

Domestic Homicide Review

**Portsmouth Community Safety
Partnership**

**Report into the homicide of Lee
January 2021**

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Preface

The Independent Chair and the Panel members of this Domestic Homicide Review (DHR) offer their deepest sympathy to all who have been affected by the death of Lee and thank all those who have contributed to the deliberations of the Review, for their participation, generosity of spirit and patience.

The Chair also thanks the Panel members for the professional manner in which they have conducted the Review and the Individual Management Review (IMR) authors for their thoroughness, honesty and transparency in reviewing the conduct of their individual agencies.

1. Introduction

1.1 Domestic Homicide Reviews (DHRs) came into statute on the 13th April 2011. They were established on a statutory basis under Section 9 of the Domestic Violence, Crime and Victims Act (2004). The Act states that a DHR should be a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by:

- a) A person to whom she was related or with whom she was or had been in an intimate relationship, or;
- b) A member of the same household as herself;

With a view to identifying the lessons to be learnt from the death.

1.2 The purpose of a DHR is to:

- Establish what lessons are to be learned from the domestic homicide regarding the way in which local professionals and organisations work individually and together to safeguard victims.
- Identify clearly what those lessons are both within and between agencies, how and within what timescales they will be acted on, and what is expected to change as a result.
- Apply these lessons to service responses including changes to policies and procedures as appropriate; and identify what needs to change in order to reduce the risk of such tragedies happening in the future to prevent domestic homicide and improve service responses for all domestic violence victims and their children through improved intra- and inter-agency working.

1.3 This DHR examines the circumstances leading up to the death of Lee in January 2021. Lee was killed by his brother Ivan. Ivan was sentenced to 6.5 years for Manslaughter on 16th July 2021.

- 1.4 This review, as commissioned by Portsmouth Community Safety Partnership, considers the involvement and actions of the different agencies with Lee and Ivan since 29th September 2018. In addition, the review also examines past events to identify any relevant background or trail of abuse before the homicide, whether support was accessed within the community and whether there were any barriers to accessing support. By taking this holistic approach, the review seeks to identify appropriate solutions to make the future safer.

2. Timescales

- 2.1 The decision to undertake a DHR was made by the Portsmouth Community Safety Partnership in consultation with local specialists on 3rd February 2021. The Home Office was informed of this decision on 4th February 2021. An Independent Chair for the Review was then appointed at the first panel meeting on 11th March 2021. IMRs were requested by 8th May 2021 but the DHR process was then suspended pending the trial of Ivan since the information in the IMRs may have been used in the trial. IMRs were requested again on 20th July 2021 to be returned by 25th August 2021. Agencies were advised to implement any learning arising from these as soon as possible. Six meetings of the Panel were held between March 2021 and February 2023. Panel meetings were arranged in this way to enable members of the Panel also participating in other ongoing DHRs to be able to dedicate their time to all Reviews. There was a professionals reflective meeting in June 2022.
- 2.2 This DHR focuses on the period from 29th September 2018, the first report of domestic abuse involving Lee and Ivan, to January 2021, the date of Lee's death.
- 2.3 This Overview Report and its Executive Summary were presented to the Portsmouth Community Safety Partnership on 21st March 2023, which is responsible for ensuring learning from DHRs is disseminated at a county-wide level. The contents of this DHR were then submitted to the Home Office on 22nd March 2023.

3. Confidentiality

- 3.1 The findings of this review are confidential. Information is only available to participating professionals and their line managers until the Review has been approved for publication by the Home Office Quality Assurance Panel.
- 3.2 As recommended within the [Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews \(2016\)](#), pseudonyms have been agreed for those involved, to ensure their identities are protected. These pseudonyms were agreed with the family of the victims.
- 3.3 The table below shows the age at the time of Lee's death, the ethnicity and gender of the victim, perpetrator and family members who appear prominently in this review and their allocated pseudonyms.

	Pseudonym	Age	Ethnicity	Gender
Victim	Lee	26 years old	White British	Male
Perpetrator	Ivan	23 years old	White British	Male
Mother	Rita	N/A	White British	Female
Grandmother	Alice	N/A	White British	Female
Sister	Jane	N/A	White British	Female

4. Terms of reference

4.1 The Review Panel agreed that the purpose of the review was to be specific in relation to patterns of domestic abuse and/or coercive control, and was to explore:

4.2 Awareness of and response to domestic violence and abuse and coercive control

4.3 Was there any indication or escalation of the risk of domestic violence and abuse and were these indicators recognised and responded to? Were Lee and Ivan open to MAPPA, MARAC any programmes or interventions for reducing the risk of domestic violence and abuse?

4.4 Were any domestic violence and abuse tools such as DASH, DVPN, Right To Know and Right To Ask (Clare's Law) and were any ancillary orders considered or used and if so, how effective were these assessed to have been at the time

4.5 Were there any opportunities for professionals to routinely enquire as to any domestic abuse experienced by Lee and Ivan that were missed?

4.6 Were staff working with Lee and Ivan confident about what service provision is available for victims or perpetrators of domestic violence and abuse locally?

4.7 Were there any barriers to providing or seeking support with domestic violence and abuse? What were they? How might these be overcome?

4.8 Information sharing and multi-agency working

4.9 Was there any collaboration and coordination between any agencies in working with Lee and Ivan individually and as a family (and with any children) and comment on its effectiveness.

4.10 Health and social care needs

4.11 Were there any causal or consequential links between any unmet social care needs or mental health problems/ drug use/ alcohol use/ gambling and domestic violence and abuse?

4.12 Were there any recent changes in Lee's or Ivan's mental health and well-being that may have affected their behaviour?

4.13 Individual and family factors

4.14 Were there any cultural perceptions, beliefs or stereotypes, equality and diversity or deprivation factors that may have influenced how agencies engaged with Lee and Ivan or how they assessed risk? How effectively was professional curiosity practiced?

4.15 **Organisational factors**

4.16 Did the context (i.e. demand management, response to Covid-19 etc) in which each agency was working at the time with Lee, Ivan or their family have any impact of the type of interventions made and on their effectiveness?

4.17 **Learning and practice development**

4.18 What lessons can be learnt in respect of domestic violence and abuse and/or coercive control, how it can affect adults, children and young people and how agencies should respond to any impact?

4.19 Are there any training or awareness raising requirements for professionals or victims of domestic violence and abuse that are necessary to ensure a greater knowledge and understanding of the services available?

5. **Methodology**

5.1 The decision to undertake a DHR was made by the Chair of the Portsmouth Community Safety Partnership. A Chair and Overview Report Writer was appointed on 11th March 2021. A DHR Panel was formed with representation from organisations that had worked directly with Lee and Ivan and from organisations who could provide specialist input and advice for the review, especially in the area of domestic abuse.

5.2 The Review involved the analysis of a combined and annotated multi-agency chronology of involvement, IMRs (Independent Management Reviews conducted by managers in the relevant agencies but who were not personally directly involved in the case) and questions for professionals. A practice learning event was held to engage front line practitioners and first line managers who had contact with, or made decisions about, Lee, Ivan or their wider family and to explore key events and themes with them. The findings from this event have been incorporated in the DHR report.

5.3 Due to ongoing COVID-19 restrictions, all meetings were held virtually. These restrictions, their impact on the capacity of the participating organisations and the suspension of the DHR to allow for the criminal justice process to be completed led to the review taking more than six months to complete.

6. **Involvement of family and friends**

6.1 Lee and Ivan's family were supported by a Homicide Case Worker from Victim Support. They were informed of the commencement of the DHR and invited to participate in

whichever way would be most comfortable for them. The process of the review and options to engage with it were explained by a worker who had a close relationship with them, but Lee and Ivan's family did not want to participate in or discuss the review.

6.2 The Portsmouth City Council Head of Harm and Exploitation and the DHR author wrote to Ivan in prison on 9th November 2021, to invite him to contribute to the review. No reply was received.

6.3 Sadly, Rita died before the review was completed.

6.4 In light of the panel's unsuccessful attempts to engage with the family, a community representative was approached but was unable to identify any friends of the family who would provide information for the review.

7. Contributors to the Review

7.1 **List the agencies and other contributors to the review and the nature of their contribution.**

AGENCY	CONTRIBUTION(S)
Portsmouth IDVA Project	• Individual Management Review • Chronology
Portsmouth Children and Families Services	• Individual Management Review • Chronology
National Probation Service	• Individual Management Review • Chronology
Stop Domestic Abuse	• Individual Management Review • Chronology
North Harbour Medical Group	• Individual Management Review • Chronology
Society of St James	• Individual Management Review • Chronology
Hampshire Police	• Individual Management Review • Chronology
Portsmouth City Council Housing Services	• Individual Management Review • Chronology
Hampshire & Isle of Wight Fire & Rescue Service	• Individual Management Review • Chronology
GP North Harbour Medical Group	• Chronology

7.2 The GP provided a chronology for both Lee and Ivan but because of limited contact did not provide an IMR. This does not support the effectiveness of the DHR process. The Community Safety Partnership and the ICB is aware of the need to explore domestic abuse in GP contacts but also of the difficulties experienced by GPs in

providing information. The ICB has recruited a named GP for Safeguarding Adults who will work with the designated nurse for adult safeguarding to support GPs to complete chronologies and IMRs. The ICB also provided training to 90 GPs on the DHR process in 2023.

8. The Review Panel Members

8.1 The DHR panel, which met six times, consisted of the following members.

Organisation	Name
Portsmouth IDVA Project, Portsmouth City Council	Sayma Begum
Interim Head of Service Safeguarding and Q A, Portsmouth Children and Families Services	Sarah Alexander
Head of Portsmouth and Isle of Wight, National Probation Service	Sarah Beattie
Operations Director, Stop Domestic Abuse	Czarina Jacobs
GP, North Harbour Medical Group	Dr Prithipal Chhabda
Operations Director, Society of St James	Mike Taylor
Serious Case Reviewer, Hampshire Constabulary	Bryan Carter
Head of Local Authority Housing, Portsmouth City Council Housing Services	Mark Fitch
Group Commander, Hampshire & Isle of Wight Fire & Rescue Service	Andy Weeks
CEO, Hampton Trust	Chantal Hughes
Head of Safeguarding, Portsmouth Integrated Care Board	Sarah Shore

9. Author of the Overview Report

9.1 The Chair and Author of this report, Patrick Hopkinson, is an independent adult safeguarding consultant, a Safeguarding Adults Review author, a Chair and author of Domestic Homicide Reviews and the author or a learning lessons review of spiritual abuse.

9.2 Patrick Hopkinson is experienced in adult safeguarding and provides training, consultancy and service development services nationwide for the statutory and voluntary sectors. He was the Head of Adult Safeguarding for a London Borough, contributed to regional and national policy development and was the adult social services strategy lead on Violence Against Women and Girls (VAWG).

9.3 Patrick is an Associate of the Local Government Association and of Partners in Care and Health. Patrick lectured, and supervised research, at the Institute of Psychiatry,

Psychology and Neuroscience, Kings College London. Patrick holds degrees, diplomas and certificates in psychology and in management and is a Member of the British Psychological Society and a Fellow of the Royal Society of Medicine. Patrick is the author of a number of professional and academic journal articles and book chapters.

9.4 Patrick Hopkinson has no link with any of the organisations involved in this DHR.

10. **Parallel Reviews**

10.1 Hampshire Constabulary completed a criminal investigation. The Chair is not aware that any other agency has conducted a review or investigation into the death of Lee.

11. **Equality and Diversity**

11.1 It is important to consider the individual needs of Lee and Ivan with the ten protected characteristics, as defined in Section 4 of the Equality Act 2010, in mind. This includes examining barriers to accessing services in addition to wider considerations as to whether service delivery was impacted upon.

11.2 Section 149 of the Equality Act (2010) introduced a public sector duty, which is incumbent upon all organisations participating in this review, to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.3 The Review gave due consideration to all ten of the protected characteristics under the Equality Act, which are: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11.4 Section 6 of the Act defines 'disability' as:

(1) A person (P) has a disability if –

- (a) P has a physical or mental impairment, and
- (b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities

11.5 Did Lee and Ivan meet any of these criteria and how?

11.6 Lee was a 26-year-old white British man whose first language was English. Lee did not have any known overt religious beliefs or affiliations. There are no references to Lee having children. Lee had mental health difficulties, he was treated for depression and a skin condition by his GP, and drug and alcohol problems.

11.7 This review is of the homicide of a man, Lee, by another man, Ivan. Lee and Ivan were brothers. Consequently, this review considers fratricide (the homicide of a sibling). Domestic abuse, and domestic homicide more specifically, is frequently regarded as gendered: women are more likely to be the victims of domestic violence and abuse than men are, men are more likely to be the perpetrators of domestic abuse than women are. However, the definition of domestic abuse and domestic homicide includes familial abuse and homicide.

11.8 Lee was killed by his brother Ivan. Ivan is a white British man who was 24 years old at the time. Ivan did not have any known overt religious beliefs or affiliations. Ivan had two children. He was also known to have mental health difficulties, in the form of depression and low mood, although this does not appear to have been formally diagnosed and treated.

11.9 There is no evidence that Lee and Ivan were directly or indirectly discriminated against by any agency based on the nine protected characteristics under the Equality Act 2010. It is likely, however, that Lee and Ivan's mental health difficulties might have increased the risk of domestic violence and abuse between them (and in their family) and might have decreased awareness and recognition of it by agencies whilst at the same time increasing barriers to receiving support.

11.10 Barriers faced by men in the recognition and reporting of domestic abuse.

11.11 Domestic abuse has often been conceived as a gendered based crime perpetrated by men against women. There is evidence (for example, Cook, 2009) that male victims of domestic abuse have often been overlooked and this has created barriers to men reporting domestic abuse. Men have reported not being believed and being ridiculed when they report domestic abuse. This includes being mocked, victim-blamed and re-victimised by being held responsible for the abuse they have experienced (Bates, 2020; Hines et al, 2007). Hine et al (2022) identified that these barriers exist on several levels. These include personal barriers built on self and societal perceptions of masculinity and the male gender role. Examples are being made to "feel less of a man" or that "asking for help is a weakness" (Magliaccio, 2001, p. 213). They also include systemic barriers in how domestic abuse services are not available, or do not appear available, for men (Hine et al, 2022; Huntley et al, 2019). Domestic abuse services may appear gendered themselves, focusing on female rather than male victims of abuse.

11.12 These studies have focused on the domestic abuse of men by female intimate partners. Men who experience abuse from male and/ or female non-intimate partner

relatives may face further barriers, although these do not appear to have been the subject of significant academic study and analysis.

- 11.13 There is further complication when there is bidirectional or even multi-directional abuse and violence between family members (Langhinrichsen-Rohling et al., 2012). Many models of domestic abuse intervention rely on the identification of unidirectional abuse and where this is not apparent, practitioners are exhorted to look harder (see for example, <https://www.thehotline.org/resources/mutual-abuse-its-not-real/or> <https://www.domesticshelters.org/articles/identifying-abuse/is-mutual-abuse-real>). This can hamper the recognition by services of the existence of multi-directional abuse and also of multi-directional abuse as domestic abuse. It is likely that this uncertainty will affect the recognition of domestic abuse by those who experience it or other members of their family. This may have predictable consequences for help-seeking and disclosure. There may also be a parsimonious understanding of *domestic abuse* in this context as *non-domestic abuse* or simply as *abuse* since it does not appear to be underlined by the presence of coercion and control or the exercise of power. The location of power or the practice of coercive and controlling behaviours may also shift between members of the relationship depending on circumstances and context.
- 11.14 The responses to domestic abuse tend to use the model of separation between victim and perpetrator and the identification of the exercise of coercion and control, even if there is growing attention to interventions to support both victims and perpetrators (for example <https://hamptontrust.org.uk/why-we-need-to-engage-with-domestic-abuse-perpetrators/>). Despite this, these operating models can struggle to work with people who are both victims and perpetrators of domestic abuse and especially if they are not in intimate partner relationships.
- 11.15 In summary, men face barriers in accepting and reporting that they are the victims of domestic abuse and in accessing support. Similarly, services also face barriers in accepting and supporting male victims of domestic abuse. These barriers may be increased when the abuse takes place outside of non-intimate partner relationships and when the abuse is not uni-directional. It is likely that existing operating models will need to be adapted, or new models created, to recognise and respond to the needs of people in multi-directional non-intimate partner abusive relationships.
- 11.16 The Chair of this DHR recognises the impact that the contents of this review, some of the terminology used and concepts explored may have on Lee and Ivan's family and friends. As with all DHRs, this review considers a family tragedy and focuses on the actions of different agencies in response to risk factors. By doing so it in no way is intended to minimise the personal loss suffered by family and friends.
- 11.17 The Chair acknowledges that many families that experience domestic abuse are in great distress. Domestic abuse may have a causal and sustaining role in mental and physical health needs or substance use. It has been known for some time that that the risk, and experience of domestic abuse should be explored during contacts with mental health, physical health and social care services. Similarly, the impact of mental

health needs and substance use on offending should be explored in criminal justice contacts.

- 11.18 This should prompt consideration of needs and how they can be met to and referral to other appropriate services, such as liaison and diversion, for support.

12. Dissemination

- 12.1 All Portsmouth Community Safety Partnership members received copies of the report.

13. Background information (the facts)

13.1 Where the victim lived and where the homicide took place

- 13.2 Lee lived at several addresses in the Portsmouth area, sometimes with a partner or in Fareham upon his release from prison. Lee appears to have lived with his father in 2020, whom he threatened to assault on 21st September 2020 and also with his brother Ivan, but otherwise did not live with his family members.

- 13.3 The homicide took place in January 2021 outside a block of flats in Portsmouth where it appears that neither Lee nor Ivan lived.

13.4 Members of the family and household

- 13.5 Lee had an adult brother, Ivan. During the time covered by this review, their main contact was with Hampshire Police and the Probation Service. They had limited contact with specialist domestic abuse services.

- 13.6 Neither Lee nor Ivan appear to have been in secure employment, and both appear to have gained money through criminality.

- 13.7 Ivan had two young children.

- 13.8 Lee and Ivan's mother, Rita, had three younger children. Rita did not live with Lee and Ivan's father but had a partner.

- 13.9 Lee and Ivan had a younger sister, referred to in this report as Jane, who was sometimes present with Rita, and had a young child.

- 13.10 Lee and Ivan had a grandmother, Alice, with whom they were in contact.

- 13.11 Lee and Ivan's family had been known to numerous agencies for many years but during the time period covered by this review, their main contact was with Hampshire Police and PCSC (Portsmouth Children's Social Care).

- 13.12 Lee and Ivan's family were described by practitioners who tried to work with them as chaotic with mental health difficulties and who used alcohol to excess. PCSC and

Hampshire Police were involved in child protection work. The wider family dynamics will be expanded on as relevant in this report.

14. Chronology

14.1 Events preceding the homicides

- 14.2 In 2018, Lee had been sentenced to prison for 16 months for stalking/harassment, assault, resisting arrest, obstructing a constable and the commission of an offence whilst subject to a Suspended Sentence Order. A pattern of arrest for similar offences and breaching conditions continued through to 2020. Lee was registered as a category 2, level 1 MAPPA offender¹.
- 14.3 Ivan was arrested on 29th September 2018 on suspicion of two accounts of actual bodily harm to his mother, Rita and her ex-partner following an argument with her about Lee. Ivan claimed that he had been assaulted by his mother and had acted in fear of further immediate violence. He also claimed that he had been assaulted by his mother's partner. No further police action was taken due to unwillingness of the parties involved to engage with the police.
- 14.4 There were two further incidents between Ivan and Rita on 27th December 2018. The police were called by Jane to a verbal domestic dispute between them in the early morning. Both had been drinking but no offences were disclosed. Less than an hour later, the police were called back by Jane. Ivan told the police officers that Rita had stabbed him in the leg but Jane said that Ivan had punched their mother in the head several times and then stabbed himself in the leg, claiming that Rita had stabbed him in order to get back at her. Ivan was arrested on suspicion of Actual Bodily Harm and criminal damage and released under investigation, but Rita later told the police that she would not support a police prosecution.
- 14.5 Lee was released from prison on 18th April 2019 to probation approved premises in Fareham but was recalled to prison on 20th April 2019 and arrested on 28th April 2019 for failing to reside there. He claimed that he had to visit his grandmother, Alice, after she had fallen. Rita denied that Alice had fallen. Lee had also failed to attend a probation appointment. Lee was released from prison on 24th May 2019 to the same address in Fareham and was recalled again on 6th July and arrested on 8th July for failing to reside in approved premises. Lee was released again on 27th November 2019. Lee was subject to Post Sentence supervision until 26th April 2020.
- 14.6 On 26th December 2019, Ivan reported that he had been assaulted by his partner, who was pregnant. No further action was taken due to lack of evidence and the unwillingness of Ivan's partner to engage with the police.

¹ Category 2, Level 1 MAPPA: an offender who has been convicted of a violent, sexual or terrorism offence, sentenced for 12 months or more and is under with ordinary agency management).

- 14.7 On 26th January 2020, Lee reported to the police that he had been assaulted by his ex-partner and had asked Ivan to telephone the police. No injuries were caused. Lee's ex-partner voluntarily attended the police station on 28th January 2020, was interviewed and denied the allegation saying that Lee had been in unwanted contact with her. The police attempted but failed to contact Lee to advise him that contact with his ex-partner was unwelcome. A decision of no further action was taken since Lee's ex-partner would not support formal police action and Lee had made no further attempts to contact her.
- 14.8 Lee's ex-partner told the police on 29th January 2020 that Lee was using crack cocaine.
- 14.9 On 29th February 2020, Rita reported that Lee had taken her bank card and had withdrawn £1,200. This was reported to and investigated by the bank. Rita would not support a police prosecution. Rita told the police that Lee had left prison with a crack cocaine addiction and that she suspected that he had a drug debt to repay. On the same day, Ivan was reported to have been stabbed in the chest by a drug dealer whilst he and Lee were trying to rob them. Ivan required an emergency blood transfusion and sustained an injury to the heart requiring surgery.
- 14.10 On 4th March 2020, Lee was arrested and bailed for criminal damage. Lee asked to be arrested and told the police that he wanted to return to custody because he had nowhere to live but on 5th March 2020, the police noted that Lee wanted to return to prison because he could earn money dealing in drugs there.
- 14.11 On 7th March 2020 Ivan reported a verbal argument between Rita and Jane, to the police. Lee was also present. No offences were disclosed but all parties had been drinking alcohol. Half-an-hour later, the cousin of Rita's partner contacted the police to report that Lee had damaged his car and had smashed a glass panel in the back door of his house. Police declined to attend as there were no witnesses. As a result, CCTV was installed. That evening, the cousin of Rita's partner contacted the police to report that he had captured Lee damaging his fence on the CCTV. He had sent text messages to Rita asking Lee to stop but had received abusive messages back since Lee was using the telephone. Lee was arrested and made no comment in interview and was released from custody under investigation. Subsequently, no further action was taken by police.
- 14.12 On 20th March 2020, there was a violent confrontation between Lee and Rita, during which Rita attempted to physically remove Lee from her home. Lee was arrested for two counts of Actual Bodily Harm against Rita and an ex-partner of Lee's and criminal damage. He was remanded in custody until trial on 25th March 2022 and a Restraining Order was placed on him on 27th March 2020 preventing him from having contact with Rita or his ex-partner. Lee returned to prison but was released on 27th March 2020 to live with his paternal grandparents. Lee's uncle was also released to the same address despite having previously perpetrated domestic violence against his parents there (who were also Lee's grandparents).

- 14.13 There were further incidents involving Lee, his uncle and Jane in April 2020 during which Lee was seemingly under the influence of drugs or alcohol.
- 14.14 On 7th April 2020 Lee was deregistered from MAPPA by the NPS and his post sentence supervision by the NPS ended on 26th April 2020. Lee was, however, arrested for the theft of his uncle's car on 2nd May 2020 and his grandmother, Alice, told the police that Lee was no longer welcome in her home and that she was going to take out an injunction against him to prevent him going to her address. Alice called for police assistance on 9th May 2020 to remove Lee from her home.
- 14.15 On 23rd May 2020, the police were called to Lee's grandparents' home where an argument was taking place about money Lee owed to them. The police spoke to Lee's grandmother Alice who said that Lee and Ivan had also argued over money. Ivan had verbally abused Alice and had left before the police had arrived. Alice said that Lee and Ivan had been drinking, which had fuelled the arguments. Alice also asked the police for advice on how to obtain an injunction to prevent Lee and Ivan returning to her address. The police did not pursue the matter further and did not record it as a crime.
- 14.16 On 25th May 2020, Ivan's ex-partner reported to the police that on 16th May 2020, Ivan had sent text messages to her including one which he threatened to smash her windows. Ivan's ex-partner did not believe that he would do this unless he was drinking or using drugs but she had ended her relationship with Ivan since he was smoking crack cocaine which she did not want to affect her daughter. After receiving the message, Ivan's ex-partner had blocked Ivan's calls and had not received any since. Ivan's ex-partner wanted the police to know this in case there were further threats and was advised to telephone 999 if there were.
- 14.17 On 30th May 2020, Rita reported to the police that she was staying at a friend's house and had confronted Lee and Ivan over the telephone about their theft of her bank card, which they had denied. Rita said that she had given consent for Lee and Ivan to be in her home whilst she was not there. She asked for the help of the police to remove them, which was declined since she was not there.
- 14.18 Later the same day Rita contacted the police again. Lee and Ivan had attended the address where she was staying, an argument had ensued during which Lee had thrown a drink over Rita and Ivan had tried to prevent Rita from contacting the police by taking the telephone from her. Rita had told Lee and Ivan that they were no longer allowed at her home address and they had threatened to burn her house down but left before the police arrived.
- 14.19 Rita and her friend then went to Rita's home where they found Lee and Ivan. When Rita asked Lee and Ivan to leave, Ivan had pointed a knife at himself and had encouraged Rita to stab him. Lee then proceeded to cause property damage. The police arrived and arrested both Lee and Ivan. Lee gave no comment and Ivan denied any accusations. Rita's friend refused to give a statement, seemingly because Lee had previously damaged the vehicles of people who had contacted the police. Lee and Ivan

were released on conditional bail not to contact Rita or return to her address. Despite the presence of a Restraining Order preventing Lee from contacting Rita, no further police action was taken since Rita had allowed him into her home address.

- 14.20 There were further incidents including a further allegation of burglary made by Rita against Lee on 5th June 2020, for which there was no further action since Rita had given him permission to enter her property, threats to a taxi driver and damage to their car by Lee, breach by Lee of the Restraining Order and assault on Rita's now ex-partner on 4th July 2020, for which he refused to assist the police, and on his grandmother, Alice, on 6th July. Lee was found guilty of the assault on this uncle on 18th November 2020.
- 14.21 On 12th July a third party reported a modern-day slavery concern that Lee and Ivan had kidnapped a teenager. This was reported to the National Referral Mechanism and was reclassified on 7th August 2020 as kidnap. There was no prosecution since, on 2nd September 2020, the alleged victim did not want action to be taken since he was scared of retaliation.
- 14.22 This was followed by alleged criminal damage against Lee and Ivan's cousin, which was not reported at the time and the alleged victim did not want action to be taken.
- 14.23 On 12th July, however, Lee was arrested for breaching Court imposed bail conditions by visiting his grandparents and violently resisting arrest. On 13th July he was sentenced to five months in prison for the assault of a police officer.
- 14.24 Between 25th July and 24th August 2020, there were five reports to the police of incidents involving Ivan. These included criminal damage at a social club and damage to his grandmother, Alice's property, who did not support formal action against Ivan. There were also allegations of malicious communication with an ex-partner and with Rita, including threats to damage her property.
- 14.25 On 5th August 2020, the police reviewed the information they held and recorded two incidents of assault without injury with Lee and Ivan recorded as the perpetrator/victim and vice versa. Neither Lee nor Ivan were ever spoken to by police about these assaults on each other, which were recorded for crime data integrity.
- 14.26 Ivan was arrested on 8th August 2020 and released on 9th August 2020 on conditional bail not to contact his ex-partner or her children and was ordered to pay costs, a victim surcharge and a 24-month Restraining Order was placed on him not to contact his ex-partner. A short form pre-sentence report was requested, which was completed on 12th November 2020.
- 14.27 Lee was released from prison on 18th September 2020. On 21st September 2020 Lee's father alleged that Lee, Ivan, their uncle and Rita had threatened to assault him but he did not want to support a police prosecution.

- 14.28 On 25th September 2020, Rita told Hampshire Police that she had endured two days of abuse from Lee who had arrived at her address after being released from prison and had threatened to punch her, had spat in her face and tried to throw a vacuum cleaner at her. Rita said that Lee had invaded her personal space and had blocked her in a corner of the kitchen. Rita stated that she did not want to call the police and that she was frightened of Lee. Lee had visited her home despite there being a Restraining Order to prevent this. Lee had wanted to see Rita, so she had let him in and he had been there for the past two days.
- 14.29 However, two-and-a-half hours later, Rita telephoned the police again, this time stating that she no longer wanted officers to attend. Rita explained that she had calmed down, that Lee had left and that she did not think that he would return. Rita did not want to make a complaint or give a statement and was concerned that Lee would return to prison. When informed that the police would attend to check on her, Rita stated that she had gone out and would be away for the weekend. Rita would not tell the police where she was but did agree for them to attend the next day.
- 14.30 The next day, 26th September 2020, police attended following a call from a neighbour who had reported shouting from Rita's home since 4am. The police found Ivan there, who told the police that Lee had arrived and had verbally abused him. Ivan said that he had opened the front door to see Lee holding a glass bottle, which Lee then proceeded to smash in the hallway. Lee allegedly threatened Ivan with a piece of broken glass and then threw a glass bottle at him. Ivan asked Lee to leave.
- 14.31 Lee then went to the flat of another person in the same block. Ivan told the police that the argument was about money owed by Lee to Rita. Ivan said that the previous day, Lee had "raised a hand to Rita" and that Ivan had stepped in to stop Lee assaulting Rita. Rita had left since she did not want to stay there whilst Lee was in the flat downstairs.
- 14.32 The police then met Lee, suspecting that he was in breach of his licence conditions and Restraining Order not to contact Rita directly or indirectly. They found that the neighbour whom Lee had visited had also been assaulted by Lee, causing a bruise to her face and damage to her kitchen.
- 14.33 Lee's behaviour was described by the police as abusive, threatening and loud. Lee offered violence to the police and was arrested for Public Order offences. Lee was further arrested for resisting a constable in the execution of their duty. Lee was charged with using threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence and with obstructing / resisting a constable in their execution of duty.
- 14.34 During his arrest Lee alleged that Ivan had hit him on the face with a drawer causing a cut to his right eyebrow. Lee was taken to hospital as the injury required four stitches. Lee continued to be verbally abusive to both Police officers and staff at the hospital. Ivan claimed that Lee had inflicted these injuries on himself.

- 14.35 Ivan was arrested on suspicion of Grievous Bodily Harm. He was later released without charge since there were no independent witnesses or further supporting evidence. As part of the police enquiry, two neighbours said that there had been days of shouting and abuse at the flat, but that they were fearful of Lee and declined to provide statements. A decision was made for no further action to be taken on the assault against the neighbour to whose flat Lee had gone after threatening Ivan with a broken bottle and for Lee's possession of an offensive weapon in the form of a broken bottle due to a lack of witnesses and few visible injuries to the neighbour. There were no further lines of enquiry to enable evidence led prosecution for these offences.
- 14.36 On 28th September 2020, Lee, still in police custody after the events on 26th September 2020, was sentenced to 12 weeks in prison, suspended for 12 months for the breach of the Restraining Order not to contact his mother. Lee was also sentenced to four weeks imprisonment, suspended for 12 months for obstructing a constable in their execution of duty. An application for a Benefits Reduction Order was made, and Lee was required to pay a Victim Surcharge for using threatening behaviour with intent to cause fear of, or to provoke, unlawful violence. Lee was told that there was a very strong possibility that he would be recalled to prison. Lee had told the court that he was staying at his paternal grand-parents address. On 29th September he told the Probation Service that he was street homeless and on further discussion revealed that he was at his maternal grandmother Alice's home. Lee was told by the Probation Service that this breached his bail conditions and to leave immediately and to report to homelessness services. It appears that Lee did not do this.
- 14.37 On 1st October 2020, the Ministry of Justice accepted the decision made by the Probation Service to recall Lee to prison for committing further offences whilst on licence. Lee was left a voicemail message confirming this. Lee told the police that he would hand himself in on 1st October 2020 but remained unlawfully at large until 4th October 2020. On 30th September 2020, Lee had also assaulted a taxi driver. Since he had been recalled to prison, Lee was not arrested for this but was asked to attend a voluntary interview following his release from prison in January 2021.
- 14.38 There was also a suspicion that Lee had been involved in a burglary on 3rd October 2020 and Lee was found by police and arrested on suspicion of this burglary, which he denied. An Identification Parade was to be arranged but Lee was killed before this happened.
- 14.39 On 4th October 2020, Rita contacted Hampshire police to report that Lee had been at her address and she suspected that he had stolen £20. Lee was arrested for using theft and threatening behaviour likely to cause harassment, alarm or distress, harassment and a breach of a Restraining Order not to contact Rita directly or indirectly. Lee denied these offences and claimed that Rita had invited him in. Due to evidential difficulties, no further action was taken.
- 14.40 On 4th October 2020, the police located Lee and arrested him for being unlawfully at large after a recall to prison on 1st October 2020. Lee told the police that he was aware

of the Restraining Order and understood the consequences should he breach it: he was being recalled to jail anyway. Lee claimed that the Probation Service had not helped him with accommodation or financial support. Following appearance at Court, Lee returned to prison on recall on 6th October 2020.

- 14.41 On 12th November 2020, Ivan was interviewed by telephone to complete the short form pre-sentence report requested by the court on 21st October 2020. This identified that Ivan presented a medium risk of harm to his partner but the main risk was of potential domestic abuse of his ex-partner. The report identified that child contact arrangements were a future risk and that Ivan was misusing alcohol and drugs but also that Ivan reported good relationships with his family. The recommendation was for a six-month Community Order with 10 Rehabilitation Activity Requirement (RAR) days.
- 14.42 On 1st December 2020 Ivan received a 12-month Community Order with 15 RAR (Rehabilitative Activity Requirement) days. Ivan's ex-partner was granted a Restraining Order against Ivan until 30th November 2022. This prevented Ivan from having direct or indirect contact with her and from entering the road on which she lived. Ivan was supervised by the CRC (Community Rehabilitation Company).
- 14.43 On 8th December 2020, Hampshire Police were called on Ivan's mobile telephone to urgently attend an address in Portsmouth, where they found Ivan, his partner and her 5-year-old daughter engaged in peaceful domestic activities. Ivan admitted that he had called the police to cause "issues" and that he was agitated following the recent death of his (maternal) grandfather. The police spoke with Ivan's partner's daughter and found no concerns for her welfare.
- 14.44 On 7th January 2021, Hampshire Police and the Probation Service shared information prior to Lee's release from prison in January 2021. The Probation Service proposed that Lee live with his grandmother, Alice. The police shared information with the Probation Service that Alice was at risk of domestic violence from Lee. Alice was a "priority victim" who had been the subject of nine domestic police call outs in the last year. The last of these was in July 2020 with a medium risk grading. Alternatively, Lee was waiting for a possible placement at The Registry, interim accommodation for homeless/rough sleepers, however this was not guaranteed.
- 14.45 On 10th January 2021, Hampshire Police were called by Ivan who reported that his mother, Rita, had arrived and had assaulted his partner. Rita had demanded £700 for drugs but Ivan told her that because they shared the drugs, he only owed her £350 and not £700. Rita allegedly punched Ivan in the face and violently attacked his partner who sustained a large lump to the right side of her forehead, a black right eye and had lost some hair. Ivan had slight bruising under his right eye. Rita was arrested on suspicion of two accounts of Actual Bodily Harm.
- 14.46 Rita, however, claimed that she had been assaulted by both Ivan and his partner. Rita said that Ivan owed Lee, £3,000. Rita was alleged by the police to have said that she had told Ivan that "Lee's going to wrap a hammer around your head" but then denied making this statement. Rita did admit that she had told Ivan that she would tell Lee

that he had assaulted her and had taken money from her. The police reviewed the domestic violence history and previous reports which suggested that Ivan was generally the aggressor against his mother but requested a Flagging Notice on its computer system that Ivan was at high Risk of domestic abuse from Rita. The risk of harm from Lee does not appear to have been recognised.

14.47 Ivan's partner did not support police action and, whilst Ivan provided a statement, there was insufficient corroborating evidence so Rita was released without charge.

14.48 **Chronology: The events on the day of the homicide.**

14.49 On the day Lee was released from HMP Winchester he was collected from the prison at 10am by family members, including Ivan. Lee was on licence until 19th April 2021 and on Post Sentence Supervision (PSS) until 11th January 2022.

14.50 During the car journey from prison, Lee and Ivan argued about Ivan having received £3,400 in a tax rebate or furlough scheme claim that was due to have been paid to Lee. Ivan had also taken out a £50,000 Bounce Back loan in Lee's name. Ivan had used this money to buy the car in which he had collected Lee from prison and to gamble. Ivan, however, denied that he had done this. It appears that the argument passed, and that Lee and Ivan drank cider, took cocaine and visited friend's homes.

14.51 At 12.30pm, Lee and Ivan parked outside a block of flats. Lee appears to have been driving and in the process of parking had bumped into another car. Lee and Ivan got out, Ivan checked the damage but then was physically attacked by Lee. They argued and witnesses reported that Lee threatened to kill Ivan, who ran back to the car and collected a knife. They both challenged each other, and Ivan stabbed Lee in the chest with the knife, severing his pulmonary artery. Before collapsing, Lee kicked in one of the windows on Ivan's car.

14.52 Ivan telephoned 999 but said nothing. Witnesses also telephoned 999. Paramedics arrived but were unable to save Lee's life. Ivan was arrested whilst hiding in a building site claiming that he was scared for his own life.

14.53 Lee was still under investigation for the suspected burglary on 3rd October 2020 at the time of his death

14.54 **Conclusion of the criminal justice process**

14.55 At the trial on 16th July, Ivan claimed that he believed that Lee had a knife too and denied murder but pleaded guilty to manslaughter. Ivan was sentenced to prison for 6.5 years.

14.56 **Views of neighbours and community members**

14.57 The chair of the Domestic Homicide Review met virtually with a community representative who made some general comments about the effectiveness of services

in Portsmouth but not about the criminal justice system and domestic abuse services. They also did not have any comments about the impact upon the community of the killing of Lee by Ivan.

14.58 **Fratricide**

- 14.59 Fratricide is the term used to describe the killing of one brother by another. Domestic Homicide, and domestic abuse in general, is often considered to be gendered, in that women, in particular intimate partners, are more likely to be killed or abused by men than they are to kill or abuse intimate male partners. Despite this, fratricide falls within the definition of domestic homicide since it involves members of the same family who are “personally connected”. There is no requirement for them to live in the same household.
- 14.60 The research foundation for understanding fratricide is considerably less extensive than that for femicide (the killing of female by a male) but the evidence suggests that fratricide is linked to mental health needs and to substance use (Bourget and Gagne, 2006). It also appears that the victim/perpetrator relationship is frequently age related, in that when both are younger, the older sibling is more likely to kill the younger but when they are older this relationship is reversed with the younger sibling more likely to kill the older. Consistent with this, Ivan killed Lee who was his older brother (Michalski et al, 2007)
- 14.61 Fratricide also appears to be relatively rare. The Office for National Statistics figures, for example, show that by the year ending March 2020, out of a total of 473 male homicides, five involved another family member (relationship details are not given) compared with 33 homicides involving a stranger. In an additional nine cases, the killer was, at the time, unknown and in a further 29 cases, no suspect had yet been charged. Two men had been killed by their partner or ex-partner, compared with 35 women (out of a total of 176 female homicides).
- 14.62 The Vulnerability Knowledge and Practice Programme (VKPP) analysis of Domestic Homicides and Suspected Victim Suicides during the Covid-19 Pandemic 2020-2021 (Bates et al, 2021) found six deaths (out of 215) where a brother was suspected of killing their brother. There were no cases involving a sister suspected of killing their sibling, or a brother suspected of killing their sister. This analysis was consistent with and expanded on the previous research basis. Several murders took place in the context of fights, some in public places, often where alcohol had been consumed. These cases often involved a police-recorded history of domestic abuse and wider criminality, often by both parties. In some cases, this history of domestic abuse included both family members (mother / grandmother) and intimate partners, and in several cases the victim in the homicide had a prior police record of domestic abuse against a partner. These cases also commonly demonstrated recorded drug or alcohol use, either just prior to the homicide or within a wider history.
- 14.63 There is a risk that due to its relative rarity, and because it does not fit within the established model of domestic abuse, the risk of fratricide is not recognised (Hine et

al, 2020). In Lee's case, incidents between him and Ivan, such as that on 30th March 2020 took place with the context of threats and violence to family members, ex-partners and associates.

15. Overview

15.1 Contact with the criminal justice system.

15.2 Lee and Ivan's predominant contact with services which might intervene in domestic abuse was with the criminal justice system. Both Lee and Ivan were known to Hampshire Police and to the Probation Service. By 2015, probation arrangements had been split between local CRCs (Community Rehabilitation Companies), which managed low risk offenders and the National Probation Service, which managed medium and high-risk offenders. In 2021 the CRCs and the National Probation Service were merged back together again into a single Probation Service. Lee had been supervised by the National Probation Service, whilst Ivan has been supervised by the Hampshire and Isle of Wight Community Rehabilitation Company. At the time of Lee's death, the CRC in Portsmouth was merging with the National Probation Service, which resulted in local team and role changes.

15.3 Apart from contact with the police, Lee, Ivan, their mother or other family members rarely sought help from services for the problems they experienced. Instead, services were only involved in response to individual incidents rather than in a systematic way. There was limited contact with domestic abuse intervention and support services, and what contact there was concerned the impact of Lee and Ivan's actions upon partners and ex-partners' children rather than on each other. The services involved were PIP (Portsmouth Independent Domestic Advocate Project) which provides support to victims of domestic abuse assessed as at high risk, and Stop Domestic Abuse, which provides support for those assessed as at medium risk of domestic abuse. Support for those at a standard risk of domestic abuse is provided by Victim Support.

15.4 The Probation Service and Hampshire Police identified that at the time of his death, Lee had 20 convictions for 36 offences. These were as follows:

- 15.4.1 6 Offences against the person
- 15.4.2 8 offences against property
- 15.4.3 2 theft and kindred offences
- 15.4.4 4 public order offences
- 15.4.5 9 offences relating to police/courts/prisons
- 15.4.6 2 drug offences
- 15.4.7 5 miscellaneous offences.

15.5 In addition, Lee had three reprimands/warnings/cautions recorded between 2008 and 2017. Those relate to:

- 15.5.1 1 offence against the person
- 15.5.2 2 offences against property
- 15.5.3 1 theft and kindred offences

- 15.6 Almost all of Lee's convictions involved aggressive behaviour, with the exception of two convictions for breaching Community Orders. Lee said that all of these were the result of his use of alcohol and cocaine. There was a pattern of offending towards partners and family members, including his father and mother and less so to strangers.
- 15.7 On 4th December 2017, Lee had been convicted of ABH (Actual Bodily Harm) and was sentenced to a 24-month Suspended Sentence Order with a 4-month Drug Rehabilitation Requirement (DRR) and 35 Rehabilitative Activity Requirement days. Lee was registered as a Category 2, Level 1 MAPPA offender¹. Lee was, however, deregistered from MAPPA on 7th April 2020 due to coming to the end of his licence.
- 15.8 Lee was jailed on 28th September 2018 for 16 months for Stalking/Harassment (2 months), Resisting Arrest (1 month concurrent) and the commission of an offence whilst subject to the Suspended Sentence Order (14 months) given on 4th December 2017. Lee was to be released on 18th April 2019.
- 15.9 Lee was sentenced again on 13th July 2020 for five months for breaching bail conditions and for assaulting a prison officer. Lee was released on 18th September 2020 and returned to jail on 6th October 2020 for re-offending whilst released on license. He was killed on the day of his release.
- 15.10 The pattern of Lee's offending was complex, exacerbated by the intermingling of offences, charges, convictions, license conditions and his family's behaviour to each other and other members of the community.
- 15.11 Immediately before the incident in which Ivan stabbed Lee to death, Ivan had a history of antisocial behaviour and violence committed within the familial setting both as a victim and a perpetrator since he was a child. Ivan had four convictions. These were:
- 15.11.1 two offences against the person
 - 15.11.2 one theft and kindred offence
 - 15.11.3 one miscellaneous offence.
- 15.12 These were not domestic abuse related and the previous offences occurred when Ivan was a minor and in school.
- 15.13 The risks that Ivan posed towards partners were harassment, threats of criminal damage, general discord and antisocial behaviour, verbal abuse and threats of harm. Concerns about risks to family members were similar and there was evidence of wider volatility within familial relationships. There had been a sustained history of Hampshire Police call outs since 2014 and a pattern of mutually abusive verbal and physical incidents with Ivan being both a perpetrator also a victim.

16. Analysis

16.1 This Domestic Homicide Review considers the circumstances in which one brother killed another and the risk factors and responses to them. The Chair of this DHR understands that the family members of Lee and Ivan may find this analysis distressing, but it is necessary to support services to make changes to their practice to prevent similar tragedies from occurring.

16.2 An analysis of the involvement of different agencies with Lee and Ivan revealed the following:

16.3 Recognition of Domestic Abuse

16.4 There was recognition by services, including the police, the Probation Service, the PIP (Portsmouth Independent Domestic Violence Advocate Project) and Stop Domestic Abuse that Lee and Ivan (and other family members) were perpetrators of domestic violence and abuse.

16.5 There was evidence that this recognition led to the use of powers for the disclosure of information about the risk of domestic abuse in the form of the Right To Ask under Clare's Law.

16.6 For example, on 14th November 2018, Lee's new partner applied for information about him under Clare's Law, after she was advised to do so by a social worker. Lee was in prison at the time for assault, resisting arrest, obstructing a constable and stalking/harassment. Lee and his partner had known each other for four years, but had only recently begun an intimate relationship. In November 2018 Lee made an application for Home Detention Curfew, which would allow him to live with his partner and her two children. This application was not supported by the National Probation Service on the basis that Lee's partner was not aware of the risks that Lee posed. Lee's partner's Right To Ask application was successful and disclosures were made to her on 21st January 2019.

16.7 Home Office guidance is that the police should meet Right To Ask applicants face-to-face within 10 days of their request. However, in this case there was a 39-day delay between Lee's partner's application and receipt of the disclosure. Hampshire Police state that this was due to Lee's partner's lack of response to their attempts to meet her in late December 2018 and early January 2019.

16.8 Following the Right To Ask disclosure, Lee's new partner told the police that she would be ending her relationship with Lee. She did not have any further safeguarding concerns as the two had only been in a relationship for two weeks prior to Lee going to prison. Lee's new partner was advised to contact police if she had any further issues or concerns regarding Lee.

- 16.9 There was recognition that that both Lee and Ivan might also be victims of domestic abuse.
- 16.10 For example, PIP had two contacts with Lee and one contact with Ivan. In September 2018, Lee's partner was referred to PIP as a high-risk victim with Lee as the perpetrator of domestic abuse. In October 2020, Lee was referred to PIP as a victim with Ivan as the alleged perpetrator. In January 2021, Ivan was referred as a victim of domestic abuse, where his mother, Rita, was the alleged perpetrator after she had made threats on 10th January 2021, "*that she would get her other son Lee to smash Ivan's skull in if he did not pay*" the drug debt Ivan owed her.
- 16.11 It would therefore appear clear that the services involved understood that domestic abuse was a feature of Lee and Ivan's family relationships and wider family dynamics.
- 16.12 **Risk assessment and management**
- 16.13 Standardised risk assessments of domestic abuse were used for Lee and Ivan and for members of their family. These were the SARA (Spousal Assault Risk Assessment) used by the probation service and the DASH (Domestic Abuse, Stalking and Honour Based Violence). The SARA is a tool for use with people who perpetrate domestic abuse, allowing them to self-disclose and contribute to the assessment, and helps build a more focused picture of risks towards partners specifically, whilst the DASH is a tool for identifying the level of risk, including threats to life and violence to victims.
- 16.14 Lee was assessed by the Probation Service using the Spousal Assault Risk Assessment (SARA) on several occasions from 2018 onwards. In this time, Lee was assessed as presenting a moderate risk of harm towards partners specifically and a high risk of harm towards ex-partners.
- 16.15 The Probation Service, however, did not complete a SARA for Ivan when, in accordance with HMPPS (Her Majesty's Probation and Prison Service) Domestic Abuse Policy Framework (2020) and local Hampshire and Isle of Wight CRC Domestic Abuse guidance, a SARA assessment should have been completed since Ivan's index offence (index offences are a way of categorising crimes) was domestic violence.
- 16.16 Ivan's probation officer had completed SARA2 training but was still waiting SARA2 access rights within the Probation Service computer system to be granted and so was unable to fully complete the assessment. This appears to have been a more general problem with access at the time, made more difficult by internal moves from team to team as part of the merger of the CRC with the National Probation Service to from the Probation Service. The Probation Service has confirmed that access difficulties have now been resolved.
- 16.17 Hampshire Police also assessed and graded the risk of domestic abuse for Lee and Ivan as well as their wider family. For example, on 8th July 2020, Alice who was Lee and Ivan's grandmother and the mother of Rita, was assessed as being at medium risk of

domestic abuse from Lee. At this time, Lee was still being considered under the MAPPA process.

- 16.18 On 26th September 2020 a DASH assessment was completed by the police for Lee which identified that he was at high risk of domestic violence from Ivan, following the incident in which Ivan had intervened to protect Rita when Lee had occupied her home for two days. This suggests recognition of risks to Lee from Ivan but the case was withdrawn from the MARAC since Lee had been recalled to prison 6th October 2020. As a result, an opportunity was missed to notify the National Probation Service and the CRC of the risk of harm Ivan presented to Lee.
- 16.19 Lee was recalled to prison on 1st October 2020 and returned to prison on 6th October 2020 for committing offences whilst on license. On 4th October 2020, the police also completed a DASH assessment for Rita, which was graded as standard and was shared with Victim Support. A warning marker for violence was added to Lee's record on 6th October 2020 stating that he *"doesn't like police and won't come quietly"*.
- 16.20 There were however, missed opportunities for further enquiry. For example, on 25th September 2020, Rita reported to the police that Lee had threatened her in her home over an extended period of time but that she did not want the police to attend. There does not appear to have been any consideration of whether Rita may have been too frightened to insist on police attendance or coerced by Lee into cancelling her request for police assistance. There was also a Restraining Order in place to prevent Lee's contact with Rita. There also does not appear to have been any consideration of risk to the neighbour in the same block of flats whom Ivan said that Lee was staying with. Another neighbour later reported that Lee had assaulted her.
- 16.21 There was also some recognition of the risk posed to children but processes were not always followed. The Hampshire Police Policy on *'Responding to and Investigating Domestic Abuse'* states that a *"PPN referral must be made for any child or vulnerable adult linked to the victim, perpetrator or address of the domestic abuse and tasked in the usual way to the relevant MASH [Multi Agency Safeguarding Hub: the purpose of which is to share information, assess risk and prompt interventions following safeguarding concerns about children]. This must be done irrespective of whether the children or vulnerable adult have actually witnessed events; all children or vulnerable adults within the relationship / home concerned must be identified and referred to the MASH"*.
- 16.22 There were inconsistencies in the use of PPN process, with examples where it was used appropriately and others where it was not. For instance, on 26th September 2020 the police attended Rita's home to meet her, following Rita's report the previous day that she had been threatened in her own home by Lee for two days. Rita was not there but both Lee and Ivan were.
- 16.23 A PPN was appropriately completed for Rita's younger children who no longer lived with her. A DASH assessment was completed and Rita was graded as at medium risk. A PPN was also completed for Ivan's children. Both PPN's were shared with

Portsmouth Children's Services Department but, it appears, not with the probation service. A DASH assessment was completed for Lee and was graded as standard risk, but was re-assessed by the police MASH to grade Lee as at high risk of domestic violence from Ivan and a warning marker noting this was requested. A referral was made to MARAC but Lee was recalled to prison and so did not have an opportunity to engage with domestic abuse support services. This indicates an appropriate series of actions in response to potential risk to children irrespective of whether or not they were present at the time but that there was a missed opportunity to respond to the risk that Ivan might pose to Lee.

- 16.24 On 4th October 2020, however, when Lee was arrested after a breach of his Restraining Order, theft and using threatening words, behaviour likely to cause harassment, alarm or distress towards his mother Rita, and was recalled to prison, a PPN was completed for Rita but not for her other children.
- 16.25 On 10th January 2021, Ivan reported that Rita had assaulted him and his partner over a drug debt. A PPN was completed for Ivan and his partner's children. This was shared with Portsmouth Children's Services Department, PIP and the older child's school.
- 16.26 A DASH assessment was also completed for the risk that Rita posed to Ivan and his partner, which was assessed as high and the case was referred to MARAC. Despite this, a PPN was not completed for Rita's children despite the well documented involvement of Portsmouth Children's Services Department.
- 16.27 This suggests that there is a need for improvement in the appropriate and consistent use of the PPN process.
- 16.28 Lee also appears to have at times been desperate to return to prison for example on 4th March 2020 and on 7th March 2020 when he damaged cars and a garden fence. He said that he wanted to return to prison since he could earn money selling drugs there. On 4th October 2020 Lee appeared not to care about going to prison since he claimed that probation service had not helped him with accommodation or financial support and asked, "*what was I supposed to do?*".
- 16.29 **Domestic Abuse Interventions.**
- 16.30 Risks identified in Domestic abuse risk assessments led to interventions with Lee and Ivan's ex-partners but not with Lee, Ivan or Rita or other family members.
- 16.31 From a Probation Service perspective, Lee rarely received a community-based sentence and as such, interventions were mostly only available when he was in prison. Lee was considered for a Building Better Relationships (BBR) intervention but was not able to complete this as he did not have enough time left on his license. One to one work was therefore considered as the alternative but was never started due to Lee not being stable in the community for long enough. Lee did, however, complete some courses whilst in prison which covered general thinking skills. Lack of stability is a reason, often found in other reviews, for not making interventions, which require

committed engagement and regular attendance. The challenge for services is to create and implement effective interventions which work with people in unstable situations, although stable housing and support with substance use might assist in this.

- 16.32 Ivan had a much shorter history of contact with probation services. He was on a Community Order from 1st December 2020 until 30th November 2022 for domestic abuse offences committed towards his ex-partner and there were concerns about the risk of domestic abuse to former partners and family members, specifically his ex-partner, mother and Lee, his brother. Ivan's sentence plan had been completed and referenced completion of rehabilitation work which focused on domestic abuse.
- 16.33 The PIP did not have any direct contact with Lee or Ivan as victims of domestic abuse, although there was a failed attempt by an Independent Domestic Violence Advocate to contact Lee on 2nd October 2020 as a victim of domestic abuse in response to concerns about the risks that Ivan posed to him. Lee, however, was in the process of being recalled to prison. The PIP might have found interventions difficult since Lee and Ivan were both victims and perpetrators. An Independent Domestic Violence Advocate attempted contact with Ivan on 13th January 2021, but he was in custody for killing Lee. This suggests a need to integrate community domestic abuse approaches more closely with those in prisons so that opportunities for interventions are not lost.
- 16.34 From the Probation Service perspective, however, there was no indication on Lee's release from prison in January 2021 (or before this) that Ivan posed an immediate threat to Lee's life. The police MASH had however re-rated the DASH assessment of the risk of domestic violence from Ivan to Lee as high following the incidents with their mother on 25th and 26th September 2020 but this was not shared with probation. Lee was then recalled to prison, to be released in January 2021. The Probation Service recognised that there were missed opportunities as follows:
- 16.35 **Communication between the probation officers holding both cases.**
- 16.36 Neither Lee nor Ivan's probation officers were fully aware of both brothers. They worked in separate offices, even after the merger of the CRC with the National Probation Service in June 2021. Both probation officers recognised that there were missed coordination and information sharing opportunities.
- 16.37 **Licence conditions and release planning in respect of Lee's case.**
- 16.38 A non-contact licence condition was not added to Lee's case when he was released from prison in January 2021 and there was nothing to prohibit his contact with Ivan or other family members. Lee had been recalled on a previous licence for offences against Ivan and their mother so risks to them should have been recognised and a DASH assessment had rated the risk of domestic violence to Lee from Ivan as high. Given the history of domestic abuse, including the use of violence and the threats made, the risk of contact between Lee and Ivan should have been considered.

- 16.39 There does not appear to have been consideration of risks posed by Ivan to Lee but the risk posed by Lee to Ivan was considered to be low as there was no threat to life or direct targeting by Lee of Ivan. Restrictions on Lee's contact with Ivan were therefore considered by his probation officer to not be proportionate.
- 16.40 Lee and his probation officer had a telephone appointment prior to Lee's release from prison. Lee was considering staying with Alice, his grandmother. It appears that Ivan was currently living there too (as may have been their uncle). Probation guidance is that address checks should be completed when a release address is proposed. These checks were not completed and Lee's probation officer was not aware that Ivan was also living at that address and was unable to speak directly with Alice, their grandmother, since her telephone number did not work.
- 16.41 Instead, a formal address check was completed by Hampshire Police, which expressed concerns to the Probation Service about this accommodation arrangement due to the history of family domestic abuse and that Alice, Lee and Ivan's grandmother, could be at risk. There was no mention in case records that Ivan was also reportedly living there. This reveals a need to improve communication and interagency working to identify risks of domestic abuse in wider family relationships and for checking addresses.
- 16.42 The focus of specialist domestic abuse support services was on the risks posed by Lee and Ivan to partners and to ex-partners. For example, Stop Domestic Abuse, which supports people assessed as at medium risk of domestic abuse, completed DASH assessments of Lee's risk to his ex-partner and safety plans were put in place. Lee's ex-partner told Stop Domestic Abuse that there was an active non-molestation order in place until March 2021 and following discussion with Lee's ex-partner, Stop Domestic Abuse concluded that this was effective in managing the risk posed to her by Lee. On 23rd June 2020 Lee's ex-partner informed Stop Domestic Abuse that Lee had been remanded to prison due to other crimes.
- 16.43 Stop Domestic Abuse did not receive any referrals for Ivan but he was known as an alleged perpetrator to his ex-partner, who was the mother of his son. Stop Domestic Abuse supported Ivan's ex-partner as an alleged victim from 18th August 2020 and planned to close support to her on 13th September 2021.
- 16.44 Stop Domestic Abuse's DASH risk assessment, carried out with Ivan's ex-partner, on 30th November 2020 indicated that there had been an escalation in domestic abuse from Ivan. Ivan's ex-partner had disclosed that Ivan's substance misuse had worsened and that there was an increase in the severity of verbal abuse including via third parties. Ivan's ex-partner also disclosed that Ivan and his current partner had been visiting her mother and manipulating her, preventing Ivan's ex-partner from seeing her own mother. Ivan's ex-partner had also said that Ivan was abusing his new partner and his substance use had increased. As a result, Ivan's ex-partner had prevented him from seeing their child, whom she was concerned Ivan might try to take away. Ivan's ex-partner said that she felt Ivan had undiagnosed mental health issues and disclosed that he had once tried to jump from a window and had also stabbed himself. Ivan's ex-partner also said that in the past Ivan had threatened to kill her, had made threats of

suicide and had threatened her with a knife or a sword. This should have triggered a MARAC referral from Stop Domestic Abuse. The increased risk to other family members, including Lee and Ivan's current partner, does not appear to have been identified or shared with the other organisations working with Ivan.

- 16.45 Stop Domestic Abuse did not identify any safe or appropriate opportunities to explore support for Lee or Ivan or other family members. Stop Domestic Abuse received a referral from the police for Rita following the incident on 20th March 2020 when Lee was arrested for assaulting her and his ex-partner. However after several unsuccessful attempts to contact Rita the referral was closed. Lee's ex-partner and mother also disclosed that Lee was using crack cocaine and had issues with alcohol. It does not appear that further attempts were made with police or with other agencies to contact Rita.
- 16.46 Information about the risk of domestic violence posed by Lee to Rita was disclosed by the police to the Probation Service on 7th January 2021 prior to Lee's release from prison. Rita was recorded as being a priority victim who has been the subject of nine domestic police call outs in the last year.
- 16.47 **Use of processes including MARAC and MAPPA.**
- 16.48 MARAC (Multi-Agency Risk Assessment Conference) meetings are a process for sharing information on the highest risk domestic abuse cases between representatives of the local police, health, child protection services, housing, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors. Options are discussed for increasing the safety of victims of domestic abuse and multi-agency action plans are made. The primary focus of the MARAC is to safeguard the adult victim and their children. The MARAC will also make links with other forums to safeguard children and manage the behaviour of the perpetrator. According to the domestic abuse charity Safelives, *"At the heart of a MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is represented by an IDVA who speaks on their behalf"*.
- 16.49 On 26th September 2020, Rita and Lee were referred to the MARAC. Hampshire Police Body Worn Video recorded that Rita had said that Lee, *"...knows not to hit me or his brother [Ivan] will kill him"*. This suggests a risk of harm from Ivan to Lee, which was rated as standard at the time but subsequently was increased to high risk by the police MASH.
- 16.50 Lee was due to be considered at MARAC in October 2020 however records suggest that Lee's case was removed as he was returning to prison. Ivan was due to be considered at MARAC in January 2021 but he was removed as he was remanded in custody following the stabbing of Lee.

16.51 A MARAC meeting was convened for 20th January 2021 in response to the incident on 10th January 2021 during which Ivan and his partner were victims of an alleged assault by Rita on the night before Ivan stabbed Lee. The case was removed before the MARAC meeting as Ivan had been remanded in custody. Again, these suggest a need for greater integration of the MARAC process with prisons so that a less episodic approach can be used to managing offenders.

16.52 Health and social care needs

16.53 Lee and Ivan appear to have had mental health problems, including depression and excessive alcohol and drug use. Domestic abuse is a recognised causal factor in victim mental health problems (Mahase, 2019) and there is also evidence that people with mental health difficulties are more likely to experience domestic abuse than the general population (Rodway, et al, 2014). People with chronic physical health problems are also at increased risk of intimate partner violence compared to partners without chronic physical health problems (Khalifeh et al 2015).

16.54 Significantly, mental and physical health conditions can make victims more vulnerable, and perpetrators can find it easier to gain control by exploiting their victims' vulnerability to make them even more dependent on them. There is a risk that labels of mental health problems or of alcohol and drug use can prevent further exploration of their causes, which may be domestic abuse, violence and coercive control.

16.55 There is little evidence that questions about domestic violence and abuse were asked, (whether it was experienced or it was witnessed) as part of routine procedures, or that the topic was otherwise probed by any agencies. This is significant, since making a disclosure of domestic abuse is known to be extremely difficult and even potentially dangerous for the people who experience it. Victims of domestic abuse need to feel confident that they will be believed when they disclose and that the person they disclose to will take action. Lack of discussion by professionals about domestic violence and abuse may suggest to victims that there is no safe space in which to make a disclosure.

16.56 A study by Oram and colleagues (2013) of 1,431 domestic homicides in England and Wales found that 23% of perpetrators of family homicide had been in contact with mental health services in the year before the offence, and that 34% of family homicide perpetrators had psychiatric symptoms at the time of offence. These factors might have alerted agencies to a heightened risk of domestic abuse and coercive control and might have prompted further exploration of this.

16.57 Following Lee's arrest on 26th September 2020 for Public Order Offences, the custody record stated that Lee was taking sertraline for depression. The release risk assessment indicated that Lee had thoughts of suicide/self-harm in the past but not recently. It was also noted that Lee had hit himself over the head with a bottle during the incident in Rita's flat with Ivan. Lee declined to see Hampshire Diversion and Liaison Service (a specialist service to support people with mental health needs within the criminal justice system) while in police custody.

- 16.58 Lee had been referred to and had engaged with the Portsmouth recovery hub to address drug and alcohol use between 2018 to 2020 and, when he was in a Probation Approved Premises, Lee was regularly drug and alcohol tested and was referred to the Recovery Hub. In its one contact with Lee on 17th June 2019, at which Lee refused any further involvement, the Recovery Hub did not identify any concerns about the risk of domestic abuse.
- 16.59 The National Probation Service screened Lee for a Personality Disorder on 3rd April 2018 but no further action appears to have been taken on this. Lee disclosed periods of low mood and depression and these coincided with an increase in his use of drugs and alcohol. The Probation Service identified that it prioritised what it considered to be the more pressing issues of risk, housing and offending over Lee's mental health needs and that there was rarely a period of long-term sustained stability when further exploration of any social care or health needs could be made and actioned upon.
- 16.60 During Ivan's short period of contact with the CRC and the National Probation Service no specific health or social care needs were identified. However, Ivan did disclose low mood, financial problems and drug use. The need for stable housing was not highlighted to housing services.
- 16.61 Not all information was captured. On 26th September 2020, for example, the custody release risk assessment for Ivan did not record alcohol use, which Ivan had disclosed on arrival into custody, or crack cocaine use as documented on the PPN form completed at the time.
- 16.62 Ivan also self-harmed. For example, he had stabbed himself in the leg during an incident with his mother Rita in which he had alleged that she had stabbed him. This might indicate a desire to blame Rita for the incident or it might suggest a form of self-harm involving tension release or other form of psychological process. It does not appear that Ivan's motivations were explored and there is no evidence that a referral for a mental health needs assessment was made.
- 16.63 Lee (and Ivan's) drug use may also have been increasing. Rita reported on 29th February 2020 that Lee had withdrawn £1,200 from her bank account, which was likely to have been used to buy drugs. Lee had developed a crack cocaine habit whilst in prison and referred to being able to make money there by dealing drugs. Ivan had also been stabbed in the chest during an attempted robbery of a drug dealer on 29th February 2020. Ivan required heart surgery. According to Ivan's defence at the trial for his stabbing to death of Lee, during the attempted robbery on 29th February 2020, Lee had been present but had left Ivan and had regularly used violence against him. Ivan's defence included that he had developed post-traumatic stress disorder as a consequence of both this and violent abuse when he was a child. There is no evidence of this, or of any treatment offered, in the records examined for this DHR.
- 16.64 There was also evidence of wider family mental health needs. Rita was known to have misused alcohol over a number of years and her mental health was noted as being

poor. Alcohol was often a factor in the incidents that occurred with her older children and her partners. She has been offered and continued to be offered help to manage her alcohol use through family safeguarding support services. Rita accepted the offer of help but did not engage fully in programmes that might result in reduction of alcohol use or abstinence. Lee and Ivan had also consumed alcohol just prior to some incidents taking place.

16.65 On 10th January 2021, when Rita was arrested following an alleged assault upon Ivan and his partner during an argument about a drug debt, Rita's custody risk assessment recorded that she had anxiety and depression and was prescribed citalopram. Rita said that she had taken an overdose in 2020. Despite this, Rita was not seen by the Hampshire Liaison and Diversion Service despite a requirement for all women to be seen to assist with identifying needs and signposting them to appropriate support services.

16.66 There is a need for increased recognition of the impact of mental health needs and drug and alcohol use in domestic abuse, particularly within a family context. The Portsmouth Safeguarding Adults Board's MARM (Multi-Agency Risk Management Meeting) for adults with multiple needs who do not meet the adult safeguarding threshold for a statutory enquiry under section 42 Care Act 2014, may have been a useful forum for further discussion of, and planning for, how to respond to Lee, Ivan and Rita's needs and for coordinating health and social care interventions in response to domestic abuse, especially where these fall outside of other arrangements such as adult safeguarding, MAPPA or MARAC.

16.67 Individual and family factors

16.68 Despite the extensive contacts of the family with criminal justice services there appears to have been little professional curiosity about any underlying factors which might have influenced the family's behaviour. Contacts with Lee, Ivan, Rita and other family members were episodic and appear to have taken the conduct of family members towards themselves and to each other at face value. Consequently, contact with the adult members of the family was only in response to crisis. Children's services were involved with all of Rita's younger children but there was little joint working in response to the circumstances which led to these interventions.

16.69 Following PIP's second contact with Lee on 2nd October 2020, when Lee was understood to be a victim of domestic abuse, PIP closed the case immediately when it was reported that Lee was being recalled to prison. If the case had been kept open, it might have provided an opportunity to speak to Lee while in prison or confirm how long he was likely to be in prison to inform whether there was a role for PIP with him.

16.70 The relationship between Lee and Ivan does not appear to have been explored and considered in the context of wider family dynamics. Both Lee and Ivan were recognised and responded to as perpetrators of domestic abuse towards partners and ex-partners rather than as a risk to each other. The Probation Service identified that risk to other family members was not always recognised in its OASYS (Offender

Assessment System) and that risks arising from arguments and problems with money and gambling were not recorded as possible triggers despite the disclosures about them.

16.71 Organisational factors and barriers to practice

- 16.72 First phase of the COVID-19 pandemic began in 2020. On 16th March 2020, the Government advised against non-essential travel and encouraged working from home in all but exceptional circumstances. On 20th March 2020, entertainment venues were also ordered to close.
- 16.73 On 23rd March 2020, the government restricted contact between households and the UK population was ordered to “stay at home”. The only permissible reasons to leave home were food shopping, exercise once per day, meeting medical needs and travelling for work when absolutely necessary. All shops selling non-essential goods were told to close and gatherings of more than two people in public were banned. These ‘lockdown’ measures legally came into force on 26th March 2020.
- 16.74 Covid-19 restrictions began to be lifted from 10th May 2020 but local lockdowns began to be introduced from 29th June and restrictions on numbers of people gathering and entertainment venue curfews were introduced from September. A tier system of localised restrictions was introduced on 14th October but a national lockdown from 31st October until 2nd December was imposed, after which the tier system was reintroduced. Gradually more and more areas moved into the highest tier level until a further national lockdown was reintroduced on 6th January 2021, which began to be eased on 29th March 2021.
- 16.75 There were national concerns about the impact of these restrictions on people experiencing domestic abuse and coercive control (Van Gelder et al., 2020), and so fleeing domestic abuse was named as one of the justifiable reasons for leaving the household during the first ‘lockdown’.
- 16.76 The restrictions and their fluctuating nature had different impacts on service availability and access.
- 16.77 Children’s Services, for example, created a risk matrix to identify children most at risk of harm. These children continued to be visited by social workers, who had been provided with the appropriate personal protective equipment to protect themselves and others from the risk of catching or passing on Covid. Portsmouth Children’s Services considered that this was effective in ensuring that children most at risk on a child protection plan were in safe and secure environments and that swift action was taken if they were not. The courts, foster carers, social worker's continued to work during the pandemic and while some meetings may have taken place virtually if it was safe to do so children at risk continued to be seen face to face and decisions about their care were made without delay.

- 16.78 The Probation Service identified that Covid-19 and remote working reduced the opportunity for informal office case discussions that would routinely have occurred and noted Lee and Ivan's probation officers were in different teams and in different offices, which made informal information sharing more difficult. The Probation Service created an Exceptional Delivery Model (EDM) with minimum service standards including the frequency and nature of appointments.
- 16.79 Following his 12-month Community Order on 1st December 2020, Ivan was required to receive one face to face appointment each month and one telephone contact each week. With Christmas approaching and increasing Covid-19 restrictions, Informal guidance was issued by the Probation Team manager about the need to increase contact in domestic abuse cases, to complete Christmas safety plans and increase face-to-face contact.
- 16.80 Ivan was offered six appointments between 1st December 2020 and 14th January 2021 and attended two. Non-attendance at one was deemed acceptable and non-attendance at three deemed unacceptable. Local changes in lockdown tiers appeared to have created uncertainty about face-to-face appointments, as did concern that Ivan would not comply with telephone contact. It appears that these concerns, and any associated risk of not maintaining contact with Ivan, were held by Ivan's probation officer rather than raised as a management problem. Similarly, the correlation between increased risk of domestic violence and abuse during the Christmas period was not considered to be a factor for Ivan.
- 16.81 Whilst the Covid-19 restrictions did create difficulty with, and uncertainty, about contact, the lack of face-to-face appointments was a missed opportunity for discussion with Ivan about his family situation, and any potential risks to or from Lee.
- 16.82 Ivan's probation officer's priority was assessing and flagging risks of intimate partner violence, which were believed to be the main risk Ivan posed. The assessment that the risk of serious harm to known adults, to the public and children was medium was considered by the Probation Service to be appropriate but more attention to the details of the relationship between Ivan and Lee may have highlighted further concerns.
- 16.83 During the process of this Domestic Homicide Review, managers and practitioners reflected on the difficulties of working with a family which might be described as chaotic, troubled and violent. There was little information on the effect that this had on Lee, Ivan and Rita and other family members, including the extent to which they lived in fear and in which excessive drug and alcohol use, violence, coercion, control and criminality had become to an extent normalised.
- 16.84 There was no evidence that practitioners were afraid of violence or intimidation from Lee, Ivan and Rita and other family members and that this had influenced or restrained their interventions. However, there was the potential for fatigue amongst professionals caused by the cyclical nature of contact with Lee, Ivan and Rita and others and associated reduced expectations for change. This suggests a need to

support practitioners, through management, leadership and multi-agency interventions, to reduce feelings of inevitability and “burn out”.

16.85 In addition, Ivan was to an extent a “hidden adult” who had less contact with the criminal justice system and was often considered to be more at risk from Lee than he was to him. This confirms the need for Think Family approaches which consider the dynamic nature of relationships within families and their impact on each member and not just those considered to be most at risk to present the most risks.

16.86 This might be further exacerbated by the reduced help-seeking by men and the assumption by professionals of the need for practical or behavioural rather than emotional interventions.

16.87 Effective Practice

16.88 There were examples of good practice and adherence to organisational policies and procedures. For example, all three PIP contacts with or about Lee and Ivan were responded to within guidelines and timescales. There was good recording and good communication with the police.

16.89 DASH assessments were made and results were reported to MARAC and each organisation made use of the information it had. There were, however, difficulties in sharing information between teams within the Probation Service and opportunities to share information between services were missed.

16.90 There was extensive, if ultimately unsuccessful, joint working between the Probation Service and Portsmouth Council’s Housing Service to secure accommodation for Lee upon his release from prison in January 2021. Unfortunately, the favoured placement at The Registry was not available and so Lee left prison, effectively into the care of his family, despite the already recognised history of domestic abuse, nascent concerns that Lee and Ivan may be a risk to each other and definite concerns about violence in the relationship between Lee, Ivan and Rita.

17. Conclusions

17.1 The purpose of this review was to consider:

17.2 Awareness of and response to domestic violence and abuse and coercive control

17.3 Domestic violence and abuse was recognised as a factor in Lee’s family and in Lee and Ivan’s relationships with partners and ex-partners. It was not clearly and consistently recognised in Lee and Ivan’s relationship with each other, although violent incidents were known by the police, for example, to have taken place between them. There was also less clear recognition of the effects of coercion and control in family relationships.

17.4 Similarly, domestic violence and abuse was assessed and interventions offered to Lee and Ivan’s partners and ex-partners, and assessments were made of risk to children.

These were reported to the appropriate arrangements including MARAC and Domestic Abuse support services. The risk of violence between, or the effects of coercion and control on, Lee and Ivan were not explored. The only domestic violence intervention offered to Lee was withdrawn when he was recalled to prison. It is unclear whether or not Lee would have accepted this intervention.

- 17.5 There were some specific problems in sharing information between probation officers. There was a missed opportunity to impose license restrictions limiting Lee's contact with family members upon his release from prison in January 2021. These would have been appropriate given the history and pattern of violence within Lee's family. License restrictions and Restraining Orders, however, must be enforced and there was evidence of slow responses to these by the Hampshire Police when Lee breached them.
- 17.6 Given the complexity of the family relationships, in which Lee, Ivan and Rita and others were all at times both victims and perpetrators of domestic abuse, a multi-agency "Think Family" approach might have helped to better understand family dynamics and might support intervention and risk assessment. This approach builds the resilience and capabilities of families to support themselves (Wong et al, 2016) and recognises that individuals rarely if ever exist in isolation and that whole-family approaches are often necessary to meet individual and family wide needs. The core principles of the "Think Family" approach are that practitioners:
 - 17.6.1 Consider and respond to the needs of the whole family; including the poverty, drug and alcohol use, domestic abuse and mental health difficulties of everyone in the home (including frequent visitors) in all assessments and interventions
 - 17.6.2 Work jointly with family members as well as with different agencies to meet needs
 - 17.6.3 Share information appropriately according to the level of risk and escalating concerns if they are not otherwise being responded to.
- 17.7 Such an approach may have led all agencies involved to greater consideration of Lee's family circumstances and may have helped to identify motivating and protective factors including friends and other relatives. A Family Approach has been developed by Portsmouth City Council which could facilitate this.
- 17.8 **Information sharing and multi-agency working**
- 17.9 Appropriate information sharing and multi-agency processes were used such as MARAC and MAPPA but despite this, not all risks were captured or fully understood. Multi-agency working tended to be episodic and MARAC processes, for example, were stopped when Lee returned to prison. Given the nature of Lee's offending, the family history of domestic abuse and the short term and cyclical nature of Lee's imprisonment, release and recall, a more consistent approach between the probation and the prison service might have been useful.

17.10 Health and social care needs

- 17.11 There was a recognition that Lee, and Ivan and Rita in particular, had mental health needs but this does not appear to have influenced the approaches taken with them. It is likely, and was to extent recognised, that violence and abuse had been a long term factor in the family and had impacted on Ivan's, and very likely, Lee's childhoods. It may also have affected other family members.
- 17.12 There are strong evidential, as well as logical and intuitive, links between child sexual abuse, physical abuse and trauma and the experience in adulthood of mental health problems, excessive use of drugs and / or alcohol, self-neglect and chaotic and abusive personal relationships (Lewis et al, 2021; Maniglio, 2019; Greenfield, 2010). These traumatic events in childhood are often referred to, somewhat euphemistically since the term barely captures their extremely disturbing nature, as adverse childhood experiences (ACE) (Felitti et al, 1998).
- 17.13 ACEs include growing up in a household with someone who has mental health needs, misuse substances or has been incarcerated in the criminal justice system. They include exposure to child maltreatment or domestic violence and also losing a parent through divorce, separation or death (WHO, 2012).
- 17.14 Exposure to such ACEs has been associated with poor health outcomes including substance use, mental ill-health, obesity, heart disease and cancer, as well as unemployment and continued involvement in violence.
- 17.15 Importantly, the impact of ACEs appears to be cumulative, with risks of poor outcomes increasing with the number of ACEs suffered. Significantly, people who have been exposed to multiple ACEs are more likely to die at a young age from natural causes, suicide or homicide (Bellis et al, 2013).
- 17.16 There is also considerable practice and research evidence that people with a history of trauma struggle to engage with the services that try to help and support them. Lee (and Ivan, Rita and other family members) were in irregular contact with multiple agencies, which struggled to engage with them. A trauma-informed approach to supporting families with a significant history of domestic abuse and other offending may also be helpful.

17.17 Individual and family factors

- 17.18 The relationship between Lee and Ivan was not explored and instead the focus was on the risk they posed to others. This lack of curiosity also extended to a lack of attention to the family more widely. This is partially explained by the intermittent nature of Lee's (and other members of his family's) contact with services and their reactive responses to him. Longer term approaches, less contingent on eligibility criteria or legal

mandates might be more effective when working with families where domestic violence and abuse seems to be so entrenched that it appears to be a part of life.

17.19 Organisational factors and barriers to practice

17.20 The contacts with Lee and his family, partners and ex-partners took place within the context of Covid-19 restrictions. There is some evidence that this affected the actions of some services and led to reduced contact with Lee by the probation service.

17.21 The services in contact with Lee and his family also tended to work in silos and there is a need to improve communication and interagency working to identify risks of domestic abuse in wider family relationships. This requires the use of multi-agency approaches that are embedded in practice so that they become the default way of working rather than exceptions. When working with complex families the standard approach should be one of partnership between all the agencies involved and this should be used to identify other organisations that need to be involved.

18. Lessons to be Learned

18.1 Short custodial sentences, often because of recall to prison, disrupt community-based interventions and are sometimes unhelpful for developing consistent multi-agency approaches (see recommendation 1)

18.2 There is a need for community based domestic abuse approaches to remain involved for people who have been recalled to prison for short sentences. De-registration from MAPPA and withdrawal from MARAC due to prison sentences means that community awareness and management is interrupted. As a result, an opportunity to notify the National Probation Service and the CRC of the risk that Ivan posed to Lee was missed. (see recommendation 2)

18.3 There is a need for greater integration of MARAC process with prisons so that a less episodic approach can be used to managing offenders (see recommendation 2)

18.4 Concerns about domestic abuse expressed by ex-partners should be shared at MARAC meetings and the extent that there is risk to a current partner or to family members should be assessed (see recommendation 2).

18.5 Release from prison should be considered as a transition and risks should be assessed and actions taken which could include, for example, the use of non-contact conditions in situations where there is intra-familial and intergenerational domestic abuse and where family members pose risks to each other. Similarly, address checks should be made prior to discharge from prison to identify if people who have a history of domestic abuse will be living together and if so, alternative accommodation should be sourced. This may require information sharing between agencies including the police and the Probation Service (see recommendation 3).

- 18.6 The police have identified that PPNs should be completed consistently so that they capture risks to children (or adults who are made vulnerable by their circumstances and their health and social needs) and that where alleged offence do not meet the evidential threshold of police action, it does not mean that further action cannot be taken by other organisations and risks should still be assessed. These are part of on-going work by Hampshire Constabulary and their internal training and auditing processes.
- 18.7 Portsmouth Safeguarding Adults Board has introduced a MARM (Multi-Agency Risk Management Meeting) for adults with multiple needs who do not meet the adult safeguarding threshold for a statutory enquiry under section 42 Care Act 2014 and can be called on an ad hoc basis and can be held with the appropriate agencies (from between two to many) as required and held virtually in order to facilitate swift responses. Multi-professional work should continue between MARM meetings and progress reported on at the next meeting (see recommendation 2).
- 18.8 This may have been a useful forum for further discussion of, and planning for, how to respond to Lee, Ivan and Rita's needs and for coordinating health and social care interventions with domestic abuse and criminal justice interventions. The MARM was introduced in 2016 and is currently being reviewed and greater integration with, for example, MARAC and MAPPA could be included in this (see recommendation 2).
- 18.9 There is a need to consider a multi-agency "Think Family" approach when working with families where there is a persistent history of domestic violence and other offending. Co-ordinated multi-agency interventions should be the standard approach in these circumstances. The impact on children of domestic abuse is well research and identified as a factor on a child's development. Interventions that support positive parenting and safety might help to reduce the risk of domestic abuse. Portsmouth City Council has developed a Family Approach which could facilitate this (see recommendation 4).
- 18.10 As this review demonstrates, people who perpetrate domestic violence are sometimes victims of it too and a binary distinction between perpetrator and victim is sometimes misleading. There is a need to consider how people who behave in a violent and abusive way are supported to change their behaviour and longer term interventions may be useful in this. The recently updated Portsmouth Domestic Abuse Strategy (2020 - 2023) has five priorities; two of which are in relation to working with adults who are being abusive or using unhealthy behaviours: priority C is "Challenge and support those who use abusive or unhealthy behaviours" and priority D is "Hold to account those who use coercive control and violence". There is an associated action plan with the aim to improve the partnership response to more complex cases of domestic abuse (see recommendation 3).
- 18.11 Similarly, where perpetrators are also victims and where violence and abuse is a factor in inter-familial relationships but where there is no coercion and control or imbalances of power, the models for responding to domestic violence and abuse are sometimes

inappropriate and restorative family based approaches may need to be considered (see recommendation 3).

- 18.12 Fratricide is relatively uncommon and there is research evidence (for example, Hine et al, 2020) that the risk of fratricide is often not recognised. In the case of Lee and Ivan, threats and violence between them and other family members and sometimes others were frequent features, which may have further obscured the risks that Ivan posed to Lee. There is a need for greater awareness amongst professionals of the risk factors and potential warning signs identified in this Domestic Homicide Review and for professionals to consider the risk of fratricide in situations like this and for fratricide risk to be discussed in MARAC meetings (recommendation 2 and 6)
- 18.13 There is a need to recognise and respond to reduced help-seeking by men and to offer emotional support in addition to practical or behavioural interventions. (recommendation 2 and 6).
- 18.14 Lee experienced considerable housing instability. There is substantial, as well as intuitive, evidence that the well-being of both individuals and families is substantially affected when the need for satisfactory housing is not met. Without stable and secure housing, other efforts to support people with their mental health needs, their drug and alcohol use, their dangerous behaviours are unlikely to be successful. Tackling housing insecurity is fundamental to facilitating stability on which other interventions can be built.² As part of the local authority statutory duty to provide safe accommodation, Portsmouth City Council Housing is writing a Domestic Abuse policy and is considering DAHA (Domestic Abuse Housing Association) accreditation. This will include an improved understanding of the complexities of meeting multiple needs.
- 18.15 There is a need to support practitioners, through supervision, leadership and multi-agency interventions, to reduce feelings of inevitability, fatigue, hopelessness, “burn out” and associated reduced expectations for change, when working with people who present cyclical, repeating and seemingly unresolvable, challenges that appear to be part of their way of life. The Violence against Women and Girls Strategy being undertaken by the Portsmouth City Health and Wellbeing Board is considering four pillars. One of these is in relation to organisational and cultural change and includes how services support both their service users and their employees in relation to domestic abuse. This will be considered further in work to implement the strategy.

² According to the United Nations (UN) Committee on Economic, Social and Cultural Rights, satisfactory housing consists of: legal security of tenure; availability of accessible services, facilities and infrastructure; habitability; accessibility (e.g. access to employment, health services, schools, etc); cultural adequacy; and affordability. There is a strong interrelationship between mental health and homeless including insecure housing, such that housing can be considered to be “foundational” to good mental health and wellbeing (Padgett, 2020).

19. Recommendations

19.1 The multi-agency recommendations are:

19.2 **Recommendation 1** The Probation Service should investigate how to strengthen the links between MARAC and domestic abuse processes for those serving short periods in prison so that opportunities for interventions are not lost.

19.3 **Recommendation 2:** The Portsmouth Safeguarding Adults Board should strengthen the MARM processes and practice so that the MARM increases the likelihood of achieving positive outcomes for victims of domestic abuse in those case which might fall outside of other arrangements such as adult safeguarding, MAPPA or MARAC.

19.4 **Recommendation 3:** The DHR Author, the Portsmouth City Council Head of Service for Partnerships and Planning and the Portsmouth City Council Strategy and Partnership Manager to write to the Home Office to advise that homicides in the absence of coercion and control and power relationships do not fit easily within in the DHR process and definition of domestic abuse and for this to be considered when reviewing the guidance on DHRs.

19.5 **Recommendation 4:** Each agency involved in this review should audit their approaches to cases of inter-familial domestic abuse to identify the extent to which adaptable models are used that respond to victims who have previously been identified as perpetrators and vice versa. The results of the audit could be used to identify further developments in, amongst others, processes, protocols and training.

19.6 **Single agency recommendations:**

19.7 **Recommendation 5:** The Probation Service should ensure that OASYS (Offender Assessment System) captures risks arising from arguments and problems with money and gambling and that these are recorded as possible triggers of further offending.

19.8 **Recommendation 6:** Stop Domestic Abuse to review its training in relation to the use of professional judgement for MARAC referrals.

19.9 **Actions already completed:**

19.10 The Hampshire Constabulary MASH training sergeant has delivered training to frontline staff and specialist teams on the completion of PPNs to capture the risk of domestic abuse to children. This has included targeted work with student cohorts and has become business as usual. In addition Hampshire Constabulary is scrutinising the quality of PPNs, which is leading to improvement in quality and is training police staff on the new PPN1 form.

19.11 Training has now been harmonised to cover risk and vulnerability. The Resolution Centre has rolled out physical training across all 3 teams to refresh and standardise practice This includes PPN1 training to help focus on adult vulnerabilities. This training

is now able to be delivered to new staff in cohorts, which provides continued focus on best practice. Domestic Abuse champions provide oversight.

- 19.12 Hampshire Constabulary holds a domestic abuse learning panel meeting every two weeks across districts. Domestic abuse Champions will conduct thematic reviews on a district basis. These will seek to address specific issues within districts and identify areas of need. Op Dawn (peer to peer supervisor reviews) are being undertaken across the Hampshire Constabulary, specifically looking at the themes identified for the district. Action covered under Bronze DA Plan 2022-2023.
- 19.13 In November 2021 the definition of a domestic incident was updated on the Hampshire Constabulary intranet to "Family members is defined as mother, father, son, daughter, brother, sister, grandparents, in-laws or step family". The new and revised definition of domestic abuse, from the Domestic Abuse Act 2021, explains personal and family connections. This is included in the DA FPPs currently being revised and will be available on the DA Hub.
- 19.14 All frontline Hampshire Constabulary officers and investigators have had presentation briefings which included the importance of ensuring all children are checked on and spoken to. The risk to any child or vulnerable adult is being recorded in PPNs and ensuring 'Home, Health and Happiness' is recorded, so the appropriate referrals can be made by the MASH.
- 19.15 Hampshire Constabulary has created a brief guide for easy access by officers to DASH risk grading criteria which has been published on their intranet. The Domestic Abuse Learning Panel has identified that the MASH has tended to grade risk as higher than guidance dictates when it should be graded lower in 20% of referrals overall.
- 19.16 Hampshire Constabulary has introduced a revised Force Performance Profile (FPP) on the role and responsibility of both the Controller and the attending officer, to ensure that information provided during a call and CSPECCS answers are relayed to attending officers, while at domestic incidents. Domestic Abuse crimes and incidents can only be closed by Supervisors. All Domestic Abuse crimes and incidents must have a specific Domestic Abuse review by a Domestic Abuse champion or Supervisor, which needs to consider risk and PPN1 completion, if there is a need for ancillary orders or disclosures and whether the investigation has had sufficient victim focus. There is a monthly audit on compliance and quality to highlight any failings in the process.
- 19.17 Hampshire Constabulary Supervisors now complete rolling three-weekly reviews of all crimes held by investigators so any crime held will have continued supervisors guidance and more rapid intervention in investigation direction. Ninety-six day reviews are also completed and there is a dashboard to support this.
- 19.18 In 2021 there were 14 Hampshire Constabulary cross-command Continuing Professional Development (CPD) dates focusing on the identification of stalking behaviours and accurate crime recording. This has been supported by victim advocacy and health professionals who specialise in Stalking. CPD has also been supported by

The Hollie Gazzard Trust which was created following the murder of 20-year-old Hollie Gazzard in 2014 by an ex-partner. Set up by her parents, along with her sister, the charity helps reduce domestic violence through creating and delivering programmes on domestic abuse and promoting healthy relationships to schools and colleges. A 12 month-license for the Gazzard presentation has been purchased to support future CPD. Additionally a Stalking Analysis has been commissioned to better understand the problem profile in Hampshire. Stalking and harassment is now going to be included in the new PPN1 form.

- 19.19 Hampshire Constabulary is monitoring families with complex needs where additional risk management is required. Such families are identified through daily overnight searching and from performance/ITD products. Additional scrutiny and tasking is already in place for Domestic Abuse offences through the district's Domestic Abuse Coordinator, who has been in post since November 2021. An additional agenda item relating to prison releases has been added to the monthly TPM to flag individuals or complex situations which need greater risk management.
- 19.20 The Hampshire Constabulary Senior Leadership Team will also explore, with the heads of the local adult and children's services, the means to raise/request complex strategy meetings when needed. These meetings will then have the required risk management documentation detailing the risks identified, with suitable partnership ownership, governance and accountability. It is anticipated that risks and mitigation will be documented in either a 3RM model (Recognise, Reduce, Remove, Manage) or RARATS (Reduce, Avoid, Remove, Accept, Transfer, Share).
- 19.21 Hampshire Constabulary has given presentation briefings to all frontline officers and investigators, explaining Restraining Orders, Non Molestation Orders and breaches, including bail conditions. A Task and Finish group is monitoring consistency and compliance with Non-Molestation Orders/bail conditions.

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Action Plan: this is a live action plan and subject to change.

Ref	Recommendation	Panel Comment	Organisation	Owner	Date
Multi-Agency Actions					
1	The Probation Service should investigate how to strengthen the links between MARAC and domestic abuse processes for those serving short periods in prison so that opportunities for interventions are not lost.		Probation Service	Sarah Beattie	Being considered as wider piece of work to improve resettlement model and ensure consistency of delivery across the whole Probation South Central regional resettlement.
2	The Portsmouth Safeguarding Adults Board should strengthen the MARM processes and practice so that the MARM increases the likelihood of achieving positive outcomes for victims of domestic abuse in those case which might fall outside of other arrangements such as adult safeguarding, MAPPA or MARAC.	MARM framework has been reviewed and is due for sign-off at PSAB Board meeting on 5th July, after which it will be formally published and promoted to the workforce.	Portsmouth Safeguarding Adults Board	Alison Lawrence	Completed - signed off at PSAB on 5th July and publicised to partners on 25th July
3	The DHR Author, the Portsmouth City Council Head of Service for Partnerships and Planning and the Portsmouth City	DHR author and CEO PCC wrote to Priya Patel, Domestic Abuse Perpetrators &	Portsmouth Community Safety Partnership	Patrick Hopkinson DHR Author and David Williams CEO PCC.	Completed - letter sent on 24 th May. Response received 20 th June.

Ref	Recommendation	Panel Comment	Organisation	Owner	Date
	Council Strategy and Partnership Manager to write to the Home Office to advise that homicides in the absence of coercion and control and power relationships do not fit easily within in the DHR process and definition of domestic abuse and for this to be considered when reviewing the guidance on DHRs.	Homicide Response, Interpersonal Abuse Unit, Home Office on 24 th May 2023.			
4	Each agency involved in this review should audit their approaches to cases of inter-familial domestic abuse to identify the extent to which adaptable models are used that respond to victims who have previously been identified as perpetrators and vice versa. The results of the audit could be used to identify further developments in, amongst others, processes, protocols and training.	Discussed at DA strategic group on 27 th June 2023. Arrange working group.	Portsmouth Community Safety Partnership	Bruce Marr	Completed NPS - was considered at regional Learning Effectiveness and Accountability panel, research on fratricide to be shared with managers and portfolio leads to disseminate included inclusion on the learning depository. Senor probation officers to assist in identification and management

Ref	Recommendation	Panel Comment	Organisation	Owner	Date
					of similar cases. . Police (completed) - have aligned oversight and management of complex cases within other systems and operational partnership arrangements to consider full use of available tools (MARM / DASH / PIPT / ASB closures etc) for adults with complex needs.
Single Agency Actions					
5	The Probation Service should ensure that OASYS (Offender Assessment System) captures risks arising from arguments and problems with money and gambling and that these are recorded as possible triggers of further offending.	Managers systems and guidance have been developed / updated to ensure this is considered when countersigning	Probation Service	Sarah Beattie	Completed 1 st June 2023
6	Stop Domestic Abuse to review its training in relation	Stop Domestic Abuse embed professional	Stop Domestic Abuse	Czarina Jacobs	Completed 4 th May 2023

Ref	Recommendation	Panel Comment	Organisation	Owner	Date
	to use of professional judgement for MARAC referrals	judgement in relation to assessing risk and referrals to MARAC within 3 training packages.			

Home Office feedback letter



Portsmouth (Lee)
Resubmission Feedba