



FOCUS

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VIOLENCE AGAINST WOMEN AND GIRLS

Focus gives police force professional standards departments (PSDs) and local policing bodies practical guidance on dealing with complaints, conduct matters, and death or serious injury cases. It supports them to handle complaints appropriately and improves standards.

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Foreword

Welcome to the IOPC's special edition of Focus – dedicated to the handling of matters involving violence against women and girls. It covers complaints made about the police handling of a report of violence against women and girls or acts of violence against women and girls where the suspect is a person serving with the police.

Violence against women and girls continues to be a serious threat that damages trust and confidence in policing. The IOPC has the privilege of being trusted with the accounts of many victim-survivors of violence against women and girls (VAWG). We are uniquely placed to see what patterns emerge from these accounts and to reflect this back to police forces in a way that helps them to learn and improve public confidence in the police complaints system and in policing more broadly.

To date, we have worked with His Majesty's Inspectorate of Constabulary and Fire and Rescue Services and the College of Policing on seven super-complaints, nearly all of which involve some element of the impact policing has on victim-survivors of VAWG. We also independently investigate some of the most serious and sensitive cases involving police misconduct and we review some complaints that are handled locally by the police where the complainant chooses to exercise their right of review.

More recently, a key organisational priority has been tackling VAWG and our [programme of work](#) in this area has informed this guidance. It is through this work that we continue to hear from complainants and victim-survivors about the barriers they face when they come into contact with the police, or about their negative experiences when reporting their abuse.

It is important to remember that many VAWG crimes such as domestic abuse, coercive and controlling behaviour, and stalking are often

ongoing and complaints against the police may be made while the victim-survivor remains at risk of further victimisation and harm. How the complaint is dealt with can directly impact on the victim-survivor's trust and confidence in the police which, in turn, may impact on their willingness to engage with police in the future. It is crucial that the police 'get it right' first time – it can mean saving a life.

This publication is a practical guide for complaint handlers on the handling of police complaints and recordable conduct matters involving VAWG. These will be considered alongside the criminal complaints or conduct matters. Given the intended audience and the complex nature of the police complaints system, we will inevitably use some technical language. However, we'll endeavour to explain technical wording, where possible.

We recognise that complaint handlers may find it challenging to respond to a VAWG matter which can be complex and may include a victim-survivor who is vulnerable or at risk of further harm. We want to work with police forces to support them to improve their response. This special edition of Focus aims to steer complaint handlers through a complex system and provides learning and guidance to drive up standards and provide greater consistency.

We would like to thank the forces that are working hard to make improvements in the police response to VAWG and for agreeing for us to share their positive practice. There are lots of positive changes happening in policing, but there is still more to do and we cannot lose momentum.

Finally, a thank you to the anonymous victim-survivors who let us share their voices and their accounts. We acknowledge your bravery and candour, which we hope will help to improve the experiences of other victim-survivors.



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CONTENT WARNING

Please be advised that the content in this Focus issue contains descriptions of incidents involving sexual assault, domestic abuse, stalking and coercive control. Reading this content can have a triggering impact.

Should versus must

A note on *should* versus *must*. Where something is required by primary legislation, regulations or by statutory guidance, we will refer to it as something which must be done. This is the bare minimum expected for the delivery of a service. Every stakeholder involved in the handling of police complaints and misconduct should strive to deliver far more than the bare minimum.

Structure

This document is divided into two sections. The first section outlines the IOPC's expectations for the handling of complaints made by victim-survivors of violence against women and girls (VAWG) where their experience is as a **service user of the police**.

The second section outlines the IOPC's expectations for the handling of reports of acts of violence against women and girls where the subject or person complained about is a person serving with the police. The section primarily focuses on victim-survivors who are not also employed by the police. There are separate guidance boxes with advice on how to apply the principles to police victim-survivors.

Case studies

Some case studies are entirely fictional to help demonstrate a principle. Some are fictionalised based on elements of a few cases. Some are anonymised but very real. Some are longer than normal for an issue of Focus and the intention is to remind us all that the police complaints system is an important but small piece of a much bigger picture.

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1. POLICE HANDLING OF CRIMES INVOLVING VAWG

Context

In 2023, VAWG was, for the first time, defined as a national threat by the Strategic Policing Requirement, and is therefore on par with the threats posed by terrorism, public disorder and serious and organised crime.

The approach to tackling VAWG requires a cultural shift across multiple agencies including policing, public health and education.

This section covers complaints which may, in isolation, seem like relatively low-level customer service issues. However, within the wider context of the multi-strand approach to tackling VAWG, the complaints can build an invaluable intelligence picture which can identify areas for training, learning, prevention and improvement.

Data collected from complaints can help forces deliver on the [national framework for delivery](#) (2024) which was set out by the College of Policing and NPCC. It requires forces to understand conduct and complaint matters involving VAWG. Their [self-assessment tool](#) has more information on these expectations.

Professional Standards Departments (PSDs) must consider each complaint within this wider context and must bear this in mind when applying the legislative tests.

According to [SafeLives](#), victims at high risk of serious harm or murder live with domestic

abuse for, on average, 2.5 years before getting help. Rapes and sexual assaults often go unreported. Similarly, [research](#) reviewed by the College of Policing for the super-complaint on the police response to stalking indicates that stalking offences often go unreported or are only reported after many instances of unwanted behaviour. It should therefore always be remembered that each complainant is someone who may have overcome many barriers to reporting VAWG crimes, and has then experienced an interaction with the police that has left them feeling so concerned that they have pursued a complaint against the police.

While the service delivery issues may not amount to acts of misconduct, the impact on the victim-survivors must be considered in light of the national and societal picture. VAWG crimes are often characterised by repeat victimisation. How a complaint against the police is dealt with can directly impact on a victim-survivor's trust and confidence in the police which, in turn, may impact on their willingness to engage with police in the future. Where possible, victim-survivors should have their concerns addressed in open and honest communication with the force. The force should approach these interactions with a customer-service focused goal of resolution, learning, apologising where things have gone wrong, and improving so the same things don't happen again.

Initial handling

What is a police complaint involving VAWG?

Victim-survivors of violence, domestic abuse, stalking and sexual offences may make complaints about their interactions with the police, what they have experienced during or after criminal proceedings or investigations into their reported crimes. These complaints may overlap with the [Victims' Right to Review](#)

process. However, each complaint should be viewed as an opportunity to restore the victim-survivor's confidence in policing and prevent further harm. A well-handled complaint may improve the service the victim-survivor is currently receiving and may improve the likelihood that they will report future crimes.

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What does a police complaint involving VAWG look like?

Victim-survivors may highlight the following in their complaint:

- Feeling that police aren't taking the situation seriously
- Lack of safeguarding measures for victim-survivors and/or children
- Failure to investigate or being slow to launch an investigation into a reported crime
- The police were slow to act on a statute barred crime
- Not explaining bail conditions or protective orders and what to do if they are breached
- Delivering bad news over the phone without checking the safety of the victim-survivor
- Minimising behaviour, for example by a police officer advising that where it is one person's word against another, it isn't worth pursuing, or it is 'only' one incident
- Not considering relevant protective orders (Domestic Violence Protection Order, Stalking Protection Order etc).
- Not speaking to the victim-survivor away from family or the perpetrator
- Not considering that repeated, unwanted behaviours could be stalking
- Not acting on changes in circumstances which affect risk assessments
- Not being allowed to speak to a female officer
- Not having an interpreter and/or relying on a family member of the perpetrator to translate
- Not signposting to relevant support services
- Using victim-blaming language
- Not fully understanding more subtle forms of domestic abuse including coercive and controlling behaviour.
- Not providing updates in line with the Victims' Code of Practice

Contact and safeguarding

The IOPC considers that all people making a complaint involving VAWG should be given the opportunity to speak to a complaint handler, even if the initial complaint correspondence is written. This is not a requirement for all complaint handling, but the issues raised are often intrinsically linked with live criminal matters and may directly impact the ongoing risk assessment of the victim-survivor.

Complaint handlers should be mindful of the timing of phone calls, particularly when phoning from a withheld number. Victim-survivors of VAWG, especially stalking, may be fearful of receiving phone calls late at night. Complaint handlers should establish how the victim-

survivor wants to be contacted and when, and inform them that the police may call from a withheld number.

Early communication with victim-survivors will allow a complaint handler to identify and potentially remedy any missed opportunities for victim-survivors of, for example, stalking or harassment. Engagement with a victim-survivor's support worker, if one is in place, can also be critical in supporting the victim-survivor through the process. If the victim-survivor hasn't been offered or has previously declined referrals to support services, they should be offered access to such services at this point, and during all future interactions.

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It is incumbent upon forces to record and effectively address complaints at an early stage. Not only will this allow them to manage

the risk of harm to the victim-survivors, but it will help them identify areas for improvement or investment.

CASE STUDY 1

Safeguarding complainants

An email came into the PSD inbox from a victim-survivor who said that she could not get in touch with the officer in charge (OIC) of her case. She was the victim of coercive and controlling behaviour and her ex-partner had breached his bail conditions. She had tried to report this over three days by emailing the OIC, who she trusted.

The triage team member made some quick-time enquiries and found out that the OIC was out on an unexpected period of leave and that their out-of-office message wasn't activated. The complaint handler emailed the OIC's supervisor to request they contact the victim-survivor and to get an out-of-office message set up. The triage team member rang the complainant to update her and clarify if she wanted to make a complaint or if she was satisfied with having her email forwarded to the supervisor.

During the call, it became clear that the victim-survivor was in a high-risk situation and that her ex-partner had recently been at the premises making threats. The triage team member contacted the control room and transferred the call. Officers attended the property, and the victim-survivor was made safe.

In this case, the triage team member was the first point of contact for the victim-survivor. She considered the threat and vulnerabilities in line with THRIVE. Those making initial contact with the victim-survivor should always be mindful of vulnerabilities and consider the need for immediate safeguarding actions.



Ask yourself

How can complaint handlers help identify and safeguard vulnerable victim-survivors?

- Consider if the victim-survivor is disclosing information which could indicate their risk of harm has changed.
- If the victim-survivor is raising time sensitive issues, the complaint handler should have a clear way to ensure their operational colleagues are able to take swift action. Time sensitive issues include an escalation in behaviour from the perpetrator, a failure to investigate a live but statute barred offence, or a failure to apply for the relevant protective orders.
- Complaint handlers don't need to be experts in all forms of VAWG, but they should be able to recognise them and immediate safeguarding risks, and have a point of contact or subject matter expert to reach out to for advice.

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Thresholds and legislative tests

Logging

What must be logged?

The relevant guidance for what must be logged is contained in the IOPC's [Statutory Guidance](#) on capturing data about police complaints which states:

“3.3. Other expressions of dissatisfaction must be logged, provided they meet the following criteria:

- the person making the complaint must be eligible to make a complaint under the *Police Reform Act 2002* – refer to Chapter 5 of our Statutory Guidance
- the complaint must have been made to any force, any local policing body or the IOPC
- it appears that the complainant would like something more to happen than merely having a query answered

If all the above points apply, the complaint must be logged... and included in the data provided to the IOPC.”

Complaints involving VAWG may not come to the attention of PSDs via online forms or emails directly to them. They might be made via in-person meetings, via support workers or to the investigating officers directly. Chief officers are responsible for ensuring that all officers and police staff with public facing duties are aware of, and able to advise the public on, how to make a complaint. Forces must be able to produce statistics on all logged complaints, including their resolution. This will help forces respond to the requirements of the [NPCC's](#)

[Policing Violence Against Women and Girls National Framework for Delivery.](#)

Chief officers must not allow local or ad-hoc practices to prevent victim-survivors from effectively making a complaint. For example, front-line officers or officers in charge not fully recognising a complaint or expression of dissatisfaction as something that needs to be addressed and directed to PSDs.

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CASE STUDY 2

Logging complaints on appropriate systems

A force had set up a dedicated Rape and Serious Sexual Offences (RASSO) team. It had commissioned an independent scrutiny panel for cases which did not result in convictions. The panels were led by the RASSO team's learning and improvement champion, Rose.

Whenever a team member received feedback from the public or other stakeholder groups, they forwarded the emails to Rose and she added them to a spreadsheet so she could identify areas of organisational learning. Over the course of a year, she collected 450 pieces of feedback. There were a few cases where Rose had spoken to officers to remind them that they should not become over-friendly with victim-survivors of VAWG and must maintain professional boundaries. She also identified a need for a team-wide training package on the best way to deliver the news that a crime had resulted in a decision of no further action.

The feedback was captured, but it was outside of the oversight of the force's PSD, the local policing body and the IOPC. Mandatory referrals to the IOPC were not made and officers' complaints history were incomplete.



Ask yourself

How can I be sure that my force accepts, records and responds to all forms of feedback about its handling of complaints involving VAWG?

- What mechanisms does your force have in place to make sure that complaints involving VAWG, made outside of the PSD, are assessed in line with the IOPC's statutory guidance?
- How confident are you that your complaints data can be used to identify organisational learning?
- What would your force do if you received a number of similar complaints about how an officer interacted with victim-survivors?
- How would you handle a third sector organisation reaching out to express concern about how a team is speaking to their service users?

1. POLICE HANDLING OF CRIMES INVOLVING VAWG**CASE STUDY 3****Logging complaints that do not come directly to PSD**

Adina, a victim-survivor of domestic abuse, was working from home while building work was being carried out. She unexpectedly received a call on her mobile from the officer in charge of her case to say that the police would take no further action and that if she remained unhappy, she could seek a [Victim's Right to Review](#). The phone cut out and she was unable to get the officer back on the phone. Adina had a panic attack, and the builders rang an ambulance because she was so unwell. She was unable to arrange childcare at short notice, so her children came home to see their mother receiving treatment in an ambulance. Her son was scared and worried that his father had hurt his mother. He regressed to bed-wetting and had difficulty at school for months.

With the help of her independent domestic violence advocate (IDVA), Adina emailed the sergeant of the team to say that her son was having nightmares and suffering. She was too embarrassed to face the builders again and now she had half-finished building work.

The sergeant contacted the PSD and they asked the sergeant to forward the email to them for consideration. They did so and let Adina know that they were sorry and that the PSD would be in touch. The PSD logged the complaint and contacted Adina to fully understand her complaint and establish what she would like to see happen as a result. Adina wanted an apology for her and for an officer to speak to her son and to try to build up his confidence.

The complaint was logged and recorded in line with Adina's desire for it to be treated seriously. The outcome was that the service level was unacceptable. Adina and her son met with the sergeant who apologised in person and walked them both to the control room, so the boy could see how many people were there to help him and his mum. The officer in charge went through reflective practice, which included listening to the original phone call and the 999-call placed by the builders. While his intention had been to let Adina know as soon as possible, he accepted that he could have handled it differently.

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Ask yourself

How can you use the police complaints system to improve the trust and confidence of victim-survivors who make complaints?

- The sergeant responded well to the complaint and knew to contact the PSD. How confident are you that operational staff in your force would make the same decision? How confident are you that control room staff would know how to direct Adina if she had contacted 101 to make a complaint instead of emailing?
- Adina wanted her complaint treated seriously, but not punitively. She understood that the officer hadn't intended any harm, but was upset by the impact on her son. What steps would you take to get to the root of her complaint?
- The service provided was found to be unacceptable because it fell below the standard expected. The officer should have attempted to contact her again if the call dropped out, and should have made sure she was in a place where she could safely receive the bad outcome. The officer should have asked if she needed any support after receiving the bad outcome. Would you have made a different finding?
- The PSD used reflective practice as a learning and improvement tool and the sergeant extended a gesture of goodwill to her son. Have you considered creative ways of resolving complaints?

Recording

What needs to be recorded?

The relevant guidance for what must be recorded and dealt with inside of Schedule 3 of the *Police Reform Act 2002* is contained in the IOPC's [Statutory Guidance](#), paragraphs 6.26 to 6.34. It can be explored further in [Focus 13](#).

The threshold for recording is low and the most relevant criteria for VAWG service user complaints are likely to be:

- The complainant wants the complaint recorded.
- The conduct alleged, if proved, might constitute a criminal offence by a person serving with the police.
- The conduct alleged, if proved, might justify the bringing of disciplinary proceedings.
- The conduct alleged, if proved, might have involved the infringement of a person's right under Articles 2 or 3 of the European Convention on Human Rights.

For the purposes of this test, disciplinary proceedings includes unsatisfactory performance procedures. The criteria must be assessed based on the allegation made not on their apparent merit. Reasonable steps have to be taken to clarify the wishes of the complainant.

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CASE STUDY 4

Requirements for recording

Brianne filled in an online form to make a complaint that her report of stalking wasn't taken seriously. According to her complaint, she had reported her ex-partner to 101 four times for unwanted contact. This included unwanted gifts sent through the post and messages sent to her friends demanding to know information about her. She had contacted a stalking helpline who told her to log each instance of unwanted contact with the force's non-emergency service.

After the fourth report, she spoke to an officer on the phone and he told her that stalking had to be in person and questioned whether she had given her ex-partner a chance to share his side of the story.

The triage team member considered that the complaint, if proven, might mean that the subject officer's performance would be subject to unsatisfactory performance procedures. A failure to perform their role satisfactorily through lack of competence or capability on the officer's part could be dealt with by unsatisfactory performance.

As already outlined above, disciplinary proceedings for the purposes of a complaint includes unsatisfactory performance procedures. The complaint handler did not need to consider if the conduct which is being complained about would justify the bringing of disciplinary proceedings, just that it might, if proved.

The triage team member recorded the complaint and contacted the complainant to discuss the complaint further, considering the THRIVE initial risk assessment model.



Ask yourself

Do you understand the thresholds for recording complaints?

- Are you confident that control room staff would explore whether Brianne wanted to make a complaint about not being taken seriously, and forward that to the PSD?
- Do you know what kind of behaviour would be considered appropriate for being dealt with by unsatisfactory performance procedures?

Relevant review body

The relevant review body test is set out in [Regulation 32 of the Police \(Complaints and Misconduct\) Regulations 2020](#) and expanded upon in the IOPC's Statutory Guidance in Chapter 18. While it should be applied based on the wording of the complaint, this is not a barrier to the appropriate authority making the decision based upon a more complete understanding of what is actually being complained about. In

other words, the appropriate authority should contact the complainant to fully understand the entirety of the complaint and make the relevant review body assessment based upon that.

Applying the test

There are a number of elements to the relevant review body test, but the third element is most likely to be relied upon for complaints involving VAWG. It states:

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“iii. the appropriate authority is unable to satisfy itself, from the complaint alone, that the conduct complained of (if it were proved) would not justify the bringing of criminal or

disciplinary proceedings or would not involve an infringement of a person’s rights under Article 2 or 3 of the European Convention on Human Rights”

Failure to investigate and Article 3 of the European Convention on Human Rights (ECHR)

The relevant review body test must be based upon what is reported to have occurred. Appropriate Authorities must not base it on what they think the likely outcome will be. In other words, Appropriate Authorities should ask themselves whether, if the complaint as worded was proved to be true, are they satisfied that it would not involve an infringement of a person’s Article 3 rights?

The IOPC understands that Article 3 case-law is subject to change. At the time of publication of this issue, the basis for the IOPC’s position is the cases of *Commissioner of Police of the Metropolis (Appellant) v DSD and another (Respondents)* [2018] UKSC 11 and *Mlia V The Chief Constable of Hampshire Police* [2017] EWHC 292 QB.

In the DSD case, the UK Supreme Court considered the question of how much Article 3 imposes “a positive obligation...effectively to investigate reported crimes perpetrated by private individuals.”

Conduct which could be an infringement of Article 3 rights would be an allegation that the police did not, or were slow to launch an investigation and secure evidence when faced with credible allegations of a grave and serious crime. A grave and serious crime includes serious physical violence and sexual offences. However, following the Mlia case, the position as the law currently stands is that common assault, harassment or threats of violence even in a domestic abuse context, would not amount to a grave and serious crime.

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Ciara, a victim-survivor of rape and domestic abuse, waited until the criminal case against her ex-husband was finalised before she felt she could make a complaint about her experience with the police. The Crown Prosecution Service (CPS) didn't take the criminal case against her ex-husband to trial and Ciara pursued her Victims' Right to Review (VRR). This was not upheld.

Ciara's independent sexual violence advocate (ISVA) acted on her behalf to make a complaint. She included the following as part of her complaint:

- Ciara had reported five different instances of rape and sexual assault, but only three of them were recorded as crimes. The other two were not recorded.
- When her ex-husband was arrested at their home, he and his mother spoke in their native language to each other about how to delete the camera footage from the doorbell camera. Ciara tried to tell an officer what they were saying, but she was taken away from the scene. The footage was later found to have been deleted.
- While speaking to the officer in charge of her case, she was asked if, as a devout Catholic, was she sure she wanted to pursue such a public airing of her personal business. The officer in charge said they didn't want to pursue a rape trial if she was going to withdraw her support for the investigation like other Catholics had done in the past.

Ciara said in her email to the force that she had a number of other things to include in her complaint and made reference to one of the rapes having occurred as punishment for having reported him to the police. She was not contacted or spoken to by a complaint handler so this and other elements of the complaint were not addressed.

A week later, Ciara's ISVA received an email from the PSD stating that the service level from the force was found to be acceptable on the basis that, if there had been any issues, the VRR process would have picked up on them. The outcome letter outlined two allegations about delivery of duties and service, but failed to capture the element of religious discrimination. The relevant review body was determined to be the local policing body.

Ciara exercised her right to review the outcome with the local policing body.

The reviewing officer at the local policing body did not agree with the appropriate authority's assessment of the relevant review body test. The reviewing officer considered that Article 3 may have been infringed, alongside the potential for the conduct (if it were proved) to justify the bringing of disciplinary proceedings. The reviewing officer reached out to the appropriate authority to discuss their concerns. After consulting with them about it, the appropriate authority redetermined the relevant review body and the review was forwarded to the IOPC.

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Ask yourself

How do you ensure effective complaint handling and the correct application of the relevant review body test?

Complaint handlers:

- Have you understood the complaint?
- Have you recorded the complaint as the complainant understands it, and given them a copy of the complaint?
- Have you based the relevant review body determination on the complaint as it is made, rather than on the likely outcome?

Reviewers:

- Have you got open lines of communication with the appropriate authority so you can discuss relevant review body decisions with them? If you need more guidance on what to do if you disagree with the relevant review body decision, it is explored in [Focus 19](#).
- What would you do if, when you looked at the original complaint correspondence, you found the religious discrimination had not been recorded?

Referrals

Reminder: this section of Focus is limited to the handling of complaints made by victim-survivors of violence against women and girls where their experience is as a **service user of the police**.

Section 2 deals with reports of violence against women and girls where the subject is a person serving with the police.

What must be referred?

The mandatory referral criteria and related guidance can be found in Chapter 9 of the IOPC's Statutory Guidance and in [Focus 9](#).

Complaints that must be referred to the IOPC are those that result in death or serious injury, those that meet the mandatory referral criteria, or those that the IOPC notifies the appropriate authority that it must refer.

The mandatory referral criteria requires the conduct of the police officer in question to be quite serious. See [page 30](#) of this document for a list of conduct that will require a referral to the IOPC.

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The mandatory referral criteria threshold is unlikely to be met where there is a complaint made by a victim-survivor about operational failings. Complaints that engage Article 3 of the ECHR will not automatically and on their own, meet the mandatory referral criteria under the law.

Appropriate authorities must proactively explore complaints where the victim-survivor makes reference to an officer being “too friendly”, “crossing a line” or “trying to be my friend”. Complaints or conduct matters that refer to an abuse of position for a sexual purpose or for an improper emotional relationship would meet the mandatory referral criteria under the serious corruption element.

Handling and resolution

The guiding principle for all complaint handling is that of reasonableness and proportionality. For complaints involving VAWG and interactions with the police, the severity of the impact on the complainant will usually mean more steps need to be taken to resolve it.

General principles for handling complaints in a reasonable and proportionate way can be found in the IOPC’s Statutory Guidance at chapters 3 and 11.

Complaints involving VAWG will require a holistic, customer service-based approach undertaken by someone who is adequately trained in VAWG matters such as safeguarding, understanding coercive and controlling behaviour, and how victim-survivors can be best supported through the process. Complaint handlers should be appointed based on their knowledge and expertise. They should also draw on the experience of specialist teams within their force, such as the Public Protection Unit or specialist domestic abuse officers for advice and guidance.

What must be investigated?

The IOPC’s Statutory Guidance Chapter 10 defines what must be investigated. Using readily available evidence, but without taking preliminary investigative steps, the appropriate authority must decide whether there is an indication of the following:

10.6 “any complaint where there is an indication, either from the complaint itself or from handling to date, that:

- a person serving with the police may have committed a criminal offence or behaved in a manner that would justify the bringing of disciplinary proceedings, or
- there may have been the infringement of a person’s rights under Articles 2 or 3 of the European Convention on Human Rights”.

Indication is to be understood to have its plain English definition. In making this decision, the appropriate authority should consider the facts being put forward by the complainant, alongside any readily available evidence.

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Indication test

Once a complaint is recorded and the decision is made that it does not meet the mandatory referral criteria, the next question for the appropriate authority is about how it should be handled. The decision is whether it must or should be investigated or whether it is suitable for handling otherwise than by investigation. This is known as the indication test.

It is for the appropriate authority to determine whether the complaints must be investigated. The appropriate authority can elect to proactively investigate complaints that don't otherwise require it.

The appropriate authority should consider obtaining legal advice on what amounts to a potential infringement of Article 3 rights, with reference to the guidance in the above section on failures to investigate.

This decision, as well as all other thresholds and tests must be made within the wider context of policing VAWG offences as outlined at the [beginning](#) of this section.

Reasonable and proportionate handling and outcomes

The subjective nature of what is reasonable means that this guidance should not be prescriptive about the expected outcome. However, proportionality must be viewed within the context of tackling VAWG and VAWG as a strategic policing priority. What is reasonable and proportionate for other types of complaint, might not be reasonable for a complaint involving VAWG, when considered in this context.

Although it may seem daunting to try to address complex complaints with vulnerable complainants, the most important principle is good communication. A complainant will have a much more positive experience if their contact with the police is underpinned by positive communication. Complaint handlers should consider our guidance on avoiding victim blaming language. A one-page guide is included at [Annex A](#)

Discuss

Complaint handlers should enter into open and honest communication with a complainant or their support workers, with their permission. The conversation will give the handler a chance to understand the complaint and to reassure the complainant that the process is independent and thorough. The complaint handler can come to an agreed understanding of the circumstances and should assure the complainant that they will receive timely and meaningful updates and agree a method of communication.

Complaint handlers should consider any barriers to communication, such as victim-survivors whose first language is not English. It is important that victim-survivors are given a safe space to properly explain their concerns, in a way that is suitable for them. When using interpreters, engage professional services and do not rely on family members or friends which could inhibit or distort accounts. Discussing matters involving violence against women and girls might be highly sensitive or considered humiliating by victim-survivors. Others who are personally involved could minimise behaviours or influence the victim-survivor. Similarly, a victim-survivor may be more guarded or reserved in their communication to protect family members, particularly children, from hearing traumatic information.

During the discussion, the complainant should be given an opportunity to explain what a good resolution would look like to them. The complaint handler should manage a complainant's expectations as to what is achievable through the complaints process and outline the process the complaint may follow. The complainant should come away from the discussion with an understanding of the possible outcomes of their complaint.

Complaint handlers should be alive to the unique vulnerabilities that a victim-survivor of VAWG might encounter and the way that trauma might impact on their recollection of events or their behaviour. Complaint handlers should be aware that victim-survivors of VAWG may have experienced months or even years of abuse and

1. POLICE HANDLING OF CRIMES INVOLVING VAWG

reporting their abuser has taken great courage. They may be traumatised; they may minimise their abuse and they may have low confidence in the police. Complaint handlers should consider how best to support a complainant through the process and what specific needs they might have. Overall, complaint handlers should listen to the complainant's account, avoid making assumptions or judgements, and show the complainant they have understood the concerns raised.

Discover

As far as possible, the complaint handler should seek to discover what occurred. It may not be proportionate to review every document or possible piece of evidence, but a complaint handler should be able to thoroughly answer the points raised in the complaint.

The complainant should be given the opportunity to submit their own notes or emails or whatever other supporting evidence they have, within a reasonable period of time.

Determine

The complaint handler must make some subjective determinations at this point. They should seek to understand the "why", as well as the "what". For example, body worn video evidence will show what happened, whereas officer accounts will show why decisions were made.

This flowchart should help complaint handlers to reach a reasonable conclusion for all complaints involving VAWG.



Service level acceptable

If the service received by the complainant did reach the standard a reasonable person could expect, then the complaint handler should explain how they reached that decision.

They should ensure that the complainant understands the gap between the service which the complainant expected and what the police service considers to be acceptable.

Complaint handlers should not find that the service provided is acceptable "under the circumstances" because a reasonable person would not expect good service from,

for example, an under-funded organisation. The service provided to a victim-survivor can fall below expectations, without there having to be an element of blame to apportion. It may have been unavoidable and still unsatisfactory.

The language used in the outcome should be sensitive and acknowledge that although the service provided was acceptable, the interaction has had a negative impact on the victim-survivor. The complaint handler should consider if anything could have made the experience less negative for the victim-survivor and build that into future policy reviews.

1. POLICE HANDLING OF CRIMES INVOLVING VAWG

Service level unacceptable

To reach a satisfactory resolution, a complaint handler must understand the reasons for service delivery failings.

Where individual actions have led to the service falling below expected standards, the complaint handler may consider learning by reflection or identify training needs for the individual or others, as appropriate.

Where organisational failings or wider training needs were uncovered, the complaint handler should consider a policy review or organisational learning.

The complaint handler must also consider the severity of any potential failings. The complaints system is not meant to be punitive or to apportion blame for decisions made that only appear wrong with the benefit of hindsight. However, there are situations where officers breach the standards of professional behaviour and these must be assessed as such.

Service level – unable to determine

While it is sometimes unavoidable, an inconclusive outcome will never satisfy a complainant. For guidance on when this is an acceptable result, consult [Focus 18](#).

CASE STUDY 6

Reasonable and proportionate handling

Nora was a survivor of years of domestic abuse by her former husband. Throughout her marriage, she was sexually and physically abused and subject to coercive and controlling behaviour. After she escaped the marriage, she was stalked and threatened by her former mother-in-law.

Nora was supported by an IDVA and had recently attended the trial of her former husband for grievous bodily harm with intent. He was charged with four further incidents of common assault and one of criminal damage. He was found guilty on all six charges. He was not charged with sexual offences or coercive and controlling behaviour. His mother continued to harass and stalk Nora.

Nora had an initial conversation with a complaint handler who identified the key strands of complaint as:

- a) ongoing failure to respond to stalking and harassment
- b) victim blaming language and attitude by the original officer in charge
- c) lack of updates from the subsequent officer in charge
- d) failure to investigate the sexual offences
- e) failure to charge coercive and controlling behaviour

1. POLICE HANDLING OF CRIMES INVOLVING VAWG**Ask yourself**

What would be reasonable and proportionate?

(a) Ongoing failure to respond to stalking

Focus 12 explains that complaints can be split where parts of the complaint could be answered quickly.

This case contains an ongoing risk to the safety of the victim-survivor. The complainant is currently being harassed and stalked by her former-mother-in-law. This should be dealt with quickly and by the most appropriate team.

Safeguarding the complainant should be the first priority, with the matter concurrently being dealt with as a complaint.

(b) Victim blaming language and attitude

The IOPC's **guidance on ending victim blaming**, explains in more detail what is meant by victim blaming and how to proactively avoid it. The one-page guide is attached to this document at **Annex A**.

The officer may not have intended to use victim-blaming language or may not have realised they were using victim-blaming language or attitudes. Considerable weight should be given to the perception of the victim-survivor in the case.

Unintentional victim-blaming would still be harmful and degrade trust and confidence in the police. Therefore, the force's response to a complaint of victim blaming should not be defensive, but should instead be open to learning and improving.

(c) Lack of updates

In point a, the failure to act was ongoing and could be dealt with separately. For this strand of the complaint, the potential failings occurred in the past.

The complaint handler should consider this as a potential issue of compliance with the Victims' Code of Practice. The Victims' Code gives victim-survivors the right to receive certain information at certain timescales. If the expectations set out in the Victims' Code weren't met, then the service provided was not acceptable.

It ought to be straightforward to interrogate the contact made with the victim-survivor by reviewing records. If an officer states that they contacted the victim-survivor but has not recorded this in an auditable way, poor record keeping is something that could be addressed.

If the requirements of both the Victims' Code of Practice and the force policies have been met, then the complaint handler should explain that the service the victim-survivor received was acceptable. Learning from and improving the victim-survivor experience should be the goal for any actions following the complaint outcome.

(d) Failure to investigate

Complaints about failing to investigate crimes are difficult to resolve. However, the opportunity to rebuild the trust and confidence in the victim-survivor should not be overlooked. While it may be that the preferred outcome for the complainant would be justice through the courts system, their complaint can still be resolved to their satisfaction.

1. POLICE HANDLING OF CRIMES INVOLVING VAWG

The complaint handler should be open and honest at the outset about the potential outcomes available. A criminal matter being reopened or reinvestigated might be unlikely. The most likely outcomes would be an explanation of what happened, an apology where things went wrong, and learning for the officers or force. It may be useful to ensure that a complainant understands which governing body owns which decisions and which decisions can be subject to a Victims Right of Review.

The complaint handler must also be mindful of complaints where the conduct may lead to disciplinary proceedings and learning would not be an appropriate outcome.

(e) Failure to charge

The complaint handler should make sure that the victim-survivor is aware of the Victims' Right to Review both the CPS and police decision making processes.

If the complainant has already exercised their right to review the decisions, it may not be reasonable or proportionate to revisit the entire circumstances. However, the complaint handler must understand what is being alleged. If a victim-survivor has made a complaint which identifies specific conduct or failure to act by an officer, that is a separate matter and must be treated as such.

1. POLICE HANDLING OF CRIMES INVOLVING VAWG

Quick guide - complaints made by members of the public about police handling of crimes involving VAWG

Initial contact

- Speak with complainants or offer them a phone call
- Take care not to use victim-blaming language
- Make sure their risk-assessments are up to date as part of safeguarding victim-survivors
- Ensure they have been offered victim support services
- Safeguard the victim-survivor and signpost them to support services
- Discuss with the complainant what a good resolution would look like and be creative with potential actions to take to resolve it

Logging

- Ensure the complaint comes to PSD for assessment
- Log the complaint

Recording

- Explain that handling complaints formally will give the complainant a right to review the outcome
- Consider recording all VAWG-related complaints inside of Schedule 3 of the *Police Reform Act 2002*
- Give the complainant a copy of the recorded complaint

Relevant review body

- Consider what has been alleged to have occurred; do not assume the likely outcome
- Do not make the assessment without speaking to the complainant to ensure that the complaint is fully understood

Reasonable and proportionate handling

- What is proportionate for a complaint involving VAWG would not always be proportionate for other complaints
- Article 3 may be engaged and thus may require more thorough handling of the complaint

Decisions and actions

- What is proportionate to remedy a complaint involving VAWG may not be proportionate to remedy other complaints
- Work with the complainant to reach a satisfactory resolution
- Clearly explain to the complainant what action has been taken to resolve the complaint

Learning and improvement

- Every single complaint must be treated as an opportunity to improve and learn

2. Reports made about acts of police perpetrated VAWG

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2. ACTS OF POLICE PERPETRATED VAWG

In this section, there is an overlap of different legislation. There may be slight differences in what words mean in plain English versus

what they mean in the context of legislation. Therefore, please refer to the following:

Criminal complaint	A report of criminal action made to the police with the intention that it will be dealt with as a criminal matter.
Police complaint	An expression of dissatisfaction with a police force expressed by or on behalf of a member of the public.
Conduct matter	Any matter which is not and has not been the subject of a complaint, where there is an indication (whether from the circumstances or otherwise) that a person serving with the police may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings.
Recordable conduct matter	A matter is recordable if it involves allegations of conduct that, assuming it to have taken place: <ul style="list-style-type: none"> • appears to have resulted in the death or serious injury of any person • has had an adverse effect on a member of the public, or • meets the mandatory referral criteria
Allegation	A complaint may contain one or more allegation – a claim that a person, or the police as an organisation, has done something wrong. Each complaint will have one or more allegations recorded on Centurion or other complaint handling software.
Police victim-survivor	A victim-survivor of VAWG who is also serving with the police. Under the <i>Police Reform Act 2002</i> , an officer or civilian employee of a police force is not eligible to make a complaint if they were on duty when the incident they are complaining about took place, or if the person they are complaining about is serving with the same force. They can still be treated as an interested person if it is decided that the issue complained about amounts to a conduct matter.
Police perpetrated	This term should not be interpreted as indicating guilt but rather that the person identified as the subject of the allegation is serving with the police.

2. ACTS OF POLICE PERPETRATED VAWG

Reporting

All chief officers must recognise the harm to public confidence in policing which comes from police perpetrated acts of violence against women and girls. Chief officers must ensure that every member of their force knows how to direct all reports of police perpetrated violence against women and girls to the Professional Standards Department (PSD), and feels confident to do so. Particular focus should be given to more subtle forms of domestic abuse such as coercive and controlling behaviour which could be minimised or overlooked due to a lack of understanding. It is important that all reports of police perpetrated violence against women and girls are directed to PSDs for intelligence gathering and to allow data to be captured which

might establish patterns of behaviour.

Chief officers should also be aware of, and take steps to mitigate, the unique barriers to reporting for police victim-survivors of police perpetrated violence against women and girls. Police victim-survivors need to feel confident to report their experiences and to not fear repercussions at work. Chief officers should take responsibility for promoting awareness of police perpetrated violence against women and girls and the various reporting routes available. See the IOPC's [Police perpetrated domestic abuse handling review](#) for calls to action that each force should consider and apply more broadly to police perpetrated VAWG.

Context

Every report of police perpetrated acts of VAWG must be considered within the wider context. As part of her [inquiry](#), Dame Angiolini identified missed opportunities and red flags that were overlooked during the career of Wayne Couzens. Remedial recommendations have been issued and accepted to ensure they aren't allowed to happen again.

Reports of misuse of dating apps; coercive and controlling behaviour; stalking and harassment; misogyny on social media including WhatsApp; and misogyny in the workplace, including

sexualised behaviour or language, are all potential red flags or possible opportunities to prevent escalation. It is incumbent upon forces to consider such reports in light of the inherent imbalance of power between a member of the police and a member of the public.

Even if the reported behaviour is found to be acceptable or if it is difficult to prove one way or the other, the person reporting should nevertheless feel as though their concerns were taken seriously and they should have their confidence in the police restored.

A note on criminal investigations

Where an incident of police perpetrated VAWG involves investigations of both criminal and misconduct matters, there is no automatic requirement to delay the investigation of misconduct until the completion of the criminal investigation.

Most police perpetrated VAWG matters will be investigated under Schedule 3 of the *Police*

Reform Act 2002, either as a recordable conduct matter or as a complaint.

The two investigations may be conducted at the same time as long as due consideration is given to the potential for prejudicing the criminal investigation.

2. ACTS OF POLICE PERPETRATED VAWG

Initial contact – complaints and conduct

Reports of police perpetrated VAWG could come to the attention of the force via more reporting mechanisms than can be covered in this guidance document. The following principles must be applied to every reporting pathway - but how they are applied will vary from force to force.

Reporting a crime

This guidance is written as though the victim-survivor has some knowledge of the existence of the police complaints system. Victim-survivors will not always have that knowledge.

The IOPC expects that once PSD has been made aware of a criminal complaint of police perpetrated VAWG, they will be in contact with the victim-survivor to explain the role of PSD and ensure that the victim-survivor is aware of their rights as a complainant or interested party. If the criminal complaint is being investigated, for example, by a neighbouring force, then the two police forces should work together to share the information in the most sensitive and appropriate way.

If the victim-survivor reports a crime and is unaware of the subject's employment in the police service, the same applies. Once the criminal complaint has been brought to the attention of the PSD, the victim-survivor should be informed that the subject is serving with the police. This information may make the victim-survivor wary of the police. It is better to proactively explain the protections of the law and to safeguard them rather than having the subject's identity disclosed through correspondence from the IOPC or press reports, for example.

Initial contact

Every victim-survivor of police perpetrated VAWG must be contacted to discuss their report, and given the opportunity to record a complaint under the *Police Reform Act 2002* (if they haven't already done so). This contact may overlap with simultaneous lines of enquiry being undertaken as a part of a criminal investigation.

PSDs must be able to satisfy themselves that the victim-survivor has been spoken with and assessed by someone who is adequately trained in safeguarding and who has sufficient knowledge of protection orders, to ensure the safety of the victim-survivor and their family. Complaint handling staff within PSDs should have access to relevant experts and colleagues with suitable experience within their force who they can contact for advice.

The IOPC considers that complaints of police perpetrated VAWG are serious and will usually require safeguarding, risk assessments, and explanations of process and potential outcomes.

These are so complex that it is difficult to see how it could be accomplished in the absence of a conversation. Careful consideration would have to be given to whether such a serious complaint could be adequately handled without a complaint handler speaking to the complainant. If the complainant does not wish to speak on the telephone, this should be respected and other methods of communication explored; however, the opportunity should be extended.

Barriers to reporting

In order to make a complaint, victim-survivors of police perpetrated violence against women and girls will have to overcome the imbalance of power and in some cases, a distrust of the police. The same circumstances which made them hesitant to report will also need to be addressed and, if possible, mitigated. Please see our [police perpetrated domestic abuse handling review](#) for calls to action which the IOPC have identified. These are transferrable to other forms of police perpetrated VAWG.

2. ACTS OF POLICE PERPETRATED VAWG

Police victim

Police victim-survivors face barriers to reporting which are unique given their position in policing. The Centre for Women's Justice [super-complaint](#) on PPDA and the IOPC's [follow-up work](#) found that police victim-survivors worried about their reputation, the confidentiality of their information, being the subject of gossip, damage to their career prospects, and impartiality.

Police victim-survivors will feel more confident to report if a force is visibly and openly committed to supporting them. Police victim-survivors have real concerns about retaliation in the workplace, counter-allegations being made in retribution and workplace bullying. These are all barriers to reporting which chief officers should visibly and proactively overcome.

The initial contact for a police victim-survivor making a report will be different than that for a member of the public. They should, however, be extended the same safeguarding and standards of investigation. The victim support services may be different, but each victim-survivor should be made to feel supported and steps should be taken to understand and mitigate any concerns about confidentiality and impartiality.

Informed decision making

Victim-survivors must be given the opportunity to fully understand their rights not only as a victim of a breach of criminal law but also as a complainant under the *Police Reform Act 2002*.

Where the reporting party is also a person serving with the police, their eligibility to complain under the *Police Reform Act 2002* is limited. Please see the next section of this guidance for further information on how to support police victims of police perpetrated VAWG.

A victim-survivor should be informed and helped to understand:

- that they are eligible to make a complaint
- that if they choose to not make a complaint now, the matter may still be progressed as a conduct matter as well as a criminal complaint
- that they can always revisit their decision to not pursue a police complaint in future
- that the outcome of the criminal complaint may be different to a complaint/conduct investigation as the two investigations serve different purposes and have different burdens of proof

Initial handling – complaint and complainant

Where the victim-survivor chooses to engage with the police complaints process, the matter must then be dealt with according to the *Police Reform Act 2002* along with any criminal proceedings, subject to considerations of prejudicing the criminal case. If the appropriate authority is in doubt, then they should seek guidance from the Crown Prosecution Service.

The IOPC considers that all reports of PPDA should be logged and recorded inside of Schedule 3 of the *Police Reform Act 2002*. This is because allegations of domestic abuse will likely amount to a criminal offence.

While allegations of other types of police perpetrated VAWG should always be considered on a case-by-case basis, the Home Office definition of VAWG refers to:

“...acts of violence or abuse that we know disproportionately affect women and girls.

Recording

Please refer to [the section on recording](#).

2. ACTS OF POLICE PERPETRATED VAWG

Crimes and behaviour covered by this term include rape and other sexual offences, domestic abuse, stalking, 'honour'-based abuse (including female genital mutilation, forced marriage, and 'honour' killings), as well as many others, including offences committed online."

A complaint or report of a police officer committing any of the above would, by its nature, meet the threshold for recording inside of Schedule 3 of the *Police Reform Act 2002*. This is because complaints about acts that meet the definition of VAWG, also meet the recording criteria found in Para 2(6B) of schedule 3 of the *Police Reform Act 2002*. This applies where

the complaint, if proven, would amount to the commission of a criminal offence or would justify the bringing of disciplinary proceedings. Given the nature of an allegation of police perpetrated VAWG, it is difficult to consider a circumstance where a complaint of police perpetrated VAWG could be dealt with outside of Schedule 3.

The next threshold to be considered is the mandatory referral criteria. There is significant overlap between the criteria for recording a conduct matter and the mandatory referral criteria. Please therefore [refer to the table](#) on page 30.

Initial handling – conduct and interested person

Where a victim-survivor has made an informed decision to not make a police complaint, the Appropriate Authority should, instead, consider the reported circumstances against the conduct and recordable conduct criteria.

Appropriate authorities must still make a decision on the reported conduct even when a victim-survivor does not currently support the criminal matter. In much the same way that so-called 'victimless prosecutions' can be pursued, so can investigations into the conduct of a police officer.

This guidance also applies where the victim-survivor is a serving police officer or a civilian employee of a police force. A police victim-survivor of police perpetrated VAWG cannot be a complainant under Schedule 3 of the *Police Reform Act 2002* if the victim-survivor is serving with the same force as the police perpetrator, or the victim-survivor was on duty when the behaviour occurred. In circumstances where the victim-survivor cannot be a complainant, the IOPC considers that reports of police perpetrated VAWG will amount to recordable conduct and therefore should be handled under Schedule 3 of the *Police Reform Act 2002*.

This is because acts meeting the definition of VAWG would at the very least meet the criteria in Regulation 7 of the Police (Complaints and Misconduct) Regulations 2020 which requires the recording of conduct whose gravity or other

exceptional circumstance make it appropriate to record. As the victim-survivor clearly has an interest in being kept informed about the handling of the recordable conduct matter, the victim-survivor should be granted interested person status.

Each case should be considered on its own merits, but given the gravity of police perpetrated VAWG, it is difficult to imagine an instance where a police victim-survivor would be dealt with outside of Schedule 3 of the *Police Reform Act 2002*, or an instance where they would not be granted interested person status.

Conduct

The definition of a conduct matter is set out in the table above and clarification can be found both in the IOPC's [Statutory Guidance](#) and the [Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing](#). Most conduct matters are dealt with under the Police (Conduct) Regulations 2020, the process for which is outlined in the Home Office guidance.

Recordable conduct and referral

Not all conduct matters are recordable. The criteria for recording is thoroughly set out in Chapter 8 of the IOPC's [Statutory Guidance](#).

2. ACTS OF POLICE PERPETRATED VAWG

The parts of the guidance most relevant to considering offences involving VAWG are explored in more detail.

If it has been established that behaviour meets the definition of a conduct matter,

the appropriate authority should then turn to the definition of recordable conduct.

The conduct would also be considered recordable if it has had an adverse effect on a member of the public.

Stat Guidance	Reported conduct	Recordable Conduct?	Referrable to the IOPC?
9.7-9.11	A serious assault <ul style="list-style-type: none"> usually considered as injury amounting to actual bodily harm consider a DSI referral 	Yes	Mandatory
9.12 – 9.14	A serious sexual offence <ul style="list-style-type: none"> any allegation that a person serving with the police has committed any sexual offence is likely to be serious 	Yes	Mandatory
9.15 – 9.23	Serious corruption including abuse of position for a sexual purpose (APSP)/ abuse of position for the purpose of pursuing an improper emotional relationship (APIER). <ul style="list-style-type: none"> APSP/APIER should be interpreted broadly. The sexual or emotional relationship does not need to have actually occurred; an attempt is sufficient. Abuse of position (not APSP) includes implied threats to exercise or not exercise the powers conferred to the officer. 	Yes	Mandatory
9.28	A relevant offence <ul style="list-style-type: none"> an offence punishable by a term of imprisonment of seven years or more includes harassment or stalking involving fear of violence or serious alarm or distress 	Yes	Mandatory
8.16	Conduct whose gravity or other exceptional circumstances make it appropriate to record the matter in which the conduct is involved	Yes	Voluntary or not at all

As explained above, the IOPC considers police perpetrated VAWG to be conduct whose gravity makes it appropriate to record. Once recorded, if the conduct does not meet the mandatory referral criteria, the appropriate authority should then consider whether the gravity or exceptional

circumstances are such that it should be voluntarily referred to the IOPC.

More on the mandatory referral criteria is covered below.

2. ACTS OF POLICE PERPETRATED VAWG

Referral criteria – complaints and conduct

Police complaints and recordable conduct matters have the same referral criteria applied to them. The mandatory referral criteria is contained in Chapter 9 of the IOPC's [Statutory Guidance](#) and in [Focus 9](#).

Appropriate authorities must not predetermine the outcome of a referral. It is for the IOPC to determine the mode of investigation. Referrals are to be made on the basis of whether the conduct alleged, if found to have occurred, would meet the relevant requirements. The application of the mandatory referral criteria should not be made based on the evidence available or an assessment of the likelihood the conduct is proven.

Sex discrimination

The mandatory referral criteria includes:

- a criminal offence or behaviour which is liable to lead to disciplinary proceedings and which, in either case, is aggravated by discriminatory behaviour on the grounds of a person's race, sex, religion or other status identified at paragraph 9.24 of IOPC [Statutory Guidance](#)

This is a two-part test where initial consideration is made about whether the alleged behaviour, *without the discrimination element*, is serious enough to amount to a criminal offence or behaviour which is liable to lead to disciplinary proceedings. If it does, then the second part of the test is to consider whether the discrimination was a reason for the behaviour.

Violence against women and girls is inherently defined by sex or gender. However, the IOPC does not consider that VAWG alone amounts to conduct aggravated by discriminatory behavior. It is not enough to say that because the victim is a girl or woman, the two-part test above is *automatically* met.

The primary focus of the handling of allegations police perpetrated VAWG should be the offences at the heart of the complaint. It may be the case that an officer's actions have been driven by misogyny and that should be explored

and investigated. Any consideration of the discrimination aspect of such matters should not be done in a way that distracts from what should be the primary focus.

Paragraph 9.27 of the IOPC's [Statutory Guidance](#) discusses the meaning of aggravating factors. It is clear that 'aggravating factor' means that there is a course of action for which there is an identifiable discriminatory motivation. In other words, we would expect that the aggravation would amount to an additional element of behaviour, such as language, subscribing to so-called incel movements or otherwise being driven by a positive belief in misogyny.

It is important to note that despite not receiving a referral, the IOPC will still exercise independent oversight of these matters. Investigations into police perpetrated VAWG will have the IOPC as the relevant review body. If, on review, the IOPC finds the case should have been referred, then it is within our remit to treat it as having been referred.

Further guidance to help you in handling allegations involving discrimination, can be found in the IOPC [Guidelines for handling allegations of discrimination](#).

Spotlight on police perpetrated domestic abuse

One of the recommendations arising from the joint investigation into the Centre for Women's Justice PPDA super-complaint was for the IOPC to make clear when PPDA meets the mandatory referral criteria.

Although the focus was on acts of police perpetrated domestic abuse, the principles are transferrable for most aspects of other types of police perpetrated violence against women and girls.

For ease of reference, the [table](#) on page 30 in the previous section contains the elements of the mandatory referral criteria most relevant to considering reports of police perpetrated VAWG.

2. ACTS OF POLICE PERPETRATED VAWG**CASE STUDY 7****Coercive and controlling behaviour**

Kate was in a relationship with a serving police officer, PC Cartwright. They had been living together for a few months and met after the officer arrested her ex-partner for assault.

Kate became friendly with some of the other officers on the force and eventually she disclosed to PC James that PC Cartwright gave her a small allowance and wouldn't let her get a pixie haircut. PC James probed this a bit more and Kate got upset, saying that PC Cartwright told her that if she told anyone, he could lose his job. PC James said she would support Kate but that she needed to report it. Kate said that PC Cartwright told her he could delete any reports she made to PSD and make her look crazy.

PC James reported this to her force's PSD and they reached out to Kate. During a meeting with her, Kate further disclosed that PC Cartwright had effectively cut her off from her family and had started to have a go at her for talking to her friends as well.

As Kate decided to make a formal complaint under the legislation, the PSD had to consider whether to refer the complaint to the IOPC. Their correct consideration went as follows:

PC Cartwright had deliberately hidden his behaviour from his friends and colleagues. He had convinced Kate that as he wasn't violent, she was just overreacting or being dramatic. The circumstances weren't referable on the basis of a serious injury. PC Cartwright hadn't sexually assaulted Kate or otherwise committed a 'relevant offence' according to Kate's statements.

There was an indication, from the way that PC Cartwright pursued Kate after the arrest of her ex-partner, of abuse of position for sexual purposes (APSP). Kate was made vulnerable by her ex-partner's abuse and PC Cartwright met her during the course of his duties. He was the officer who arrested her abusive ex-partner and reached out to her to build up a relationship under the guise of painting himself as a knight in shining armour. Abuse of position for a sexual purpose, or for the purpose of pursuing an improper emotional relationship, must be referred to the IOPC.

The PSD reached out to the IOPC to ask if the other behaviours would meet the mandatory referral criteria, particularly in regard to coercive and controlling behaviour.

The IOPC considers that controlling and coercive behaviour alone may not be sufficient to amount to an abuse of position and therefore corruption. However, it could amount to corruption if the allegation has an element of the police officer illegitimately or inappropriately taking advantage of, or attempting to take advantage of, their position as an officer to further the coercive and controlling behaviour. This is distinct from APSP.

2. ACTS OF POLICE PERPETRATED VAWG



Ask yourself

Can you identify corruption in VAWG cases?

- When you receive reports of police perpetrated VAWG, do you always consider whether the subject has abused their position as a way of enabling the criminal acts?
- What acts would you consider amount to an officer inappropriately attempting to abuse their position?
- What does your force do to encourage officers like PC James to come forward?

Spotlight on handling abuse of position cases that may involve police perpetrated stalking

As part of the [joint super-complaint investigation into the police response to stalking](#), the IOPC carried out a review of 50 cases involving stalking, that it had investigated or reviewed. This included a number of IOPC and local investigations into abuse of position for a sexual purpose (APSP) which appeared to involve police perpetrated stalking behaviours.

We found that in most of these cases, the police suspect was investigated for serious offences such as misconduct in a public office. However, it was not common for these cases to be recorded and dealt with specifically as stalking.

Police officers and staff dealing with abuse of position cases need to be alive to the possibility that repeated unwanted contact, that is not for a legitimate policing purpose, could amount to stalking. It could be stalking if the unwanted behaviour forms a course of conduct (related behaviours that happen more than once) that is oppressive, and the behaviour appears fixated and obsessive and is intrusive to the victim. The victim may feel alarmed, scared, distressed or threatened by the behaviour.

Failure to identify stalking is likely to impact on the investigation and criminal justice outcomes. It will affect the identification and management of risks to the victim-survivor and the actions and interventions put in place to manage the perpetrator. It also means that stalking-specific protections such as stalking protection orders may not be considered, and victim-survivors would be unlikely to be referred to specialist stalking support services.

PSDs need to make sure that they have processes in place to identify and respond to police perpetrated stalking, including in APSP cases.

2. ACTS OF POLICE PERPETRATED VAWG**CASE STUDY 8****Identifying police perpetrated stalking in APSP cases**

Michelle reported a burglary at her home to the police. An officer went to Michelle's home to get further details. In the following few weeks, Michelle became concerned about the contact she had received from the officer and decided to make a complaint to the police. Michelle described the officer's behaviour as over-friendly and flirtatious. She explained that he would send text messages with an 'x' at the end. She said that he contacted her regularly, via messages and phone calls, saying he had updates about the burglary investigation when there weren't any. She added that she had told him she was scared in her home after the burglary and he said, "Don't worry, I will protect you, you can come and stay with me if you like". She said that she had asked him to stop contacting her so frequently as this was disruptive while she was at work, but he continued.

The force recorded the complaint as an allegation of APSP and referred the matter to the IOPC. The IOPC decided that the case should be locally investigated by the force. The officer was taken off the burglary investigation and directed to stop contacting Michelle. Through the investigation, further evidence was gathered which indicated that the officer had used the police force's computer system to search for Michelle's personal details and those of her housemates. On one occasion he had done so more than 20 times in one day. He had also used social media to look up Michelle and her friends. Michelle reported that she thought the officer may have driven past her house more than once, which made her anxious about going out. The investigating officer was concerned about the obsessive and fixated nature of the officer's behaviour and was concerned that the officer may have continued to try to contact Michelle, even though he had been directed to stop by his supervising officer. Given the additional evidence gathered which indicated the matter was more serious, a re-referral was made to the IOPC. The IOPC decided that the force was best placed to investigate the complaint locally.

As well as investigating the complaint of abuse of position for a sexual purpose and misuse of police systems, the investigating officer thought that the officer's behaviour could amount to stalking. The force had a designated stalking point of contact in PSD and the investigating officer contacted them for advice. They agreed that a crime of stalking should be recorded and investigated as the officer's behaviour appeared to be fixated, obsessive, unwanted and repeated and was causing distress to Michelle.

The investigating officer met with Michelle to undertake a stalking risk assessment. A risk management plan was put in place. Michelle was given safety planning advice, including online safety information, and advice about recording and reporting any further contact from the suspect. The investigating officer discussed stalking protection orders with Michelle and made an application for an interim order. Michelle was also referred to a specialist stalking support service who provided support throughout the investigation.

2. ACTS OF POLICE PERPETRATED VAWG



Ask yourself

Could this be stalking?

- APSP cases that involve repeated, unwanted behaviours that are intrusive to the victim, causing alarm or distress, where there is no legitimate policing purpose, could be stalking.
- Think **FOUR** to identify stalking: is the behaviour **F**ixated, **O**bsessive, **U**nwanted and **R**epeated?
- Consider the context, motivation and impact on the victim (see the [College of Policing authorised professional practice](#) on stalking or harassment).
- Officers and staff responding to complaints and conduct matters should have access to advice, support, tools and appropriate training to help identify and respond to police perpetrated stalking. Complex stalking cases may need to be allocated to specialist investigation teams.

Have you prioritised victim safeguarding and support?

- Remember – focus on risk first. Stalking behaviours suggest greater risk of harm and require greater consideration of risk management.
- Officers and staff dealing with police perpetrated stalking cases need to undertake appropriate risk assessments and should be appropriately trained and supported to do this.
- As part of risk management, a range of safeguarding actions should be considered, including stalking protection orders. This could involve seeking support from local multi-agency officers or teams specialising in risk management or stalking, and independent stalking advocates. PSDs should have established processes to link in with these local units and services.
- Victims of a campaign of stalking are entitled to an [enhanced service under the Victims' Code](#). This includes the right to be offered a referral to specialist support services. Officers and staff in PSDs should have access to information about such services and how to refer victims to them.

Off-duty conduct

Police perpetrated violence against women and girls, if proved, will always undermine public confidence in the police. It is not appropriate to deal with a report of police perpetrated VAWG less seriously because it occurred off-duty. The investigation into the Centre for Women's Justice [super-complaint](#) into PPDA found that undue weight was given to the fact that conduct had occurred off duty and therefore treated less seriously. This is not appropriate. These cases are as serious and attach no less public concern than behaviour which occurs on duty.

The Standards of Professional Behaviour apply to on and off-duty conduct. However, the Standards of Professional Behaviour and the obligations that they impose will be assessed in context, which includes whether they are on or off duty at the material time and whether they have misused their power as a police officer or member of staff. Police officers have a right to a private life, which must be factored into any assessment. Assessments of seriousness and public interest should include consideration of whether the off-duty behaviour discredits the police service.

2. ACTS OF POLICE PERPETRATED VAWG**CASE STUDY 9****Identifying an abuse of position for a sexual purpose**

Maria was on a popular dating app. One evening, she went through profiles for a number of local men and declined to match with any of them. Shortly after, she received a friend request on social media from a person whose photo matched one of the people she declined to match with.

Maria was immediately worried because she didn't disclose her last name on the dating app. Curious to know how the man tracked her down, she accepted the friend request. She received the following message from the man:

"Hi gorgeous, hope you don't mind I found you. Just wanted to get a chance to make my case. I am a police officer, after all 😊. If you're ever in trouble with the law, ring me and I can get you off 😊. Get your mind out of the gutter, I can sort a fixed penalty notice. Just gimme a chance, I live round the corner from you."

Maria felt quite fearful. She took screenshots and blocked the officer. She rang 101 and said she wanted to report an officer for inappropriate behaviour and for looking up her personal information.

The report was sent through immediately to PSD from the control room. The appropriate authority decided immediately that the case was one of abuse of position for sexual purposes. There was an inherent imbalance of power which the officer was exploiting. He was suggesting that in exchange for a relationship, he would act corruptly on her behalf.

It was referred to the IOPC and the IOPC determined it should be investigated locally.

The triage team rang Maria and explained her rights as a complainant. She agreed that she wanted it to be dealt with as a complaint. PSD located the officer and discovered through auditing his police national computer (PNC) data that he had been conducting checks on multiple women in the area.

The officer said that he was entitled to a private life and that he only contacted the women when he was off duty. He accepted that he shouldn't have looked them up on the PNC but he said it wasn't an abuse of position because he was not actually in a relationship and that he couldn't actually get rid of fixed penalty notices.

**Ask yourself**

When identifying an abuse of position for a sexual purpose, are you aware of the full definition?

- Abuse of position can occur off duty
- An attempt to abuse their position for either sexual purposes or in pursuit of an improper emotional relationship is sufficient
- The attempt does not have to be successful

2. ACTS OF POLICE PERPETRATED VAWG

Investigation thresholds and practices – complaint and complainant

Where a complaint has been recorded but has not been referred, the appropriate authority must then decide whether to handle the complaint by investigation or otherwise than by investigation (OTBI).

Matters which must be investigated are considered in detail in the first section [here](#).

Most of the behaviour described in the IOPC's definition of VAWG would, if proved, meet the criteria set out in 10.6 of the IOPC's [Statutory Guidance](#). This refers to there being an indication that a person serving with the police may have committed a criminal offence.

As allegations of domestic abuse could at the very least amount to the criminal offence of controlling and coercive behaviour, the IOPC considers that allegations of police perpetrated coercive and controlling behaviour and all forms of domestic abuse would need to be investigated.

Where there is no indication of a criminal offence in the reported conduct, the appropriate authority should consider whether the behaviour would justify the bringing of disciplinary proceedings. They should also consider if there has been an infringement of the victim-survivor's Article 3 rights in VAWG cases that don't include domestic abuse. For this threshold, the Statutory Guidance defines disciplinary proceedings as any proceedings under the Police (Conduct) Regulations 2020, excepting the Reflective Practice Review Process. In practice, this amounts to conduct which, if proved, would justify a written warning as a minimum.

The question of whether or not there is an indication of a criminal offence can be determined on the basis of readily available evidence – not by taking investigative steps.

CASE STUDY 10

Applying the investigation test

Emily was arrested during a large-scale demonstration. She reported to a female officer that one of the male officers had deliberately squeezed her breasts during the arrest.

The officer reported the disclosure to PSD. The appropriate authority was able to view the body worn video from the arrest and could clearly see Emily's front throughout. She was visible from the moment she was approached by officers beyond the point that she made the report to the female officer.

The appropriate authority did not refer the matter to the IOPC and decided that the matter could be dealt with otherwise than by investigation. Emily watched the footage with a female officer and was debriefed about the events leading up to her arrest.

The appropriate authority was correct to consider the footage as part of the indication test. The appropriate authority was not correct in deciding to not refer the matter to the IOPC on the basis that the body worn video disproved the reported events.

It should have been referred, along with the body worn video and the IOPC would have determined the mode of investigation.

2. ACTS OF POLICE PERPETRATED VAWG

Investigation thresholds and practices – conduct and interested person

Where the appropriate authority decides to pursue a conduct investigation, in circumstances where a victim-survivor has made the informed decision to not pursue a complaint, or where allegations are made by a police officer who cannot be a complainant, the victim-survivor in these circumstances should be made an 'interested person' in respect of the conduct investigation. The Centre for Women's Justice [super-complaint](#) into police perpetrated domestic abuse showed that interested person status was not always extended to victim-survivors.

Special Procedures

Where a recordable conduct matter is investigated under Schedule 3, it must follow special procedures.

The requirements of a special procedures investigation are set out in Chapter 13 of the IOPC's [Statutory Guidance](#) and should be considered separately.

How to treat an interested person?

In recordable conduct investigations, and investigations where there is a police victim-survivor who cannot make a police complaint,

the normal rights and privileges of a complainant are not in place.

Rather, the victim-survivors should be treated as an interested person. If they have suffered a serious injury, they **must** be treated as an interested person. If not, then they **should** be considered to be a person who has an interest in the handling of the recordable conduct matter, sufficient to make it appropriate for information to be provided to them.

It is important to note that a person cannot be considered an interested person unless they consent to receiving the information. If the person does not want to be involved in or does not want to hear about the process, that is their right, but they should be informed that they are able to change their mind if they wish.

An interested person must receive regular and meaningful updates no less frequent than every four weeks. This is in addition to the requirements to keep them updated on the criminal investigation, if there is one taking place at the same time.

Police victim

Police victim-survivors should not be expected to engage with their criminal case in a professional capacity. They should be given updates and support equal to a member of the public. Additionally, the police victim-survivor should be reassured that their information is subject to the strictest confidentiality.

PSDs should refer to the [IOPC's report on PPDA](#) for good practice and calls to action, particularly in the executive summary.

PSDs should also be aware of the risk that the perpetrator may abuse existing relationships or use the workplace to further manipulate the victim-survivor, or undermine, bully or harass them.

2. ACTS OF POLICE PERPETRATED VAWG

When a conduct matter becomes a complaint

Where a victim-survivor has chosen to not make a complaint, and a conduct matter is being investigated, there is a possibility that the victim-survivor may choose to make a complaint at a later time. This is their right and could happen at any point during the conduct investigation, or after.

A conduct matter is a matter which has not been complained about. When a complaint is made, the conduct matter should be converted into a complaint investigation.

The complaint should be quickly assessed and recorded and, if required, referred to the IOPC.

If the conduct investigation has progressed significantly, then the conduct investigation will form the basis for the complaint investigation. The complaint may add new allegations which generate new lines of enquiry and change the overall terms of reference. If the victim-survivor had previously not been an interested party, because they didn't feel able to engage, they will need to be updated on the investigation to date.

Considerations for investigators

The investigating officer should ensure that they are in touch with any support workers supporting the victim-survivor, with their consent. There should be an agreed plan for updating victim-survivors on the progress of the investigation and the outcome of both the criminal investigation and also any concurrent complaint or recordable conduct investigation.

Investigating officers should take care that when they are drafting their documents, they are clear that they avoid victim blaming language. They should not, for example, quote an officer's account of their behaviour with language suggesting that their version of events is the correct version and the victim-survivor's is an 'alleged' version of events.

Investigating officers should be mindful that victim-survivors may read the words which have been written about them, which could be weighing up their credibility and deciding upon the validity of their experiences. Impartiality is imperative and investigating officers should avoid even the appearance of conflicts of interest.

For more tips, please refer to the calls to action contained in the [IOPC's report on PPDA](#).

2. ACTS OF POLICE PERPETRATED VAWG

Quick Guide – Police perpetrated violence against women and girls

S

Safeguard

Is the victim-survivor and their family safe?

O

Orders

Are there any applicable protection orders?

S

Support

Have you signposted to support services?

Initial contact

- Contact every victim-survivor and give them enough information to decide how they want to proceed: either as an interested party; or as a complainant; or neither.
- Discuss with them what the potential outcomes could possibly be and how the criminal and complaint/conduct cases will overlap.
- Explain how you record conflicts of interest and give the victim-survivor a chance to explore their concerns, if they have any.

Police victim-survivors should be given the same level of support and further:

- Should have a conversation with PSD about how PSD will protect the confidentiality of their report.
- Should have access to independent support services.
- Should be safeguarded in the workplace as much as is possible.

Initial handling – complaints

- All police perpetrated VAWG complaints should be logged and recorded because they contain an allegation of criminality.

Initial handling – conduct

- Treat the victim-survivor as an interested person if they wish.
- Police perpetrated VAWG as defined in this document would meet the test for recordable conduct.

Thresholds and contact - complaints

- Police perpetrated VAWG as defined by this document would, if proved, amount to a criminal offence and should be investigated.
- The victim-survivor or their chosen advocate must receive regular and meaningful updates no less frequently than every four weeks.

Thresholds and contact – conduct

- Where a recordable conduct matter is investigated under Schedule 3, it must follow special procedures.
- An interested person must receive regular and meaningful updates no less frequently than every four weeks.

Annex A: Ending Victim blaming Guidance

Victim blaming

is defined as:

‘the transference of blame from the perpetrator of a crime to the victim-survivor, who is held entirely or partially to blame for the harm they suffered’.

When victim-survivors are blamed, and this goes unchallenged, it can increase barriers to leaving an abuser, seeking help, and reporting violence against women and girls to the IOPC and the police, owing to a lack of trust and confidence in reports being taken seriously.

Do...



Use **neutral language** when describing a victim-survivor's account of violence against women and girls.



Think about your **body language** and any gestures you make - do they make the victim-survivor feel safe?



Be aware of the impact that **trauma** may have on the presentation of victim-survivors.



Think particularly carefully about how you **structure questions**.



Establish **who holds the power and control**, and be mindful of how this can vary between different groups or communities.



Consider that a victim-survivor may rely on **survival strategies** to manage the perpetrator's behaviour.



Take all violence against women and girls reports **seriously**, regardless of the age of the perpetrator or victim-survivor.

Don't...



Don't **make assumptions** about a victim-survivor's **mental health**, or 'pathologise' their behaviour.



Don't blame a victim-survivor for what happened to them when they have taken **alcohol or ingested substances**.



Don't '**minimise**' abuse.



Don't '**mutualise**' abuse.



Don't make assumptions about the needs of victim-survivors of violence against women and girls who are also **police officers or staff**.

Remember...



Use '**active**' rather than '**passive**' voice when talking about victim-survivors of violence against women and girls.



Some victim-survivors **may blame themselves**, or minimise their experiences of violence against women and girls.



Make reasonable adjustments for victim-survivors, and ensure that information is accessible.



Any 'choices' a victim-survivor makes are often made in **compromised circumstances**.

Annex B: Definitions

Abuse of position for a sexual purpose

The NPCC defines abuse of position for a sexual purpose as:

“...any behaviour by a police officer or police staff member (including volunteers or staff contracted into police roles), whether on or off duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public.

A member of the public does not have to be vulnerable for the definition of abuse of position for a sexual purpose to be made out. However, the vulnerability of the member of the public may be an aggravating factor.

This includes: committing a sexual act, initiating sexual contact with, or responding to any perceived sexually motivated behaviour from another person; entering into any communication that could be perceived as sexually motivated or lewd; or for any other sexual purpose.”

Violence against women and girls

The Home Office definition of violence against women and girls is:

“The term ‘violence against women and girls’ refers to acts of violence or abuse that we know disproportionately affect women and girls. Crimes and behaviour covered by this term include rape and other sexual offences, domestic abuse, stalking, ‘honour’-based abuse (including female genital mutilation, forced marriage, and ‘honour’ killings), as well as many others, including offences committed online.”

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Get in touch

This guidance was published by the Independent Office of Police Conduct (IOPC) in Month 2025, and was correct at the time of publication.

Contact the IOPC for further advice, or if you need a copy of this issue in another language or format.

We welcome correspondence in Welsh. We will respond to you in Welsh and that this will not lead to delay.

*Rydym yn croesawu gohebiaeth yn Gymr aeg.
Byddwn yn ymateb i chi yn Gymraeg ac na fydd hyn yn
arwain at oedi.*



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