

**Cardiff
Community Safety Partnership**

Executive Summary

Domestic Homicide Review

Name: Andrew

Murdered: June 2019

Chair: Carol Ellwood Clarke

Author: Ged McManus

Date: November 2021

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1 The Review Process

- 1.1 This summary outlines the process undertaken by the Cardiff Community Safety Partnership Domestic Homicide Review panel in reviewing the murder of Andrew¹, who was a resident in their area.
- 1.2 The following pseudonyms have been used in this review for the subjects of the review in order to protect their identities.

Name	Who	Age	Ethnicity
Andrew	Victim	56	Vietnamese
Barry	Perpetrator	18	Vietnamese
Maggie	Victim's wife	42	Vietnamese
Alex	Child of victim and his wife	Primary school age	Vietnamese
Jade	Child of victim and his wife	Pre-school age	Vietnamese
Huong	Mother of victim	84	Vietnamese

- 1.3 During a violent domestic abuse incident in June 2019 in the family home, Andrew was stabbed with a kitchen knife by his stepson Barry. Andrew was taken to hospital but died of his injuries later the same night. Barry was arrested and interviewed in relation to Andrew's murder, but a decision was taken by the Crown Prosecution Service that he would not be charged with any offence. The reason for this decision was that it was considered Barry had used reasonable force in protecting his mother who was being violently attacked by Andrew.
- 1.4 The Domestic Homicide Review (DHR) panel were keen to ensure that the review was holistic, taking into account the range of issues affecting the family. The report therefore examines agency responses and support given to all members of the family resident in the family home prior to Andrew's murder. Andrew's mother, Huong who lived independently is also a subject of the review as early scoping information

¹ A pseudonym chosen by the DHR panel.

presented to the DHR panel indicated that some early incidents may have occurred at her home.

- 1.5 Following Andrew's murder, formal notification of the homicide was sent to Cardiff Community Safety Partnership by South Wales Police in August 2019. A virtual panel was consulted on 7 October 2019 and responded by 16 October 2019. The panel agreed to conduct a Domestic Homicide Review. The Home Office was informed on 23 October 2019. The review was not progressed immediately due to evidential considerations as family members were thought to be key witnesses in a potential trial. Following the decision not to prosecute Barry in January 2020, the Community Safety Partnership agreed to progress the review, but delays were then experienced in sourcing and commissioning an independent chair and author.
- 1.6 The review began in July 2020. The first meeting of the DHR panel determined the period the review would cover. The review panel determined which agencies were required to submit written information and in what format. Those agencies with substantial contact were asked to produce independent management reviews. The DHR panel met six times.
- 1.7 The domestic homicide review was presented to Cardiff Community Safety Partnership on 13 September 2021 and concluded on 29 November when it was sent to the Home Office.

2 Contributors to the review

2.1	Agency	Contribution
	South Wales Police	IMR
	Cardiff Adult Social Services	IMR
	Cardiff Children's Social Services	IMR
	Welsh Ambulance Service NHS Trust	IMR
	Primary school attended by Alex	Brief information
	Secondary school attended by Barry	Brief information
	RISE Cardiff Women's Aid	Brief information
	Cardiff and Vale University Health Board	IMR

Other agencies contacted

National Probation Service	No information held
Wales Community Rehabilitation Company	No information held
BAWSO [Domestic abuse services]	Skeleton record only held
Education Psychology Service, Cardiff Council	No information held
Safer Wales [Domestic abuse services]	No information held
2.2	Cardiff and Vale University Health board provided information in relation to Andrew. The board declined to provide information in relation to the other subjects of the review without their consent. This is the board's policy following legal advice received. As the subjects did not engage with the review then it was not possible to obtain their consent.

3

Members of the Domestic Homicide Review Panel

Carol Ellwood Clarke	Independent Chair
Ged McManus	Independent support to chair and author
Quynh Nguyen	Vietnamese Family Partnership
Jenny Rogers	Community Safety Manager, Cardiff Council
Natalie Southgate	Improvement Project Manager-Gender Specific Services, Cardiff Council
Linda Hughes Jones/ Helen O'Sullivan	Head of Safeguarding, Cardiff & Vale University Health Board
John Lane/Beth Aynsley	Independent Protecting Vulnerable Persons Manager, South Wales Police
Nicola Winstanley	Business Manager, Cardiff Council

Nicola Jones	Domestic Abuse Co-ordinator, Cardiff Council
David Murray Dickson	Service Manager Safeguarding Services, Cardiff Council
Jade Harrison	Service Improvement & Strategy, Children's Services
Nikki Harvey	Head of Safeguarding, Welsh Ambulance Service NHS Trust [attended meeting 1 and 2]
Gwenan Jones-Parry	Safeguarding Specialist Paramedic, Welsh Ambulance Services NHS Trust [attended from 3 rd panel meeting onwards]
Paula Hardy	Strategic Lead for Victims and Vulnerability Police and Crime Commissioner's Office, South Wales Police

- 3.2 The Chair of the Cardiff Community Safety Partnership was satisfied that the Panel Chair and author were independent. In turn, the Panel Chair believed there was sufficient independence and expertise on the panel to safely and impartially examine the events and prepare an unbiased report. Panel members had not previously been involved with the subjects or line management of those who had.
- 3.3 At its first meeting the panel discussed the need to ensure that expertise and advice was available in relation to Vietnamese culture. Initial attempts to secure an appropriate community representative for the panel locally were unsuccessful. This led to a wider search and the recruitment of Quynh Nguyen of the Vietnamese Family Partnership to the panel. Quynh has experience of working in the NHS, Sure Start and child protection. The Vietnamese Family Partnership is a London-based charity which runs a family centre and language school promoting Vietnamese language and culture. The panel were satisfied that Quynh was appropriately qualified and experienced to provide expert advice on Vietnamese culture and attitudes.

3.4 The Community Safety Partnership were unable to secure the attendance of an independent domestic abuse professional at meetings for logistical reasons. However several members of the panel have extensive professional domestic abuse experience, for example the domestic abuse Co-ordinator for Cardiff Council and the Strategic Leads for Victim and Vulnerability for Crime Commissioner's Office both of whom were independent of agencies involved in the review. The chair of the DHR panel was satisfied that the panel had sufficient relevant experience.

4 **Chair and author of the overview report**

- 4.1 Sections 36 to 39 of the Home Office Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews December 2016 sets out the requirements for review chairs and authors. In this case the chair and author were separate people.
- 4.2 Carol Ellwood Clarke was chosen as the chair of the review. She retired from public service [British policing – in England] in 2018 after thirty years during which she gained experience of writing independent management reviews, as well as being a panel member for Domestic Homicide Reviews, Child Serious Case Reviews and Safeguarding Adults Reviews. In January 2017 she was awarded the Queens Police Medal (QPM) for her policing services to Safeguarding and Family Liaison. In addition, she is an Associate Trainer for SafeLives.
- 4.3 Ged McManus was chosen as author of the review. He is an independent practitioner who has chaired and written previous DHRs and Safeguarding Adult Reviews. He has experience as an Independent Chair of a Safeguarding Adult Board [not in Wales] and was judged to have the skills and experience for the role. He served for over thirty years in different police services in England. Prior to leaving the police service in 2016 he was a Superintendent with particular responsibility for partnerships including Community Safety Partnership and Safeguarding Boards.
- 4.4 Between them they have undertaken over sixty reviews including; child serious case reviews, safeguarding adult reviews, multi-agency public protection arrangements [MAPPA] serious case reviews, domestic homicide reviews and have completed the Home Office online training for undertaking DHRs. They have also completed accredited training for DHR chairs provided by AAFDA².
- 4.5 Neither of them has previously worked for any agency involved in this review or had any involvement in previous Cardiff DHRs.

² Advocacy After Fatal Domestic Abuse.

Terms of Reference

5.1

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 inform national and local policies and procedures as appropriate;
- Prevent domestic violence and homicide and improve service responses for all domestic violence and abuse victims and their children by developing a co-ordinated multi-agency approach to ensure that domestic abuse is identified and responded to effectively at the earliest opportunity;
- Contribute to a better understanding of the nature of domestic violence and abuse; and
- Highlight good practice.

[Multi Agency Statutory guidance for the conduct of Domestic Homicide Reviews 2016 section 2 paragraph 7]

5.2

Timeframe under Review

The DHR covers the period 1 June 2009 to Andrew's murder in June 2019.

5.3

Subjects of the DHR

- Victim: Andrew - age 56
- Perpetrator: Barry - age 18
- Victim's wife: Maggie - age 42
- Victim and his wife's children:
- Alex, primary school age
- Jade, pre-school age
- Victim's mother: Huong, age 84

5.4

Specific Terms

1. Were there any previous concerns, incidents, significant life events or indications which might have signalled the risk of violence to any

- of the subjects or given rise to other concerns or instigated other interventions?
2. What indicators of domestic abuse did your agency have that could have identified Andrew as a victim of domestic abuse and what was the response?
 3. What knowledge did your agency have that indicated Barry might be a perpetrator of domestic abuse against Andrew and what was the response? Did that knowledge identify any controlling or coercive behaviour by Andrew?
 4. When and in what way were practitioners sensitive to the needs of the subjects, knowledgeable about potential indicators of domestic violence and abuse and aware of what to do if they had concerns about Andrew and Barry? Was it reasonable to expect them, given their level of training and knowledge, to fulfil these expectations?
 5. When, and in what way, were the subject's wishes and feelings ascertained and considered? Were the subjects informed of options/choices to make informed decisions? Were they signposted to other agencies and how accessible were these services to the subjects?
 6. What were the key points or opportunities for assessment and decision making in this case? Do assessments and decisions appear to have been reached in an informed and professional way?
 7. Were the actions of agencies in contact with all subjects appropriate, relevant and effective to the individual and collective family needs and risks identified at the time and continually monitored and reviewed?
 8. Did the agency have policies and procedures for Domestic Abuse and Safeguarding and were any assessments correctly used in the case of the subjects? Were these assessment tools, procedures and policies professionally accepted as being effective?
 9. Did actions or risk management plans fit with the assessment and decisions made? Were appropriate services offered or provided, or relevant enquiries made in the light of the assessments, given what was known or what should have been known at the time?

10. Were there issues in relation to capacity or resources in your agency that effected its ability to provide services to Andrew and/or Barry, or on your agency's ability to work effectively with other agencies?
11. How did your agency take account of any racial, cultural, linguistic, faith or other diversity issues, when completing assessments and providing services to Andrew and/or Barry?
12. What learning has emerged for your agency?
13. Are there any examples of outstanding or innovative practice arising from this case?
14. Does the learning in this review appear in other domestic homicide reviews commissioned by Cardiff Community Safety Partnership?

6 **Summary chronology**

6.1 **Relevant information prior to the review period**

- 6.1.1 Andrew and his mother Huong are known as long term residents of the Cardiff area. Huong's history prior to arriving in Cardiff is not known. Although she has been engaged with Adult Services over a number of years, she has consistently declined to discuss her past life. Andrew told staff at Barry's school that as a young man he had travelled from Vietnam to Hong Kong on a boat with other people as a refugee and had then been allowed to settle in the United Kingdom in 1981. He was given UK citizenship.
- 6.1.2 In May 1986, Andrew's first wife moved to Cardiff having arrived in the United Kingdom a few months earlier from Vietnam. She soon met Andrew, their relationship progressed very quickly and they were married within two months. The couple went on to have two children together. During the investigation into Andrew's murder the police interviewed his first wife as a witness. She told them that there had been domestic abuse in their relationship and that Andrew would often spend their money on gambling and alcohol. Following a domestic abuse incident in 1999 in which Andrew was the perpetrator the couple were divorced. Andrew did not see his children from this relationship again or make any financial contribution to their upbringing.
- 6.1.3 In 2004, Andrew and Maggie met on the internet. She was living with her mother in her home province in Vietnam and was a single mother with her son Barry. They were a poor family and life was difficult. After a couple of months of communicating via the internet Andrew went to Vietnam to visit Maggie. Andrew told her that he

was a chef, owned shares in a restaurant and lived with his mother in Cardiff. The visit lasted for two weeks after which Andrew returned to Cardiff.

- 6.1.4 The couple continued with their internet communication until 2007, when they agreed to marry and Andrew returned to Vietnam for six weeks. The couple were married during this time and Maggie became pregnant with their oldest daughter Alex. Andrew returned to Cardiff alone with the intention of securing a visa so that Maggie could join him. The visa process took until March 2009 when Maggie and Alex were then able to move to Cardiff where they lived initially with Andrew and his mother Huong in a property which she rented. Barry stayed in Vietnam and was looked after by his grandmother with the intention that he would join the rest of the family in the UK sometime later.

6.2 **Relevant information during the review period**

- 6.2.1 On 28 June 2009, Maggie and Alex were found sheltering in Cardiff town centre and taken to a police station where officers could use the language line service as Maggie's English was limited. Maggie said that she was not getting on with Huong and had therefore left the home for a while. She was taken home by officers who spoke to Andrew. He said that he had not been aware of any argument.
- 6.2.2 In July 2009, Maggie made allegations of domestic abuse from Huong and Andrew to an adult social worker who was visiting Huong. A referral was made to Children's Social Care which resulted in Maggie being supported to leave the home and move into a refuge with Alex. Maggie was interviewed by the police and said that Andrew had slapped her twice when she had argued with her mother-in-law, that he was a gang member and owned a gun although she had not seen it. [Andrew had previously held a firearms certificate, but this was revoked in 1998. There is no evidence that he had a gun after 1998].
- 6.2.3 Maggie and Alex stayed at the refuge until 27 July 2009, when they returned to the family home. A joint home visit was undertaken by police and Children's Services as a result of concerns for Alex's safety. Both Andrew and Maggie were aggressive and were arrested for breach of the peace. Andrew was also arrested for assault as Maggie had disclosed to the police that he had again assaulted her by slapping her in the face. Alex was removed from her parents' care under the powers of police protection and placed into the care of a Local Authority foster carer. Maggie returned to the refuge.
- 6.2.4 Maggie declined to make a complaint in relation to the assault on her by Andrew, explaining that this was part of their culture. He was interviewed but denied the

assault and was released without charge. The panel's cultural advisor told the panel that a man slapping his partner to his disapproval of something and assert his dominance was very common practice in Vietnamese communities, particularly those from poorer rural areas.

- 6.2.5 Following a number of strategy meetings, a decision was made for Alex to return to her mother's care in the refuge. Alex was returned to Maggie's care on 30 July 2009. During an initial child protection conference on 25 August 2009, Maggie said she had not been truthful when she engaged with the police. She added she had made up her allegations, because she believed this would assist her and her husband to be re-housed away from her mother-in-law. She intended to be reunited with her husband and for them to get a house together. Alex's name was placed on the Child Protection Register under the dual categories of Emotional and Physical abuse.
- 6.2.6 On 15 September 2009, carers attending to Huong reported that when they arrived, she was in bed and moaning in pain, and it was noted that she had bruising on her arm. When questioned about this, Andrew said that Huong had "just developed the bruising". The GP was contacted, who requested Andrew take his mother to the surgery, but he refused. The matter was progressed to a strategy meeting under the then Protection of Vulnerable Adults Procedures (POVA) which was held on the following day. It was determined that the bruising to Huong's arm had occurred when she had intervened in an argument between her son and daughter-in-law. The panel's cultural advisor told the panel that it was very common for there to be tension between a mother and daughter-in-law.
- 6.2.7 On 23 October 2009, Maggie moved from the refuge back to live with Andrew and Huong against the advice of Children's Services. This resulted in Alex being removed from their parents using police powers of protection and being placed in foster care by Children's Services. Maggie was unable to move back to the refuge as its location had been compromised and she was found alternative accommodation. An Emergency Protection Order in respect of Alex was granted on 27 October 2009 and an Interim Care Order was subsequently granted on 10 November 2009.
- 6.2.8 On 11 November 2009, following a request from Huong she was visited at home by a social worker. It was noted during this visit that Andrew and Maggie had asked her to move out of the flat. Huong was advised that she had the tenancy and she did not have to go, she could ask the couple to go and the landlord could assist this request. Huong was angry and upset about the lack of financial support from Andrew and requested that the social worker find alternative accommodation for Andrew and Maggie.

- 6.2.9 On 8 January 2010, concerns were expressed by Huong's carers regarding bruising witnessed on Huong and that she had said her son had hit her. A social worker visited Huong and offered her a place of safety, which she initially accepted but then declined. She attended a day centre later that day and the bruising was observed on her shoulder. It later emerged that Andrew and Maggie were having a disagreement and Huong was accidentally struck. The matter was progressed via the POVA process, and following a strategy meeting and further intervention, the POVA team visited Huong on 26 January at the day centre. A number of actions to safeguard Huong were agreed. Huong was offered an Adult Protection Plan Case Conference meeting but declined this. She stated there was no need to have the meeting as her only request was for the couple to move out as soon as possible, so she did not have to see them fighting.
- 6.2.10 Information from the police investigation into Andrew's murder
- In April 2010, Maggie moved out of Huong's flat into her own property, she was later joined by Andrew. Maggie told the police during the investigation into Andrew's murder that during their time in this property Andrew regularly assaulted her. Maggie felt she couldn't leave him as she was still dependant on him for her visa. If she reported the incidents to the police Maggie was afraid she wouldn't get Alex back. Andrew would threaten to kill Maggie and tell her that she owed him as he had sponsored her to live in the UK.
- 6.2.11 On 23 August 2010, a joint visit by the POVA Designated Lead Manager (DLM) and a social worker to see Huong took place. She said there had been a row between Andrew and Maggie last week. She had got in between them and Maggie had pushed her causing her to fall over. Maggie had also slapped Andrew's face at one point. Huong was again offered accommodation or a place of safety if she felt afraid.
- 6.2.12 On 5 September 2010, Huong's carers contacted the police reporting that during an argument Maggie had thrown a plate at Huong which had caused her to fall to the floor. When officers attended Huong said that Maggie had pushed her. Maggie was arrested and interviewed in relation to the alleged assault and denied that anything had happened. Andrew also denied that anything had happened when spoken to by officers. Maggie was released from police custody as there was insufficient evidence to charge her with any offence. Information was shared appropriately with Adult Services.
- 6.2.13 In March 2012, the Court decided that Alex would return home to their parents and they returned to their parents care on 17 April 2012. A 12 month Supervision Order

was granted on 11 July 2012. Following Alex's return home, there were no further reports of incidents of domestic abuse. Concerns were raised by her school, particularly following Alex's return from a trip to Vietnam in February and March 2013. The school reported that since returning, Alex presented as very quiet and withdrawn, whereas prior to going away they were chatty and outgoing. The school also made a referral following an incident of sexualised behaviour. The panel's cultural advisor indicated that sexualised behaviour was unusual amongst Vietnamese children. Alex went to Vietnam again just before Christmas 2013 and there were no concerns reported from school following their return. It was subsequently felt that there was no further role for Children's Services and the case was closed in February 2014.

6.2.14 Information from the police investigation into Andrew's murder

After Alex was returned to Andrew and Maggie's care the family moved to a new house which was owned by Andrew's employer. They were able to rent it at a good price and the rent was taken directly from Andrew's wages. Maggie would pay for food and all the utility bills. Even though Maggie had United Kingdom citizenship granted in December 2012, she still felt she couldn't leave Andrew as she was still unable to speak English, he refused to divorce Maggie and she wasn't aware that she could apply for a divorce herself. She just put up with what was happening in her life.

6.2.15 Information from the police investigation into Andrew's murder

Maggie became self-employed doing nail treatments and rented a space in a local hairdresser. She told police that life was fine with Andrew for a few months and she became pregnant with Jade. Andrew had left his job following an argument which meant they had to look for somewhere else to live and Maggie was the only one working so she started to teach Andrew how to do nails.

6.2.16 During 2014 a Health Visitor saw the family on a number of occasions. Andrew was always present and was used as an interpreter when there were any difficulties in communication. As a result of this there was no routine enquiry into the possibility of domestic abuse.

6.2.17 Information from the police investigation into Andrew's murder

During March 2015 whilst Maggie was heavily pregnant, the family moved to a new house which was rented via an estate agent. She continued to work throughout the

pregnancy and took one week off when Jade was born. Andrew would not contribute to anything and Maggie was paying for everything.

On 19 May 2015, Barry enrolled at a comprehensive school in Cardiff in year 10. Andrew attended the initial meetings with school and signed all the necessary paperwork.

6.2.18 Information from the police investigation into Andrew's murder

Maggie told the police that in June 2015 she won a prize of £112,000 on the euro millions lottery. Andrew dealt with communication with the lottery as he spoke better English and the money was paid into his bank account. Maggie asked Andrew to buy her a shop with the money and in October 2014, Maggie began to rent a shop for £700 a month. Andrew transferred either £30,000 or £40,000 to Maggie's account and she spent £20,000 renovating the shop into a nail bar. Both Andrew and Maggie worked there doing nail treatments. Andrew started gambling in betting shops and going to a casino. Maggie said that Andrew was a good father to the children, however when Jade was about 8 months old, he assaulted Maggie in front of Alex. Maggie didn't tell anyone and she didn't leave as Andrew threatened to kill her.

Staff at Alex's school noticed that Andrew who had sometimes appeared to be quite shabbily dressed suddenly began wearing designer clothing and had a new car at about this time.

6.2.19 Information from the police investigation into Andrew's murder

The family moved to a new privately rented four bedroom house as Maggie had sponsored Barry to come to the UK. When Barry arrived in Cardiff and obtained a school place Maggie started to train him to do nails after school. When Barry was sixteen and obtained his national insurance number, he began working part time at the shop and when he turned seventeen, he worked there full time. When the three of them were working at the shop doing nails, if Andrew had not done a very good job on a customer's nails, Maggie would complain to him about it and he would stand up and kick the chair and table whilst customers were present. Andrew would go to the betting shop when he was supposed to be working and then reduced his hours and would only manage any correspondence relating to the shop.

Barry quickly adapted to school life in Cardiff and his English language skills which were basic on entry to the school quickly improved. He made good progress in his studies and teachers described him as ‘a pleasure to have in class’. He was part of a good and supportive friendship group and there were no negative issues at school. As he progressed to sixth form studies, school staff knew that Barry was working in the family nail salon on a part time basis on Friday and Saturday. His lessons were confined to Monday to Thursday. During his second year of sixth form, Barry’s attendance became less regular and by May 2018 he stopped attending altogether. He did not complete his A level exams. Many calls were made to Maggie to try to address the situation, but this was unsuccessful.

- 6.2.20 On 14 August 2018, Alex rang 999 to the police. She said that Andrew was throwing knives at her mother. Maggie then took over the call and stated she was outside the house with the children. Maggie said that Andrew had put the knives on the table, but he had been drinking a lot of brandy. When officers attended Maggie told them that Andrew had been drinking and had left in his car to go to the shops to buy cigarettes. Maggie said that when Andrew came home from work, they engaged in a verbal argument. He went into the kitchen area to chop up some vegetables with a knife and was facing her. As a result, she ran from the house together with her two children, as she thought Andrew may have gone towards her with the knife. Maggie confirmed to the officer at no stage did her husband threaten her or her children with a knife and declined to make any complaint. Whilst officers were still at the house Andrew returned in his car and was arrested on suspicion of drink driving. An extendable baton was found in the door pocket of the car.
- 6.2.21 Following a review of the call made by Alex and another call from a third party, Andrew was arrested in relation to the suspected domestic incident. He was interviewed but denied any offences. A decision was made that there was insufficient evidence to charge him with an offence in relation to the domestic incident and tests showed that he was not over the prescribed limit of alcohol for driving. He was charged with possession of an offensive weapon in relation to his possession of the extendable baton.
- 6.2.22 A PPN form [including a DASH risk assessment] was submitted to the police public protection unit by the officer dealing with the matter. A risk assessment was undertaken and the risk graded as medium. The risk assessor noted that there was ‘no DV history’. The PPN was reviewed by a specialist police officer and social worker within the Multi Agency Safeguarding Hub [MASH] and it was recorded that the PPN

would not be shared with Children's Services as Maggie had removed herself from the verbal argument, no offences had occurred and there were no safeguarding concerns for the children. The PPN was shared with RISE-Cardiff [Cardiff Women's Aid].

- 6.2.23 Following the referral from the police an IDVA from RISE-Cardiff tried to contact Maggie on four occasions by telephone and was unsuccessful. The policy is to attempt contact four times and then close the case if there has been no success. The policy was followed in this case and therefore no contact was made with Maggie to offer her support.
- 6.2.24 On 5 September 2018, Andrew appeared at court charged with possession of an offensive weapon and received a fine.
- 6.2.25 Information from the police investigation into Andrew's murder
In May 2019 at Maggie's instigation, Maggie and Andrew discussed obtaining a divorce and they agreed to do so. Andrew downloaded a form from the internet which cost £37. Although Maggie paid for the form she was unsure if Andrew did anything with it.
- 6.2.26 In June 2019, an argument took place between Andrew and Maggie in the kitchen of their home. Andrew attacked Maggie with a large pestle, striking her to the head. Alerted by the disturbance, Barry who was upstairs went to the kitchen to find Andrew attacking his mother Maggie. Barry used a kitchen knife to stab Andrew causing fatal injuries. Barry was arrested on suspicion of murder. An investigation was undertaken and evidence provided to the Crown Prosecution Service who made the decision that no further action would be taken against Barry.
- 6.2.27 Information from the police investigation into Andrew's murder
Maggie said that she was assaulted by Andrew on many occasions. He would frequently strangle her and slap her to the face which would leave slight reddening. Maggie said that Andrew was trained in martial arts and assaults often wouldn't leave visible marks. Andrew told Maggie he associated with gangsters from Hong

Kong. He would threaten Maggie that if she messed with him or left him, his gangster friends would find her wherever she went in the UK and that they would kill her.

6.2.28 Information from the police investigation into Andrew's murder

During their investigation the police saw a number of customers from Maggie's nail bar. They gave accounts of Andrew behaving aggressively towards Maggie and speaking to her in a rude and aggressive manner. Sometimes this would be in English and sometimes in Vietnamese. Some customers recall seeing injuries on Maggie's arms, face neck and legs. Maggie told customers that she was unhappy in her marriage. Customers described Maggie's English as broken, but they could communicate with her and both parties to the conversation would understand everything.

7 Key issues arising from the review

- There is no evidence that Andrew, the victim in this Domestic Homicide Review had previously been the victim of abuse.
- There is evidence that Andrew had previously been a domestic abuse perpetrator.
- Cultural issues in relation to the family's willingness to engage with services were not fully understood.
- Members of the community were aware that Maggie was a victim of domestic abuse.

8 Conclusions

8.1 The DHR panel wish to reiterate that Andrew was the victim of a homicide, and his murder is the reason for this Domestic Homicide Review. The panel could not find any evidence to suggest that Andrew was a victim of domestic abuse prior to his murder. The panel did find evidence that Andrew had been a perpetrator of domestic abuse prior to his murder and during the incident which led to his murder.

8.2 There were significant problems in the family following Andrew and Maggie's marriage in 2007 and her move from Vietnam to Cardiff in 2009, when they lived with Huong. Allegations of domestic abuse in the family led to Maggie living in a refuge and ultimately her daughter Alex being removed when Maggie moved back to the family home against Children's Services advice. It is likely that this had a lasting effect on Maggie in terms of her willingness to engage with services.

- 8.3 Tension in the family also lead to a number of safeguarding issues being raised with Adult Services in relation to Huong. The core of those issues appears to have been challenges over the family living arrangements which were resolved when Maggie and later Andrew moved out of his mother's home in 2010.
- 8.4 Alex was placed in foster care as a result of domestic abuse involving Andrew, Maggie and Huong. She returned to Maggie and Andrew's care in 2012 and her case was closed to Children's Services in 2014. That marked the end of agency concerns about the family until a single domestic abuse incident was reported in 2018. Although Andrew was arrested and interviewed by the police there was insufficient evidence to take action.
- 8.5 The investigation into the 2018 incident could have been more effective. Although Maggie minimised the incident and denied any threats or assault speaking with Barry or Alex who had made the original call could have provided the police with additional information.
- 8.6 Although there was no agency knowledge of recent domestic abuse in the household other than this one incident, the police spoke to a number of witnesses after Andrew's murder who were aware of abuse in Maggie and Andrew's relationship and were aware that she often had injuries consistent with domestic abuse.
- 8.7 On the day of the fatal incident, Andrew attacked and injured Maggie. Barry intervened to protect his mother and fatally stabbed Andrew. There had been no previous indication to any agency of issues arising between Barry and Andrew. Barry was previously unknown to the police or any other agency in Cardiff.
- 8.8 Barry and Maggie did not engage with the review and it has therefore not been possible to reflect their views or hear the voice of Maggie's two younger children.

Multi Agency Learning developed by the DHR panel

9.1

Narrative

Maggie's name changed over the time that she was in Cardiff as she stopped using her Vietnamese name and used an English name. Later interactions with agencies did not take into account historic information recorded under her Vietnamese name.

Learning

It is important that names are checked and historic information accessed in order to ensure that full and accurate risk assessments take into account all of the information recorded.

Recommendation 1 applies.

9.2

Narrative

Maggie was a victim of domestic abuse. The panel were informed by a cultural expert that Vietnamese culture was a barrier to Maggie reporting abuse or accessing services. In addition, to this, Maggie was uncertain of the security of her residency in the UK and this was exploited by Andrew.

Learning

Diverse cultural attitudes can result in people who are living in the United Kingdom being subjected to domestic abuse within their relationships. Information needs to be available to help those individuals to understand the support and accessibility to services that they can access to prevent the abuse.

Recommendation 2 applies.

9.3

Narrative

Andrew was sometimes used as an interpreter for Maggie. Using family and friends as interpreters in order to aid communication with Professionals can present significant risks to victims of domestic abuse.

Learning

Using an intimate partner as an interpreter removes the opportunity for a discussion about or disclosure of domestic abuse. Engagement with victims of domestic abuse, whose first language is not English should be undertaken with the use of interpretation services.

Recommendation 3 applies.

9.4 Narrative

The use of telephone translation services is helpful but is sometimes not capable of dealing with complex technical issues.

Learning

Face to face translation services may have more success in gaining victim engagement and ensuring that complex issues, for example risk assessments are dealt with effectively.

Recommendation 4 applies.

9.5 Narrative

The homicide investigation identified that many people outside of the family knew that Maggie was being abused by Andrew. This finding is consistent with many other DHRs.

Learning

The absence of clear guidance on what members of the public can do when they know or suspect that someone is a victim of domestic abuse, could contribute to the abuse enduring and/or placing the victim in greater danger. The panel felt that this illustrated a cultural acceptance of domestic abuse within some neighbourhoods of Cardiff and that action was required in order to address the cultural issue. This may need to go beyond publicity as Cardiff CSP already conducts extensive publicity around domestic abuse.

Recommendations 5 and 6 apply.

9.6 Narrative

Barry was unknown to services after he stopped attending school.

Learning

Children and Young People from minoritised communities may have limited understanding of how to access services if they are not in the school system.

Recommendation 7 applies

10 Panel Recommendations

- 10.1 Cardiff Community Safety Partnership should receive assurance from all agencies that the learning in relation to use and recording of different names in this review has been disseminated to and understood by staff.
- 10.2 Cardiff Community Safety Partnership should review and if necessary, enhance the information and support available to its diverse communities to promote healthy relationships and deny abusers the cover of cultural acceptance.
- 10.3 Cardiff Community Safety Partnership should receive assurance from all agencies that family members are not used as interpreters as this prevents the disclosure of domestic abuse.
- 10.4 Cardiff Community Safety Partnership and its partners to consider the need for face to face victim engagement when requiring translation services.
- 10.5 Cardiff Community Safety Partnership should review the effectiveness and if necessary, strengthen the information provided to family, friends, neighbours and diverse communities about recognising the signs of domestic abuse and where they can go, if necessary anonymously, with such information.
- 10.6 That Cardiff Community Safety Partnership ensures that the Regional VAWDASV Strategy details how it will respond to the cultural acceptance of domestic abuse and improve the confidence of victims and witnesses to report abuse.
- 10.7 The Community Safety Partnership should review how children and young people from minoritised communities are informed about where they can seek support, particularly if they are not in the school system.
- 10.8 All single agency recommendations are shown at the Action Plan.