

Appendix A



THE DOMESTIC HOMICIDE REVIEW PROCESS IN SWANSEA

SAFER SWANSEA COMMUNITY
SAFETY PARTNERSHIP

Version 0.1

May 2021

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This document outlines the approach being taken in Swansea to meet the Domestic Homicide Review statutory requirement and reflects the commitment of statutory and voluntary organisations to learn lessons from the tragic deaths of victims of domestic violence and abuse.

WHAT IS A DOMESTIC HOMICIDE REVIEW?

A Domestic Homicide Review (DHR) is a locally conducted multi-agency review of the circumstances in which:

“...the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by:

- a) a person to whom he was related or with whom he was or had been in an intimate personal relationship, or
- b) a member of the same household as himself”

Section 9 (1) Domestic Violence Crime and Victims Act (2004)

Where a victim took their own life (suicide) and the circumstances are of concern, e.g. if there was coercive controlling behaviour in the relationship, a DHR should be undertaken, even if a suspect is not charged with an offence or they are tried and acquitted.

A DHR is conducted completely separately from any criminal proceedings into the victim's death. It is not an inquiry into how the victim died and it will not assign blame.

THE PURPOSE OF A DOMESTIC HOMICIDE REVIEW

A DHR will look at the circumstances that led to the death of the victim in order to understand what happened. It should seek to:

- Establish any lessons to be learnt from the domestic homicide; specifically around how professionals and organisations in the local area work to safeguard victims.
- Highlight good practice within or between agencies.
- Identify any actions that can be implemented to improve practice, procedures, support, resources, etc., and to ensure that domestic abuse is identified and responded to effectively at the earliest opportunity.

- Define the timescales in which any actions will be acted on.
- Apply the lessons learnt.

A DHR Panel will be set up to conduct the DHR. The Panel will include representatives from the statutory members of the Safer Swansea CSP and from other organisations, dependent on their involvement with the victim or perpetrator, or their specialism e.g. domestic abuse, substance misuse. An independent chair will lead the Panel.

The DHR Panel will look at each organisation's involvement in the case. Family members, friends, and work colleagues of the victim may also be spoken to as part of the process.

The Panel Chair will compile a DHR Report on behalf of the Panel. The Report will include any recommendations from the Panel, to improve the local response to domestic violence in the future.

REQUIREMENT TO UNDERTAKE A DOMESTIC HOMICIDE REVIEW

The requirement to undertake DHRs was established on a statutory basis in 2011, under Section 9 of the Domestic Violence Crime and Victims Act (2004). The Act makes it a requirement for the Community Safety Partnership (CSP) in the area where 'the victim was normally resident', or where 'the victim was last known to have frequented', to initiate and undertake a DHR.

In Swansea, DHRs come under the remit of the Safer Swansea CSP. The statutory partners of the Safer Swansea CSP share the associated costs of running a DHR. This decision to share the costs was made formally at the CSP meeting in May 2021.

The statutory partners of the Safer Swansea CSP are:

- South Wales Police
- Swansea Council
- Swansea Bay University Health Board
- National Probation Service (NPS)
- Mid & West Wales Fire and Rescue Service

Other Members of the Safer Swansea CSP include:

- Police and Crime Commissioners Office
- Elected Member responsible for Community Safety
- Western Bay Safeguarding Boards
- Youth Justice and Early Intervention Service
- Western Bay Area Planning Board
- Welsh Ambulance Service
- HE/FE Representation
- Public Health Wales
- Third Sector representation
- Others to advise as needed

Swansea Council has been delegated the responsibility for coordinating any DHRs on behalf of the Safer Swansea CSP.

The CSP maintains an oversight over the progress of any DHRs and any learning is shared between the CSP partners.

MULTI-AGENCY STATUTORY GUIDANCE

The Home Office's 'Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews' should be referred to in all circumstances where consideration is being given to establishing a DHR. All partners within the CSP are advised to familiarise themselves with the guidance and the definitions within it.

It sets out:

- How a DHR should be established and conducted.
- The timescales for undertaking a DHR.
- How family, friends and support networks of the victim should be involved.
- The creation and publication of the report.
- Quality assurance procedures.

The guidance can be found here:

[www.gov.uk/government/publications/revised-statutory-guidance-for-the-conduct-of-domestic-homicide-reviews.](https://www.gov.uk/government/publications/revised-statutory-guidance-for-the-conduct-of-domestic-homicide-reviews)

THE DOMESTIC HOMICIDE REVIEW PROCESS IN SWANSEA

The key steps described below are summarised in a flow diagram in Appendix A.

STEP 1 - NOTIFICATION

1. South Wales Police notifies the CSP Chair/s and Swansea Council's CSP Lead Officer (Community Integration & Partnership Manager) in writing of a suspected domestic homicide, via the email addresses below.

Safer Swansea Chair: Adam Hill

adam.hill@swansea.gov.uk/adam.hill@abertawe.gov.uk

Safer Swansea Chair: Chief Superintendent Trudi Meyrick

Trudi.Meyrick@south-wales.police.uk

Swansea Council's CSP Lead Officer: Paul Thomas

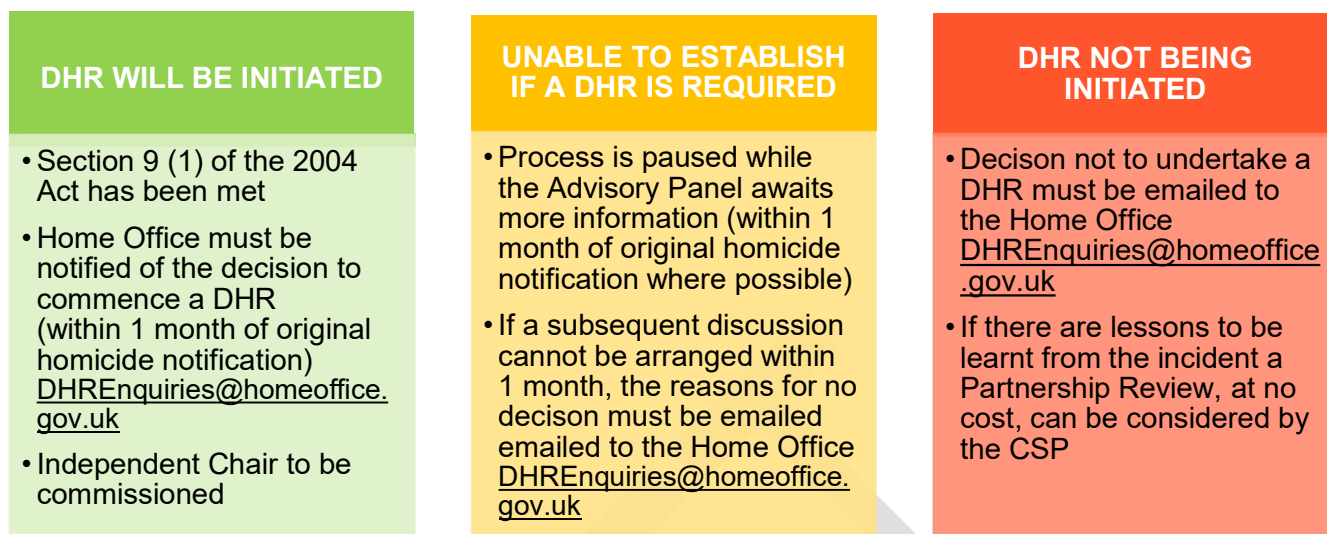
paul.thomas5@swansea.gov.uk / paul.thomas5@abertawe.gov.uk

2. The CSP Lead Officer informs the appropriate Swansea Council Heads of Service and Cabinet Members of the notification letter.

STEP 2 – DECIDING WHETHER A DHR SHOULD BE ESTABLISHED

1. The Council's CSP Lead liaises with the CSP Chair/s and the statutory members of the CSP (Advisory Panel) to establish whether the homicide meets the criteria for a Domestic Homicide Review, under Section 9 (1) of the Domestic Violence Crime and Victims Act (2004).
2. If the Advisory Panel feels that the definition under Section 9 (1) of the 2004 Act has been met, they will advise the CSP Chair/s that a Domestic Homicide Review SHOULD be undertaken.
3. If there is no evidence that the homicide was as a result of domestic abuse and/or there is no evidence provided by members of the Advisory Panel that there had been any domestic abuse in the relationship, a Domestic Homicide Review SHOULD NOT be undertaken.
4. If the Advisory Panel is unable to establish whether a Domestic Homicide Review should be undertaken or not, then another discussion should be arranged as soon as possible in order to make a decision.

- The following diagram outlines the next steps that should be taken, depending on the decision made by the Advisory Panel:



- Whichever decision is made, the Home Office should be informed within 1 month from the date of when the original suspected domestic homicide notification letter was received from South Wales Police. The Council's CSP Lead will undertake this requirement.

STEP 3 – CONDUCTING A DOMESTIC HOMICIDE REVIEW

- The CSP Lead, on behalf of the CSP Chair/s, issues instructions to the statutory CSP partners, and other partners as appropriate, to secure files and records relating to the victim, perpetrator, and other relevant known family members. They will ask the partners to scope for relevant information, and to provide feedback by a stated date.
- All documents, forms and correspondence relating to DHR should be password protected and stored electronically in a folder with restricted access due to sensitivity and confidentiality of the DHR.
- The CSP Lead and their nominated support will be the points of contact for notifying statutory partners and others about the Domestic Homicide Review process, and for collating information during the Review and Panel meetings.
- The CSP Lead creates a timeline of the process from date of homicide through to date of publication of the DHR Overview Report, Executive Summary and Action Plan. This timeline is used to feed back to the CSP to learn from challenges or opportunities within the process for future Reviews.

5. The CSP Lead instructs the Strategic Lead Commissioner (Social Services) that the CSP has agreed to run the DHR and asks them to commission an Independent DHR Chair – if a contract is not already in place.
6. Once the DHR Independent Chair is appointed, the CSP Lead securely shares the notification letter and scoping information with them. The CSP Lead and their nominated support will be the points of contact for DHR Chair.
7. The CSP Lead liaises with the DHR Chair and agrees which partners / organisations need to be invited to attend the initial Panel meeting. As the DHR progresses, additional organisations may need to be invited.
8. The CSP Lead will advise partners of the date of the initial Panel meeting.
9. Both the CSP Lead and DHR Chair will attend the initial DHR Panel meeting, which will be opened by the CSP Lead. Subsequent meetings will be chaired by the DHR Chair. The CSP Lead is integral to the Review and should attend the Review Panel meetings as a Panel Member.
10. During the initial Panel Meeting, the Senior Investigating Officer (SIO) from South Wales Police will outline the case to the Panel. The Chair and the SIO will then define if the DHR can progress, depending on criminal proceedings.
11. The DHR Chair and Panel members will consider the scope of the Review process and the dates it will cover, and then establish and agree the Terms of Reference.
12. The DHR Chair, on behalf of the CSP, will write to the family members of the victim to advise them of Domestic Homicide Review process and to give them the opportunity to be involved in the Review. Involvement of any family or friends will be organised by the DHR Chair, alongside their Family Liaison Officer (South Wales Police), not by the CSP Lead.
13. The DHR Chair should consider approaching the family of the perpetrator, who may also have relevant information to offer. However, the Chair should also be mindful that the perpetrator or members of the perpetrator's family might in some cases pose an ongoing risk of violence to the victim's family or friends, or vice versa. If the Chair is concerned that there may be a risk of imminent physical harm to any known individual(s) they should contact the Police immediately so that steps can be taken to secure protection.
14. The DHR Chair will invite the organisations identified through the initial scoping exercise and initial Panel Meeting to commission Individual Management

Reviews (IMRs) and chronologies from their organisational records. Other organisations may be asked to provide an in depth summary rather than an IMR.

15. A series of DHR Review Panel meetings will take place, chaired by the DHR Chair.
16. As the DHR progresses, the DHR Review Panel members in conjunction with the CSP Lead will formulate their recommendations into an Action Plan which the Review Panel members should translate into Specific, Measurable, Achievable, Realistic and Timely (SMART) outcomes.

STEP 4 – DOMESTIC HOMICIDE REVIEW REPORT

1. The DHR Chair presents a draft DHR Overview Report including the recommendations to the Review Panel for consideration. The Review Panel members should ensure they are satisfied that the report accurately reflects the Review Panel findings.
2. Whilst undertaking the Review process the DHR Chair may relay to the Review Panel members some compelling reasons relating to the welfare of the children or other persons directly concerned in the Review as to why the Overview Report and Action Plan should not be published. The decision whether or not to publish should be agreed by the DHR Chair and Panel members prior to presenting to the CSP and submitting to the Home Office Quality Assurance Panel.
3. If the decision is not to publish, the DHR Author should add in a paragraph to the Preface along the lines of 'For the reasons outlined later within this report, this Review is considered **inappropriate for publication**. It is intended that it remains **confidential** to professionals within Swansea and that **learning is disseminated through local mechanisms**.' The DHR Overview Report and Action Plan should be watermarked 'Official Sensitive. Not for publication'.
4. If the decision is to publish, the CSP Lead removes the 'Confidential' watermark to the completed DHR Overview Report and DHR Action Plan.
5. The CSP Lead proof-reads Overview Report and checks the report has been suitably anonymised and the pseudonyms have been used to replace names. Any oversights are to be highlighted to the DHR Chair.

STEP 5 – SUBMISSION TO HOME OFFICE

1. When completed, the final Overview Report and Action Plan is tabled for discussion at the next CSP meeting. An extra-ordinary meeting may need to be held to avoid unnecessary delays in emailing the report to the Home Office
2. The CSP agrees and signs off the Overview Report and Action Plan.
3. The CSP Lead completes the Home Office Domestic Homicide Review Data Collection Form.
4. The DHR Overview Report, DHR Action Plan and Home Office DHR Collection Form should be password protected and stored in the electronic restricted folder along with all other DHR documents.
5. A copy of the DHR Overview Report, DHR Action Plan and Home Office DHR Collection Form are submitted securely via email to the Home Office for Quality Assurance (DHREnquiries@homeoffice.gov.uk) by the CSP Lead, on behalf of the CSP Chair/s. The Home DHR Quality Assurance Panel is held approx. every 3 months, however, the documents will go through a Pre-Quality Assurance Assessment (PQAA) first. The PQAA process has been created to assist CSPs in expediting their report through the QA Panel. The aim of their assessment is to speed up the quality assurance process by making sure that reports heard by the QA Panel are signed off for publication at their first submission.
6. During the PQAA, some areas may be highlighted as needing further consideration before it can be heard by the QA Panel and the CSP Lead will receive notification by email from the Home Office Domestic Abuse Policy Team.
7. The CSP Lead should forward the email to the DHR Chair for consideration and upon completion of the actions, the report and any associated documents should be emailed by the CSP Lead to the Home Office. The CSP Chair should be notified of the letter and response from the DHR Chair. Any amended reports/documents should be stored in the electronic restricted folder along with all other DHR documents.

STEP 6 – PUBLICATION

1. Following the DHR Quality Assurance Panel meeting, the Home Office Quality Assurance Panel Chair provides a letter via email to the CSP Lead with a recommendation to publish or an acknowledgment that the report is not to be published.
2. The CSP Lead provides a copy of the Home Office Quality Assurance Panel

response to the DHR Chair and CSP Chair.

3. If the Overview Report and Action Plan are to be published, the DHR Chair will produce an Executive Summary which is to be published along with the Overview Report and Action Plan.
4. The DHR Chair in conjunction with the CSP Lead and CSP Chair, notifies the Local Authority and South Wales Police Communication Teams (and where there are restrictions in publicity, i.e. children's anonymity, the local authorities legal team) of the pending publication date (Embargoed). The CSP Lead checks pending publication date against key dates for sensitivity and avoidance (date of homicide, birth dates of victim and offender and immediate family members, Mother's Day/Father's Day, etc.).
5. The CSP Lead emails the DHR Overview Report and Action Plan securely to each of the Review Panel participating agencies (to share with their Senior Management), and to the Police and Crime Commissioner (PCC) before publication with a covering email explaining the Overview Report and Action Plan are Embargoed and detailing the date the report is to be published.
6. If there are restrictions in publicity or recommendations that relate to certain organisations, the Review Panel member of that organisation should bring it to the attention of their organisation's Communication Team, who should liaise with the Local Authority and South Wales Police Communications Teams to ensure continuity of message.
7. There are media guidelines to help journalists report on Domestic Violence deaths in a dignified way. Details of Level Up media guidelines can be found at: <https://setdab.org/resource/media-guidelines-to-help-journalists-report-on-domesticviolence-deaths/>
8. The DHR Chair notifies the victim's family and offender's family of the pending publication date (only in cases where the Overview Report and Action Plan are to be published) and provides the family with a copy of the Overview Report and supporting documents including the letter from the Home Office Quality Assurance Panel.
9. The CSP Lead publishes the Overview Report, Executive Summary and Action Plan on the CSP page of Swansea Council's website along with legal letters detailing any restrictions. The report is also added to the **Western Bay Safeguarding Board Website** (not the Action Plan).
10. A copy of the Executive Summary, Overview Report and Action Plan must be sent to the Home Office in PDF format to DHREnquiries@homeoffice.gov.uk

even if the documents are not to be published.

11. If the Overview Report, Executive Summary and Action Plan are not to be published they should be password protected, marked, RESTRICTED, DO NOT PUBLISH and stored in the electronic restricted folder along with all other DHR documents.
12. Where it is not to be published and to maintain control over the restricted documents, the final version of each document should be retained by the CSP Lead only and should not be distributed to the DHR Review Panel members or CSP partners.

MEDIA INTEREST IN DHRS THAT ARE NOT TO BE PUBLISHED

13. There may be instances where the Media may contact a local authority to follow up on the publication of a DHR. Where a DHR is not to be published, which has been approved by the Home Office Quality Assurance Panel, the CSP Lead should inform ? of the Media interest.
14. Section 8, Publication of the Overview Report in the Home Office Domestic Homicide Review guidance *All overview reports and executive summaries should be published unless there are compelling reasons relating to the welfare of any children or other persons directly concerned in the Review for this not to happen.*
15. The CSP Chair / Lead should respond directly to the Media request and should provide a response along the lines of:
We cannot comment on individual cases, however, in relation to the xxxx case you are referring to, the Home Office were informed that the Domestic Homicide Review is not to be published and of the reasons for that decision. Under the guidance, it is clear that in exceptional circumstances the CSP does not have to publish the report.
16. If the Media respond and ask the reason why the Review will not be published, the response should be along the lines of:
The CSP does not have to explain the exceptional circumstances and the decision remains that the Review will not be published.
17. The CSP Lead should notify the DHR Review Panel members of any media interest. They in turn should inform their Communications Teams that the media may try to contact their organisation.

18. The CSP Lead should notify the DHR Chair of the Media interest, as the Media may make contact with the victim's family members.

STEP 7 – ROLE OF THE CSP

1. The DHR Chair's costs will be shared equally across the CSP's statutory partners. The CSP Lead will notify them of these costs.
2. The CSP Lead will arrange for invoices to be raised by Swansea Council for each statutory CSP partner, covering their share of the DHR costs.
3. Following the successful completion of the work, Swansea Council will pay the DHR Chair's invoice on behalf of the CSP.
4. The CSP is responsible for monitoring and ensuring the recommendations within the Action Plan are implemented by the lead agencies in a timely manner.
5. The CSP formally concludes the Review when all the actions are complete.

RETENTION AND DISPOSAL

1. Organisations involved in the DHR should retain copies of minutes and any other notes for no longer than a period required by legislation or their own policy.
2. Each organisation will be responsible for the safeguarding of information in line with GDPR and the Data Protection Act (DPA) 2018.
3. When the information is no longer regarded as being relevant, each individual organisation will be responsible for its secure disposal/destruction.
4. Information should be deleted if:
 - The information has been shown to be inaccurate, in ways which cannot be dealt with by amending or appending the record, or
 - It is no longer considered that the information is necessary for Police or partners' legitimate purposes;
 - It reaches the end of the agreed retention period in each partner organisation.

FREEDOM OF INFORMATION (FOI) REQUESTS AND SUBJECT ACCESS REQUESTS (SARS)

1. If an organisation receives a Freedom Of Information (FOI) request or a Subject Access Request (SAR), then you should refer to their in-house Legal Team/Freedom Of Information specialist(s)/Data Protection Officer (DPO).
2. The organisation will respond to a request for information under an individual right of access within the statutory time limit.
3. Where a partner organisation receives an information request under Section 1 of the Freedom Of Information Act 2000 and the request involves access to information received from a partner agency, the partner who receives the request will forward the request onto the partner from whom the information was given for the DHR.

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APPENDIX A – KEY STEPS IN THE DHR PROCESS

