



The Impact of Police ‘Process-Driven Responses’ on Supporting Lesbian, Gay, Bisexual and/or Transgender + Victim-Survivors of Domestic Abuse in England

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Abstract

Purpose The public story of domestic abuse (DA) sets out DA as a problem of cisgender, heterosexual ‘strong’ men, perpetrating physical abuse towards cisgender, heterosexual ‘weak’ women. Drawing upon this narrative, LGB and/or T + victim-survivors may not see their experiences reflected, and similarly, practitioners may view abuse in LGB and/or T + people’s relationships as less serious, as ‘mutual’ or may miss dynamics unique to DA within these relationships. This article argues that when assessing risk and making subsequent decisions in relation to abuse within LGB and/or T + people’s relationships, police enact ‘process-driven responses’, meaning that the same procedures are followed for all DA cases irrespective of the different identities and/or needs of the victim-survivors. We explore how process-driven responses are underpinned by the public story, and how this impacts the services provided to LGB and/or T + victim-survivors.

Methods Semi-structured qualitative interviews (n = 35) with police officers, police staff, support practitioners and victim-survivors were undertaken and analysed thematically.

Results Findings suggest that by enacting process-driven responses, police feel that they are providing an equitable service to all victim-survivors. However, these responses draw heavily on the public story of DA, focusing primarily on cisgender, heterosexual stereotypes and the presence of physical injuries.

Conclusions ‘Treating everyone the same’ can leave experiences of LGB and/or T + victim-survivors invisible, minimised and not understood. This has implications in relation to inadequate responses being provided, such as victim-survivors being arrested, mutual blame being ascribed and lack of police knowledge in relation to appropriate support provision. Suggestions for policy and practice will follow.

Keywords LGBT+ · Domestic abuse · Domestic violence · Policing · Police processes · Police responses

Introduction

Over the past 35 years, there has been a steady but noticeable increase in research exploring domestic abuse (DA) in the lives of lesbian, gay, bisexual and/or transgender,

non-binary and/or genderqueer (LGB and/or T+¹) people (see, for example, Barnes, 2007; Barnes and Donovan, 2016; Donovan and Barnes, 2020; Island and Letellier, 1991; Renzetti, 1992). However, most existing research on the topic of DA within intimate partnerships is focused on abuse within cis-heterosexual relationships (Dobash & Dobash, 1998), described by Cannon and Buttell (2015) as a ‘heteronormative bias that runs throughout most domestic violence scholarship’ (p.68).

Since the 1970’s, feminist activism and scholarship has sought to recognise DA as a structural form of violence against women which has led to a prevalent ‘public story’ (Jamieson, 1998) about what DA consists of and who enacts

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¹ Please see Page 4 ‘Contextualisation and Terminology’ for further explanation of the use of this term.

and experiences violence (Donovan & Hester, 2010, 2014). This public story constructs the problem as being one of a particular presentation of cis-heteronormative gender: the big ‘strong’, cisgender, heterosexual man enacting physical violence towards the small ‘weak’, cisgender, heterosexual woman. Though this narrative is justified in its positioning of who, numerically, is most likely to perpetrate violence and be victimised, the prevalence of the public story can make it difficult for those whose experiences do not fit the narrative to recognise themselves as experiencing abuse, or for service providers to recognise and appropriately respond to them (Donovan & Hester, 2014; Donovan & Barnes, 2019, 2020). This includes, as in this study, victim-survivors who identify as LGB and/or T+, and those who do not experience physical violence. The public story of DA also has implications for how violence between women or between men in intimate relationships are perceived (Donovan & Hester, 2014), as it makes it difficult to perceive women as perpetrators and men as victim-survivors. Through the lens of the public story, intimate partner violence/abuse between women or between men can more easily be perceived as a fair fight, mutual abuse, and of no significance (because women are viewed as unable to cause harm and men as able to defend themselves) (Donovan & Hester, 2014).

The focus of this research is on exploring how police responses are underpinned by this public story of DA, and how this negatively impacts on the responses provided to LGB and/or T+ people victimised by DA. This is important because the procedural response to DA results in everybody being treated in the same way. However, ‘the same’ is not neutral here because the standard has been constructed as a result of cis-heterosexual women’s victimisation by cis-heterosexual men. Thus, being treated ‘the same’ actually means ‘being treated as if you are a cis-heterosexual woman’ which for many LGB and/or T+ victim-survivors can result in not receiving the police response(s) they need.

We begin this paper by outlining the terminology and definitions used within the research and set out the theoretical framework. We then move on to examine existing literature relating to the context of policing DA in the UK, with a focus on risk assessment and responses to LGB and/or T+ victim-survivors. The qualitative methodology used for the research is then outlined. We then present and discuss the implications of our findings, examining how the public story of DA underpins police perceptions and process-driven responses, and what this means in relation to the service(s) that victim-survivors receive. Finally, we discuss these findings in light of existing literature, before presenting our recommendations for policy and practice.

Contextualisation and Terminology

One of the challenges of conducting research on DA in the relationships of LGB and/or T+ people is the terminology and definitions used by researchers, policy makers and in legislation. Therefore, before we proceed further, a note on terminology is required. Within this article, we draw upon the Home Office England and Wales (2013) definition of Domestic Abuse:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality (2013)

Whilst the Home Office definition includes violence and abuse perpetrated by family members, within this article we focus on abuse within adult intimate partner relationships. We also recognise that since the research was conducted, a statutory definition of domestic abuse has been introduced via the Domestic Abuse Act (2021).

Though the term ‘same-sex relationships’ was used in the original research, in line with recent work exploring DA in the relationships of LGB and/or T+ people, in this article we use the acronym LGB and/or T+ to include those who do not identify within gender and sexuality binaries and to illustrate that some trans people may identify as heterosexual (Donovan & Barnes, 2020). When discussing other authors’ work, however, we use their chosen terminology. We also adopt the term victim-survivor when addressing those who have been victimised by DA, as we feel that this better conveys the agency that many of those victimised enact and their rejection of the implied passivity/incapacity that the term ‘victim’ has on its own.

This research is framed using an intersectional feminist approach, exploring how gender and sexuality (alongside other intersecting identities such as ethnicity) are connected, and how this subsequently influences understandings of DA in LGB and/or T+ people’s relationships. Traditional feminist discourses frame DA as occurring due to unequal power relations between men and women on a societal and individual level, that enable and support men’s violence towards women (Stark, 2007; Walby, 1990). Men and women are framed as sitting within binary structures through which men hold patriarchal power that facilitates their abuse of women. An intersectional approach (see Crenshaw, 1989; 1991) extends this, enabling an exploration of how gender-based power interacts with other axes of power. As this article focuses on the ways that police perceive and respond to DA in the relationships of LGB and/or T+ people, adopting an intersectional lens means that perceptions based on

victim-survivors' intersecting identities can be examined, as well as exploring how these perceptions influence responses. This lens is important when recognising that LGB and/or T+ people's experiences as a result of their gender identity and/or sexuality cannot be separated from the way in which these identities intersect with other social systems to form experiences (Donovan & Barnes, 2020).

The Context of Policing Domestic Abuse in the UK

In the UK, policing DA has changed dramatically over recent decades, with feminist scholars outlining how it was not taken as seriously as other crime types in the late 1980s and early 1990s (see, for example, Dobash and Dobash, 1992; Edwards, 1989). It was not until the New Labour Governments (1997–2010) that DA began to be classed as a priority crime, starting with the National Report and Delivery Plan published in 2005 (Home Office, 2005). In 2004, the Domestic Violence, Crime & Victims Act, introduced in England, Wales and Northern Ireland, recognised that DA can take place in intimate and family relationships 'regardless of gender or sexuality' (in Donovan and Hester, 2014, p.15). National policy increasingly focused on managing risk in responses to DA and affording the police more power in relation to arrest (Hoyle, 2007). In 2005, guidance was produced by the Association of Chief Police Officers to accompany the 'Investigating Domestic Violence' guidance – a procedural manual outlining how British Police and agencies should investigate DA – which included explanation as to how DA-related risk should be assessed and managed (Hoyle, 2007). In 2010, previous Labour initiatives were built upon by the Conservative-Liberal Democrat coalition government who introduced the strategy 'Call to End Violence Against Women and Girls' (Home Office, 2010). The Domestic Abuse Act (2021) is the most recent iteration of government DA policy and legislation, providing a statutory definition of DA, creating DA Protection Notices and Orders and including post-separation abuse within the Coercive and Controlling Behaviour (2015) legislation.

In addition to drawing upon legislation to frame responses, since 2009, following the endorsement of national police leads (Myhill, 2016), most police forces in England use a structured, risk-assessment tool to assess risk posed by DA: the Domestic Abuse, Stalking and Harassment and Honour-Based Violence (DASH) risk checklist. The assessment involves 27 questions which can be asked of victim-survivors alongside the extent of repeat reporting and officers' professional judgement or discretion (Cattaneo & Goodman, 2007; Myhill & Hohl, 2019). This results in an allocation to the victim-survivor of a standard, medium or high risk level. This structured professional judgement (Robinson, 2010) is believed to enable information to be

gathered in an organised manner via set questions, but also allows for specialist knowledge of the officer to take precedence over question-based risk levels where officers 'know otherwise' (Walklate & Mythen, 2011, p.110).

The DASH is, however, not without drawbacks. Though it aims to offer consistency when responding to DA, it is not always interpreted or used uniformly across police forces (Hoyle, 2007; Robinson et al., 2016) and compliance with submitting risk assessments is rarely 100% (Robinson et al., 2016). The questions also place considerable emphasis on physical, incident-specific violence (Donovan, 2010; Hoyle, 2007) and the formulation of the DASH was based on research with cis-heterosexual women (Donovan, 2013; Robinson, 2010), rendering it a cis-heteronormative tool. The DASH therefore, constructs what, and who (Donovan, 2013) is viewed as risky, with experiences that sit outside the checklist in danger of being viewed as 'other' or not risky, when the reality may be otherwise (Welsh, 2022). Donovan (2010) suggests that professionals should be trained appropriately to ensure they are using the DASH in a way that is suitable for LGB and/or T+ victim-survivors, particularly in utilising the free-text box to record their professional judgement when risk ratings shown by the DASH do not reflect the risk the officer perceives the victim-survivor to be facing. For example, for LGB and/or T+people, calling the police is often a last resort, suggesting that at this point in time the risk to them is high, even at first report (Donovan & Hester, 2011).

Police Response to Lesbian, Gay, Bisexual and/or Transgender + Victim-Survivors

The relationship between the police and LGB and/or T+people, has a turbulent history, with LGB and/or T+people experiencing intentional, systematic discrimination, harassment and criminalisation (Donovan & Hester, 2011; Dwyer, 2014; Goldberg et al., 2019; Israel et al., 2014). Though the Sexual Offences Act (1967) decriminalised sex between consenting men, in private, who were at least 21 years old, it was not until the Sexual Offences Act (2003) that 'same-sex' intimate relations ceased to be penalised. Gay men in particular have most often been on the receiving end of heavy policing, being entrapped, under surveillance in private spaces, unfairly arrested and physically assaulted (Altman, 1971; Dwyer, 2014; Goldberg et al., 2019); however all LGB and/or T+people have been perceived as 'potential criminals and deviants to be socially controlled and regulated' (Donovan & Hester, 2011, p.27).

Conversely, there is evidence of under-policing where LGB and/or T+people are victim-survivors of crime. Research suggests that victim-survivors can be reluctant to report to the police for numerous reasons: as a result of

the public story of DA and not recognising themselves in that story (Ahmed, Alden & Hammarstedt, 2013; Donovan and Hester, 2010, 2014; Hassouneh and Glass, 2008), because they do not feel the DA is serious enough (Donovan & Hester, 2014), and fear of receiving an unsympathetic or homophobic response (Calton et al., 2015; Finneran & Stephenson, 2013; Irwin, 2008). For those who do seek support, research suggests that police may view DA within LGB and/or T+ people's relationships as 'mutual abuse' or 'bidirectional violence' i.e. both people are equally responsible (Knight & Wilson, 2016; Peterman & Dixon, 2003; Renzetti, 1992; Ristock, 2002) and/or view it as trivial (Hassouneh & Glass, 2008; Barnes, 2007). The police may also be more responsive to physical violence than other forms of DA (Hoyle, 1998; Monckton-Smith et al., 2014; Robinson et al., 2018) whilst missing dynamics unique to same-sex DA (Donovan & Hester, 2011).

Methodology

'Reflexive and interactive' (Yeo et al., 2014, p.180), semi-structured interviews were undertaken to inductively explore the perspectives and experiences of victim-survivors (n=4), police officers and police staff (n=19) and practitioners within support organisations (n=12) in relation to the policing of DA in LGB and/or T+ people's relationships. Police officers and police staff were recruited via gatekeepers within four police areas in England, and were eligible to participate providing they had experience of responding to DA in the lives of LGB and/or T+ people. Practitioners were recruited via personal and professional invitations to those in the domestic and sexual violence fields, and social media, dependent on them having worked with LGB and/

or T+ people experiencing intimate partner DA. Victim-survivors were recruited via specialist LGBT+ organisations and via a personal contact. They were eligible to participate if they (a) had experienced abuse from a 'same-sex' partner, regardless of how they defined their gender identity or sexuality, (b) had experienced a police response as a result and (c) were no longer in the abusive relationship (Barnes, 2013). All participants were provided with an information sheet and consent form outlining what participation in the research would involve, particularly in relation to confidentiality, anonymity and their right to withdraw, and an (optional) demographics form where participants could choose from pre-populated fields, or self-report via an 'other' option. Table 1 shows the participant sample broken down via demographics relating to self-identified gender, sexual orientation and ethnicity.²

Interviews with police and practitioners focused on perceptions of victim-survivor help-seeking, perceptions of DA in LGB and/or T+ people's relationships, police responses to LGB and/or T+ victim-survivors of DA and improving victim-survivor reporting. Example questions included: 'What barriers (if any) do you think victims of same-sex partner abuse face when deciding whether to report partner abuse to the police?', 'Does your force have any specialist officers/campaigns or other provision geared towards encouraging same-sex partner abuse victims to report to the police?' and 'Is there anything you feel your force could do further to encourage same-sex victims to report partner abuse to the police?'

Interviews with victim-survivors followed a more open structure, enabling them to speak about their experiences of DA and police responses and asking follow-up questions where appropriate. Questions included 'Can you tell me what prompted you to call the police for the first time?' and 'What do you think the police can do to encourage people in same-sex relationships to report to them?' Interviews with all participants lasted between 1 and 3 hours and all participants were offered details of support services following participation. Ethical approval was secured from Durham University. All interviews were conducted and transcribed by the lead author, participants' identities were anonymised and pseudonyms were used.

The participants who took part in the research, particularly victim-survivors and police, are groups who are typically described as difficult to recruit for research. As someone who has prior experience of working alongside police during research and being employed as a practitioner within a third-sector organization, the interviewer was able to establish rapport with participants and encourage openness via this shared experience. Similarly, the lead author

Table 1 Participant demographics

		Police (n=15)	Practitioners (n=9)	Victim-survivors (n=4)
Gender	Female	6	5	2
	Male	9	4	1
	Genderqueer transwoman	0	0	1
Sexual orientation	Gay	2	3	1
	Lesbian	0	5	2
	Queer	1	1	0
	Heterosexual	10	0	1
	Bisexual	1	0	0
	Pansexual	1	0	0
Ethnicity	White British/Irish	15	8	3
	Other White background	0	1	0
	Other Mixed background	0	0	1

² Seven participants did not provide demographics information.

identifies as part of the LGBTQ+ community, and, as such, could identify with victim-survivors in relation to being part of a minoritised group. It is recognised, however, that that interviewer did not disclose this information unless it occurred naturally during the course of interview, and, as such, participants may have experienced a discrepancy in social positioning between themselves and the interviewer. To mitigate this, the interviewer ensured that participants had as much control over the data collection process as possible, such as offering to meet them at a place that was comfortable for them, skipping questions they were uncomfortable with and offering them the opportunity to view/amend their transcript before data analysis took place.

Police and practitioner interviews were analysed using inductive thematic analysis (Braun & Clarke, 2006, 2013), which enabled an exploration of patterns and meaning across the dataset. Drawing inspiration from Braun and Clarke's (2006) six-step process, themes were actively generated rather than simply 'emerging'. The process involved data familiarisation (transcribing, reading and re-reading data and noting initial thoughts), generating initial codes (reading the data and coding based on points of interest), searching for themes (organising codes into groups that say something significant about the data), reviewing themes (checking and modifying initial themes where needed), defining and naming themes (refining themes, ensuring they work to tell the story of the dataset, naming the themes) and writing up the research.

Victim-survivors' interviews were analysed using Interpretative Phenomenological Analysis (IPA) (Smith et al., 2009). Rather than the focus of analysis being exploring patterns across the dataset, as with thematic analysis, IPA enabled a more detailed focus on meaning-making and how experience was constructed by individuals. This data involving in-depth focus on victim-survivors' experiences then enhanced the dataset overall by sitting alongside and interacting with interview data from police and practitioners.

Findings

Three key themes are discussed within this section: Physical injuries as indicators of victim/perpetrator status; filling in the gaps in relation to risk and victim-survivors experiencing inadequate responses.

Interviews suggest that when police are responding to DA, they enact process-driven responses. Essentially, this means that police will generally follow the same policies and procedures when responding to any reported incident of DA - for example, using risk assessment tools and routine procedures such as speaking to witnesses or making referrals to other services. Though adopting a process-driven

approach goes some way to ensuring that all victim-survivors receive the same service, the findings highlight that this approach does not always ensure an *equitable* service for LGB and/or T+ victim-survivors due to it being informed by the public story of DA. The following sections will explore this further.

Physical Injuries as Indicators of Victim/Perpetrator Status

Part of the police's role is to determine who poses risk, and who is at risk within DA situations. Analysis of police and practitioner interviews suggests that when the police respond to abuse between men and women in heterosexual relationships, gender is a primary factor in determining who the victim-survivors and perpetrators are; a factor which an interviewee suggested cannot be used in the same way when responding to abuse in LGB and/or T+ people's relationships:

It is sometimes harder to work out the dynamic, kind of who is doing what to whom, and you can't use gender in the same way to inform that. (LGBT Independent Domestic Violence Advocate (IDVA), lesbian)

In response to a question about the relative risk that might be attached to scenarios involving couples of different genders (men/men, women/women and men/women), police and practitioners reflected on their own practice to discuss how risk levels are determined and how victim-survivors and perpetrators are identified and responded to. Police responses drew upon the public story of DA, outlining that the presence of physical violence (particularly when perpetrated by men), the gender of the perpetrator and victim-survivor and severity of injuries would affect their decision-making:

I accept that there could be all sorts of assumptions and prejudices behind this view but I think that in general terms men have a greater capacity for serious and potentially lethal violence than women. (Detective Sergeant, pansexual)

Women aren't generally violent...they might have slaps and that, you very rarely get serious harm caused by woman...it's just the make-up of the female person and the X and Y chromosomes and all that, women are less violent than men (Police Constable, heterosexual)

There was a slight difference between police who identified as heterosexual and those who identified within the LGBTQ+ spectrum when reflecting on levels of risk, with those identifying within the LGBTQ+ spectrum being generally more likely to state that the police view abuse between

two women as less serious than between a heterosexual man perpetrator and woman victim-survivor. This suggests that LGB and/or T+ officers have heightened sensitivity to how the public story of DA can be inappropriately applied universally by the police to abuse in non-heterosexual relationships.

Interviews with victim-survivors also highlighted how the public story was drawn upon by police. In relation to physical violence, Amil expressed concerns around physical injury being the police's key concern: 'how can you prove domestic abuse, he's not beaten me, it's more mental' (see Harvey et al., 2014 for a similar example). Linked to this, Lucas and Anna were both worried about whether they would be believed to be victim-survivors due to their partners being shorter, quieter, physically weaker than they were, and in Anna's case, female, and thus neither relationships fitted the public story of who can be victimised:

We used to share clothes, we're about the same build, he's slightly shorter so and [I'm the] hyperactive one, he's pretty quiet, so you'd always, if you were going to look at a couple you'd go 'it will probably be Lucas [who is abusive] because he's drinking' and stuff like that and yet I've never laid a finger on him and it was quite the reverse so you kind of have this preconceived idea that they will be like 'how is that possible' you know like 'we don't believe him'. (Lucas)

In Lucas' case, the notion that he was 'hyperactive' and drank alcohol made him feel that he would not be viewed as a victim-survivor when compared to his 'quieter' partner, illustrating that particular aspects of personality may be associated with assumptions around who victim-survivors and perpetrators are. Anna draws upon physical strength and gender in relation to who victim-survivors and perpetrators are perceived to be, with Anna's abusive partner also using her 'weaker' strength as a reason why Anna wouldn't be believed if she reported the abuse:

I think there's a belief as well that perpetrators are male and also strong, physically strong and that's one of the things [the perpetrator] used to say was that she was physically weaker than me, you know. (Anna)

The prevalence of physical injuries being used to assess risk and assigning victim-survivor and perpetrator status when responding to incidents was evident within interviews despite the criminalisation of coercive control (Home Office, 2015). This legislation recognises the ongoing, escalating, often non-physical nature of DA, described by one victim-survivor as akin to being 'a prisoner without being behind bars' (Charlie). Though victim-survivors spoke about being

subject to coercive control, the presence of coercive and controlling behaviours were rarely discussed by police as important in helping them to assign victim-survivor and perpetrator status and determine risk.

'Filling in the Gaps' in Relation to Risk

In the absence of being able to draw upon (assumed) gender as they would when responding to abuse within cis-heterosexual relationships, there was some confusion expressed by the police in relation to who they feel is at risk/who represents the risk in abusive LGB and/or T+ people's relationships:

I think we have a tendency to minimise the likely danger that [women] might cause because we think the profile of danger is often male-centered, and I think when we respond to same-sex male domestics then it can be confusing because you're not quite clear who might represent the danger...I think when you're responding to opposite-sex relationships we can arrive with the assumption that the man is the offender, and so I suppose it's more confusing perhaps for us when we respond to same-sex relationships because the usual assumption obviously is irrelevant. (Detective Sergeant, pansexual)

The detective illustrates how the 'gaps' relating to posing/being at risk are filled in by drawing upon their knowledge of the public story, in the sense that women are not seen to pose as much risk as men due to violence being embodied within men's gender. As the Local Commissioner illustrates, gender and associated notions of power can be fused together by police, which causes difficulty for them when responding to LGB and/or T+ people as they do not 'fit' with the public story:

I co-chair the MARAC [Multi-Agency Risk Assessment Conference] and when we get LGBT cases I think you do see this difficulty, that police or perhaps other professionals [are] dealing with situations which are less apparently abusive because there is less of a power differential, or they're making some assumptions around power. (Local Commissioner, sexual orientation unknown)

There was a theme within interviews, again, reflected in the public story of DA, that women are less likely to cause serious injury and that men should be capable of defending themselves. Two professionals reflected on their work supporting victim-survivors, stating that abuse within LGB and/or T+ people's relationships may therefore be seen

as ‘mutual’ by police when both members of a couple are the same gender, due to perceptions that partners are more equally matched in terms of power dynamics and physical build/strength:

I think sometimes it’s just seen as more of a fair fight because it’s two women or it’s two men ... and I’ve certainly experienced that with the men that we’ve worked with ‘they’re both as bad as each other, you should be able to protect yourself’, you know, it’s the kind of response that they’ve had. (IDVA, lesbian)

A member of police staff expanded on perceived mutuality as a feature of men to men DA:

I’ve talked about mutual violence and mutual violence does happen in heterosexual relationships but I’ve noticed it probably more in male-male relationships, that it is mutual violence, you know, one person punches one person and the other person punches them back, a bit like other men on the street, you know, get in a fight. (DA Caseworker, heterosexual)

Donovan and Barnes (2020) have critiqued the assumptions made about mutual abuse in relationships between men and between women, arguing that, for example, physically fighting back might be self-defence, creating space for reaction to the DA they are experiencing. Conversely, police sometimes minimised the risk to victim-survivors who were in an LGB and/or T+ relationship. An LGBT IDVA explained how this may be the case in relation to women who are abused by women, due to a perception that women cannot be perpetrators:

I think there is this massive taboo around identifying women as dangerous really... I think we struggle with that in the history of the domestic violence movement, the women’s movement because we feel like it sort of undoes a lot of hard work that’s happened...of course, domestic violence is genuinely a gendered crime, but I definitely see more downplaying of risk from female perpetrators in terms of around our ideas of gender and what that means, and this idea that women really ultimately do care for each other rather than try to hurt one another - I think it’s slightly more likely maybe to be perceived as a sort of silly argument, two-way argument, dispute...they can sort it out themselves, and perhaps police officers are less likely to get a sense of fear from a female suspect...and that that sort of impacts on their assessment. (LGBT IDVA, lesbian)

Interviews with victim-survivors’ highlighted that their intersecting identities influenced both how they perceived and how they actually experienced police responses to them. Anna felt that being in a lesbian relationship meant that police minimised the risk she was facing from her partner due to them both being women and mothers (and thus perceived to be caring and gentle). Despite reporting to the police on two occasions in relation to her and her children being unsafe, and being at heightened risk due to being pregnant, a new mother and thinking of leaving her partner, no police action was taken when Anna reported, and Anna’s partner kidnapped the children shortly afterwards. Anna felt that had she been in a heterosexual relationship with a man, the threat to her and her children would have been taken more seriously:

I think if it was [a] heterosexual relationship they would have thought ‘what are the risks of separation?’ Because, you know, it’s all out there - separation increases the risk, pregnancy, new birth increases the risk. All of that was glossed over. ... and I think they would have done if it was a heterosexual relationship, I think it would have been forefront of what they were doing but because there were two women... it completely blindsided them to us both being mothers and therefore [assumed to be] good, caring, kind people. (Anna)

Amil’s and Charlie’s concerns about calling the police were also affected by their intersecting identities. Though Amil was pleased with the response he received from the police, he was initially concerned that he would receive a poorer response due to not being a UK national, and fear that the police would believe his abusive partner’s claim that he was ‘a terrorist’. He was also concerned as his partner had threatened to tell his family he was gay if he called the police. Charlie had concerns around her gender identity, feeling that if she didn’t ‘pass’ as a woman – such as if her voice was too deep, the police would laugh at her. She was also concerned that her identity as an Irish Traveller³ meant that if she called the police, she would be ‘blacklisted’ and ‘shunned’ from her community, and her partner would harm her. Both Amil and Charlie’s experiences highlight the complexities of the risks involved in decisions about seeking help. It is not clear from their accounts whether the police explicitly took these risks into account in their responses, however, they were clearly extremely important to Amil and Charlie in their deliberations about how they might seek help.

³ Irish Travellers are a distinct ethnic group within the UK who have historically been subject to oppression.

Though most interviews suggest that police relied on the public story of DA to shape their risk assessment, four police participants did relay an understanding that gender (and associated aspects such as physical build) is not the sole factor to be considered:

Appearances can be very deceptive and I don't think it's any different within a same-sex relationship, perhaps you would think that the relationship dynamic was naturally more equal, ... but not necessarily, there could be the same power, control and coercion and you know, violence, horrendous things going on whatever sex the participants are. (Detective, heterosexual)

Use of the DASH risk assessment. One tool routinely used by the police as part of the process-driven response to DA is the DASH risk assessment. There were, however, problems associated with this tool, for example, police uncertainty as to whether the tool assesses risk posed by a perpetrator, risk to a victim-survivor, or both, and two police participants stated that they would measure risk-levels differently depending on the circumstances of the incident, such as how calm the victim-survivor appeared. One police officer criticised the DASH for its focus on physical injury and outdated training in relation to its application, whilst a practitioner raised the question of whether risk assessments, including the DASH, are suitable for use with LGB and/or T+ people subject to DA, as highlighted within previous research (see Donovan, 2010; Robinson, 2010):

I'm not certain if the assessment forms that people do are inclusive for LGBT people, like it's just male-female, what if someone is non-binary, would the resources kind of reflect inclusion, because I know the MARAC [Multi-Agency Risk Assessment Conference] form doesn't, so how are we supposed to kind of get statistics, how are we supposed to prove that this happened, [that] domestic abuse is actually happening? (Project Manager: LGBT Organisation, lesbian)

Furthermore, though the DASH includes a 'free-text' box where police can record their own observations, the framework for conceiving DA is the public story of DA. This means that the observations are likely to be shaped by that story and that the specific ways that LGB and/or T+ people are victimised may not be recognised or recorded. This is evidenced by over two thirds of police interviewees who stated that they do not find responding to abuse in LGB and/or T+ people's relationships any more difficult than responding to (cis) men's to (cis) women's abuse because they are applying the same processes to all:

[How we respond] would be the same [regardless of gender or sexuality] because the same policies and procedures would apply. (Detective, heterosexual)

Approximately three quarters of police felt that there were no dynamics specific to DA in LGB and/or T+ people's relationships that they needed to be aware of when responding, though victim-survivors and practitioners disagreed. An LGBT Liaison Officer highlights how a process-driven response can render invisible these specific dynamics:

'I did what I got told on the fact sheets to do you know, I followed that, I put a risk assessment on, I arrested them, I took a statement, what's the issue?' Well, you know, cos you've outed them to their neighbours or you didn't pass on support details. (LGBT Liaison Officer, queer)

For one officer who recognised that the police response to LGB and/or T+ people may not be as good as that towards (cis) heterosexual women subject to (cis) heterosexual men's abuse, he described this gap in police response to LGB and/or T+ people as belonging to the category of practice called 'added-value'. This implies that a tailored approach is not a vital part of responding:

Where it would fall down is on the added value stuff, whereby you can sense when somebody is uncomfortable with the situation or not happy asking the right questions, or inappropriate words are used, it's that kind of added value that just leaves maybe a little bit of a sour taste in your mouth. (Detective, heterosexual)

Victim-survivors Experiencing Inadequate Responses

Interviews suggest that reliance on the public story of DA to inform process-driven responses means that many victim-survivors in LGB and/or T+ abusive relationships will experience inadequate responses from the police. Anna's situation highlights how a lack of appropriate police response in recognising risk left her and her children in serious danger. One officer stated that if the police cannot ascertain what has happened when responding to an incident, they would be unlikely to make an arrest. Conversely, three police officers explained how in some cases, if they could not determine who the perpetrator was, they would arrest both parties:

If there's been an assault and you can't identify who is the assailant, who started it or anything like that you

would probably lock them both up. (Police Constable, heterosexual)

There was, however, recognition by four officers that the process of arresting both parties was not the ideal course of action, due to the possibility of victim-survivors being arrested. Another officer stated that if they could not identify the perpetrator, they might just ‘pick one’; a situation which a practitioner also had experience of:

If it’s difficult to ascertain who’s right and who’s wrong you’ve basically just got to pick one. (Police Constable, heterosexual)

It just seems totally random sometimes, we’ve had incidents where I’m thinking how on earth did they [the police] come to that decision? (Senior Project Worker, gay)

As discussed, the reliance on a process-driven approach to affect decision-making around risk means that many of the police interviewed did not feel that there were any dynamics specific to LGB and/or T+ people’s relationships that they needed to be aware of when responding. Instead, their sense was that if you treat people the same then you are treating them equally and fairly. Of course this is not necessarily the case. Two participants explore this:

I don’t think...many of our professionals necessarily recognise the unique things that worry male or female same-sex DV survivors or could be a barrier to them, so things like safety within the community, threats to out, or just generally the kind of social capital available to someone. (Local Commissioner, sexual orientation unknown)

[The police] would say ‘I treat everyone the same’... I’ve definitely [worked] with people who didn’t see that there might be special requirements for something so as far as they’re concerned, well they take hate crimes for Islamophobia and Jewish hate crime and deal with it all the same so what does it matter, they only saw it as far as their police duties were concerned which was ‘I turn up, I arrest whoever has done it, I, you know, take a statement, I leave, that’s police work’, and then you’ve got people like me who view it as a bit more holistic...that’s just the difference between officers. (LGBT Liaison Officer, queer)

The LGBT Liaison Officer further explored the reality of ‘treating everyone the same’ in relation to the current process-driven response within the police. Here, they outline how a seemingly innocuous process such as carrying out door-to-door enquiries could have serious consequences

for couples who are not ‘out’ about their gender identity or sexuality if others in their community become aware:

I think we’re not very careful a lot of the time when we’ve gone to same-sex domestics...we have to go and knock on doors of the neighbours’ to ask if anyone else has seen anything...and often you will be like ‘did you hear anything?’ and we have to be very careful about what you say to the neighbours because you don’t want to out...the victim and the suspect... so I think there is that risk that we put people in danger when we do those kind of extra enquiries. (LGBT Liaison Officer, queer)

In relation to assessing risk, if victim-survivors are wrongly perceived to be equally to blame for abuse, wrongly arrested, or abuse is not seen to be present, they may not receive vital information in relation to support services. When victim-survivors are identified, five police officers stated that they would be referred to mainstream rather than specialist DA services for LGB and/or T+ people; assuming that the mainstream organisations would ‘pass people on’ to specialist agencies. This protocol meant that approximately half of police officers stated that they were unaware of what specific support existed for LGB and/or T+ people, even in areas where specialist local provision was available. This was a frustration for specialist services:

We actually did some training about two years ago with the police because the police would offer [specialist service] on their screens but they didn’t actually know what [specialist service] was, so they would say to a victim ‘you can go to [specialist service] and the victim would say ‘well what’s that?’ then the police would say ‘well we will refer you and then they can tell you.’ (IDVA, lesbian)

I think we feel the biggest kept secret in the area for about 10 years, and I think they will generally still refer to others such as [mainstream DA service] because they are the domestic abuse organisations. (Volunteer Coordinator: LGBTQ+ support organisation, lesbian)

It was recognised, however, that there are police officers who take the time to find specialist support for victim-survivors, which can be difficult due to lack of available specialist DA services for LGB and/or T+ people:

There are so few LGBT specific services and they’re often not widely publicised or known about even in the LGBT community, so I think police might feel ill-equipped to respond. (Senior Project Worker, gay)

Discussion

Donovan (2013) argues that by unproblematically using the DASH risk assessment process, DA ‘is in danger of becoming ‘fixed’ as being a set of heteronormatively constructed behaviours enacted by a particular group of people’ (p.123). In this paper we suggest that at the heart of police responses is the public story of DA which influences both the toolbox of procedures drawn upon by police (such as the DASH, knocking on witnesses’ doors and referral to services), and the narrative that police turn to ‘fill in gaps’ relating to risk when responding to incidents. ‘Treating everyone the same’ renders invisible the inherent inequality of treatment in the service provided that can be experienced by LGB and/or T+ victim-survivors. Interviews suggest that dynamics specific to the relationships of LGB and/or T+ people may be missed or perceived as not existing. Research focusing on other minoritised groups has found similar. For example Belur’s (2008) work exploring the police services offered to South Asian women in abusive relationships found that specific needs in relation to women’s ethnicity (such as language, cultural barriers, customs and gender dynamics) were not taken into account, and, as such, women perceived that they received a poorer service compared to white women, and that police procedures disadvantaged them. Our research suggests that on many occasions, police draw upon the public story of DA ‘schema’ in order to inform decision-making in relation to risk, meaning that victim-survivors and perpetrators may be misidentified, risk may be downplayed, and inappropriate action may be taken such as arresting both people or ‘choosing one’ partner as the perpetrator. The perceptions and actions taken by police in relation to responding to LGB and/or T+DA suggests that too often, seriousness is minimised due to drawing comparisons with the perceived greater risk posed by (cis) heterosexual men’s violence towards (cis) heterosexual women (see also Cormier and Woodworth, 2008).

The public story of DA not only impacts on the ways in which police perceive and respond to risk, but also affects whether victim-survivors recognise their own victimisation as DA and, subsequently, their help-seeking decisions. However, irrespective of how satisfied they were with the police response they received, the four victim-survivors in this study detailed trepidation around involving police, which was based around whether they ‘fit into’ the public story of DA – drawing on their/their partner’s size and strength, experiences of non-physical violence, experiences of being a lesbian and fear of transphobia.

Though police processes do allow for police discretion, and previous research has suggested the importance of completing the free-text ‘professional judgement’ box on the DASH form (Donovan, 2010), our research suggests

that this discretion is likely to be shaped by the stereotypes embodied within the public story of DA. For LGB and/or T+ victim-survivors, this means that they are (a) more likely to be graded as standard risk on the basis of the DASH risk assessment questions, which are not specific to DA in LGB and/or T+ people’s relationships and focus primarily on physical violence (Donovan, 2010; Hoyle, 2007), and (b) that police may not be able to recognise (or realise that there are) dynamics specific to these relationships that could raise someone’s risk level. Previous research has highlighted the low number of LGB and/or T+ victim-survivors being referred to MARAC (Donovan & Rowlands, 2011; Safe Lives, 2018), suggesting that risk is not being appropriately identified. Adopting a process-driven response to DA can therefore mean that LGB and/or T+ victim-survivors receive both an unfavourable service, and can face increased risk. As discussed in the article, approaching witnesses who live locally to victim-survivors and perpetrators could risk ‘outing’ them to neighbours. Referring victim-survivors to mainstream rather than specialist support services (where available) delays the time it takes for a victim-survivor to receive specialist support, as well as potentially leading to them disengaging if they receive a response from the mainstream service which does not recognise their specific needs. As such, LGB and/or T+ victim-survivors, whilst being given the same service, are not always receiving an *equitable* service.

This research also illustrates the dangers of viewing LGB and/or T+ people as a homogenous group with the same needs (Donovan & Barnes, 2020). The risk with applying a blanket approach is that experiences at intersections may be overlooked, such as (relevant to this research) being a woman, lesbian and a mother, being a non-UK national from a Dual Heritage background and a gay man, or being a queer trans woman and an Irish Traveller from a Dual Heritage background. To enable risk to be appropriately identified and responded to, the rigid binaries offered by the public story of DA need to be problematised in order to enable LGB and/or T+ victim-survivors and help-providers to be able to accurately recognise and name victim-survivors’ experiences.

Policy and Practice Implications

The policy and practice implications of this research are four-fold. First, training is required for the police to increase both their knowledge about DA in the relationships of LGB and/or T+ people and their confidence to ask questions that relate to specific features of DA in those relationships. This would include challenging assumptions resulting from the public story of DA about who can be victimised, by who and in what ways – including identity-specific ways, raising

police awareness about the sensitivities of evidence gathering from neighbours and not outing victim-survivors or perpetrators, and understanding how homo-bi-transphobia might shape victim-survivors help-seeking behaviours. Second, the DASH risk assessment process should be audited by the police in conjunction with specialist LGBT+ organisations for its relevance to DA in the relationships of LGB and/or T+ people and amended as necessary, either directly within the current DASH, or in the form of an LGBT+ specific risk assessment to be used in conjunction with the DASH. Amendments should include specific reference to examples that might have relevance in these relationships e.g. identity abuse, threats to out, controlling/ preventing medical treatment (for HIV/AIDS) and/or treatments for transitioning.

Third, the public story of DA should be reformed to allow other stories of DA to be told and heard. This could mean including accounts and images that reflect DA in queer relationships in the literature and websites of police authorities and help-providing organisations. It might also mean adopting the use of power and control wheels that are inclusive of queer relationships. The COHSAR power and control wheel, for example, has at its centre, two relationship rules that Donovan and Hester (2014) found as common in DA relationships regardless of the identities of gender or sexuality of the victim-survivor or the perpetrator: that the abusive relationship is for the perpetrator and on their terms; and that the victim-survivor is responsible for the relationship, the abuse, their abusive partner, any children they have and the household if they cohabit. Using those rules as a tool to identify how power is operating in the relationship without relying on the presentation of gender of either partners can enable practitioners to be open to men as victim-survivors, women as perpetrators and non-binary people as either.

Donovan and Barne's (2020) Coral Project Power and Control Wheel, adapts the COHSAR Wheel to include what they call 'space for reaction' which allows practitioners to identify the ways in which some victim-survivors 'fight back' in self-defence or retaliation. Donovan and Barnes argue that, too often, DA in LGB and/or T+ relationships is understood to be mutual abuse or bidirectional violence and their power and control wheel provides a tool for practitioners to use to better follow the power relationship and ascertain who the victim-survivor and perpetrator are. In this study we evidence some police participants' approach to being unable to identify easily who the victim-survivor and perpetrator are in LGB and/or T+ people's abusive relationships. The Coral Project Power and Control Wheel would provide a way for them to address their lack of confidence and prevent victim-survivors from being viewed as 'just as bad' as their perpetrator partner.

Fourth, we recommend that the police engage in more outreach within LGBT+ communities to better build relationships of trust and a belief that the police can be reported to in DA situations and that LGB and/or T+ victim-survivors will be treated appropriately to their needs and with respect. Finally, current, process-driven ways of working within police forces can, in many cases, mean that people in abusive LGB and/or T+ relationships do not receive an equitable service from the police when compared with their cis-heterosexual counterparts. The influence of the public story of DA, including as embedded in risk assessment tools, often means that LGB and/or T+ people in abusive relationships are provided with inadequate responses. A commitment from policy-makers and police authorities to implement the recommendations proposed within this research will ensure valuable steps are made towards providing a more inclusive and equitable police response for all victim-survivors of domestic abuse.

Declarations

Conflict of Interest The Authors declare that they have no conflict of interest.

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