

Serious Case Review to Domestic Violence Homicide Review

Supporting Victims of Domestic Violence
Seminar

Coordinated Community And Criminal Justice Response
From UK to HK

Ms. Anna Choi
Shelter Supervisor, Harmony House
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Serious Case Reviews — child abused case

- Under the Children Act 1989
- According to 'Working Together to Safeguard Children' (1999) by Department of Health, Home Office, Department for Education and Employment:
 - agencies should consider whether there are any lessons to be learned from the tragedy about the ways in which they work together to safeguard children
 - The ACPC should always conduct a review into the involvement with the child and family of agencies and professionals'

The Purpose of Reviews

- Establish whether there are lessons to be learned from the case about the way in which local professionals and agencies work together to safeguard children;
- Identify clearly what those lessons are, how they will be acted upon, and what is expected to change as a result; and as a consequence, and
- To improve inter-agency working and better safeguard children
- Case reviews are not enquiries into how a child died or who is culpable; that is a matter for Coroners and Criminal Courts respectively to determine, as appropriate.

Area Child Protection Committees (ACPC)

- The ACPC is an inter-agency forum for agreeing how the different services and professional groups should co-operate to safeguard children in that area and for making sure that arrangements work
- Membership should be determined locally, but should include as a minimum representation from:
 - Local authorities (education and social services);
 - Health services
 - The police;
 - The probation service
 - The domestic violence forum (when active in the area)
 - The armed services

When should an ACPC undertake a case review?

- An ACPC should always undertake a case review when a child dies (including death by suicide), and abuse or neglect is known or suspected to be a factor in the child's death
- An ACPC should always consider whether to undertake a case review where a child has sustained a potentially life-threatening injury through abuse or neglect, serious sexual abuse.....
- Any agency or professional may refer such a case to the ACPC Chair if it is believed that there are important lessons for inter-agency working to be learned from the case.
- The Secretary of State for Health has powers to demand an inquiry be held into the exercise of social services functions under s. 81 of the Children Act 1989

Does the Case Meet Case Review Criteria?

- The ACPC should first decide whether or not a case should be the subject of a case review, applying the criteria
- The ACPC should establish a Serious Cases Review Panel involving as minimum social services, health, education and the police to consider whether a case review should take place
- Local authorities should always inform the Department of Health of every case that becomes the subject of a case review.

Case Review - Timing

- Within one month of a case coming to the attention of the ACPC Chair, there should be a Review Panel discussion to advise on whether a review should take place and subsequently to draw up terms of reference.
- Reviews should be completed within further four months...
- In some cases, criminal proceedings may follow the death or serious injury of a child. Those co-ordinating the review should discuss with the relevant criminal justice agencies how the review process....

Case Review - Reports

- An Overview Report –
 - brings together and analyses the findings of the various reports from agencies and others, and which makes recommendations for future action
- Management reviews –
 - look openly and critically at individual and organisational practice to see whether the case indicates that changes could and should be made, and if so, to identify how those changes will be brought about
 - A process for feedback and de-briefing for staff involved and also follow-up feedback session would be provided if needed

Victoria Climbié

- Victoria Climbié's tragic death on 25 February 2000
- Victoria died in the intensive care unit at St. Mary's Hospital Paddington. She was eight years and three months old.
- She died as a result of months of appalling ill-treatment at the hands of two individuals who were supposed to be caring for her.
- The death of Victoria Climbié raised the awareness of the Government and the public on the domestic violence.
- The Report of the Victoria Climbié Inquiry was published on 28 January 2003.

Domestic Violence Homicide Reviews

- In the 2002, 'Justice for All' White Paper, the domestic violence proposals was issued.
 - The UK Government is determined to prevent domestic violence happening or recurring, and to protect and support all victims of domestic violence
- In January 2003, the report of the Victoria Climbié Inquiry was conducted
- In June 2003, 'Safety and Justice, the Government's Proposals on Domestic Violence' was published
 - a consultation paper outlines the proposals to help prevent domestic violence, improve support and protection for victims and bring more perpetrators of this insidious crime to justice

'Safety and Justice' – Domestic Violence Homicide Reviews

- 'Safety and Justice', the Government's Proposals on Domestic Violence (June 2003)
 - Multi-agency homicide reviews -
 - it is important to learn as much as possible from domestic violence homicides, to understand
 - where systems failed,
 - why the involvement of agencies or professionals did not lead to effective intervention, and
 - what can be done to put the system right and
 - avoid future deaths.

'Safety and Justice' – Multi-agency Homicide Reviews

- Several agencies have already taken the initiative in this area.
 - For the last eighteen months, the Metropolitan Police, working in conjunction with other agencies, have carried out reviews of every domestic violence homicide in London, while the Crown Prosecution Service has led a number of similar reviews outside London
- The Government proposes to take a statutory power to establish multi-agency reviews for domestic violence homicides.

Domestic Violence, Crime and Victims Bill (1 Dec 2003)

- Aims to increase the rights of victims and witnesses, ensuring they receive the help, support and protection they need.
 - Domestic Homicide reviews
 - ‘A review of the circumstances in which a person aged 16 or over has died as a result of violence, abuse or neglect from –
 - a) a person to whom he was related or with whom he was or had been in an intimate personal relationship
 - b) a member of the same household as himself,
- held with a view to identifying the lessons to be learnt from the death.

Domestic Homicide Reviews – DVCV Bill

- These will be an opportunity for local agencies who were, or should have been involved in a case to learn lessons for the future.
- Domestic homicide reviews are based on and designed to complement Serious Case Reviews of suspicious child deaths
- The Bill imposes a duty on certain named agencies (police, local authorities, health bodies, etc) to have regard to the guidance the Secretary of State will issue

Domestic Violence Homicide Reviews – DVCV Bill

- The Bill also gives the Secretary of State the power to amend the list of bodies with a duty to have regard to the guidance, and a reserve power to direct any of those bodies to establish or participate in a review.
 - ‘The Secretary of State may in a particular case direct a specified person or body to establish, or to participate in, a domestic homicide review.’
- The Bill is currently going through Parliament

The End

Thanks