

From: Mike Hill, KCC Cabinet Member for Community and Regulatory Services

Simon Jones, Corporate Director for Growth, Environment and Transport.

To: Growth, Economic Development and Communities Cabinet Meeting – 22nd March 2022

Subject: **Domestic Homicide Reviews (Kent and Medway)**

Classification: **Unrestricted**

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All

Summary: The purpose of this report is to apprise Growth, Economic Development and Communities Cabinet Committee of the past and present activity of the KCC Community Safety Unit in relation to the statutory requirement for Domestic Homicide Reviews (DHRs).

Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to note this report and the updates for Kent and Medway's Domestic Homicide Review activities and commitments.

1. Introduction

1.1 Domestic Homicide Reviews (DHRs) nationally came into force on the 13th of April 2011. They were established on a statutory basis under Section 9 of the Domestic Violence, Crime and Victims Act (2004). The Act states that a DHR should be a 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 they were related or with whom they were or had been in an intimate personal relationship or (b) member of the same household; with a view to identifying the lessons to be learnt from the death. In 2016, the criteria were expanded to include relevant cases where the victim had taken their own life and the circumstances gave cause for concern, i.e., there was coercive or controlling behaviour present.

1.2 Overall responsibility for establishing a review lies with the local Community Safety Partnership (CSP) as they are ideally placed to initiate a DHR and review panel due to their multi-agency setup. CSPs are made up of representatives from the 'responsible authorities' (police, local authorities, fire and rescue authorities, probation service and health) who work together to protect their local communities from crime and help people feel safer. Since 2011, the Kent Community Safety Partnership (KCSP) has had lead

responsibility for managing DHRs on behalf of all CSPs in Kent and Medway under the Kent and Medway protocol.

- 1.3 The Kent and Medway protocols are overseen by the DHR Steering Group, a KCSP sub-group chaired by the Head of Community Safety, KCC. The Kent Community Safety Team (KCST¹) enable the KCSP to meet the statutory duty by managing, commissioning, and administering the reviews from notification through to completion of the resultant action plans, and delivering learning materials and events.

2. Kent & Medway DHR Review Process

- 2.1 The review process begins with a notification of a death thought to meet the criteria outlined above. An initial information gathering stage follows which informs the CSP decision regarding whether the case should be commissioned for a DHR. Once a DHR is commissioned an Independent Chair is appointed from a pool of Chairs that KCC recruits to. The family are engaged with the review process at the start where possible. Terms of reference will be set, and work is undertaken by agency partners to document their involvement and analysis thereof. The DHR review panel will consist of agencies who were involved but also specialists to advise on domestic abuse, equality and diversity issues and any other unique features of the case.
- 2.2 A final report with recommendations and a responding action plan are completed and submitted to the Home Office Quality Assurance (QA) panel. The QA panel may ask for amendments or further work and will provide ultimate approval for the review report to be published (see 2.3 below). Engagement with the family and progression of the action plan by multi-agency partners (driven by KCST coordination) continues throughout the process.
- 2.3 Following the completion of DHRs, approval from the Home Office for publication and subsequent liaison with the family, DHRs are published on both the Kent and Medway council websites.

3. Overview of Kent & Medway DHR activity

- 3.1 Tragically, since the legislation was enacted in 2011, it has been necessary to commission 38 DHRs in Kent and Medway. Of those DHRs commissioned, the cases are distributed across nearly all of the Districts/Boroughs in Kent and Medway. Nearly three quarters of the victims/deceased are female and the ages of those who have died range from late teens to those in their 80s. Over half of cases relate to intimate partner homicides, a fifth relate to suicides where there was intimate partner abuse and about a quarter are adult familial homicide. Additionally, there has been one case where the criteria regarding unrelated individuals being of 'the same household' was met.
- 3.2 The Kent & Medway DHR Steering Group has the important role of oversight of the recommendations and action plans from completed reviews and is supported heavily by the KCST. Steps are taken to identify themes and repeating recommendations in order to build upon previous actions rather than

¹ KCST is a multi-agency team made up of KCC, Kent Police and Kent Fire and Rescue Community Safety staff. It was established in 2015.

repeat possibly unsuccessful activity. Recommendation themes previously identified have related to; the MARAC (Multi-agency Risk Assessment Conference) process; supporting carers; and barriers to engagement. Themes relating specifically to understanding DA include steps taken to increase understanding, knowledge and risks associated with; coercive control, stalking and adolescent-to-parent violence.

- 3.3 The publication process is vital in ensuring the dissemination of the lessons identified and as part of this process, the KCST inform a wide variety of professionals and groups. Briefings are also offered to the local CSPs through KCST Officers at the partnership meetings. In addition, the KCST produces a short briefing document for completed DHRs which provides; a short narrative; themed lessons to be learned; as well as reflective questions to support the reader in applying the lessons to their own practice.
- 3.4 To further share DHR learning, the KCST deliver learning seminars. Prior to the pandemic this involved three, identical daylong events held across the county. After a pause in these events (both due to the pandemic and no newly published cases to present), KCST have been exploring the use of video and digital solutions. KCST now has plans for a number of events for multi-agency frontline practitioners throughout 2022.
- 3.5 The statutory guidance for the conduct of DHRs has been updated in 2013 and 2016. KCC Officers in the Community Safety Unit liaise regularly with the Home Office and more recently with the newly established DA Commissioner's Office regarding developments around DHR processes and oversight at a national level. Uncertainties regarding cases involving suicide are not resolved in the 2016 guidance and the Home Office has plans to update this guidance.
- 3.6 The Home Office also has plans underway to implement a national repository of DHRs which will support sharing learning at a national level. All CSPs would welcome this as the sharing of learning nationally has been a long-standing gap. Sharing learning and practices has largely relied upon individual CSPs making connections. During 2021 AAFDA (Advocacy Against Fatal Domestic Abuse) set up a DHR Network. KCSP has gained membership of this network, and this is providing opportunities to share learning and best practice with other members.

4. Financial Implications

- 4.1 There are no additional financial implications for Kent County Council in relation to DHRs other than the salary of officers involved in the process within the Community Safety Unit and across the council (see 7.1 for further detail).
- 4.2 For information, KCSP has a funding agreement in place with multi-agency partners. A contribution is agreed annually to meet the costs which consist of Independent Chairs of each Review; DHR management, commissioning, and administration; the learning materials/seminars; the review meetings; and legal costs etc. KCC contributes to this equitably (~20%), largely through KCST staff time. Any additional staffing costs associated with the management, coordination, and administration of DHRs is offset through contributions from the partnership fund.

5. Legal implications

- 5.1 Domestic Homicide Reviews (DHRs) were established on a statutory basis under Section 9 of the Domestic Violence, Crime and Victims Act (2004). [Domestic Violence, Crime and Victims Act 2004 \(legislation.gov.uk\)](#)
- 5.2 Statutory guidance for the conduct of DHRs was issued and then updated in 2013 and 2016. [DHR-Statutory-Guidance-2016 \(publishing.service.gov.uk\)](#) The Home Office is currently working on further updates, a release/implementation date is not known at this time.
- 5.3 The Acts and Statutory guidance provide the legal bases for data sharing and processing for DHRs so that they are GDPR compliant. However, there are a number of complexities associated with undertaking the reviews, and legal advice is sought on a case-by-case basis.
- 5.4 The Domestic Abuse Act 2021 introduced an amendment to the Domestic Violence, Crime and Victims Act (2004) requiring CSPs to send completed DHR reports to the Domestic Abuse Commissioner. This was implemented in November 2021. [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#) The DA Commissioner's office is developing plans in line with their powers regarding greater oversight of DHRs (particularly the learning and recommendations) as well as other reviews which incorporate DA (such as Safeguarding Adult Reviews). The DA Commissioner has powers to compel public bodies to cooperate with her office and make recommendations for public bodies to respond to within 56 days.

6. Equalities implications

- 6.1 The Home Office have undertaken an EqIA [Domestic homicide review: equality impact assessment - GOV.UK \(www.gov.uk\)](#), and the statutory guidance for the conduct of DHRs requires specific consideration of equality and diversity issues throughout the review process which must be evidenced in the reports. Use of experts/expertise within the DHR review panel (see 2.1) on such issues is also encouraged. When the DHR is submitted to the Home Office QA Panel (see 2.2), this aspect receives scrutiny and challenge if necessary. The submission is accompanied with a data collection form required by the Home Office, which supports monitoring [DHR Data Collection Template 2020](#).

7. Other corporate implications

- 7.1 DHRs are multi-agency reviews which require input from numerous partners, not only during the review, but also to support implementation of recommendations. This includes several different services across KCC depending on the case such as; Adult Social Care and Health, Integrated Children's Services, Strategic and Corporate (Commissioning of DA services, DA Policy) and Public Health.
- 7.2 There are comparable reviews undertaken under the arrangements for the Kent and Medway Safeguarding Adults Board (KMSAB) and Kent Safeguarding Multi-agency Partnership (KSCMP) for adults at risk and children which require

the need for good working relationships to collaborate and make most effective use of resources. This ensures that there is cooperation regarding approaches to; cases which could straddle multiple review types; and learning materials/events for common themes across the three review areas. For example: [Joint learning from dhr-sar-scr-engagement.pdf](#)

8. Governance

- 8.1 The Kent Community Safety Partnership (KCSP) has overall responsibility for Kent and Medway's DHRs, with membership taken from Senior Officers across the responsible authorities (including KCC), local Community Safety Partnership (CSP) Chairs and the County Council portfolio holder.
- 8.2 The KCSP is chaired by the KCC Cabinet Member for Community and Regulatory Services and its subgroup, the DHR Steering Group, is Chaired by the Head of Community Safety, KCC.
- 8.3 The KCC team involved in delivering DHRs is the Community Safety Unit (CSU), part of the Kent Community Safety Team (KCST) which sits within the Public Protection group of services. Public Protection is part of the Growth and Communities Division within the Growth, Environment and Transport Directorate.

9. Conclusions

- 9.1 DHRs have been in place since 2011 with the aim of "illuminating the past to make the future safer"². The premise is on improving understanding and agencies' responses to domestic abuse. Family input is integral to the review process, from influencing the terms of reference of the review, all the way through to helping create change after the review. The process is supported by a small but highly dedicated team who work closely with the Independent Chairs, agencies, and families.
- 9.2 The DA Act 2021 and establishment of the DA Commissioner's Office means CSPs expect greater scrutiny and oversight of the DHR process and implementation of resulting actions, beyond that already carried out by the Home Office QA Panel. KCC Community Safety staff have been liaising with the Home Office and the newly established DA Commissioners office regarding developments around DHR processes and oversight at a national level.
- 9.3 Through the DHR Steering Group, protocols are monitored and improved in line with Home Office and DA Commissioner's developing requirements to ensure that the statutory duties are met. Liaison with the KCC services and multi-agency partners are maintained to share DHR relevant updates of significance to their services.
- 9.4 Kent and Medway's DHRs have led to numerous changes and improvements to multi-agency partner policies, practices, training, and broader understanding of,

² Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews December 2016, page 6, paragraph 8. [DHR-Statutory-Guidance-2016 \(publishing.service.gov.uk\)](#)

and therefore responses to, domestic abuse. However continued focus is needed on these areas to ensure a sustained and systematic change.

9. Recommendation(s):

9.1 The Growth, Economic Development and Communities Cabinet Committee is asked to note this report and the updates for Kent and Medway's Domestic Homicide Review activities and commitments.

10. Background Documents

- 10.1 [Domestic Homicide Reviews - Kent County Council](#)
- 10.2 [Domestic Violence, Crime and Victims Act 2004 \(legislation.gov.uk\)](#)
- 10.3 [DHR-Statutory-Guidance-2016 \(publishing.service.gov.uk\)](#)
- 10.4 [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)
- 10.5 [Domestic homicide review: equality impact assessment - GOV.UK \(www.gov.uk\)](#)
- 10.6 [DHR Data Collection Template 2020](#)
- 10.7 [Joint learning from dhr-sar-scr-engagement.pdf](#)

11. Contact details

Report Author: Shafick Peerbux
Head of Community Safety
Telephone number 03000 413431
Email address
Shafick.Peerbux@kent.gov.uk

Relevant Director: Stephanie Holt-Castle
Director of Growth and Communities
Telephone number 03000 412064
Email address
Stephanie.Holt-Castle@kent.gov.uk

Relevant Group Head: Mike Overbeke
Head of Public Protection
Telephone number 03000 413427
Email address
Mike.Overbeke@kent.gov.uk