It was emphasised that this should be someone with seniority and in an appropriate role to take this forward. It was also suggested that it might be valuable to include a requirement for agencies to report back to SOF within a year on the progress of implementing recommendations. ***We consider that these suggestions will assist SOF in monitoring progress and ensuring appropriate action is taken on recommendations. We will also engage with colleagues in other jurisdictions to determine how they enforce implementation of recommendations arising from reports.***

3.87. One respondent queried who would Chair SOF and what powers the Chair would have if, for example there is unreasonable delay in the completion of the review. ***The Department of Justice will Chair SOF. Members of SOF will be accountable to other members as regards progress.***

Question 14: Do you have any comment on the organisations that would make up the Senior Oversight Forum, particularly the additional bodies that could be considered, or others that should be considered?

3.88. A number of respondents agreed that the proposed membership of SOF seemed appropriate and wide reaching. They welcomed the inclusion of voluntary sector organisations and suggested that Women's Aid and the Men's Advisory

Project should be standing members of SOF, as the lead domestic violence and abuse organisations in Northern Ireland.

3.89. Respondents made a number of additional suggestions for membership including: a Senior Policing Board official; PSNI; PPS and PBNI. It was also suggested that the Fire and Rescue Service should be represented. Others considered that there would be merit in having a Lay Member/independent personnel and representation from the RQIA, to add additional rigour. Others considered that there should be representation from a legal professional.

3.90. Other suggestions included representatives of rural areas and representation from education and children's sectors. It was also suggested that the Voice of Young People in Care (VOYPIC) should be considered to represent those children that have been placed in care as a result of the homicide. Respondents also noted that organisations representing the LGBT+ community and the BME community should be considered.

3.91. Respondents suggested that a core member from mental health services should be included as part of health representatives, given the link between mental health, domestic homicide and suicide.

3.92. One respondent considered that the membership of SOF should not be too unwieldy as this would hamper the quality assurance and oversight function. ***We intend that SOF will have a core membership and, where appropriate, other members will be invited to join.***

Question 15: Do you have any comment on the potential implications the proposed model may have on equality or human rights?

3.93. Respondents considered that the introduction of DHRs in Northern Ireland should promote equality and uphold human rights. They welcomed specific reference to equality and diversity issues for example, gender identity, ethnicity and disability. It was noted that those represented on SOF and panel would need to be

skilled in understanding human rights issues. ***Advice on equality and human rights will be reflected appropriately in guidance and training.***

3.94. Some respondents also reiterated comments made at Question 6 (consideration of equality and diversity issues by the panel). For example, they noted that women comprise the majority of victims of domestic violence, high risk cases, and domestic homicides. They felt that the DHR has the potential to better safeguard the human rights of women. Respondents also re-emphasised the suggestion that all terminology in the guidance should be gender neutral, avoiding phrases men and women generally and using ‘persons irrespective of gender.’ ***The Department will, with relevant partners, consider how best this issue can be addressed. In terms of equality, diversity and rural needs, following consultation, the DHR model has been re-screened and reassessed. The equality screening and Rural Needs Impact Assessment can both be accessed at [insert DOJ link]***

3.95. A respondent noted that the publication of a review report could potentially have an adverse impact on individuals e.g. alleged perpetrators, where there is no previous criminal record or where no conviction is secured in the criminal case. ***We recognise that it may not be appropriate to publish a DHR report in some circumstances. Guidance and training will note the importance of considering, on a case-by-case basis, whether it is safe and appropriate to publish a report, particularly if children are involved.***

Question 16: Do you have any further comment to make about the proposed model?

3.96. With regards to general comments, respondents welcomed the opportunity to respond to the consultation and noted their support for the introduction of DHRs in Northern Ireland. One respondent called for the DHR process to be introduced as soon as possible. Many highlighted the important work their organisations are doing in tackling domestic and sexual violence and abuse.

Learning from England and Wales

3.97. Respondents noted that Domestic Homicide Reviews were introduced in England and Wales in 2011 and could provide Northern Ireland with a wealth of evidence and learning opportunities which could be drawn upon.

3.98. *In developing the proposed model, there has been extensive engagement with colleagues working on DHRs in a number of areas in England and Wales, taking account of the benefits and also issues that have arisen. This engagement has proved, and continues to prove, informative and has helped us shape the proposed model for Northern Ireland. We anticipate that further engagement with colleagues in England and Wales will be beneficial in taking work in this area forward.*

Finance/funding

3.99. It was suggested that a robust explanation and consideration of the potential financial impact of the proposed model should be carried out before the commencement of DHRs. A number of respondents stated that consideration should be given to providing funding to the third sector organisations that can provide a valuable service to those affected by a domestic homicide. ***It is intended that all key organisations involved will participate in panels as part of their core functions.***

Victim focus

3.100. Respondents were clear that the views of victims of domestic abuse should be sought and integrated into all aspects of the DHR process. It was also suggested that the process should have more emphasis on the 'voice of the victim.' ***The Department has sought, through delivery partners, the views of victims and those affected by domestic homicide. We consider their role is vital in informing the development and delivery of DHRs here. The guidance and governance arrangements document will stress the importance of the process being 'victim-focused'.***

Anonymity

3.101. Respondents recognised that it would be difficult to ensure anonymity for victims given the size of Northern Ireland. However, it was suggested that consideration should be given to offering anonymity to witnesses and participants to enable full and frank participation. An example was given in which a Chair or panel may wish to speak with a former partner of the perpetrator to get insight into their patterns and Modus Operandi (method of operating or functioning). However, they noted a former partner may be reluctant to disclose any information or take part in a review unless they can do so anonymously. ***As part of the DHR process, the right to privacy of all concerned will be considered throughout. All information will be handled in accordance with the General Data Protection Regulation (GDPR).***

Implementation and evaluation

3.102. Respondents recommended the establishment of 'pathways for change' in each agency named in a given DHR. This could possibly include identifying a person responsible for overseeing changes based on recommendations in each agency. This should be someone with seniority and in an appropriate role to take this forward. It was also suggested that it might be valuable to include a requirement for agencies to report back to SOF within a year on the progress of implementing recommendations. ***As set out under Question 12 and 13, we consider that these suggestions will assist SOF in monitoring progress and ensuring appropriate action is taken on recommendations. We will also engage with colleagues in other jurisdictions to determine how they enforce implementation of recommendations arising from reports.***

3.103. It was also suggested that an evaluation of the DHR process should be conducted after 3 years. ***It is intended that an evaluation will be undertaken no later than 3 years after DHRs are introduced, as part of the standard policy evaluation process.***

4. CONCLUSION AND WAY FORWARD

4.1. Consultation responses were received from a broad range of organisations and individuals and engagement with stakeholders took place through written responses and workshops facilitated by key stakeholders. This process has attracted a broad range of views, raising many important issues and providing further insight into the potential challenges that may be faced in implementing these proposals in Northern Ireland. The Department wishes to thank all respondents to the consultation. We would also like to thank those who attended the stakeholder presentations and those who shared their own personal experiences with us.

4.2. Respondents have generally welcomed the proposed model for DHRs in Northern Ireland. However, as detailed in Section 3, a range of suggestions and additions were made by respondents. The Department will now work with the DHR Task and Finish Group to:

- finalise a DHR model which is reflective of respondents' comments;
- develop and agree a governance arrangements document and statutory multi-agency guidance;
- consider if additional training for those inputting into the Review is necessary or if the guidance will suffice;
- develop a job specification for the Chair which will take on board suggestions made by respondents;
- commence a recruitment exercise for the Chair; and
- commence the relevant provision under the Domestic Violence, Crimes and Victims Act 2004.

4.4 The Department also intends to conduct a fact-finding exercise which would involve speaking to those in other jurisdictions who have experience of DHRs and suicides, gathering learning and good practice. This will be coupled with a scoping exercise to provide information on the scale and characteristics of domestic abuse-related suicides in Northern Ireland.

4.6 If you require any further information please contact:

Community Safety Division

Telephone: 028 90 523772

E-mail: DOJCommunity.SafetyUnitProjMailbox@justice-ni.x.gsi.gov.uk

Consultation Respondents
Alliance Party
Attorney General for NI
The Bar of Northern Ireland
Barnardo's Northern Ireland
Belfast Area Domestic & Sexual Violence and Abuse Partnership
British Association of Social Workers - Vice Chair
Children in Northern Ireland
Consortium for the Regional Support for Women in Disadvantaged and Rural Areas
Department of Education
La Dolce Vita Project
Equality Commission for NI
Green Party NI
Health and Social Care Board
Independent Social Worker
Law Society of Northern Ireland
Lisburn & Castlereagh City Council
Lisburn and Castlereagh City Council - Health and Well-being/Safeguarding
Men's Advisory Project
National Union of Students NI
Northern Ireland Policing Board
Northern Ireland Public Service Alliance
Northern Health and Social Care Trust - Safeguarding Children Nurse Specialist 20
NSPCC
Police Service of Northern Ireland
Probation Board for Northern Ireland
Public Prosecution Service
South Eastern Health and Social Care Trust
Sinn Féin
Superintendents' Association of Northern Ireland
Ulster Unionist Party
Victim Support NI
Western Domestic and Sexual Violence Partnership
Women's Aid Armaghdown
Women's Aid Federation Northern Ireland
Women's Resource & Development Agency
Zakkon Ltd