

I would like to make the following request under the Freedom of Information Act 2000:

What changes have been made to the force's approach to recording offences as a result of Part 3 of the Domestic Abuse Act 2021 (children as victims) coming into force on 30 January 2022?

Please see below from our Deputy Force Crime Registrar and Force Crime Registrar

There has been no change to HOCR as there is no need to take out a separate crime for a child who has witnessed Domestic Violence. They are added to the crime report as a relevant person in order to obtain safeguarding, in some cases the Public Protection Unit complete a separate Child Abuse Non-Crime and a referral is made to the relevant statutory agency.

However, if the child has been a victim of particular crime type (i.e. an assault), which was part of the Domestic Incident, then they would be a victim in their own right and a crime would be recorded, as per HOCR.

In addition, our Public Protection Unit have advised:

The legislation requires that children are entitled to the same support as victims involved in Domestic Abuse incidents. This does not create a separate offence for recording, but requires that these children are suitably identified and recorded.

West Midlands Police already record details of children present at Domestic Abuse incidents within the recorded offences or Domestic Abuse reports.

Domestic Abuse triage processes are in place across all local authority areas within the West Midlands Police region to refer these identified children for multi-agency support where appropriate.

West Midlands Police engage with Operation Encompass across all local authority areas within the West Midlands Police region, notifying schools where a child has been present during an incident of Domestic Abuse to allow for additional support to be provided within the school setting.