



Domestic Homicide Review Executive Summary

Under s9 of the Domestic Violence, Crime and Victims Act 2004

Review into the death of Katie
in November 2016

Independent Chair: Gary Goose MBE

Report Author: Christine Graham
July 2023

Preface

Safer Torbay Partnership and the Review Panel wish at the outset to express their deepest sympathy to Katie's family and friends. This review has been undertaken in order that lessons can be learned.

This review has been undertaken in an open and constructive manner, with all the agencies, both voluntary and statutory, engaging positively. This has ensured that we have been able to consider the circumstances of this incident in a meaningful way and address, with candour, the issues that it has raised.

This review was commissioned by Safer Communities Torbay Partnership on receiving notification of the death of Katie in circumstances that appeared to meet the criteria of Section 9 (3)(a) of the Domestic Violence, Crime and Victims Act 2004.

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1. The Review Process

- 1.1 This summary outlines the process undertaken by Safer Torbay Partnership Domestic Homicide Review Panel in reviewing the death of Katie, who was a resident in their area, prior to her death in November 2016. Katie's deceased body was found alongside that of her ex-partner in a flat that he occupied.
- 1.2 At the time of their deaths, Katie's ex-partner had been released by a court on bail, with conditions not to contact Katie, and was awaiting sentencing for abuse towards her. Katie had been considered at high risk of further abuse because of his behaviour towards her, and several additional safeguarding measures had been put in place to protect her.
- 1.3 **Katie's family wish her name to be used throughout this report.** They do not wish her memory to be diminished by using a pseudonym. Katie was a white British woman who was only 21 years old when she died.
- 1.4 The following pseudonyms have been used for others who appear within the review:
 - 1.4.1 'Damian' will be used to describe the man who was her partner immediately prior to her death. This name was chosen by Katie's family. He was a 33-year-old local man.
- 1.5 The deceased bodies of Katie and Damian were discovered by Damian's mother, who went round to his flat after not hearing from him during that day. Damian's mother subsequently told the police that she found them both lying on the bed.
- 1.6 A police investigation found insufficient evidence to bring criminal proceedings against any third person in relation to either death.
- 1.7 An inquest was held into both deaths simultaneously. That inquest concluded in February 2018, with the coroner recording a narrative finding of death through *'combined drugs toxicity after ingesting a fatal combination of Morphine and Cocaine, where the circumstances surrounding the mechanism and intent remain unclear'*.
- 1.8 It is within this context that this review is set.
- 1.9 Katie's death was not identified by local agencies as one that met the criteria for a DHR. In June 2018, acting on behalf of the family, AAFDA (Advocacy After Fatal Domestic Abuse) initially notified the Community Safety Partnership (CSP) of the circumstances of the case. All agencies were instructed to protect their records whilst consideration of the case took place. A core group of partners representing the CSP took the view that the case did not meet the criteria for a DHR and informed the Home Office in November 2018 of their decision. Thereafter, followed further contact between AAFDA/the family/the CSP. In May 2019, the CSP reiterated their view that the criteria were not met.
- 1.10 AAFDA and Katie's family remained of the view that a DHR was necessary, and during 2020, dialogue continued. Initially, this resulted in agreement for a 'safeguarding review'; however, after further consideration by the prospective Chair and Author, this was revised

into a DHR in the autumn of 2020. The initial meeting of the DHR panel was held in January 2021.

- 1.11 The review considered, in detail, agency contact and involvement with Katie and Damian from the period of January 2014 to the time of their deaths. This date was agreed upon to cover what was considered the entirety of their relationship. The review also considered any other relevant life events outside of this scoping period that may have impacted upon behaviour or vulnerability.

2 Contributors to the Review

- 2.1 The following organisations contributed to the review by way of Individual Management Reports (IMRs):
- Devon and Cornwall Police – Panel member and provided IMR.
 - Katie’s GP – Provided IMR.
 - MARAC – provided minutes of meeting.
 - Damian’s GP – Provided chronology.
 - Sanctuary IDVA service – Panel member and provided IMR.
 - Torbay and South Devon NHS Foundation Trust – Provided chronology.
- 2.2 The independence of all IMR authors was established through the panel process.
- 2.3 In addition, members of Katie’s family engaged with the review: supported throughout by an advocate from AAFDA. The Chair and Author also spoke with friends of Katie. Full details of their involvement are contained within the overview report.
- 2.4 The review sought to engage with Damian’s family but that engagement did not materialise.

3 The Review Panel Members

- 3.1 The members of the Review Panel were:

Gary Goose MBE	Independent Chair	
Christine Graham	Independent Report Author	
Collette Eaton-Harris	Domestic Abuse & Sexual Violence Lead	Clinical Commissioning Group
Philip Leonard	Detective Sergeant, Criminal Case and Serious Case Review Team	Devon and Cornwall Police
Nicola Seager	Detective Chief Inspector, Local Investigation	Devon and Cornwall Police
Mandy Davis	Senior Probation Officer	Probation Service
Di Pooley	Area Services Manager (South West)	Sanctuary Housing
Jane Schofield	Clinical Nurse Manager, Devon Sexual Health	Torbay and South Devon NHS Foundation Trust

Sandra Arthurs	Project Manager Safer Communities Torbay	Torbay Council
David Parsons	ASB and Vulnerability Manager	Torbay Council
Simon Acton	Service Manager	Torbay Drug and Alcohol Service

- 3.2 All the panel members were independent of any direct involvement with Katie or Damian.
- 3.3 The panel met four times, with additional single agency meetings to clarify various issues that arose during the process.

4 Domestic Homicide Review Chair and Report Author

- 4.1 The Independent Chair for this review was Gary Goose MBE. The Overview Author was Christine Graham.
- 4.2 Gary and Christine have completed, or are currently engaged upon, a number of Domestic Homicide Reviews across the country in the capacity of Chair and Overview Author, respectively. Previous Domestic Homicide Reviews have included a variety of different scenarios: male victims; suicide; murder/suicide; familial domestic homicide; a number which involve mental ill health on the part of the offender and/or victim; and reviews involving foreign nationals. In several reviews, they have developed good working relationships with parallel investigations/inquiries, such as those undertaken by the IOPC, NHS England, and Adult Care Reviews.
- 4.3 Neither Gary Goose nor Christine Graham is associated with any of the agencies involved in the review, nor have, at any point in the past, been associated with any of the agencies.¹
- 4.4 Both Christine and Gary have completed the Home Office online training on Domestic Homicide Reviews, including the additional modules on chairing reviews and producing overview reports, as well as DHR Chair Training (Two days) provided by AAFDA (Advocacy After Fatal Domestic Abuse). Details of ongoing professional development are available within the Appendices of the Overview Report.

5 Terms of Reference

- 5.1 The Domestic Homicide Review sets out, specifically, to explore the following areas:
- Examine the professional response to Katie and her partner's relationship, including the context of the violence and abuse within the relationship, through the experiences and observations of Katie, her friends, co-workers, and family, to establish opportunities for improvement.

¹ Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews (para 36), Home Office, Dec 2016

- Examine the history of Katie's partner's previous relationships to determine if repetitive behaviours existed and were known to agencies, and how this intelligence was managed at the time.
- Analyse the effectiveness of the contact and engagement of individual agencies, and as a partnership, in an effort to identify appropriate solutions that can help future identification and signposting of victims to suitable support services.

5.2 The full Terms of Reference can be found within the Appendices of the full overview report.

6 Summary Chronology

- 6.1 Katie and Damian met when Katie had returned from Australia in Spring 2015. They had thus been in a relationship for around 18 months at the time they died.
- 6.2 After Katie described their first meeting to her family, they believe that he had been stalking her, as he told Katie that he had been watching her. Their relationship developed very quickly. Three weeks after they met, Damian said that he was being evicted from his flat, and he moved in with Katie. She agreed to this, as he said it would be a temporary arrangement.
- 6.3 It was in June 2016 that agencies first became aware of any issues within the relationship. The police were called following what was described as a verbal argument between the two. Katie also disclosed to her GP, in conversation, that she feared being made homeless.
- 6.4 Katie's family described a number of incidents that caused them concern for her, including Katie coming to stay late at night with her mother after Damian had become violent, had damaged property, and in her words, had chased her in his car. Her mother spoke about how Katie spent the night constantly fielding calls from him, as he was obsessed with knowing where she was. Other examples of his behaviour, particularly when fuelled by drugs or jealousy, are revealing of the controlling nature of his character. This included fitting a tracking device to her mobile phone – his explanation being that he could always see that she was safe.
- 6.5 Katie later disclosed to the police that whilst on a holiday in Egypt in August 2016, he punched her several times, causing a black eye for the holiday's duration.
- 6.6 During that summer of 2016, Katie began to prepare to leave Damian. She secretly took clothes to her mother's home and had a 'secret case' there for the times when she would arrive unexpectedly (just in her pyjamas), needing to give Damian 'space'.
- 6.7 In October 2016, Damian and Katie's neighbours called the police because they feared that Katie was being attacked. The police arrived and arrested Damian, who was violent and had to be sprayed with an incapacitant in order to complete the arrest.
- 6.8 Whilst Damian was in custody, Katie's family helped her move out of the address. It was also clear that she had been looking for alternative flats, as she showed them a paper with different flats circled.

- 6.9 Damian was placed on police bail, with instructions to return to the police station in late November. He also had the following bail conditions: not to contact Katie directly or indirectly, and not to attend Katie's parent's address or her workplace.
- 6.10 Katie's family have told the review that within hours of being released, Damian began to contact Katie, trying to find out where she was. He threatened to release intimate images of her, to kill himself by using cocaine he had bought, and threatened to smash up her car. Katie told her mother about the call, saying that she was worried. Later that day, he phoned Katie's mother, trying to get hold of Katie. She told him that she would tell the police of his continued contacts, and they spoke about him getting help for his drug and anger problems.
- 6.11 Katie's mother telephoned the police and reported the breach. She was told that officers dealing with the case would get in contact with her. Two days later, officers contacted her, and she made a statement. She reported the breach and her concerns for Katie's safety. Katie had told her mother that she had blocked Damian's number.
- 6.12 The police set out to arrest Damian for the breach of bail and became concerned because neither he nor Katie could be contacted. Later, Damian was found with Katie at her new flat. She had bruises, and he was arrested. Katie was then interviewed and disclosed a variety of forms of abuse at the hands of Damian. She also disclosed how he managed to contact her again. The details of these disclosures are contained within the overview report.
- 6.13 As a result of Katie's interview, the Crown Prosecution Service (CPS) authorised Damian to be charged for four offences – two assault by beating (both with Katie as the victim), criminal damage, and obstructing a police officer. Due to the charges being domestic related and the risk being high, he was kept in custody overnight and remanded to appear before Plymouth Magistrates Court on 15th October. He was served with a Police Information Notice (PIN) in relation to the malicious communications offence pertaining to Katie's mother.
- 6.14 At court the next day, Damian pleaded guilty to both assault charges and was released on conditional bail, to await sentence in late November.
- 6.15 The case was referred to MARAC², with Katie as a high-risk victim, and referrals were made across agencies, together with a police alarm fitted to Katie's address.
- 6.16 It appears that Katie managed to keep away from Damian for the first few weeks, as she had lots of additional contact with her family. Towards the end of October, Katie attended the police station to give her Victim Impact Statement for the court. She asked if she would be needed to attend court and give evidence, and it was explained that this may be required because he had entered a plea of not guilty. This appears to have been an error, as he had pleaded guilty to the assault charges on Katie. Katie said that she did not want a restraining order because if Damian could resolve his drug dependency, she would be willing to continue the relationship. She also indicated that she had been in touch with his mother.
- 6.17 Around 6th November, it appears that Katie was once again in Damian's world. She was seen at a house party with him and began to be distant from her family. She missed her

² Multi-Agency Risk Assessment Conference

stepfather's birthday, and although she sent a text to her mother on 10th November to say that she was OK and had applied for a new job, her mother visited her flat the following day; however, she was not in.

6.18 It was only a few days later that Katie and Damian were found dead together at his flat.

7 Key Issues Arising from the Review

7.1 A Domestic Homicide Review is tasked with identifying a trail of domestic abuse within a relationship and identifying learning to better protect others. This review has looked at the evidence that exists of domestic abuse in the relationship between Katie and Damian. We have looked carefully at the actions taken by professionals, and those organisations within which they worked, who received any of those reports. We have also considered additional information provided to us by the family of Katie and her friends.

7.2 There is strong evidence to suggest that prior to meeting Katie, Damian had already displayed behaviour towards a previous partner that amounted to significant levels of abuse. He was reported to have violently beaten his partner and damaged the flat. It seems that the only reason he was not prosecuted was because the victim moved to abroad during the investigation. Whilst this review must make it clear that we cannot say whether he would have been convicted or not, the fact remains that the police had information about the level of violence and threat he was capable of.

7.3 At the time of meeting Katie, he was wearing a tag as a result of violence towards another man.

7.4 It is abundantly clear that Katie was subjected to significant levels of abuse by Damian. He was physically much bigger than her, he was much older than her (a 12-year age gap at Katie's young age is significant), he was a drug user, and he was suspected of being engaged in drug related criminality. This power dynamic is something that we recognise.

7.5 The abuse towards Katie comprised of a variety of different forms. These are catalogued within the overview report, but include:

- Physical abuse – physical beatings and degrading physical acts towards her.
- Emotional abuse.
- Verbal abuse.
- Isolation from her friends and family.
- Jealousy.
- Financial abuse.
- Controlling and coercive behaviour.
- Stalking.
- Gaslighting.
- Non-consensual sharing of intimate images.
- Threats to kill.

All of which seem to be underpinned by his misogynistic sense of entitlement.

- 7.6 Much of this came to light when Katie found the strength to make the disclosures during an interview with the police.
- 7.7 It is right to say that the police recognised the danger that she was in, and as well as arresting and embarking upon criminal charges for Damian, they put in place a number of safeguarding measures. Others too, including Katie's family, also supplemented those measures, recognising the threat that Damian presented.
- 7.8 After being retained in custody by the police and placed before the court, he entered an early guilty plea, and despite an application for a remand in custody by the CPS, the court bailed him with conditions not to contact Katie, pending a further court appearance at which he would be sentenced. It was during this period that Katie and Damian were found dead.
- 7.9 The review has looked carefully at this time period and looked at why Damian may have managed to coerce his way back into Katie's life, despite the restrictions designed to safeguard her. We have found that after disclosing the abuse, Katie's confidence may have been undermined when, after Damian's release by the court, she understood that she may still be required to give evidence at a forthcoming trial. This information, provided by the police, was incorrect because he had pleaded guilty and was facing sentencing only.
- 7.10 The review has also looked at whether magistrates are fully aware of the insidious nature of domestic abuse, whether previous breaches of bail in domestic abuse cases are considered carefully enough, and whether the Bail Act 1976 adequately protects victims in circumstances such as these.
- 7.11 The review has also reflected upon Katie's family's view that they felt the investigation into Katie's death was too quick to come to a conclusion of a drug related death – with what they understood to be a conclusion of no evidence of criminality. They do not feel that Damian's prior behaviour was adequately considered by the police or in the subsequent inquest. The review recognises the work that has been done recently by the police (nationally) to improve the difficult area of investigating unexplained deaths and encourages the police to embrace these developments.
- 7.12 No one can ever know what happened in those final days of Katie's life. It is evident that she was absorbed back into Damian's world. The coroner made it clear that the mechanism by which she ingested the drugs that killed her remained unclear. What is clear is that she was a victim of domestic abuse and that affected some of the decisions she made in those last days.
- 7.13 Having considered the case, the review has made a number of recommendations that we feel will make the future safer for others facing similar circumstances.

8 Lessons Identified

- 8.1 Delaying taking Katie's statement in October 2016, at the time of the incident, may have impacted on her ability to support the police investigation.
- 8.2 Whilst the completion of DASH risk assessments continues to improve, and it is clearly the Force's policy, there is still a need to remind officers of this policy.
- 8.3 It is vital for all practitioners to exercise professional curiosity in their interactions with those experiencing domestic abuse.
- 8.4 The fear that coercion and control places victims under cannot be underestimated, nor how this fear impacts upon the decisions that they make.
- 8.5 There is a need for greater understanding about the danger of separation when safeguarding a victim of domestic abuse.
- 8.6 There needs to be clarity for victims about ongoing legal processes. It appears in this case that Katie may have been told that Damian had pleaded not guilty and therefore she may be required to attend court, when in fact he had pleaded guilty at court. The prospect of attending court can be an overwhelmingly intimidating prospect for victims and can influence their desire to not continue with support for prosecutions.
- 8.7 The Bail Act 1976 failed to protect a high-risk victim from further contact from a known abuser.

9 Recommendations

- 9.1 **Home Office and Domestic Abuse Commissioner**
 - 9.1.1 That the Domestic Abuse Commissioner and/or the Home Office commissions independent, national research into the effectiveness of MARACs.
 - 9.1.2 That work is done with magistrates to ensure that they are aware of the specific dangers of repeat domestic abuse and are thus fully informed and able to apply those dangers in relation to the Bail Act 1976.
 - 9.1.3 That the police service embraces the suggested changes into the investigation of unexplained deaths (Munroe 2022).

10 Conclusion

- 10.1 This has been an incredibly traumatic case to review.
- 10.2 How Katie came to have ingested the combination of illegal drugs that resulted in her death remains unclear.
- 10.3 What is clear is that the level of domestic abuse that she suffered at the hands of her partner, in the weeks and months prior to her death, was severe. She reported that abuse and made efforts to escape his attentions.
- 10.4 Agencies did work to protect Katie, including helping her with physical protection measures and support when she made those reports and whilst he was in custody. Despite those efforts, agencies were unable to prevent her death. This review has sought to understand why and what can be learned from it.
- 10.5 Unfortunately, despite Damian breaching bail on previous occasions, it is a fact that he was released from the court on further conditional bail after pleading guilty to assaults upon her.
- 10.6 Within days after that release, for reasons that will always remain unknown – but perhaps out of fear of being unable to escape him, and/or perhaps even out of feelings of love that Katie felt for him – Damian managed to get back into Katie’s life. They died together shortly afterwards.