

Recognising and responding to vulnerability-related risks

**Guidelines** 





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### Chair's foreword

These guidelines focus specifically on the policing response to vulnerability. Vulnerability-related demand has increased for the police service, and a proportionate and effective response is required to manage it. The police are one part of a broader system that is responsible for protecting vulnerable people. Senior leaders across the system should work together, to make sure that people receive help from professionals with the right skills. Policing should contribute in circumstances when policing skills are most appropriate.

The Guideline Committee strongly supported the articulation of clearer roles, responsibilities and parameters – for policing and for other organisations – in responding to vulnerability-related risks and harm. This has already been explored and articulated across different public protection strands, for example, when considering **missing people** or the police response to wider **mental health**.

To support the implementation of these guidelines, it is important for chief officers to work collaboratively with the following organisations and groups, to recognise where other agencies have a primary or supporting responsibility:

- National Police Chiefs' Council (NPCC)
- Association of Police and Crime Commissioners
- College of Policing
- the wider police service
- relevant partners and academics
- the government

This has the potential to influence the wider system in a way that enables a more effective response at an individual level, while also helping the police service to manage demand.

The interaction between the responder and individual is central to these guidelines. The four guidelines that follow will help officers and staff to recognise, understand and respond to vulnerability. They set out the actions that chief officers should take at the organisational level to enable their staff to respond effectively, including the requirement to develop strong partnerships and to champion the role (and limits) of the police.

These guidelines, in combination with the College risk principles, provide officers and staff with a framework that will help them to make confident assessments and decisions in a complex area of policing. This will contribute to a more appropriate and holistic service for vulnerable individuals, which aims to ensure that the right agencies can provide the right services at the right time.

# Summary of the guidelines

These College of Policing guidelines focus on supporting officers and staff to:

- recognise individuals at risk of harm
- better understand the vulnerabilities of all those they encounter, rather than thinking about risk in relation to individual forms of harm, such as child abuse or domestic violence in isolation
- interact with vulnerable people in a way that maximises opportunities for disclosure

The guidelines consist of:

- one strategic-level guideline for chief officers
- three practical guidelines for police responders

The type and strength of the evidence underpinning each guideline is shown as follows.

Overall strength of the empirical evidence (good, moderate or limited)

Practitioner evidence available

The supporting information that follows includes a brief summary of the evidence and what the guidelines might mean in practice.

These guidelines should be read in conjunction with the Chair's foreword to understand how they might contribute to a wider debate on the police role in recognising, and responding to, vulnerability-related risk.

These guidelines are underpinned by the <u>Code of Ethics</u> and can be used in conjunction with other vulnerability-related initiatives, for example, the NPCC's National Vulnerability Action Plan (NVAP).<sup>1</sup>



<sup>1</sup> Overlapping actions include: recognition and response, appropriate action, governance, evidence and investigation, evidence-led prosecution, resilient staff, officer norms, multi-agency hubs, and voice of the victim. For further information, see **NPCC and College of Policing (2020).** 

# **Organisational focus**

### **1** Professional development



**Chief officers** should monitor and review the response to vulnerability, to support and implement professional development and organisational learning.

Essential elements include:

- enabling and supporting opportunities for staff to develop their knowledge and skills on responding to vulnerability-related risk
- multi-agency working that incorporates building strong partnerships and exploring appropriate organisational learning opportunities
- providing appropriate training that enhances communication skills for staff
- developing and implementing processes that capture, analyse and disseminate relevant organisational learning to enhance practice, such as:
  - review of body-worn video (BWV) footage
  - debriefing
  - identifying and responding to compassion or empathy fatigue

#### **Evidence-base:**

empirical evidence good|moderate|limited



(§

practitioner evidence available



# **Guidelines for police responders**

### 2 Clues



Officers and staff should be alert to, and understand, the clues that indicate vulnerability-related risk (including exploitation and abuse). They should understand the reasons why individuals may not disclose their vulnerability. These include:

- fear, bullying or coercion
- disempowerment
- dependence
- lack of recognition of abuse
- cultural and societal influences
- perception of authority
- experience
- feeling blamed or not believed
- impact of trauma

#### **Evidence-base:**

empirical evidence good|moderate|limited



practitioner evidence available

### **3** Communication



Officers and staff should develop and use advanced communication skills to establish trust quickly, build rapport and encourage individuals to be open about their potential risk or vulnerability, including any experience of abuse.

Key skills include:

- building rapport
- active listening
- using a procedurally just approach (eg, being open, respectful and transparent)
- minimising biases and judgement
- awareness of internal motivations for disclosure

#### **Evidence-base:**

empirical evidence good|moderate|limited



practitioner evidence available



## **4** Curiosity



Officers and staff should exercise professional curiosity to identify and investigate vulnerability-related risks, so they can deliver the appropriate policing response.

Professional curiosity includes:

- exploring and understanding what is happening by asking questions and maintaining an open mind
- not necessarily accepting things at face value, enquiring more deeply and challenging one's own assumptions
- understanding one's own responsibility to investigate, and knowing when and how to take action

#### **Evidence-base:**

empirical evidence good|moderate|limited



practitioner evidence available







### Introduction

The College approach to recognising vulnerability-related risk<sup>2</sup> is based on the concept that vulnerabilities are features of individuals, and that harm – or the risk of harm – occurs when relevant vulnerabilities interact with the individual's situation. For example, an individual with a learning disability may not be at risk of harm if they receive suitable support and protection that helps to prevent them from being exploited or abused. Adopting this approach requires the following four steps.

- 1. Identify an individual's vulnerability or vulnerabilities.
- 2. Understand how these vulnerabilities interact with the situation to create harm and/or risk of harm.
- 3. Assess the level of harm and/or risk of harm.
- 4. Take appropriate and proportionate action if required, involving partners where they have the relevant skills and resources.

Over the last decade, responders have been reliant on checklists and risk tools to identify and assess risk. The review of the research evidence undertaken in developing these guidelines identified a lack of evidence associated with the effectiveness of these checklists and tools. Most people who need help will be vulnerable in more than one way, and a single tool is unlikely to address all vulnerabilities. This does not mean, however, that checklists and tools have no value. They can inform and guide a responder on the nature and origin of risks. However, decisions about the level of risk and what action to take rely on responders using professional judgement.

Checklists and risk assessment tools

Professional judgement

Identification of vulnerability, if present, and assessment of any related risk. Informs potential action to take.

**Note:** ensure a refreshed assessment of risk and vulnerability at each police interaction.

<sup>2</sup> The College has adopted the THRIVE (threat, harm, risk, investigation, vulnerability and engagement) definition of vulnerability: 'a person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation'.

### What are these guidelines for?

These guidelines focus on spotting the signs associated with vulnerability (clues), as well as creating a safe, trusting environment to identify risk, encouraging the disclosure of harm and eliciting the information required to inform appropriate actions to keep people safe (communication).

Responding officers and staff often come into contact with people in crisis, who have already suffered or are at risk of harm. These initial police interactions present crucial opportunities for appropriate action (eg, safeguarding).

Responding to these opportunities requires the ability to recognise vulnerabilities and risks of harm, to maintain an open and enquiring mind, to understand your own responsibilities and to know the most appropriate action to take. Appendix 1 presents examples of action that may be appropriate when responding to these types of incidents.

The aim of these guidelines is to support all officers and staff to:

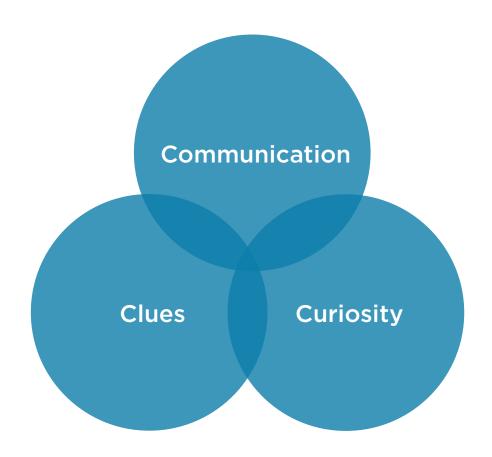
- spot the clues associated with vulnerabilityrelated risk
- create an environment that encourages individuals to disclose relevant information

 be curious and obtain a rich picture of circumstances associated with an incident

This will help responders to deliver an appropriate policing response, irrespective of crime or incident type. For the guidelines to be implemented effectively, there must be suitable professional development opportunities for all staff.

The research evidence that underpins the guidelines is mainly drawn from the experiences of vulnerable victims. Police encounter individuals in other contexts (eg, witnesses, suspects, detainees, colleagues) and these encounters may also reveal vulnerabilities. Although not the focus, the guidelines can be used to help understand vulnerabilities in different contexts and to frame appropriate responses where relevant.

The evidence base is strongest in identifying themes that cut across public protection strands, as well as those that can positively inform and influence professional judgement. This evidence base is reflected in three responder-focused guidelines: clues, communication and curiosity.



#### **Applying these guidelines**

To better inform professional judgement, the three guidelines should be applied in combination, not in isolation. They are not hierarchical – one is not more important than any other. The three guidelines are also potentially self-reinforcing. For example, good communication can reveal more clues, which may open up more avenues for investigation (curiosity). This can then lead to more focused communication, and so on. If officers and staff listen to people, spot potential indicators of risk and are curious about these indicators, it will help them to identify individuals who require higher levels of intervention and support, as well as those who do not.

In order to respond effectively to a person's vulnerabilities, and to manage them so they do not suffer harm, it is necessary to have an assessment of the capacity and resilience of that individual, as well as the people around them. Individuals are resilient and resourceful to different degrees. They are supported by families, friends and communities to different levels. The police form part of a broader system that should work together to make people safer, building on the resilience of the individual and those around them.

The framework for support from the broader system can be understood as operating at three levels. This framework is based on the College's **10 principles of risk**.

Level	Principle	Description and link to risk principles
Individual	Making risk-based decisions is a core professional requirement.	The risk of harm can never be totally removed ( <u>Principle 4</u> ). All members of the police service must make decisions in conditions of uncertainty ( <u>Principle 1</u> ) to achieve the safety, security and wellbeing of individuals and communities ( <u>Principle 2</u> ).
	Recording and/or referring risk decisions requires professional judgement.	Decision makers are required to consider the value and likelihood of a decision's possible benefits against the seriousness and likelihood of the harm ( <b>Principle 3</b> ). After considering the likelihood of harm occurring, as well as its seriousness should it happen ( <b>Principle 7</b> ) decision makers should use professional judgement to determine whether to record risk decisions and whether to share them with partner agencies ( <b>Principle 9</b> ).
Organisation	Evaluating risk decisions should focus on the quality of the decision making, not the outcome.	When reviewing others' decision making, the reviewer should take into account the dilemmas or emergencies that the decision maker faced, whether they were part of a sequence of decisions, and/or the role and responsibilities of any other agencies ( <b>Principle 5</b> ). The standard expected of risk decisions should be consistent with what would be expected from officers of similar rank, specialism or experience in the same circumstances ( <b>Principle 6</b> ).
	Learning from risk decisions is necessary to reduce risk aversion and improve decision making.	The police service can encourage a more positive approach to risk by openly supporting decision makers and by building their confidence to avoid them being risk averse ( <u>Principle 10</u> ). Recognising good risk taking promotes a culture that learns from successes as well as failures ( <u>Principle 8</u> ).
Wider system	The police should not assume responsibility, directly or indirectly, for all forms of risk.	This underpins the 10 risk principles, as other agencies may have more appropriate skills (eg, in risk assessment), resources (eg, ability to provide long-term interventions) and legal powers.

This framework links directly to the guidelines. For example, clues, communication and curiosity offer an evidence-based opportunity to inform professional judgement. The first guideline (**Professional development**) is aimed at senior leaders, to drive organisational learning that can help to underpin an effective response at an individual and organisational level.

#### Who developed these guidelines?

These guidelines were developed collaboratively by a College Guideline Committee consisting of frontline practitioners, subject matter experts and academics. The committee was supported by College of Policing specialist staff. The role of the committee was to develop the scope, consider the evidence and draft the guidelines, taking into account the views of stakeholders.

#### How evidence-based are these guidelines?

The guidelines and supporting information draw on the best available evidence – in this case, an extensive review of the relevant research, along with insights from police officers, police staff, partner organisations and other sectors.

Although there is a large evidence base in this area, the largest proportion of studies included in this review focused on domestic abuse and serious sexual abuse victims. However, these studies do provide useful findings to help responders recognise more complex factors, such as coercive control, that span a range of vulnerabilities.

There was sufficient consistency across the studies reviewed for the committee to give a clear steer as to the skills that officers and staff need, as well as the clues and signals of which they should be aware.

The supporting information has been developed using practitioner expertise (face-to-face interviews and calls for practice), generally applicable suggestions extracted from existing guidance on achieving best evidence, and relevant information from the research evidence.

#### Who are the guidelines for?

The guidelines are aimed at policing responders who, as part of their role, identify and protect vulnerable people.

Policing responders include police officers or staff in initial encounters with members of the public, such as frontline officers, PCSOs, specials, call handlers or front counter staff.

These guidelines may be useful for specialist officers and staff conducting secondary risk assessments. They may also be useful for individuals who are responsible for supporting responders and/or for developing organisational policy and strategy connected to vulnerability-related risk (eg, senior leaders).

Although these guidelines have been developed primarily for face-to-face interactions, the issue of identifying and responding to vulnerability is relevant

in other forms of interactions, such as telephone calls and contact via social media. Officers and staff who are involved in these roles may also find a number of the guidelines relevant to their role.

## Guideline 1:

# **Professional development**

Chief officers should monitor and review the response to vulnerability, to support and implement professional development and organisational learning. Essential elements include:

- enabling and supporting opportunities for staff to develop their knowledge and skills on responding to vulnerability-related risk
- multi-agency working that incorporates building strong partnerships and exploring appropriate organisational learning opportunities
- providing appropriate training that enhances communication skills for staff
- developing and implementing processes that capture, analyse and disseminate relevant organisational learning to enhance practice, such as:
  - review of BWV footage
  - debriefing
  - identifying and responding to compassion or empathy fatigue

#### **Evidence-base:**

Empirical evidence: good | moderate | limited



Practitioner evidence: available



### **Q** Evidence summary

There was some evidence exploring knowledge and awareness of vulnerability-related risks. In this context, the evidence suggests that more could be done to enhance the following:

- cultural awareness
- awareness of impact and needs (eg, relating to disabilities, mental health)
- appreciation of intersectionality<sup>3</sup>
- understanding of coercion and control
- understanding of the impact of trauma on recall and ability to provide statements

The evidence was based on 64 studies,<sup>4</sup> of which 34% were based in the UK, and 53% were based on interviews with domestic abuse and serious sexual offences victims, as well as police officers, police staff and other support providers.

Specialist practitioners (working in the field of domestic abuse or victim services) also identified that police responders sometimes did not fully understand more complex incidents (eg, stalking, coercive control) when reported by victims or witnesses.

<sup>3</sup> Multiple barriers experienced by marginalised individuals or groups, for example, women who are from ethnic minority groups, or people with disabilities who are from ethnic minority groups.

<sup>4</sup> The 64 studies included in this guideline originate from the following thematic evidence summaries: knowledge and awareness (44 studies); communication and encouraging disclosure (30 studies). Numbers may not add up due to an overlap of studies across multiple themes.

Professional development is key to ensuring that officers and staff possess the right skills and knowledge to respond effectively to vulnerable individuals who are at risk of harm. In addition, the ability to capture, assess and disseminate relevant organisational learning can improve future practice.

Chief officers should provide relevant professional development opportunities for their staff and ensure that their force can make best use of organisational learning opportunities.

#### **Skills**

Advanced communication is fundamental to creating an environment in which individuals feel able to disclose information that may help officers or staff to identify any vulnerability. There is some evidence that communication skills can be taught. For example, training that seeks to teach officers a series of practical techniques and improve their general communication skills can improve the victim experience. There could also be opportunities to learn from other sectors. For example, core communication skills are considered essential in healthcare. Open-ended enquiry, reflective listening and empathy are used to respond to the unique needs, values and preferences of individual patients.

# Developing knowledge and skills in responding to vulnerability-related risk

Chief officers are encouraged to create and promote opportunities for officers and staff to enhance their subject matter knowledge and skills relating to vulnerability. This can be achieved through various mechanisms, for example, briefing, policy, continuing professional development (CPD) and training. The content included and referenced in this set of guidelines can help to identify the topic areas that could be relevant, for example:

- the relationship between vulnerability and protected characteristics
- understanding the impact of mental or physical illnesses, physical disabilities, learning difficulties or reduced mental capacity, or neurodivergence (eg, autism) on communication
- non-verbal communication awareness and skills
- the impact of unconscious bias
- the role of reflective practice

<sup>6</sup> Moore and others (2018).



Advanced communication requires a cluster of particular skills, behaviours and approaches, and is underpinned by appropriate attitudes and values. Chief officers have a key role in implementing, modelling and embedding advanced communication skills within their forces, supported by the National Police Curriculum.

<sup>5</sup> Wheller and others (2013).

Other potential topic areas include:

- statutory responsibilities associated with different public protection strands
- referral routes to other agencies
- how to take relevant action (eg, when and how to pursue evidence-led prosecutions)
- the relationship between the guidelines and other vulnerability-related strategies (eg, the NVAP) and approaches (eg, trauma-informed approaches)

The College has developed a range of vulnerability-related products that can help.

#### **Resources**

- One-day vulnerability training package supports a shift in perspective, encouraging frontline officers and staff to look beyond the obvious and feel empowered to use their professional curiosity when dealing with those who are vulnerable.
- Vulnerability CPD package containing nine programmes, each focusing on an interview with, or about, a vulnerable person.
- Force self-assessment health check to help identify areas for improvement and put in place the necessary structures to support officers and staff to respond to the needs of vulnerable individuals.

- Multi-agency critical incident exercise for child safeguarding specialists. This exercise explores decision making while also providing an opportunity for collaborative learning and networking.
- Specialist Child Abuse Investigation Development Programme (SCAIDP) module - to develop officers' understanding of the multi-agency working approach in child abuse investigations.
- DA Matters a programme developed with the support of SafeLives and other organisations to enhance the skills, knowledge and effectiveness of first responders in dealing with domestic abuse.
- Public Protection Menu of Tactical Options (PPMTO) - a tactical menu of interventions that can be aimed at victims and perpetrators.
- Public Protection National Agencies Document a directory of agencies relevant to different public protection strands.

### **Multi-agency working**

Chief officers should influence and build strong multiagency partnerships. This should include developing a shared understanding of the police role and remit, including limitations, in responding to vulnerability. Officers and staff will often interact with partner agencies, for example, to make referrals. They therefore need to understand the referral options and referral routes. To enhance multi-agency working, chief officers could also explore and encourage professional development and organisational learning opportunities arising from:

- multi-agency debriefing
- joint CPD with other agencies
- collaboration opportunities, for example:
  - developing and agreeing pathways for referral
  - agreeing protocols for accessing and sharing information
  - ensuring that staff understand how to communicate relevant information across partners

#### **Organisational learning**

To capture relevant organisational learning, committee members highlighted debriefing sessions, peer review, structured time for reflection, and learning from errors and near misses as potentially useful mechanisms.

Committee members also reflected that the

Competency and Values Framework (CVF) identifies that how tasks are achieved is just as important as what is achieved and what actions are taken.

Therefore, providing the opportunities for practitioners to reflect on, and review, actions and decisions can begin to develop a culture of learning and improvement. Committee members recognised the challenge of operational complexity and high demand. However,

creating time and space for this learning should be considered an essential investment.

To help understand the extent and impact of communication skills and knowledge in practice, chief officers could:

- review evidence from BWV to understand effective actions that responders take, and where any learning about how to deal with complex or difficult situations can be shared
- consider opportunities for officers and staff to receive, and act on, feedback from any referrals they make (eg, multi-agency safeguarding hubs, partners)
- analyse service user and third-party feedback and complaints, to improve the service provided to individuals
- use formal operational debriefing techniques to review and identify good practice, and to address near misses and staff wellbeing concerns (eg, empathy fatigue)

#### **Body-worn video**

Most forces in England and Wales have employed BWV cameras that allow officers and staff to capture and record operational footage. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)<sup>7</sup>



<sup>7</sup> HMICFRS (2019).

recommended that initial investigations involving vulnerable victims could be improved by giving all responding officers access to this equipment. Footage from BWV can be more widely used to review responders' initial interactions with vulnerable individuals. This includes the actions they take, to facilitate organisational learning and sharing of practice, in terms of how to deal with complex or difficult situations.8

### **Debriefing**

Staff from interviewed partner organisations reported having many opportunities for informal briefing and reflection throughout the day (in addition to more formal processes, for example, monthly or quarterly supervision). In comparison, police practitioners stated that, despite protocols being followed, debriefing often only happened when something went wrong.

Debriefs are useful for both identifying areas for improvement and understanding what has gone well.9 They allow responders to reflect on specific incidents and to consider or share any learning from them. Debriefs can:

 highlight positive and negative operational staff members

- 8 Grossmith and others (2015).
- 9 Debriefing is also highlighted in the **Conflict management** guidelines.

performance of a team, individual officers or

- capture and disseminate good practice
- help responders to understand what happened, why it happened and what could have been done differently
- help officers and staff share intelligence and other information, and to raise any concerns
- prevent mistakes recurring
- identify issues with stress and wellbeing among officers and staff

#### Compassion or empathy fatigue

Compassion fatigue is described as 'the cost of caring' for those in professions who regularly see, and care for, others in pain and trauma. 10 Those who work in these fields (eg, police, emergency hospital workers, nurses) have direct exposure to traumatic events and/or secondary exposure (eg. listening to victims' experiences, child protection issues). Anyone who persistently deals with individuals suffering from depression, addiction, poverty - or any combination of circumstances that creates hardship or feelings of despair and helplessness (including vulnerability) - can experience compassion or empathy fatigue.11

Committee members highlighted the importance of chief officers being alert to compassion or empathy fatigue and

<sup>10</sup> Figley (2002) and Figley (1999).

<sup>11</sup> Turgoose and others (2017).

wellbeing concerns, where staff and officers face repeated exposure to vulnerable individuals and vulnerabilities. The impact on staff morale and professional curiosity was considered important, as this can affect the ability to communicate effectively and to investigate vulnerability and harm. For example, empathy fatigue may cause responders to become insensitive to the risks faced by vulnerable people, because they have seen similar situations so often. This may result in simply recording vulnerability and risk, without taking effective action to make the vulnerable person safer.

Further information and support can be found at the National Police Wellbeing Services website, Oscar Kilo.

## Guideline 2:

# Clues

Officers and staff should be alert to, and understand, the clues that indicate vulnerability-related risk (including exploitation and abuse). They should understand the reasons why individuals may not disclose their vulnerability. These include:

- fear, bullying or coercion
- disempowerment
- dependence
- lack of recognition of abuse
- cultural and societal influences
- perception of authority
- past experience
- feeling blamed or not believed
- impact of trauma

#### **Evidence-base:**

Empirical evidence: good | moderate | limited

Practitioner evidence: available



### **Q** Evidence summary

There is good evidence on some of the main barriers to the disclosure of risk and vulnerability. Knowledge of these barriers may help the search for, and revelation of, clues relating to the presence of vulnerability.

The research identified barriers to disclosing abuse that were related to wider situational factors, rather than the victims' direct experience of abuse. These concerned cultural influences, general perceptions of the police and other agencies, and past experiences of engaging with agencies. The research also highlighted barriers to disclosing abuse directly related to the victims' experiences of abuse and its impact, including shame and stigma, fear and dependence, and selfblame. Interviews with practitioners identified similar themes as being important barriers to disclosure.

The evidence was based on 110 studies<sup>12</sup>, of which 35% were based in the UK, and 73% were based on interviews with domestic abuse and serious sexual offences victims.



<sup>12</sup> The 110 studies included in this guideline originate from the following thematic evidence summaries: fear and coercive control (74 studies); internal barriers to disclosure (72 studies); external barriers to disclosure (69 studies); being believed (57 studies). Numbers may not add up due to an overlap of studies across multiple themes.

# Understanding the barriers to disclosure and looking for clues

Vulnerability-related risk may not always be obvious when responding to incidents. Identifying vulnerability can be difficult. The barriers to the disclosure of risk and vulnerability may manifest as clues, typically associated with an individual's behaviour, of which officers and staff should be aware. In particular, these clues may be informed by an awareness of why an individual may:

- not want to disclose their vulnerability
- not see themselves as having vulnerabilities

The evidence review highlighted a number of behaviours used by perpetrators, as well as the effect of these behaviours on victims' ability to disclose their experiences and seek help, including using coercive and controlling behaviour. Coercive control is a range of abusive behaviours intended to keep a victim subordinate and to create a state of entrapment. Coercive and controlling behaviour can be present across all areas of vulnerability and is not just restricted to domestic abuse cases.

Awareness of behaviours, therefore, will help responders identify potential vulnerability-related risk. These can include:

■ **Fear:** Victims frequently display fear of their abuser, and a consequent reluctance to disclose abuse or seek help. This fear may be based both on threats and other abusive behaviours. Threats may be wide-

ranging and aimed at the victim either directly or indirectly. Responders need to be aware that both threats of violence and actual violence are designed to put the victim in a state of dependence or suppression, which may make them less willing to disclose their abuse.

- Disempowerment: Clues that a victim is disempowered may include lack of confidence, low self-esteem, depression and feelings of worthlessness. This may stem from an abuser's manipulative behaviour, for example:
  - presenting the victim as mentally unstable
  - telling the victim that the police won't help
  - playing on the victim's fears and lack of self-confidence to discourage them from seeking help
  - speaking for a victim who can't speak English
  - not allowing the victim to speak with police or other agencies by themselves
- Dependence: Victims' dependence on the perpetrator can act as a barrier to disclosing abuse. Dependence can take a variety of forms, for example:
  - financial
  - housing, transportation, family relationships
  - child care or as a carer



- immigration status, particularly those with 'uncertain status', where they have entered the UK on work, spousal or partner visas - loss of employment or ending of a marriage could create fear of deportation to be exploited by a perpetrator
- debt bondage or not wanting to return home (human trafficking)
- loss of access to goods and services in a community, or community support

Abusers can also restrict a victim's movements by discouraging or preventing them from contacting family, friends and agencies, leading to isolation.

- Recognition of abuse: Victims may not see what they have experienced as abuse, or as something to report to the police. Reasons why victims may not recognise that they have experienced abuse include:
  - uncertainty about what has happened or lack of recognition that behaviour that seems routine and 'normal' is unacceptable
  - being unsure or unaware that the experience qualified as a crime (eg, unfamiliarity with the criminal justice system, exploitation, an experience that wouldn't be considered a crime in a different country)
  - uncertainty whether the abuse is 'bad enough',
     especially in relation to non-physical abuse, such

as controlling behaviour, lower-level physical abuse (pushing, shoving, slapping), or sexual offences perpetrated by someone who is known to the victim

- Perceived cultural and wider societal influences:
  Responders need to be aware that in some situations, abuse may be explained as if it is customary, common or acceptable in a specific cultural context. They need to be sensitive to a victim's potential fear of being criticised for not respecting the cultural norm of family privacy, or for bringing shame or unwanted attention to the relationship, family or wider community. Others may fear breaking up the family, or believe that seeking help represents failure. They may fear insensitive responses, being ostracised, or that their victimisation reflects badly on them.
- Perception of authority: Pre-existing negative perceptions of authority figures, including a lack of trust in the system and fear of the police, can make an individual less willing to disclose abuse or harm. Victims may also be reluctant to disclose for fear that nothing would be done about their abuse. Responders should be aware that perceptions of the legal system more generally may also influence decisions to disclose. Some victims may not understand the process, may lack faith in the criminal justice system, or may feel that the time, energy and resource required to pursue legal action is not worthwhile.

- Experience: Victims may be hesitant to trust police and may feel that additional disclosures would be harmful rather than helpful. Negative experiences can affect future decisions about whether to approach the police, and may extend to experiences with the wider criminal justice system, as well as with other professionals (eg, healthcare providers, social services), friends or family.
- Feeling blamed or not believed: Feeling believed was reported to be one of the most important aspects of the interaction for victims, as it confirms their experience and that they were right to disclose. Fear of not being believed was consistently cited as a barrier to reporting, and victims reported experiences of police appearing to doubt their accounts.

Perceived reasons for being doubted included:

- the victim knowing the perpetrator or being unwilling to leave the perpetrator
- the victim having their credibility questioned due to the circumstances of the offence (eg, alcohol was involved)
- the victim's life circumstances or characteristics (eg, age, mental health, disability)
- the victim being uncertain of specific details or inconsistencies in their account
- police placing more trust in other people's accounts than the victim's

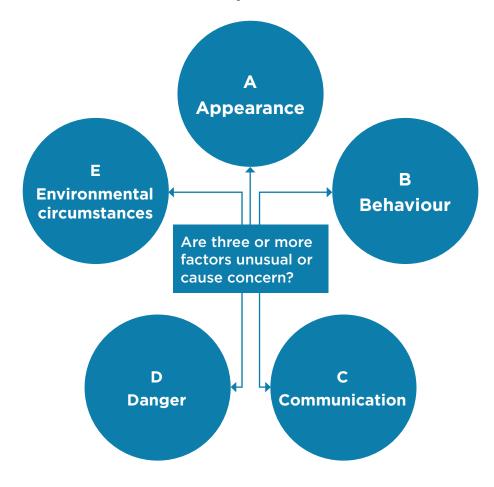
- the victim being accused of exaggerating or being hypersensitive
- the victim being questioned as to why they didn't fight back
- the victim being told they would be charged if found to be lying
- the perpetrator giving false accounts or manipulating the police
- the victim's behaviour not being considered appropriate (eg, if they have a calm reporting demeanour)
- the victim being reluctant to go to the police immediately

Police were seen to demonstrate belief in the victim's account both directly, through verbal reassurance, and also indirectly, by how they treated the victim more generally and how thoroughly they investigated the report.

Impact of trauma: Responders need to be aware that trauma may affect a victim's responses in different ways, for example, how they present to officers and staff, whether and how they display emotions, and possible impact on memory and recollection. These factors may affect the victim and may lead to inconsistencies in their account. Responders may need to access specialist services to help understand the impact of trauma in greater depth.

#### Practical advice - Vulnerability Assessment Framework

The <u>Vulnerability Assessment Framework</u><sup>13</sup> was considered useful by practitioners to guide their identification of vulnerability.



<sup>13</sup> The framework was developed by academics at the University of Central Lancashire and is included in Authorised Professional Practice. For further information, Wright, McGlen and Dykes (2012).

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**Appearance** (eg, visible injuries, state of their clothing, body language)

- 1. Is there something about their appearance that is unusual or gives cause for concern? Do they look ill, injured, unsettled or anxious?
- 2. What can be observed immediately about the person in distress?
- 3. What is the demeanour of the person?

**Behaviour** (eg, aggression, denial, emotional, nervous, scared, shock)

- 1. Is there something about their behaviour that is unusual or gives cause for concern?
- 2. Are they excitable, irrational, manic, slow or furtive?
- 3. What are they doing and is it in keeping with the situation?

**Communication** (eg, cadence, sentence structure, type of language used, vocabulary, pattern of speech, tone of voice, asking questions, active listening)

- 1. Is there something unusual about the way they communicate that gives cause for concern?
- 2. Is their speech slurred, slow or fast? Are their eyes glazed, staring or dilated? What is their body language and are they displaying any subtle signs of stress or fear?
- 3. Do they understand your questions?
- 4. Does the person appear to have capacity or are there any identified or noticeable issues?

**Danger** (eg, are they in immediate danger, what's their physical location, what time of day is it?)

- 1. Is there a risk of danger or harm to themselves or another?
- 2. What is the time of day? Where do they live? Can they get home?

**Environment** (eg, what company are they keeping, are there provisions in the cupboards?)

- 1. Is there something about the environment that is unusual or gives cause for concern?
- 2. Has the incident they are involved in significantly affected their circumstances?
- 3. What are the circumstances? Are they unusual or out of the ordinary? Does anything give cause for concern?

In addition, practitioners identified other factors that they felt were important when considering someone's vulnerability, including:

- protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation)
- substance abuse
- homelessness

The use of the Vulnerability Assessment Framework can be enhanced by gathering as much information as possible, knowing whether partner agencies are already involved and using information sources such as:

- computer systems
- force checklists, frameworks and policies
- lessons learned
- history
- local knowledge

## Guideline 3:

# Communication

Officers and staff should develop and use advanced communication skills to establish trust quickly, build rapport and encourage individuals to be open about their potential risk or vulnerability, including any experience of abuse.

#### Key skills include:

- building rapport
- active listening
- using a procedurally just approach (eg, being open, respectful and transparent)
- minimising biases and judgement
- awareness of internal motivations for disclosure

Applying these skills will help officers and staff develop a better understanding of relevant vulnerabilities, especially during the initial stages of gathering information and identifying risk.

While many officers and staff already have good communication skills, organisational support can help further enhance and maintain these skills.14 See professional development guideline.

<sup>14</sup> For information, communication skills are also covered in other guidelines. For example, see: Conflict management guidelines.





### **Q** Evidence summary

There is good evidence on the importance of effective communication (covering language, building rapport and asking questions) in building a relationship with victims or vulnerable people to encourage the disclosure of abuse or harm.

Interpersonal treatment, specifically the importance of sensitivity in interactions and a procedurally just approach, was strongly supported by the evidence.

The evidence was based on 102 studies, 15 of which 31% were based in the UK, and 66% were based on interviews with victims of domestic abuse and serious sexual offences. Practitioners identified communication as an important factor when developing a relationship with the victim and encouraging the disclosure of abuse and/or harm.

#### **Evidence-base:**

Empirical evidence: good | moderate | limited



Practitioner evidence: available

<sup>15</sup> The 101 studies included in this guideline originate from the following thematic evidence summaries: interpersonal treatment (68 studies); bias and preconceptions (65 studies); fairness and process (53 studies); communication (44 studies); victim empowerment (22 studies). Numbers may not add up due to an overlap of studies across multiple themes.

### **Building rapport**

Building rapport with individuals was shown to be important in eliciting information and encouraging the disclosure of abuse or harm for all vulnerabilities.

Practitioners described rapport as 'building a human connection', 'developing a relationship' and 'encouraging trust'. It was suggested that building rapport takes time and can be improved by consistency of support when there is a series of encounters, both in terms of the approach and the number of different staff involved. In relation to children in particular, police need to avoid appearing intimidating or as authority figures. Practitioners felt that building rapport was vital in developing a relationship with an individual that enabled the disclosure of information and allowed the collection of a more complete picture of the situation.

#### Practical advice: developing relationships and rapport

Practitioners highlighted the importance of creating a safe space and developing a relationship to encourage the sharing of information. Investing time, providing space and building trust were considered vital to building good relationships.

Practical examples of this included:

- offering drinks, tissues, breaks and/or a seat
- giving them time to think
- offering encouragement
- offering alternatives (eg, female or male officer)
- offering interpreter services
- offering independent advocacy, such as an independent domestic violence advocate (IDVA), independent sexual violence advocate (ISVA) or specialist service provider
- considering the impact of attending a police station and being sensitive to the situation
- managing their expectations
- developing a dialogue and using language they understand
- demonstrating a genuine interest in them
- demonstrating empathy and compassion
- listening actively

Barriers to effective communication included:

- taking everything at face value and not reading between the lines
- asking questions by rote or parroting back answers
- interrogating the individual
- not recognising peculiarities in language or content

#### Practical advice: developing relationships and rapport

To improve communication, practitioners recommended:

- adapting the language to the person and situation
- having an approachable manner
- showing compassion and empathy
- having awareness of body language and nonverbal cues (not just the individual's, but also their own)
- monitoring their tone of voice
- being sensitive and patient
- maintaining professional boundaries

Although building rapport has been shown to be important, there is little information in the research on what this means in practice, and techniques for building rapport vary considerably.

The use of appropriate language is known to contribute to building rapport. Officers and staff should ensure that:

- they use the individual's preferred terminology (eg, survivor)
- they use gender-inclusive language for example, avoiding misgendering or dead naming (the use of the birth or other former name of a transgender or non-binary person without their consent)
- they avoid jargon and don't assume prior knowledge of the criminal justice system

 relevant facilities and support services are available for individuals who may require them (eg, interpretation and translation services)

Hints and tips from existing guidance - verbal and non-verbal communication<sup>16</sup>

#### Verbal

- Introduce yourself, ask the person their name and use it.
- Use open questions to engage the person.
- Explain why you are taking the action you are.
- Be transparent about what is going to happen next.
- Speak clearly, use simple language, avoid using jargon and slang, and check understanding.
- Minimise the number of people needed to deal with the situation.

#### Non-verbal

- Allow the person time to speak.
- Be aware of your own non-verbal signals and the potential impact this may have on encouraging disclosure.
- Stay silent during pauses, or make simple sounds (not words), to encourage the witness to continue.

Ensure that actions (eg, what at-risk individuals can expect to happen) and processes (eg, what follow-up information they might receive and who else might have to be involved) are properly explained. Guideline

<sup>16</sup> Conflict management guidelines.

Committee members considered this to be an important factor in the fair and respectful treatment of an individual.

### **Active listening**

Active listening lets the individual know you have heard and understood them. It can be done by repeating back to the witness what they have just communicated, taking care not to inadvertently appear to approve or disapprove of the information just given. Active listening and open questioning also demonstrate an interest in the individual and their circumstances.

# Hints and tips from existing guidance - active listening

- Be open, receptive, unbiased and fair, and avoid making assumptions.
- Stand or sit at a comfortable distance from the person and slightly side-on to promote cooperation.
- Look at the person to show you are listening.
- Make it clear that you have plenty of time for the conversation.
- Use open questions to encourage conversation.
- Use pauses appropriately to allow the person to respond.
- Nod your head to indicate understanding or to encourage the person to keep talking.
- Listen to the whole message, taking notice of the person's use of words, tone and body language.
- Paraphrase what they have told you and check understanding.
- Show empathy and demonstrate understanding.

### Using a procedurally just approach

Research on procedural justice has highlighted that positive interactions with individuals can be supported by officers or staff.<sup>17</sup> This includes:

- giving people a voice, letting them tell their side of the story and listening
- making impartial decisions and explaining how they were reached
- showing trustworthiness by being open and transparent
- treating people with dignity and respect

Findings from the research evidence suggested that some victims found it empowering to be listened to, and to give their account in their own words. The importance of empowering victims by giving them as much control as possible over the process, and over choices in how to proceed, was also emphasised.

# Hints and tips from existing guidance - promoting procedural justice in practice

#### These include:

- offering people the chance to ask questions and responding to what they say
- explaining how processes work
- explaining how decisions are made before a process starts and what is considered
- summarising and paraphrasing what people say to assure them they have been heard
- explaining reasons behind decisions
- making a conscious effort to be approachable and not intimidating

What might make people feel that their treatment is not procedurally just?

- When a procedure, or use of authority, feels automatic, with little explanation, personal engagement or collaboration.
- When procedures that have an impact on people are seen as a tick-box exercise.
- When reasons for decisions are superficial or lead to more questions.
- When it's not clear why a process exists, or why a rule exists.

<sup>17</sup> Mazerolle and others (2013).

### Minimising bias and preconceptions

Practitioners identified the importance of minimising personal biases and preconceptions, as these were considered a major barrier to the effective disclosure of information. They noted aspects such as:

- poor demeanour or attitude towards the individual by first responders
- frustration with repeatedly having to give statements
- subjective personal bias
- unconscious bias or judgement in relation to the individual's behaviour and/or personal characteristics or circumstances, with awareness of compassion fatigue and desensitisation to scenarios being particularly relevant

#### Awareness of internal motivations for disclosure

It is important to be aware of the potential internal motivations that may encourage individuals to disclose information. Internal motivations may include:

- helping to catch the perpetrator and have them prosecuted (retribution, justice, to send a message)
- validation (to have a voice and be heard)
- moral or ethical obligations (to protect others, a sense of duty)

- to protect themselves
- being ready to leave the abuser
- reaching a breaking or turning point where they've had enough, sometimes triggered by an escalation in abusive behaviour
- the impact of the abuse on others, especially children
- being persuaded by, or receiving an 'extra push' from, others

## Guideline 4:

# **Curiosity**

Officers and staff should exercise professional curiosity to identify and investigate vulnerabilityrelated risks, so they can deliver the appropriate policing response.

#### Professional curiosity includes:

- exploring and understanding what is happening by asking questions and maintaining an open mind
- not necessarily accepting things at face value, enquiring more deeply and challenging one's own assumptions
- understanding your own responsibility to investigate, and knowing when and how to take action

#### **Evidence-base:**

Empirical evidence: good | moderate | limited

Practitioner evidence: available



### **Q** Evidence summary

The review findings concerning barriers to disclosing and reporting abuse suggest that professional curiosity is particularly important in relation to identifying risk of harm.

Professional curiosity means challenging assumptions, and exploring and understanding the potentially complex dynamics of a situation, rather than taking things at face value. The literature on coercive control, in particular, shows how perpetrators seek to manipulate situations, and how victims may minimise abuse for a number of reasons, including shame, coercion and threats from the perpetrator.

In line with evidence supporting guideline 3, good communication skills - including active listening and displaying empathy - are needed to exercise professional curiosity and facilitate procedurally fair encounters. Good communication skills are key both to identifying and encouraging disclosure of abuse, and to engaging victims and vulnerable people in ongoing safeguarding and investigations.

Professional curiosity was considered to be important in eliciting information and encouraging the disclosure of abuse or harm for all risks. Professional curiosity may also require practitioners to think outside the box and consider the circumstances more holistically, for example, understanding any discrepancies between a risk assessment tool outcome and professional judgement. When practitioners come into contact with individuals who may be at risk of harm, this presents a crucial opportunity for protection. The lack of evidence relating to effectiveness of frontline-focused risk assessment tools further enhances the importance of professional curiosity. The NVAP states that by adopting a principle of professional curiosity, potential indicators of vulnerability can be identified at an early stage and can inform the appropriate steps to make vulnerable people safe. including where partners should be involved.

Practitioners and committee members considered it important for officers and staff to use professional curiosity, in conjunction with the tools (eg, checklists, risk assessment tools) and systems (eg, computer systems) available to them, to guide their investigation and determine any follow-up actions (examples of actions are provided in **Appendix 1**).

# Hints and tips from other sectors - encouraging professional curiosity

Professional curiosity can be enhanced if practitioners:

- are supported by good-quality training to help them develop
- have access to good management, support and supervision
- consistently challenge and check information
- display empathy
- remain diligent and develop professional relationships to understand what has happened and its impact
- use reflective practice, collaboration and supervision, so practitioners work together to explore alternative explanations behind situations
- are willing and able to obtain and combine information from a range of sources, identifying alternative explanations and risks to enable more effective responses

# Appendix 1 - Actions

The combination of clues, communication and curiosity will result in action. Responders should be aware of what actions they can take, what support is available (including support from other organisations), and their responsibility to clearly explain the next steps to individuals without jargon or assumed prior knowledge of the criminal justice system.

Examples of relevant action might include:

- police response (eg, deploying someone, police protection, arrest, charge, pursuing evidenceled prosecutions, interview, protective security measures)
- providing information and signposting (eg, information on domestic abuse, religious crime, out-of-hours numbers, places of refuge, residency orders, counselling services for refugees, homeless charities, action fraud, victim support, crime prevention)
- collection of case information and intelligence
- contacting or referring to partner organisations (eg, ambulance services, health services, local GPs, social services, mental health triage nurses,

local authority children and/or adult services, probation, youth services, housing services, victim support, charities, national helplines)

- using legislative powers (eg, injunctions and orders, breaches of conditions)
- providing shelter and safeguarding (eg, police station, safety plan, action plan, relocating victim)
- provision of alarms and surveillance (eg, personal attack alarms, house alarms, CCTV, police community support officer welfare checks, mobile phones)

This list is not exhaustive. For further information, see **PPTMO**.

The research highlighted that victims reported more positive experiences when the actions taken by police responders were reassuring, empathetic and supportive, and when responders focused on their needs.



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Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

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