



Gender-based violence

# A guide to risk assessment and risk management of intimate partner violence against women for police

# Acknowledgements

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## The European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is an autonomous body of the European Union established to strengthen gender equality across the EU. Equality between women and men is a fundamental value of the EU and EIGE's task is to make this a reality in Europe and beyond. This includes becoming a European knowledge centre on gender equality issues, supporting gender mainstreaming in all EU and Member State policies, and fighting discrimination based on sex.

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# Foreword

The police play a leading role in reducing violence against women by an intimate partner. When women experience violence, they usually turn to the police before any other authority for protection. Risk assessment and risk management are two vital steps that police officers can take to ensure the immediate and ongoing safety and well-being of those affected by intimate partner violence.

Protecting and supporting victims of intimate partner violence against women is a priority for the European Union. Steps have been taken across the EU to improve responses to gender-based violence and strengthen prevention measures. However, risk assessment and risk management practices remain fragmented across EU Member States.

EIGE's guidelines and recommendations offer a common approach for use by police officers across the EU. They build on the institute's previous work aimed at strengthening institutional responses to intimate partner violence.

On behalf of EIGE, I would like to thank all the institutions and experts who have contributed to this important research. I firmly believe that our guide will help the EU and Member States to unify their approaches to preventing further harm to victims and holding perpetrators accountable. We want victims of intimate partner violence to live without fear, in societies that do not tolerate any kind of gender-based violence.

Virginija Langbakk,  
Director,  
European Institute for Gender Equality (EIGE)

# Abbreviations

## Member State abbreviations

|              |                |
|--------------|----------------|
| <b>BE</b>    | Belgium        |
| <b>BG</b>    | Bulgaria       |
| <b>CZ</b>    | Czechia        |
| <b>DK</b>    | Denmark        |
| <b>DE</b>    | Germany        |
| <b>EE</b>    | Estonia        |
| <b>IE</b>    | Ireland        |
| <b>EL</b>    | Greece         |
| <b>ES</b>    | Spain          |
| <b>FR</b>    | France         |
| <b>HR</b>    | Croatia        |
| <b>IT</b>    | Italy          |
| <b>CY</b>    | Cyprus         |
| <b>LV</b>    | Latvia         |
| <b>LT</b>    | Lithuania      |
| <b>LU</b>    | Luxembourg     |
| <b>HU</b>    | Hungary        |
| <b>MT</b>    | Malta          |
| <b>NL</b>    | Netherlands    |
| <b>AT</b>    | Austria        |
| <b>PL</b>    | Poland         |
| <b>PT</b>    | Portugal       |
| <b>RO</b>    | Romania        |
| <b>SI</b>    | Slovenia       |
| <b>SK</b>    | Slovakia       |
| <b>FI</b>    | Finland        |
| <b>SE</b>    | Sweden         |
| <b>UK</b>    | United Kingdom |
| <b>EU-28</b> | European Union |

## Frequently used abbreviations

|                            |                                                                                                       |
|----------------------------|-------------------------------------------------------------------------------------------------------|
| <b>B-SAFER</b>             | brief spousal assault form for the evaluation of risk                                                 |
| <b>DA</b>                  | danger assessment                                                                                     |
| <b>DASH</b>                | domestic abuse, stalking and harassment and Honour-based Violence                                     |
| <b>EIGE</b>                | European Institute for Gender Equality                                                                |
| <b>EU</b>                  | European Union                                                                                        |
| <b>GDPR</b>                | General Data Protection Regulation                                                                    |
| <b>Istanbul Convention</b> | Council of Europe Convention on preventing and combating violence against women and domestic violence |
| <b>MARAC</b>               | multiagency risk assessment conference                                                                |
| <b>ODARA</b>               | Ontario domestic assault risk assessment                                                              |
| <b>SARA</b>                | spousal assault risk assessment                                                                       |
| <b>UN</b>                  | United Nations                                                                                        |

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# Glossary of terms

## Coercive control

A strategic course of oppressive conduct that is typically characterised by frequent physical abuse and sexual coercion in combination with tactics to intimidate, degrade, isolate and control victims <sup>(1)</sup>.

## Disadvantaged groups

Groups of persons that experience a higher risk of poverty, social exclusion, discrimination and violence than the general population, including, but not limited to, ethnic minorities, migrants, people with disabilities, isolated elderly people and children <sup>(2)</sup>.

## Emergency barring order

A short-term legal remedy providing for the removal of a perpetrator of domestic violence from the residence of the victim and barring him or her from returning or contacting the victim. It is also known as an eviction order, barring order or no-contact order, depending on the national context <sup>(3)</sup>.

## Gender equality competence

Skills, attributes and behaviours that people need in order to mainstream gender concerns effectively into policies and plans, and help build gender equality <sup>(4)</sup>. Gender competence among the police involves the development of knowledge and awareness about gender equality and the skills necessary to apply such knowledge in policing intimate partner violence.

## Intersectionality

An analytical tool for studying, understanding and responding to the ways in which sex and gender intersect with other personal characteristics/identities, and how these intersections contribute to unique experiences of discrimination <sup>(5)</sup>.

## Intimate partner femicide

The killing of a woman by an intimate partner and the death of a woman as a result of a practice that is harmful to women. 'Intimate partner' is understood as a former or current spouse or partner, whether or not the perpetrator shares or has shared a residence with the victim <sup>(6)</sup>.

## Intimate partner violence

Any act of physical, sexual, psychological or economic violence that occurs between former or current spouses or partners, whether or not the perpetrator shares or has shared a residence with the victim <sup>(7)</sup>.

## Multiagency cooperation

Effective coordination of actions among relevant actors playing a role in preventing and combating violence against women, including the judiciary, public prosecutors, law-enforcement agencies, and local and regional authorities, as well as non-governmental organisations and other relevant organisations and entities.

## Perpetrator

A person who deliberately uses violent and abusive behaviour to control their partner or former

<sup>(1)</sup> Stark, E. (2012), 'The dangerousness of danger assessment', *Domestic Violence Report*, Vol. 17, No 5, pp. 65-69.

<sup>(2)</sup> Beijing Platform for Action (2013), *Agreed conclusions on the elimination and prevention of all forms of violence against women and girls* (E/2013/27-E/CN.6/2013/11), United Nations, New York, para. 34 (available at [http://www.un.org/womenwatch/daw/csw/csw57/CSW57\\_Agreed\\_Conclusions\\_\(CSW\\_report\\_excerpt\).pdf](http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_(CSW_report_excerpt).pdf)).

<sup>(3)</sup> Council of Europe (CoE) (2011), *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/16800d383a>).

<sup>(4)</sup> European Institute for Gender Equality (EIGE) (2014), *Effective gender equality training: analysing the preconditions and success factors*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/effective-gender-equality-training-analysing-preconditions-and-success-factors-main-findings>).

<sup>(5)</sup> European Institute for Gender Equality (EIGE), Glossary & Thesaurus, 'intersectionality' (available at <https://eige.europa.eu/thesaurus/terms/1263>).

<sup>(6)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/glossary-definitions-rape-femicide-and-intimate-partner-violence>).

<sup>(7)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/glossary-definitions-rape-femicide-and-intimate-partner-violence>).

partner, whether or not they have been charged, prosecuted or convicted <sup>(8)</sup>.

### Predictive validity

In evaluating the accuracy of risk assessment, studies typically assess the predictive validity of a risk assessment tool. Predictive validity (or accuracy) refers to the ability of an instrument to correctly assess the likelihood of violence or recidivism <sup>(9)</sup>.

### Probation

Period of supervision over a perpetrator, ordered by the court, instead of the perpetrator serving time in prison <sup>(10)</sup>.

### Protection order

A fast legal remedy to protect people at risk of any form of violence by prohibiting, restraining or prescribing certain behaviour by the perpetrator. Any order should take effect immediately after it has been issued and must be available without lengthy court proceedings <sup>(11)</sup>. National protection measures can be of civil, criminal or administrative law in nature and their duration, scope and procedures of adoption vary among Member States <sup>(12)</sup>.

### Protective measures

Legislative and other measures aimed at protecting victims as well as their families and witnesses from any further form of violence and revictimisation or secondary victimisation, at all stages of investigations and judicial proceedings <sup>(13)</sup>.

### Psychological violence

Any act or behaviour that causes psychological harm to the partner or former partner. Psychological violence can take the form of, among other things, coercion, defamation, a verbal insult or harassment <sup>(14)</sup>.

### Reassault

A repeated act of assault, in this case a repeated act of intimate partner violence <sup>(15)</sup>.

### Recidivism

The tendency of someone convicted of intimate partner violence to reoffend <sup>(16)</sup>.

### Referral system

A referral system can be defined as a comprehensive institutional framework that connects various entities with well-defined and delineated (albeit in some cases overlapping) mandates, responsibilities and powers into a network of co-operation. The overall aim is to ensure the protection and assistance of victims, to aid in their full recovery and empowerment; the prevention of gender-based violence; and the prosecution of perpetrators (the so-called three Ps). Referral mechanisms work on the basis of efficient lines of communication and establish clearly outlined referral pathways and procedures, with clear and simple sequential steps <sup>(17)</sup>.

### Repeat victimisation

Repeat victimisation refers to a situation in which the same person suffers from more than one criminal incident over a specific period of time <sup>(18)</sup>.

<sup>(8)</sup> Council of Europe (CoE) (2017), *Emergency barring orders in situations of domestic violence: Article 52 of the Istanbul Convention*, CoE, Paris (available at <https://rm.coe.int/convention-istanbul-article-52/168073e0e7>).

<sup>(9)</sup> Geraghty, K. A. and Woodhams, J. (2015), 'The predictive validity of risk assessment tools for female offenders: a systematic review', *Aggression and Violent Behavior*, Vol. 21, pp. 25-38 (available at <https://www.sciencedirect.com/science/article/pii/S1359178915000038>).

<sup>(10)</sup> The Free Dictionary by Farlex, 'probation' (available at <https://legal-dictionary.thefreedictionary.com/probation>).

<sup>(11)</sup> Council of Europe (CoE) (2011), *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*, CoE, Istanbul (available at <https://rm.coe.int/16800d383a>).

<sup>(12)</sup> European e-Justice Portal, 'Protection orders issued in one EU country can continue to be enforced in another' (available at [https://e-justice.europa.eu/content\\_mutual\\_recognition\\_of\\_protection\\_measures-358-en.do](https://e-justice.europa.eu/content_mutual_recognition_of_protection_measures-358-en.do)).

<sup>(13)</sup> Council of Europe (CoE) (2011), *Convention on Preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/168046031c>).

<sup>(14)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/glossary-definitions-rape-femicide-and-intimate-partner-violence>).

<sup>(15)</sup> Oxford Dictionary, Lexico, 'reassault' (available at <https://en.oxforddictionaries.com/definition/reassault>).

<sup>(16)</sup> Oxford Dictionary, Lexico, 'recidivism' (available at <https://en.oxforddictionaries.com/definition/recidivism>).

<sup>(17)</sup> United Nations Population Fund (UNFPA) (2015), 'Glossary', *Multi-sectoral response to GBV: an effective and coordinated way to protect and empower GBV victims/survivors*, UNFPA Regional Office for Eastern Europe and Central Asia, Istanbul (available at [http://femroadmap.eu/MSR\\_Generic\\_model\\_eng.pdf](http://femroadmap.eu/MSR_Generic_model_eng.pdf)).

<sup>(18)</sup> Council of Europe (CoE) (2006), *Recommendation Rec(2006)8 of the Committee of Ministers to Member States on assistance to crime victims*, COE, Paris, <https://rm.coe.int/16805afa5c>.

## Risk

A situation involving exposure to danger of intimate partner violence <sup>(19)</sup>.

## Risk assessment

The assessment of the safety risks a particular victim faces on a case-by-case basis, according to standardised procedures and within a multi-agency framework. Risk assessment includes an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence <sup>(20)</sup>.

## Risk factor

A characteristic at any level (individual, relational, community or societal) whose presence increases the possibility of intimate partner violence occurring or recurring <sup>(21)</sup>.

## Risk management

The process by which all relevant authorities manage the safety risks identified in a risk assessment. These activities may be directed towards victims (e.g. safety planning), towards perpetrators (e.g. using police powers to pursue, detect and disrupt offending behaviour) or towards victims and perpetrators in combination. The scope and type of activities undertaken should be informed by risk assessment, implemented within a multiagency framework and monitored for effectiveness. The aim of these activities is to try to reduce the threat posed by the perpetrator and protect the victim from further violence and abuse <sup>(22)</sup>.

## Risk prediction

The process of assessing the likelihood of violence or recidivism occurring in the future.

## Risk prevention

The process of reducing the likelihood of violence or recidivism occurring in the future.

## Risk-led approaches to intimate partner violence

Responding to intimate partner violence based on types and levels of risk identified using a risk assessment tool or a checklist of risk factors. Risk-led approaches involve risk assessment and risk management in cases of intimate partner violence.

## Safety planning

Safety planning is a process by which the victim may consult appropriate agencies to discuss increasing personal safety and the safety of any children. It should form part of a partnership approach between professionals, victims and children and should include an assessment of the level of risk and the development of a crisis plan and a plan for the future, both in the short term and in the longer term. The police have a role in helping to develop and support safety plans as part of their risk management processes. In general, the victim, with assistance from an independent domestic violence adviser or other independent advocacy service, should carry out the safety planning, with officers being able to contribute to the process by implementing safety measures as part of a risk management plan or action plan. It should be carried out in consultation with other agencies, for example the fire service, housing services and children's services <sup>(23)</sup>.

## Secondary victimisation

Secondary victimisation occurs when the victim suffers further harm not as a direct result of the criminal act but owing to the manner in which institutions and other individuals deal with the victim. Secondary victimisation may be caused, for instance, by repeated exposure of the victim to the perpetrator, repeated interrogation about the same facts, the use of inappropriate language or insensitive comments made by anyone who comes into contact with the victim <sup>(24)</sup>.

<sup>(19)</sup> Oxford Dictionary, Lexico, 'risk' (available at <https://en.oxforddictionaries.com/definition/risk>).

<sup>(20)</sup> Council of Europe (CoE) (2011), Convention on Preventing and combating violence against women and domestic violence, CoE, Paris, Art. 51 (available at <https://rm.coe.int/168046031c>).

<sup>(21)</sup> Council of Europe (CoE) (2016), *Improving the effectiveness of law-enforcement and justice officers in combating violence against women and domestic violence: training of trainers manual*, CoE, Paris (available at <https://rm.coe.int/16807016f3>).

<sup>(22)</sup> Robinson, A. L., Myhill, A., Wire, J., Roberts, J. and Tilley, N. (2016), *Risk-led policing of domestic abuse and the DASH risk model*, What Works Centre for Crime Reduction, College of Policing, Cardiff University, and Department of Security and Crime Science, University College London, Cardiff and London (available at [http://www.college.police.uk/News/College-news/Documents/Risk-led\\_policing\\_of\\_domestic\\_abuse\\_and\\_the\\_DASH\\_risk\\_model.pdf](http://www.college.police.uk/News/College-news/Documents/Risk-led_policing_of_domestic_abuse_and_the_DASH_risk_model.pdf)).

<sup>(23)</sup> College of Policing, Authorised Professional Practice (APP), 'Major investigation and public protection: victim safety and support' (available at <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/domestic-abuse/victim-safety-and-support/#safety-planning>).

<sup>(24)</sup> Council of Europe (CoE) (2006), Recommendation Rec(2006)8 of the Committee of Ministers to Member States on assistance to crime victims, CoE, Paris, (available at <https://rm.coe.int/16805afa5c>).

### Specialised services for women

Specialised services for women are gender-specific services established to protect and empower women survivors of intimate partner violence and their children and are tailored to their specific immediate and longer-term needs. Specialised staff with in-depth knowledge of gender-based violence provide these services. The types of support that such services provide include helpline support and information, shelter/refuge and safe accommodation, short- and long-term psychological counselling, legal advice, advocacy and outreach services, and services for children<sup>(25)</sup>. There is a variety of specialised services for women survivors of intimate partner violence. It is considered good practice for services to be delivered by independent women's organisations and run independently from the funder<sup>(26)</sup>.

### Standardised approach

A shared understanding of risk across all service systems that will include an agreed-upon risk assessment tool that all agencies use, and a common language to communicate risk. A standardised approach results in an integrated response by ensuring that all responses are consistent, regardless of where the client enters the system<sup>(27)</sup>.

### Victim

A natural person who has suffered harm, including physical, mental or emotional harm, or economic loss directly caused by a criminal offence,

and family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death<sup>(28)</sup>.

### Victim-centred approach

Placing the rights, needs and concerns of victims<sup>(29)</sup> at the centre of interventions. This requires consideration of the multiple needs of victims, their risks and vulnerabilities, and the impact on them of decisions and actions taken.

### Victimisation

Any adverse treatment (including dismissal in cases of unequal treatment at work) in reaction to a complaint<sup>(30)</sup>.

### Violence against women

A violation of human rights and a form of discrimination against women. This includes all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life<sup>(31)</sup>.

### Vulnerable victims<sup>(32)</sup>

Victims disproportionately more vulnerable to intimate partner violence owing to personal characteristics such as age, uncertain legal status, language difficulties, learning/mental disabilities or limited knowledge of their rights, or who suffer prejudice and stereotyping.

<sup>(25)</sup> European Institute for Gender Equality (EIGE) (2012), *Review of the implementation of the Beijing Platform for Action in the EU Member States: violence against women — victim support*, Publications Office of the European Union, Luxembourg (available at <https://eige.europa.eu/rdc/eige-publications/violence-against-women-victim-support-report>).

<sup>(26)</sup> Organisation for Security and Cooperation in Europe (OSCE) (2009), *Bringing security home: combating violence against women in the OSCE region — a compilation of good practices*, OSCE, Vienna.

<sup>(27)</sup> Government of Western Australia, Department for Child Protection, Family and Domestic Violence Unit (2011), *Common risk assessment and risk management framework*, Government of Western Australia, Perth, p. 3.

<sup>(28)</sup> Art. 2(1)(a), Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, pp. 57-73 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421925131614&uri=CELEX:32012L0029>).

<sup>(29)</sup> For the purposes of this guide, victims of intimate partner violence will be considered predominantly women and girls, as it is widely acknowledged that most gender-based violence is inflicted on women and girls by men. See EIGE, 'What is gender-based violence?' (available at <https://eige.europa.eu/gender-based-violence/what-is-gender-based-violence>).

<sup>(30)</sup> European Institute for Gender Equality (EIGE), Glossary & Thesaurus, 'victimisation' (available at <https://eige.europa.eu/rdc/thesaurus/terms/1425>).

<sup>(31)</sup> Council of Europe (CoE) (2011), *Convention on Preventing and combating violence against women and domestic violence*, CoE, Paris, Art. 3 (available at <https://rm.coe.int/168046031c>).

<sup>(32)</sup> Ibid.



# Introduction

Almost 1 in 3 women in an intimate partner relationship in the EU Member States has experienced physical and/or sexual violence, and globally 38 % of all murders of women are intimate partner femicides <sup>(33)</sup>. Both figures indicate the deep societal roots and persistence of gender-based violence in particular and of gender inequality in general.

Risk assessment procedures and risk management strategies, when properly implemented, can efficiently protect female victims of intimate partner violence and prevent their revictimisation.

This guide is specifically centred on intimate partner violence, since it is the most widespread form of violence against women, affecting women's well-being, autonomy and equal access to opportunities. In particular, it focuses on risk assessment and risk management processes and practices implemented by the police.

The police are considered to be a key actor in the criminal justice system of all EU Member States, since they are often tasked with the front-line management of intimate partner violence, taking the lead role in formal risk assessment processes.

## What this guide offers

The guide to risk assessment and risk management of intimate partner violence for the police, prepared by the European Institute for Gender Equality (EIGE) aims to propose how the police in EU Member States can approach the implementation of risk assessment processes and risk management strategies. This guide provides the police with practical guidelines and recommendations on how to develop and implement risk assessment and risk management approaches.

The primary purpose of risk assessment and risk management is to reduce harm to women and children and to reduce reoffending by perpetrators. Both processes are part of a system-wide response to preventing intimate partner violence against women. More specifically, risk assessment facilitates the gathering of detailed and relevant information about the victim and the perpetrator in cases of intimate partner violence, as well as the identification of the risk level (standard, medium or high). Risk assessment outcomes should therefore be directly linked to risk management strategies. Assessing multiple types and levels of risk facilitates the linking of risk assessment to risk management, helping to ensure the immediate and ongoing safety and well-being of women and children.

Risk management of intimate partner violence by the police is defined as enforcing the law and pursuing criminal justice sanctions against the perpetrator, and undertaking safety planning with the victim. The development of risk management strategies depends on the purpose and outcome of risk assessment tools and if the system focuses on victim safety planning, managing perpetrator behaviour or both. Risk management involves various strategies to protect the victim as well as to work with the perpetrator to create more accountability and to reduce violent behaviour.

Risk management strategies adopted by the police and other services largely depend on the level of risk assessed. Proper linking of risk assessment processes with subsequent risk management actions creates a system that builds in reassessment as risk changes. As risk management interventions are implemented, risk needs to be reassessed to evaluate the impact of risk management strategies on levels and types of risk as well as outcomes for the safety of women and children. This guide sets out a method of implementing risk management strategies.

<sup>(33)</sup> World Health Organisation (2017), *Violence against women* (available at <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>).

## How the guide is structured

The introductory chapter of this publication presents in brief the framework for risk assessment and risk management of intimate partner violence at European and national levels. More specifically, it provides information on the legal and policy settings, on the instruments for and approaches to risk assessment of intimate partner violence and on the implemented strategies for risk management of intimate partner violence. In addition, it proposes areas for improvement and illustrates the benefits of risk-led police approaches to intimate partner violence.

The substantive chapter, which follows, is divided into two separate but interconnected parts. The first part contains **guidelines** for the effective development and implementation of police **risk assessment** in the context of intimate partner violence, including **core principles** to be considered, followed by specific steps for implementation. The core principles represent the

overarching framework within which risk assessment should take place. Each principle is defined and specific aspects of how the principles should be applied in practice are explained. The steps demonstrate how the principles should be implemented and are supported by recommendations on how they should be applied by police in practice.

The second part provides **recommendations** to the police on improving **risk management**, taking into account the gendered dynamics of intimate partner violence and adopting a victim-centred approach. Consistently with the guidelines for risk assessment, the recommendations include a set of core principles that provide a framework within which effective risk management strategies should be developed.

Information about the methodology used in developing this guide can be found in EIGE's publication *Risk assessment and management of intimate partner violence in the EU*.

# 1. Framework for risk assessment and risk management of intimate partner violence at EU level

## 1.1. Legal and policy framework

Risk assessment and risk management of intimate partner violence have been integrated into the EU legislative and policy framework on violence against women, making explicit the links between risk assessment and consequent actions to support and protect victims.

In the EU, the Victims' Rights Directive (Directive 2012/29/EU) <sup>(34)</sup> is the main instrument establishing minimum standards on the rights, support and protection of victims of crime. It includes many provisions directly or indirectly referring to victims of gender-based violence, who include victims of intimate partner violence <sup>(35)</sup>. The core objective of the Victims' Rights Directive is to 'deal with victim's needs' in an individual manner, based on an individual assessment and a targeted and participatory approach towards the provision of information, support, protection and procedural rights' <sup>(36)</sup>.

EU Directive 2011/99/EU on the European protection order <sup>(37)</sup> and Regulation (EU) No 606/2013 on mutual recognition of protection measures in civil matters <sup>(38)</sup> oblige EU Member States to rec-

ognise protection orders issued in other Member States, thereby enabling cross-border enforcement of such orders across the EU.

In addition to this, the Council of Europe Convention on preventing and combating violence against women and domestic violence <sup>(39)</sup> (the Istanbul Convention), the first international instrument on preventing and combating violence against women and girls at the international level, specifically addresses risk assessment and risk management as a strategy for the prevention of violence against women (Article 51). The Istanbul Convention is also the first international treaty to include a specific obligation to protect against violence through protection orders (Articles 52 and 53) <sup>(40)</sup>.

## 1.2. Tools and approaches to risk assessment of intimate partner violence in the EU

Risk assessment in the context of intimate partner violence is becoming increasingly widespread across the EU and internationally, and

<sup>(34)</sup> Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, pp. 57-73 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421925131614&uri=CELEX:32012L0029>).

<sup>(35)</sup> European Institute for Gender Equality (EIGE) (2016), *An analysis of the Victims' Rights Directive from a gender perspective*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/analysis-victims-rights-directive-gender-perspective>).

<sup>(36)</sup> European Commission, Directorate-General for Justice and Consumers (2012), 'DG Justice guidance document related to the transposition and implementation of Victims' Rights Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA', European Commission, Brussels.

<sup>(37)</sup> Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order, OJ L 338, 21.12.2011, pp. 2-18 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011L0099>).

<sup>(38)</sup> Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters, OJ L 181, 29.6.2013, pp. 4-12 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R0606>).

<sup>(39)</sup> Council of Europe (CoE) (2011), *Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/168046031c>).

<sup>(40)</sup> Further information on the EU and international legislative framework is included in Annex 1.

instruments have been developed and validated (i.e. tested for accuracy) in a variety of settings. In particular, there are six standalone intimate partner violence risk assessment tools that have been developed and tested for predictive validity in multiple research studies: the danger assessment (DA) <sup>(41)</sup>, the domestic violence screening inventory (DVSI, DVSI-R) <sup>(42)</sup>, the Kingston Screening Instrument for Domestic Violence (K-SID) <sup>(43)</sup>, the spousal assault risk assessment (SARA) <sup>(44)</sup>, the Ontario domestic assault risk assessment (ODARA) <sup>(45)</sup> and the brief spousal assault form for the evaluation of risk (B-SAFER) <sup>(46)</sup>.

The use of different risk-led approaches and risk assessment tools across the EU, but also within Member States <sup>(47)</sup>, presents a specific challenge for assessing the effectiveness of risk assessment of intimate partner violence in the EU. A number of Member States and governmental and non-governmental actors have developed and implemented various adaptations to validated risk assessment tools, in particular SARA <sup>(48)</sup>, B-SAFER <sup>(49)</sup>, ODARA <sup>(50)</sup> and the DA <sup>(51)</sup>. The do-

mestic abuse, stalking and harassment and honour-based violence (DASH) tool <sup>(52)</sup> has also been adapted for use in a number of Member States, although the tool itself has not been validated <sup>(53)</sup>. These variations result in a non-uniform approach to addressing intimate partner violence.

The majority of EU Member States have risk assessment and/or risk management embedded in some form of policy document and/or national legislation on intimate partner violence <sup>(54)</sup>. Only a few Member States have risk assessment and/or risk management embedded in national legislation <sup>(55)</sup>. Most of them include risk assessment in policy documents, such as national action plans and strategies <sup>(56)</sup> or other than national action plans or strategies <sup>(57)</sup>, and in some cases risk assessment/risk management is not referred to at all in legislation <sup>(58)</sup>.

In many Member States where standardised tools have been developed, they are inconsistently applied <sup>(59)</sup> or are in their infancy (Romania) <sup>(60)</sup>, or risk assessment is not implemented at all <sup>(61)</sup>.

<sup>(41)</sup> Campbell, J. C., Webster, D. W. and Glass, N. (2009), 'The danger assessment: validation of a lethality risk assessment instrument for intimate partner femicide', in *Journal of Interpersonal Violence*, Vol. 24, No 4, pp. 653-674.

<sup>(42)</sup> Williams, K. R. and Grant, S. R. (2006), 'Empirically examining the risk of intimate partner violence: the Revised Domestic Violence Screening Instrument (DVSI-R)', *Public Health Reports*, Vol. 121, No 4, pp. 400-408; Williams, K. R. and Houghton, A. B. (2004), 'Assessing the risk of domestic violence reoffending: a validation study', *Law and Human Behavior*, Vol. 28, No 4, pp. 437-455.

<sup>(43)</sup> Gelles and Straus (1990), cited in Roehl, J., O'Sullivan, C., Webster, D. and Campbell, J. (2005), *Intimate partner violence risk assessment validation study, final report*, US Department of Justice, Washington DC.

<sup>(44)</sup> Kropp, P. R. and Hart, S. D. (2000), 'The spousal assault risk assessment (SARA) guide: reliability and validity in adult male offenders', *Law and Human Behavior*, Vol. 24, No 1, pp. 101-118.

<sup>(45)</sup> Hilton, N. Z., Harris, G. T., Rice, M. E., Lang, C., Cormier, C. A. and Lines, K. J. (2004), 'A brief actuarial assessment for the prediction of wife assault recidivism: the Ontario domestic assault risk assessment', *Psychological Assessment*, Vol. 16, No 3, p. 267.

<sup>(46)</sup> Au, A., Cheung, G., Kropp, R., Yuk-chung, C., Lam, G. L. and Sung, P. (2008), 'A preliminary validation of the brief spousal assault form for the evaluation of risk (B-SAFER)', in *Hong Kong Journal of Family Violence*, Vol. 23, No 8, p. 727.

<sup>(47)</sup> For example, the domestic abuse, stalking and harassment and honour-based violence (DASH) questionnaire in the United Kingdom, three different tools in Sweden — SARA: SV6 (short version), SAM: SV (stalking assessment and management, short version) and Patriarch (a checklist for assessing honour-related crime) — and SARA-plus in Italy.

<sup>(48)</sup> DK, IE, ES, IT, AT, PT, SK.

<sup>(49)</sup> IT, SE.

<sup>(50)</sup> DE, SK.

<sup>(51)</sup> DE, IT, AT, PT.

<sup>(52)</sup> EE, IE, MT, SK, UK.

<sup>(53)</sup> Almond, L., McManus, M., Brian, D. and Merrington, D. P. (2017), 'Exploration of the risk factors contained within the UK's existing domestic abuse risk assessment tool (DASH): do these risk factors have individual predictive validity regarding recidivism?', in *Journal of Aggression, Conflict and Peace Research*, Vol. 9, No 1, pp. 58-68.

<sup>(54)</sup> BE, CZ, DK, EE, IE, EL, ES, HR, IT, CY, LT, LU, MT, NL, AT, PT, RO, SK, FI, UK.

<sup>(55)</sup> EL, ES, CY, LU, NL, PT, RO, SK.

<sup>(56)</sup> BE, DK, EE, IE, HR, IT, MT, FI, SE, UK.

<sup>(57)</sup> BE, CZ, IE, ES, IT, AT, PT, UK.

<sup>(58)</sup> BU, DE, FR, GR, LT, HU, PL, SI.

<sup>(59)</sup> BE, DE, EE, FR, IT, AT.

<sup>(60)</sup> Ministry of Internal Affairs (MAI) (2018), *Ordinul nr. 146/2578/2018 privind modalitatea de gestionare a cazurilor de violență domestică de către polițiști* [Order No. 146/2578/2018 regarding the management of domestic violence cases by police] (available at <https://lege5.ro/Gratuit/gmytimzvqq3a/ordinul-nr-146-2578-2018-privind-modalitatea-de-gestionare-a-cazurilor-de-violenta-domestica-de-catre-politisti?pid=276469452#p-276469452>). Annex 1 includes the risk assessment form.

<sup>(61)</sup> BG, EL, MT.

### 1.3. Strategies for risk management of intimate partner violence in the EU

Risk management involves several strategies undertaken to protect victims from further harm as well as to reduce the violent behaviour of perpetrators. Risk management by the police involves enforcing the law and pursuing criminal justice sanctions against the perpetrator as well as undertaking safety planning with the victim. This is informed by risk assessment, to reduce the threat posed by the perpetrator and protect the victim from further violence and abuse (see Table 3 in Annex 2).

The following paragraphs briefly present the most common risk management strategies that were identified during the study as examples that could be followed.

#### Protection orders

Although risk management of perpetrators may extend beyond protection orders, according to the findings of fieldwork done by country experts and the core project team, the most common offender risk management strategy is the protection order<sup>(62)</sup>, whether this takes the form of a safety order, a barring order (full, interim or emergency), an eviction order or a restraining order<sup>(63)</sup>. There is evidence of the implementation of protection orders as a result of risk assessment of intimate partner violence in the majority of EU Member States. National protection measures can be under civil, criminal or administrative law and their duration, scope and procedures of adoption vary among Member States. Despite differences in the names used across Member

States, the core purpose of protection orders is the same: to try to protect those who are being abused, harassed and/or stalked by a current or former intimate partner<sup>(64)</sup>.

Protection orders are an important additional legal remedy available to victims of intimate partner violence. Research indicates that women typically seek protection orders after serious levels of victimisation and after repeated abuse over a significant length of time<sup>(65)</sup>. In some jurisdictions, police can initiate, enforce or support civil orders, which further ensures victim safety. However, as a risk management strategy for intimate partner violence, protection orders on their own are not sufficient. If used alone, they need to be supported with additional protective measures taken by the police or social services<sup>(66)</sup>. Protection orders are time limited, and protective measures need to be in place by the time they end. In addition, they are more effective under certain circumstances, for example when the victim is less dependent on the perpetrator. Furthermore, protection orders are less reliable when the perpetrator has a history of violent crime and mental health problems<sup>(67)</sup>.

In addition to protection orders, other risk management strategies are available to police, as well as probation workers and social workers, across the EU to manage perpetrators. These include intensive bail supervision or probation supervision and perpetrator treatment programmes.

#### Perpetrator programmes

Perpetrator programmes for intimate partner violence form part of many risk management approaches. Effects on perpetrator behaviour can be hard to identify or appear relatively small. A re-

<sup>(62)</sup> A protection order is a fast legal remedy to protect persons at risk of any form of violence by prohibiting, restraining or prescribing certain behaviour by the perpetrator. Council of Europe (CoE) (2011), *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*, Paris, COM(2011)49-addfinal (available at <https://rm.coe.int/16800d383a>).

<sup>(63)</sup> Also known as a domestic violence restraining order, an intervention order, a civil harassment restraining order or an anti-harassment order.

<sup>(64)</sup> Benitez, C. T., McNiel, D. E. and Binder, R. L. (2010), 'Do protection orders protect?', *The Journal of the American Academy of Psychiatry and the Law*, Vol. 38, No 3, p. 376.

<sup>(65)</sup> Jordan, C. E. (2004), 'Intimate partner violence and the justice system: an examination of the interface', *Journal of Interpersonal Violence*, Vol. 19, pp. 1 412-1 434 (available at [https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1017&context=ipsvaw\\_facpub](https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1017&context=ipsvaw_facpub)).

<sup>(66)</sup> Strand, S. (2012), 'Using a restraining order as a protective risk management strategy to prevent intimate partner violence', *Police Practice and Research*, Vol. 13, No 3, pp. 254-266.

<sup>(67)</sup> Dowling, C., Morgan, A., Hulme, S., Manning, M. and Wong, G. (2018), 'Protection orders for domestic violence: a systematic review', *Trends and Issues in Crime and Criminal Justice*, No 551, Australian Institute of Criminology, Canberra (available at <https://aic.gov.au/publications/tandi/tandi551>).

cent review of reviews has suggested that since most assessments of perpetrator programmes have been conducted in the United States, they may not be transferable to other settings. The review also found that there is no clear evidence of the impact of perpetrator programmes and that effects on further victimisation have been small <sup>(68)</sup>. The review and other studies on perpetrator programmes suggest that decisions regarding commissioning or maintenance of treatment programmes in other settings should consider the following.

- **Context and transferability.** Perpetrator programmes should operate within a multi-agency framework. Multiagency working involves agreed actions negotiated across key agencies responsible for law-enforcement, healthcare, social protection and child protection. These agreements limit individual discretion by practitioners handling cases and ensure minimum standards of practice <sup>(69)</sup>.
- **Guidelines for standards.** Guidelines for standards are necessary to ensure high-quality, effective and safe work with perpetrators of intimate partner violence. The safety of victims is a priority and interventions should ensure that the work does not endanger women or children <sup>(70)</sup>.
- **Suitability.** Screening of perpetrator suitability for programmes involves screening out perpetrators for whom there is little or no expectation of a reduction in risk.
- **Measures of outcome.** Outcome measures need to reflect a wider set of possible changes than just a reduction in physical assaults, such as improved well-being and 'space for

action' for victims (e.g. access to resources and freedom of movement), and an increase in perpetrators' understanding of the impact of their abuse on children, and in the safety and well-being of those children <sup>(71)</sup>.

There are also additional activities that can be undertaken with regard to the management of perpetrators. For example, some initiatives, such as the Drive project <sup>(72)</sup> and the Priority Perpetrator Identification Tool <sup>(73)</sup>, have shown how up-front/direct work with perpetrators (arrest/investigation, referrals to behaviour change programmes or programmes for alcohol and/or substance abuse) complements the 'behind-the-scenes' indirect work to manage risk (more intensive probation, police surveillance, information sharing between agencies). Perpetrators, therefore, will not always be aware of all of the risk management activities taking place across agencies to intervene in and disrupt their offending.

### Victim safety planning

Safety planning is a major outcome of the screening and risk assessment process. It is a strategic process enabling the victim, with the support of professionals and services, to make use of the existing and available resources. This helps them to be aware of the risk they face and increase their safety, as well as that of their children <sup>(74)</sup>. As already discussed, intervention that directly targets children who are abused, neglected or exposed to intimate partner violence may be warranted. The safety plan is composed of a set of measures designed with the victim and is intended to meet the victim's specific needs at different times in the cycle of the abusive relationship.

<sup>(68)</sup> Vigurs, C., Schucan-Bird, K., Quay, K. and Gough, D. (2016), 'The impact of domestic violence perpetrator programmes on victim and criminal justice outcomes: a systematic review of reviews of research evidence', *What Works: Crime Reduction Systematic Review*, Series No 5 (available at [https://whatworks.college.police.uk/Research/Systematic\\_Review\\_Series/Documents/perpetrator\\_programmes.pdf](https://whatworks.college.police.uk/Research/Systematic_Review_Series/Documents/perpetrator_programmes.pdf)).

<sup>(69)</sup> Shelpard, M. F. and Pence, E. L. (eds) (1999), *Coordinating community responses to domestic violence*, SAGE, London.

<sup>(70)</sup> European Network for Work with Perpetrators (WWP EN) (2018), *Guidelines to develop standards for programmes working with perpetrators of domestic violence* (available at [https://www.work-with-perpetrators.eu/fileadmin/WWP\\_Network/redakteure/Guidelines/WWP\\_EN\\_Guidelines\\_for\\_Standards\\_v3\\_2018.pdf](https://www.work-with-perpetrators.eu/fileadmin/WWP_Network/redakteure/Guidelines/WWP_EN_Guidelines_for_Standards_v3_2018.pdf)).

<sup>(71)</sup> Kelly, L. and Westmarland, N. (2015), *Domestic violence perpetrator programmes: steps towards change*, Project Mirabal final report, London Metropolitan University and Durham University, London and Durham (available at [https://www.nr-foundation.org.uk/downloads/Project\\_Mirabal-Final\\_report.pdf](https://www.nr-foundation.org.uk/downloads/Project_Mirabal-Final_report.pdf)).

<sup>(72)</sup> <http://driveproject.org.uk/>

<sup>(73)</sup> Crime and Security Research Institute, Cardiff University, 'New initiatives to tackle domestic violence perpetrators using the Priority Perpetrator Identification Tool (PPIT)' (available at <https://crimeandsecurity.org/feed/2017/6/8/new-initiatives-to-tackle-domestic-violence-perpetrators-using-the-priority-perpetrator-identification-tool-ppit>).

<sup>(74)</sup> Centre for Research and Education on Violence against Women and Children (2012), *Domestic violence risk assessment and management curriculum*, Centre for Research and Education on Violence against Women and Children, Ontario (available at [http://onlinetraining.learningtoendabuse.ca/sites/default/files/lessons/DVRAM%20full-text%20December%202012\\_1.pdf](http://onlinetraining.learningtoendabuse.ca/sites/default/files/lessons/DVRAM%20full-text%20December%202012_1.pdf)).

The topic of safety planning strategies for women experiencing intimate partner violence is under-researched and there is scant literature on evidence-based practices and their outcomes. Currently, the term 'safety plan' typically refers to plans with an almost exclusive focus on physical violence. These plans mostly rely on physical separation and a victim leaving a relationship to increase her own safety. These types of plans are important tools for many victims, but this narrow focus offers limited safety and, for some victims, it increases the risks <sup>(75)</sup>. As mentioned before, a victim leaving a relationship may actually increase the risk of reassault, and leaving the perpetrator is considered a risk factor for intimate partner violence.

In addition to a personal safety plan developed between the victim and the professional managing her case, interagency plans can also be developed, with multiple agencies working in collaboration to manage the risk <sup>(76)</sup>.

### Multiagency frameworks for managing risk

The delivery of an intimate partner violence intervention programme requires training and staffing resources that go beyond those available in most policing agencies. In this context, partnerships with public safety, social services, mental health and non-profit community agencies becomes crucial. Police can become a voice advocating for better, evidence-based intimate partner violence interventions in the communities served by these agencies, which can provide them with resources and to which they can refer both perpetrators and victims. Integrated community responses to intimate partner violence may be more effective in reducing perpetrator violence and increasing victim safety than traditional reactive policing strategies, because these

strategies address multiple aspects of the problem.

The move towards integrated responses to intimate partner violence recognises the complexity of achieving victim safety and perpetrator accountability. The effective management of dangerous offenders requires interconnected practices among agencies that promote accountability, including active monitoring, appropriate court-ordered services, and swift and firm consequences for reassault or violations of court orders. That is, prevention strategies are likely to be most effective when they are implemented in the context of multiagency frameworks, rather than when they are the responsibility of individual practitioners, stakeholders or agencies <sup>(77)</sup>. Multidisciplinary or multiagency teams could include representatives from the police, public safety agencies, emergency shelters and domestic violence outreach services, as well as experts in intervention programmes for perpetrators <sup>(78)</sup>.

## 1.4. Areas for improvement

### Risk assessment tools across EU Member States and implications for risk management

The police use a variety of tools for risk assessment across EU Member States, which has implications for risk management actions. Three key considerations will support improvements in risk management by police.

- **Risk assessment of intimate partner violence as a strategy to prevent future violence.** Efforts to improve risk management by police may benefit from a shift in emphasis from risk prediction to addressing the specific risks posed to victims of intimate partner

<sup>(75)</sup> Davies, J. (2017), *Victim-defined safety planning: a summary*, Greater Hartford Legal Aid, Hartford, Connecticut (available at <https://www.bcsdv.org/wp-content/uploads/2017/02/Victim-Defined-Safety-Planning.1-17.pdf>).

<sup>(76)</sup> Government of Western Australia, Department for Child Protection, Family and Domestic Violence Unit (2011), *Common risk assessment and risk management framework*, Government of Western Australia, Perth.

<sup>(77)</sup> Juodis, M., Starzomski, A., Porter, S. and Woodworth, M. (2014), 'What can be done about high-risk perpetrators of domestic violence?', *Journal of Family Violence*, Vol. 29, pp. 381-390.

<sup>(78)</sup> Moser, A. E. and Campbell, M. A. (2012), *Validation and expansion of the Ontario domestic assault risk assessment (ODARA) instrument: an early warning system*, Centre for Criminal Justice Studies and Psychology Department, University of New Brunswick, Fredericton.

violence and thereby preventing intimate partner violence <sup>(79)</sup>.

- **Victims' individual assessment of their own risk.** Recent research indicates that the assessment of risk by victims themselves is an important source of information, which should be systematically obtained and considered by those involved in risk assessment and risk management <sup>(80)</sup>, as this information improves the accuracy of structured risk assessment tools. Information from victims' assessments of their own risks is broadly included in risk assessment processes across Member States, but it is unclear to what extent this factor has an influence on final risk scoring (e.g. when police are deciding whether a case is standard, medium or high risk) or on risk management processes.
- **Risk related to psychological violence and coercive and controlling behaviours.** It is important that risk factors included in risk assessment tools be as comprehensive as possible and applied in all cases of intimate partner violence. However, it is important to take into account the evidence-based and emerging research on risk factors and their relevance for effectively assessing risk and informing risk management strategies. Studies have shown a strong association between male perpetration of physical violence and psychological abuse, such as emotional and verbal abuse <sup>(81)</sup>. As the Council of Europe recommends, EU Member States could benefit from developing risk assessment and risk management that reflect the risk of psychological violence <sup>(82)</sup>. Reframing risk assessment tools and practices to take into account coercive control should help police to more

effectively identify and manage 'the dangerous patterns of behaviour that precede domestic homicide' <sup>(83)</sup>.

### Specialised police training on risk assessment and risk management

Consistent provision of specialised training and the development of specific guidelines to support front-line police in conducting risk assessment and delivering relevant risk management interventions for intimate partner violence would be beneficial. Assessing the level of risk and identifying and implementing the appropriate risk management strategies require specific skills and knowledge that would enable police to understand, identify, assess and manage risk. Such specialised training is necessary even where standardised tools and checklists are being used. Risk assessment also requires an appropriate implementation infrastructure, such as training strategies that are resourced and sustainable, and standardised procedures outlined in regulations.

### Monitoring and evaluating risk assessment and risk management practices

Monitoring and evaluating information about how risk assessment leads to risk management strategies is lacking across Member States. An assessment of police practices revealed that officers generally had 'low levels of appreciation as to why [risk assessment] is important, and a poor understanding as to what officers should do beyond the completion of the DASH <sup>(84)</sup> form' <sup>(85)</sup>. Monitoring and evaluation systems are crucial in supporting quality assurance of risk assessment and risk management processes, and in identify-

<sup>(79)</sup> Douglas, K. S. and Randall Kropp, P. (2002), 'A prevention-based paradigm for violence risk assessment: clinical and research applications', *Criminal Justice and Behavior*, Vol. 29, No 5, pp. 617-658.

<sup>(80)</sup> Douglas, K. S. and Randall Kropp, P. (2002), 'A prevention-based paradigm for violence risk assessment: clinical and research applications', *Criminal Justice and Behavior*, Vol. 29, No 5, p. 8.

<sup>(81)</sup> Wheller, L. and Wire, J. (2014), *Domestic abuse risk factors and risk assessment: summary of findings from a rapid evidence assessment*, College of Policing, London, p. 5 (available at [https://whatworks.college.police.uk/Research/Documents/DA-ROR-Summary-December\\_14.pdf](https://whatworks.college.police.uk/Research/Documents/DA-ROR-Summary-December_14.pdf)).

<sup>(82)</sup> Council of Europe (CoE) (2011), *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/16800d383a>).

<sup>(83)</sup> Myhill, A. and Hohl, K. (2016), 'The "golden thread": coercive control and risk assessment for domestic violence', *Journal of Interpersonal Violence* (available at <http://openaccess.city.ac.uk/15642/3/JIPV%20as%20accepted.pdf>).

<sup>(84)</sup> The DASH form is the domestic abuse, stalking and harassment and honour-based violence questionnaire, a risk assessment tool used widely in the United Kingdom.

<sup>(85)</sup> Her Majesty's Inspectorate of the Constabulary (HMIC) (2014), *Everyone's business: improving the police response to domestic violence*, HMIC, London, p. 70, cited in Robinson, A. L., Pinchevsky, G. M. and Guthrie, J. A. (2018), 'A small constellation: risk factors informing police perceptions of domestic abuse', *Policing and Society*, Vol. 28, No 2, pp. 189-204.

ing weaknesses and areas for improvement. At the same time, they are also an important element in the process of ensuring that the police are accountable in carrying out their obligations to assess risk and respond to intimate partner violence within a multiagency framework.

### Gender and risk assessment and management of intimate partner violence

Systematic attention to the role of gender in intimate partner violence is evident in countries where risk assessment and risk management of intimate partner violence are embedded in a gendered policy and legal framework (Spain and Sweden) but less evident in other Member States. Understanding the gendered dynamics of intimate partner violence generally, and coercive control specifically, will help police (and other agencies involved) to respond more effectively and prevent intimate partner violence and homicide.

### Intersectionality in risk assessment and risk management

Intimate partner violence is experienced differently by women and children according to their race, disability, age, religion, immigration status, ethnicity and sexual orientation <sup>(86)</sup>.

The personal characteristics of a victim <sup>(87)</sup> are crucial in identifying victim's individual safety needs and possible barriers to accessing support. For example, female migrants and asylum seekers may face increased risk of violence and negative impacts of abuse, not because their ethnicity causes an increase in the risk in itself but because they have uncertain legal status, language difficulties or limited knowledge of their

rights, or because they suffer prejudice and stereotyping.

The value of adopting an intersectional approach is the ability to develop tailor-made risk management and prevention strategies that will address those factors that render some women disproportionately more vulnerable to intimate partner violence. Understanding intersectionality helps to ensure that responses to intimate partner violence are appropriate and effective for all women.

The capacity of the police to take such an intersectional approach will depend on the policing infrastructure as well as the provision of specialised police training in the Member States. Working in partnership with victim services that serve specific categories of victims can improve risk management processes and their outcomes.

### Children's experiences of intimate partner violence against women

There is a large body of research identifying the high level of harm experienced by children living with intimate partner violence against their mothers, but this literature tends to focus on physical violence as the main source of harm, with relatively little attention paid to children's experiences of coercive control and its harmful consequences <sup>(88)</sup>. Despite this research, risk assessment practices in most Member States do not systematically include information provided directly by children about their experiences of intimate partner violence. Given the evidence on how intimate partner violence negatively affects child outcomes, it is important that the issue of children living with intimate partner violence be recognised as a matter for concern in its own right.

<sup>(86)</sup> Groups' vulnerabilities reflect discrimination and stigma in their national and community settings rather than intrinsic vulnerability. In fact, women and children from these groups frequently display significant resilience in the face of routine violation of their human rights. It is important not to confuse intersectionality with vulnerability.

<sup>(87)</sup> Such as the victim's gender and gender identity or expression, ethnicity, race, religion, sexual orientation and disability, but also residence status, communication difficulties, relationship to or dependence on the perpetrator and previous experience of crime.

<sup>(88)</sup> Katz, E. (2016), 'Beyond the physical incident model: how children living with domestic violence are harmed by and resist regimes of coercive control', *Child Abuse Review*, Vol. 25, No 1, pp. 46-59; Stark, E. (2009), 'Rethinking custody evaluation in cases involving domestic violence', *Journal of Child Custody*, Vol. 6, No 3, pp. 287-321.

## 1.5. Benefits of risk-led police approaches to intimate partner violence

Studies have shown the benefits of police-led risk assessment and risk management of intimate partner violence for the prevention of violence and improvements in victim safety <sup>(89)</sup>. As a result, police are increasingly adopting 'risk-led' approaches to intimate partner violence across Member States. As the agency often tasked with the front-line management of intimate partner violence, the police are shifting their focus to prevention by assessing and managing the risks posed by perpetrators, and addressing the immediate safety needs of victims in coordination with other agencies. The risk-led approach includes four distinct stages (Figure 1).

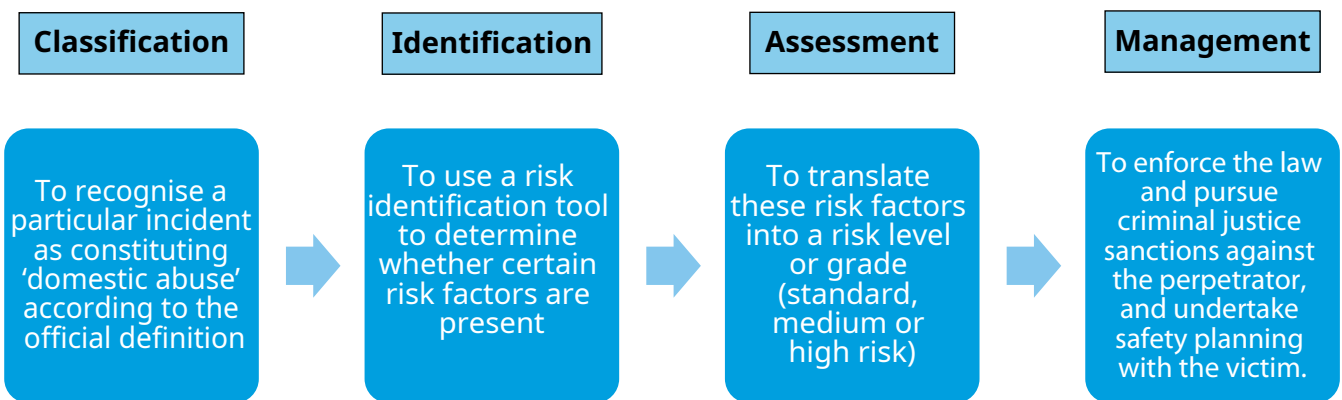
There are multiple benefits for police in adopting a risk-led approach to policing intimate partner violence including:

- development of a robust framework that will facilitate more effective cooperation and

communication between police officers and victims of intimate partner violence;

- development and strengthening of multi-agency cooperation and coordination when responding to intimate partner violence;
- better caseload management and effective referral pathways for directing victims to relevant services;
- positive impact on the investigation process, increasing victim cooperation with the criminal justice system, and reducing attrition rates <sup>(90)</sup>;
- the collection of robust information and reliable evidence;
- a greater level of protection and higher-quality services that respond to the individual needs of victims;
- advanced skills and knowledge on the part of police officers in assessing victims' individual needs and designing tailored prevention strategies.

**Figure 1. Risk-led approaches to policing intimate partner violence**



Source: Robinson, A. L., Myhill, A., Wire, J., Roberts, J., and Tilley, N., *Risk-led policing of domestic abuse and the DASH risk model*. College of Policing, London, 2016 (available at [https://www.college.police.uk/News/College-news/Documents/Risk-led\\_policing\\_of\\_domestic\\_abuse\\_and\\_the\\_DASH\\_risk\\_model.pdf](https://www.college.police.uk/News/College-news/Documents/Risk-led_policing_of_domestic_abuse_and_the_DASH_risk_model.pdf)).

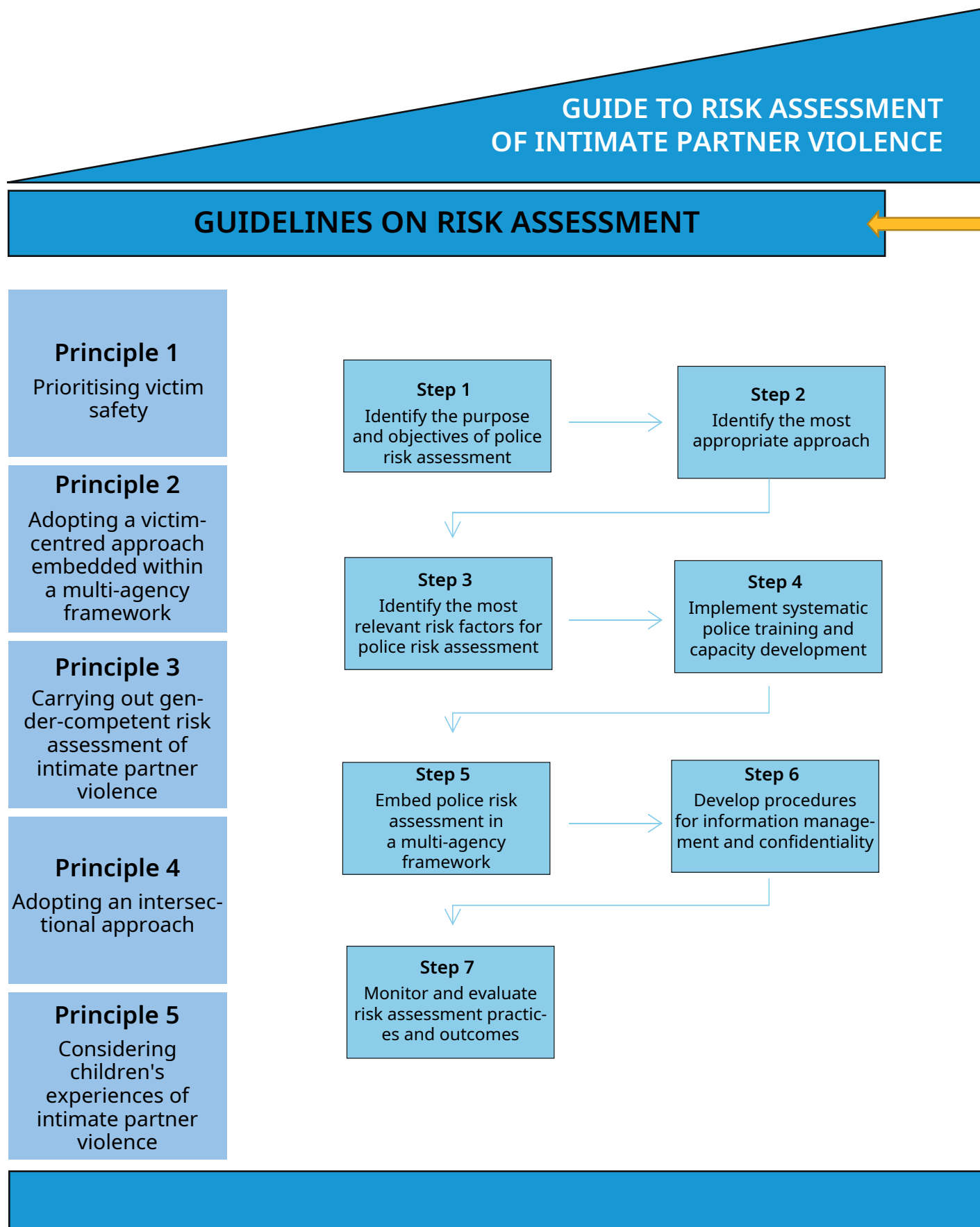
<sup>(89)</sup> Belfrage, H. and Strand, S. (2012), 'Assessment and management of risk for intimate partner violence by police officers using the spousal assault risk assessment guide (SARA)', *Law and Human Behaviour*, Vol. 36, No 1, pp. 60-67.

<sup>(90)</sup> European Commission (2010), *Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women, violence against children and sexual orientation violence*, Daphne Project, Publications Office of the European Union, Luxembourg; Hester, M. (2005), 'Making it through the criminal justice system: attrition and domestic violence', *Social Policy and Society*, Vol. 5, No 1, pp. 79-90.

# Guide



Figure 2. Structure of the guide



## AND RISK MANAGEMENT AGAINST WOMEN FOR POLICE

### RECOMMENDATIONS ON RISK MANAGEMENT

#### Principle 1

Gender-specific approach to risk management of intimate partner violence



#### Recommendations

- Carry out a training needs analysis that examines understanding of the gender dynamics of intimate partner violence across policing roles and ranks
- Introduce mandatory training for any police involved in risk management of intimate partner violence
- Co-produce training with local multi-agency stakeholders
- Evaluate training programmes and build monitoring of quality into data collection and reporting

#### Principle 2

Individualised approach



#### Recommendations

- Adopt internal policies and learning strategies that challenge institutional sexism, racism and other stereotyping
- Monitor the impact of risk management strategies for diverse groups
- Reflect perpetrators' individual characteristics in risk management strategies
- Consider specific risk management strategies for children

#### Principle 3

Evidence-based approach



#### Recommendations

- Risk management monitoring should include data from administrative sources and disaggregate the data in compliance with European legal frameworks
- It should include minimum required data disaggregation
- Police should have access to data (where available) from related civil actions, e.g. the outcomes of child contact decisions in civil courts, perpetrator treatment programmes, and medical and psychological records regarding perpetrators

#### Principle 4

Outcome-focused approach



#### Recommendations

- Implement routine monitoring of victim safety
- Monitor breaches of protection orders
- Establish links with perpetrator programmes where possible
- Assign appropriate significance to victims' assessments of risk

#### Principle 5

Coordinated, multi-agency response



#### Recommendations

- Engage with and support multi-agency bodies and processes
- Agree protocols with key stakeholders to establish terms of reference and agree information-sharing arrangements
- Define responsibilities for referring victims back to multi-agency bodies
- Work with the diversity of community actors to improve risk management

## 2. Guidelines for police on conducting risk assessment of intimate partner violence against women

### 2.1. Main principles

#### Principle 1: Prioritising victim safety

**The immediate and ongoing safety and well-being of those affected by intimate partner violence must be the first priority and result of the risk assessment process.**

To this end, the first guiding principle for police risk assessment is to effectively recognise and assess the risk of repeat victimisation, intimidation and retaliation in the context of intimate partner violence, and to ensure that victims receive the most effective support possible to reduce that risk.

In prioritising victim safety and well-being, the process of risk assessment should be used not to limit eligibility for services but, rather, to identify when enhanced or expedited intervention is necessary in order to keep women and children safe. In this way, risk assessment is not an end in itself but an entry point for female victims of intimate partner violence to the victim support system, regardless of risk level.

#### HOW: Key elements for applying the principle of victim safety in risk assessment

In applying the principle of victim safety in risk assessment, police leadership should ensure the following.

- **Identification and assessment of victims' individual safety needs** is carried out on a case-by-case basis.
- **Risk assessment facilitates women's entry into the victim support system** in accordance with national procedures. The type and level of support provided should be determined according to the **level of risk and degree of severity identified**.
- Police risk assessment recognises **the dynamic nature of risk by ensuring that follow-up assessments take place** to evaluate possible changes in risk levels. Risk should be assessed systematically, on a regular basis and in close cooperation with the victim. The frequency of follow-up assessments may be determined on a case-by-case basis and according to the level of risk identified.
- Risk assessment should directly correspond to strategies for **risk management tailored to the victim's specific safety needs and should respond to the level of risk identified**.

**Expected result**

Police officers are able to conduct risk assessment in a way that protects women's privacy, guarantees confidentiality and provides protection from secondary or repeated victimisation. For the best effect, this should be done in collaboration with other relevant agencies.

**Principle 2: Adopting a victim-centred approach**

**A victim-centred approach to intimate partner violence places the rights, needs and concerns of female victims at the centre of any interventions to manage risk.**

A victim-centred approach ensures that risk assessment leads to the identification of a victim's specific needs. In turn, this informs appropriate risk management strategies by the police that are tailored to the needs and situation of the victim and the perpetrator. In this way, the police, in cooperation with other agencies and services as appropriate, will improve the effectiveness of their work and reduce the risk of secondary and repeated victimisation. Such an approach may also facilitate victims' collaboration with law-enforcement and diminish their fear of reporting or disclosing violence and asking for help.

The principle of non-discrimination should be applied in responding to intimate partner violence and in implementing measures to protect victims from further harm. This means that the rights of victims to all available protection measures should be secured without discrimination on any ground <sup>(91)</sup>, and that such measures should be tailored to their specific needs. The police should also ensure that victims are not exposed to secondary victimisation due to the manner in which institutions and other individuals deal with the victim. This requires appropriate and specific training for all police, to a level appropriate

to their contact with victims (on implementing systematic police training and capacity development, see Step 4).

**HOW: Key elements for adopting a victim-centred approach to risk assessment**

In adopting a victim-centred approach to risk assessment, police leadership should ensure the following

- Risk prevention (addressing **specific safety risks and responding to the needs of victims of intimate partner violence**) is prioritised over risk prediction.
- Victims who are in contact with the police are recognised and treated in a **respectful, sensitive, professional and non-discriminatory** manner.
- All **potential risks and vulnerabilities of the victim are identified** and inform any preventive actions to be taken (on identifying the most relevant risk factors for police risk assessment, see Step 3).
- The police consider the **individual characteristics of each case** and ensure that **referrals are made to specialist support services as appropriate and where available**, within a multiagency framework (on embedding risk assessment processes and practices within a multiagency framework, see Step 5).

**Expected result**

Trained police officers are capable of developing more accurate estimates of danger and more targeted, tailor-made and efficient interventions, responding to the needs of the victim in a respectful, professional and gender-sensitive manner.

<sup>(91)</sup> Such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.

### Principle 3: Taking a gender-specific approach

**Risk assessment practices must reflect an understanding of how gender relations and women's inequality shape women's and children's experiences of intimate partner violence.**

Gender-specific approaches recognise and respond to the different and specific risks and vulnerabilities of women and girls, or seek to 'transform' unequal gender relations between men and women.

Gender-specific approaches to risk assessment begin with an understanding of intimate partner violence against women as a form of gender-based violence rooted in gender inequality and discrimination against women in society. They place risk assessment and service responses to risk within a larger framework, which acknowledges how gender inequality underpins the spectrum of behaviours that constitute gender-based violence against women and children <sup>(92)</sup>.

In order to apply a gender-specific approach to risk assessment, police leadership must ensure that gender equality competence is developed among the police through training and capacity building. Gender equality competence involves the development of knowledge and awareness about gender equality and the necessary skills to apply such knowledge in risk-led policing of intimate partner violence. This competence should be acquired through systematic police training (on how to implement systematic police training and capacity development, see Step 4).

Finally, a sound understanding of the gendered dynamics of intimate partner violence and coercive control is essential for assessing risk, and risk assessment tools should be constructed to include risk factors that reflect a gendered analysis of intimate partner violence.

#### HOW: Key elements for developing gender-competent risk assessment by police

In developing a gender-specific approach to risk assessment, police leadership should ensure the following.

- Risk assessment procedures and practices are based on an understanding of how **gender relations and women's inequality** shape women's and children's experiences of intimate partner violence.
- Police responsible for conducting risk assessment should receive **regular and systematic training to develop gender equality competence** (on how to implement and develop police training, see Step 4).
- Risk assessment tools to be adopted should include risk factors that reflect the **gendered elements of intimate partner violence against women** that are particularly important predictors of lethality, such as coercive and controlling behaviours (on identifying relevant risk factors, see Step 3).

#### Expected result

Gender-competent police officers understand the gender dynamics of violence against women and are capable of predicting lethality.

### Principle 4: Adopting an intersectional approach

**Risk assessment must incorporate information about women's race, disability, age, religion, immigration status, ethnicity and sexual orientation** <sup>(93)</sup>.

<sup>(92)</sup> Gender-based approaches recognise the commonalities between all the varied manifestations of gender-based violence: forms of coercion, abuse and assault that are used to control, constrain and limit the lives, status, movement and opportunities of women.

<sup>(93)</sup> Groups' vulnerabilities reflect discrimination and stigma in their national and community settings rather than intrinsic vulnerability. In fact, women and children from these groups frequently display significant resilience in the face of routine violation of their human rights. It is important not to confuse intersectionality with vulnerability.

Risk assessment tools and practices should enable an effective response that includes consideration of the circumstances and life experiences of each individual. The personal characteristics of a victim<sup>(94)</sup> are crucial in identifying victims' individual safety needs and possible barriers to accessing support and protection. For example, women migrants and asylum seekers may face increased risk of violence and negative impacts of abuse, not because their ethnicity causes an increase in the risk in itself but because they have uncertain status, language difficulties or limited knowledge of their rights, or because they suffer prejudice and stereotyping.

The value of adopting an intersectional approach to risk assessment is the ability to develop tailor-made risk management and prevention strategies that will address those factors that render some women disproportionately more vulnerable to intimate partner violence. Furthermore, some women will experience additional barriers to accessing certain types of interventions, reducing the likelihood that their individual safety needs will be effectively addressed. Understanding intersectionality helps to ensure that responses to intimate partner violence are appropriate and effective for all women.

#### HOW: Key elements for applying an intersectional approach to risk assessment

In applying an intersectional approach to risk assessment, police leadership should ensure the following.

- The **characteristics of each individual case** are considered when identifying victims' individual safety needs, including the victim's gender and gender identity or expression, ethnicity, race, religion, sexual orientation, disability, residence status, communication difficulties, relationship to or dependence on the perpetrator and previous experience of crime.

- All possible barriers to accessing support and protection are identified and police **facilitate victims' access to specialist support services** as appropriate (on embedding police risk assessment in a multi-agency framework, see Step 5).
- The most **appropriate and effective risk management strategies** are developed according to the risk level identified and respond to the individual characteristics and safety needs of the victim.

#### Expected result

Police officers trained in intersectional approach will have a better understanding of how to develop tailor-made risk management strategies in a non-discriminatory manner, in compliance with Article 4 on fundamental rights, equality and non-discrimination of the Istanbul Convention.

#### Principle 5: Considering children's experiences of intimate partner violence

**The police should gather information on risk factors affecting children in order to address their specific safety needs.**

Children are the largest population of vulnerable victims<sup>(95)</sup> of intimate partner violence. Children's experiences of intimate partner violence include being exposed in the home, directly or indirectly, to violent or threatening behaviour, including humiliation, intimidation and controlling actions, and are associated with negative outcomes for children, including increased risk of psychological, social, emotional and behavioural problems, as well as risk of lethality.

It is critical to view children and young people as victims of intimate partner violence in their own

<sup>(94)</sup> Such as the victim's gender and gender identity or expression, ethnicity, race, religion, sexual orientation and disability, but also residence status, communication difficulties, relationship to or dependence on the perpetrator and previous experience of crime.

<sup>(95)</sup> Children and their mothers are at particular risk during separation and divorce, and safety planning is especially important in this context. See United Nations Population Fund (UNFPA) (2014), *Strengthening health system responses to gender-based violence in eastern Europe and central Asia: a resource package*, UNFPA Regional Office for Eastern Europe and Central Asia, Istanbul (available at <https://eeca.unfpa.org/sites/default/files/pub-pdf/WAVE-UNFPA-Report-EN.pdf>).

right. Their experiences of violence are different from those of their mothers, by virtue of their stage of development, their different relationship to the perpetrator and their level of dependence on adult caregivers. The risks for children should not be assumed to be the same as the risks for the victim. Despite this, children are rarely given opportunities to express their own views, and professionals may be reluctant to involve them in decisions that affect them <sup>(96)</sup>. Including the perspectives of children affected by intimate partner violence should be a priority both in the direct work of the police with victims and perpetrators and in the wider intervention system and cooperation with other agencies.

Risk assessment should therefore be child competent in that it routinely and robustly takes into account the impact of abuse on children and informs risk management strategies that address their individual safety needs. A potential implementation of this principle is in accordance with Article 26 on protection and support for child witnesses of the Istanbul Convention.

#### HOW: Key elements for considering children's experiences in risk assessment processes

In considering children's experiences in risk assessment processes, police leadership should ensure the following.

- **Police responsible for conducting risk assessment receive regular and systematic training to develop a sound**

**understanding of children's experiences of intimate partner violence** including but not limited to their status as witnesses (on implementing and developing police training, see Step 4) in collaboration with specialist children's services.

- The police identify and respond to the immediate needs of children affected by intimate partner violence, and cases are referred to **specialist children's services** as appropriate and where available within a multiagency framework (on embedding risk assessment processes and practices in a multiagency framework, see Step 5).
- The adoption of a **specialised risk assessment tool with and for children** experiencing intimate partner violence is considered. This could be developed and carried out in coordination with **specialist services that have competence in identifying and responding to the specific needs of children** in cases of intimate partner violence. Police could consider using the Domestic Violence Risk Assessment for Children <sup>(97)</sup> or the Safe and Together <sup>(98)</sup> models.

#### Expected result

Police officers cooperate with specialised services equipped to identify and assess the risks to children to ensure their protection.

<sup>(96)</sup> Radford, L., Aitken R., Miller, P., Ellis, J. and Howarth E. L. (2004), *Children living with domestic violence: towards a framework of assessment and intervention*, Russel House Publishing Ltd, Dorset.

<sup>(97)</sup> Developed by Barnardo's Northern Ireland (available at [http://www.barnardos.org.uk/pp\\_no\\_7\\_assessing\\_the\\_risks\\_to\\_children\\_from\\_domestic\\_violence.pdf](http://www.barnardos.org.uk/pp_no_7_assessing_the_risks_to_children_from_domestic_violence.pdf)).

<sup>(98)</sup> <https://safeandtogetherinstitute.com>

## 2.2 Steps to effective police risk assessment of intimate partner violence

In developing risk assessment processes and procedures for assessing the risk of intimate partner violence against women, the police should implement the following steps.

### Step 1: Define the purpose and objectives of police risk assessment

**The ultimate goal of risk assessment of intimate partner violence should be to prevent future violence, as opposed to simply predicting it as a consequence. Risk assessment should therefore lead to a proper selection of strategies to reduce violence and mitigate risk.**

Risk assessment serves to facilitate the gathering of detailed and relevant information about the victim and the perpetrator in cases of intimate partner violence, which will help in designing better responses to ensure victim safety, tailored to victims' specific needs.

Defining the purpose and goals of risk assessment will also affect the types and levels of risk that the police attempt to address. While most risk assessment tools include a high proportion of the same risk factors, the level and type of intervention will be different depending on whether the priority is to prevent lethality or all types and levels of risk. For example, the distinction between assessing the risk of reoffending and assessing the risk of lethal violence may influence the choice of risk assessment tool, how different risk factors are weighted, and responses to the type and level of risk identified. To ensure that risk assessment focuses on prevention of intimate partner violence in all its forms, it should not be limited to assessing for lethality but be broad enough to identify multiple types and levels of risk associated with intimate partner violence against women.

Assessing for multiple types and levels of risk facilitates the linking of risk assessment to risk

management, helping to ensure the immediate and ongoing safety and well-being of women and children (see Principle 5 on risk assessment).

### HOW: Defining the purpose and objectives of police risk assessment

The police must clearly define the purpose and objectives of risk assessment of intimate partner violence in internal protocols and procedures as follows.

- Police risk assessment objectives should include:
  - o the design of effective and tailored responses for victim safety;
  - o the delivery of targeted and immediate risk management interventions for cases assessed and identified as high, medium or standard risk;
  - o informing decisions about whether to proceed with a case should victims choose to withdraw a complaint;
  - o holding stakeholders within a multi-agency framework accountable for decisions on victim safety and perpetrator management;
  - o the development of a shared language among service providers and enhancing multiagency communication and coordination on delivering effective responses to intimate partner violence (on embedding police risk assessment in a multiagency framework see Step 5).
- Police risk assessment should assess for multiple types and levels of risk including:
  - o lethality risk and risk of repeated violence;
  - o level or extent of harm to the victim and her children, her family or other relevant people;

- o the threats to which the victim is exposed and the presence of, or threats to use, weapons;
- o evidence of escalating violence or intimidation.

## Step 2: Identify the most appropriate approach to police risk assessment

Risk assessment of intimate partner violence is implemented within EU Member States according to different approaches and, in some cases, a combination of approaches is used. The main approaches to risk assessment are unstructured clinical decision-making, the actuarial approach and the structured professional judgement approach (see Table 2 in Annex 2 for the main features and characteristics of these approaches to risk assessment).

Despite the diversity of approaches to risk assessment, there is an increasing trend towards structured methods that require the input of experienced professionals trained in the field of intimate partner violence. The structured professional judgement approach involves the use of risk assessment tools or a checklist to inform the judgement of a trained and experienced professional who then determines the victim's risk level (e.g. standard, medium or high risk). This approach, while providing guidance through tools and checklists, supports and builds on the education, training and experience of the police. Moreover, it is used by a wide range of professionals outside law-enforcement, which facilitates a more consistent and effective approach across sectors and agencies to monitoring risk levels over time. Another benefit of the structured professional judgement approach is that it is risk management oriented with a strong focus on prevention of violence through safety planning. This helps keep the focus of risk assessment on risk prevention rather than exclusively on risk prediction (i.e. the actuarial approach).

The structured professional judgement approach also better incorporates the main principles for risk assessment outlined above, particularly in relation to being victim centred (see Principle 2 on risk assessment), taking account of all available sources of information, and linking risk assessment outcomes to the development of strategies to manage and mitigate risk.

### HOW: Key elements to consider in police risk assessment approaches

In deciding which approach to use, police should consider that effective risk assessment of intimate partner violence must meet the requirements set out below.

- The **victim's own assessment of their safety and risk levels** are taken into account to inform the risk level identified (on identifying the most relevant risk factors, see Step 3).
- **Evidence-based risk factors** are included in risk checklists and tools that accurately reflect the patterns and cumulative effects of intimate partner violence experienced by women, including coercive and controlling behaviour (on identifying the most relevant risk factors, see Step 3).
- The **professional judgement of a trained practitioner** is incorporated into the risk assessment process to ensure that it is flexible and draws on all the information known about the victim and their situation. If using an actuarial risk assessment tool, there should be sufficient flexibility for the professional to raise the risk level identified based on alternative sources of information, including the victim's own assessment and the police officer's professional judgement (on implementing systematic police training and capacity development, see Step 4).
- **Internal guidelines and protocols** are applied that ensure uniform and consistent implementation across the system.

- Procedures and referral mechanisms ensure that **risk assessment outcomes are directly linked to risk management strategies** that address all levels of risk and degrees of severity of intimate partner violence and take into account the individual needs of the victim (on embedding police risk assessment in a multi-agency framework, see Step 5).
- Consistent **data collection and analysis** are used to evaluate risk assessment outcomes and consequently system responses (on monitoring and evaluating risk assessment practices and outcomes, see Step 7).

### Step 3: Identify the most relevant risk factors for police risk assessment

A risk factor is a characteristic (individual, relational, community or societal) whose presence increases the likelihood that abuse, violence or homicide will occur or recur <sup>(99)</sup>.

Risk factors are related to:

- the victim (e.g. pregnancy/new birth, depression/other mental health issues, isolation);
  - the perpetrator (e.g. history of violence, mental health issues, access to weapons, previous or current breach of protection order);
  - the relationship (e.g. separation, escalation of violence, financial difficulties);
  - the community (e.g. poverty, lack of institutional support);
  - social risks (external conditions such as norms and practices that may exacerbate the level of risk for a victim) <sup>(100)</sup>.
- Although the evidence does not support demographic variables such as ethnicity, age, education, employment and income as **predictors of abuse** <sup>(101)</sup>, it is important to take into account the personal characteristics of both the victim and the perpetrator. Collecting this information provides more precise knowledge about the individual characteristics of each case, which can be used to determine if and to what extent certain actions would be beneficial for improving the victim's safety and effectively reducing the perpetrator's offending (see Principle 2 on risk management).
  - New research on emerging forms of controlling and coercive behaviours should be taken into account, including factors such as perpetrators controlling access to technology, monitoring victims' online behaviour and cyberstalking.
  - The use of risk factors that do not reflect or take into account the gendered nature and impact of intimate partner violence against women may result in a lower level of risk being identified, thereby misdirecting the scope

Table 2 in Annex 2 lists the most prevalent risk factors for intimate partner violence identified in risk assessment tools already in use in Europe.

Risk factors included in assessments should be as comprehensive as possible and applied in all cases of intimate partner violence in order to effectively assess all types and levels of risk, as well as individual needs. Levels of risk are typically grouped into three categories (standard, medium and high). In terms of identifying risk factors specific to intimate partner violence, it is important to take into account the evidence-based and emerging research on risk factors and their relevance for effectively assessing risk and informing risk management strategies.

<sup>(99)</sup> Council of Europe (CoE) (2016), *Improving the effectiveness of law-enforcement and justice officers in combating violence against women and domestic violence: training of trainers manual*, CoE, Paris (available at <https://rm.coe.int/16807016f3>).

<sup>(100)</sup> Jaaber, R. A. and Das Dasgupta, S. (2010), 'Assessing social risks of battered women', *Praxis International*, Vol. 1, p. 5 (available at <http://praxisinternational.org/wp-content/uploads/2016/02/AssessingSocialRisk.pdf>).

<sup>(101)</sup> Wheller, L. and Wire, J. (2014), 'Domestic abuse risk factors and risk assessment', *Summary of findings from a rapid evidence assessment*, College of Policing, London.

and nature of the resulting multiagency safety planning and risk management strategies. This can have the unintended consequence of the risk of harm to victims and their children going unaddressed, despite the implementation of a risk-led approach (see Principle 5).

- Risk factors can co-occur and interact in many complex ways; all are important for a robust risk assessment. Risk tools should be based on reliable information and fully completed.

It is also important to consider that intimate partner violence is not recognised as a specific offence in most Member States and that legal definitions of different forms of intimate partner violence may vary. This may affect how specific types of intimate partner violence are defined and described in risk assessment tools. For example, there are many terms used to describe the criminal offence of rape, including 'sexual assault', 'sexual violence', 'sexual offence', 'sexual abuse', 'coercive sex' or 'unwanted sexual behaviour'. For stalking, other legal terms used nationally include 'intrusive behaviour' and 'persistent persecution'. It is important that the specifics of each national legal context be taken into account in developing risk assessment tools for intimate partner violence, to avoid confusion and to promote a shared understanding of the risks involved.

### HOW: Key elements for identifying the most relevant risk factors

To effectively determine the level of risk and identify the safety needs of women and children, the following elements should inform police risk assessment processes and practices.

- The **specificities of each national legal context** should be considered in developing risk assessment tools and identifying risk factors for different forms of intimate partner violence.
- **Risk factors for intimate partner violence that reflect patterns of abuse and behaviour associated with coercive control** <sup>(102)</sup>, which are highly correlated with in

timate partner violence and homicide, must be taken into account, including:

- o psychological/emotional/verbal abuse;
- o sexual abuse/coercive sex;
- o extreme and/or violent jealousy towards a partner;
- o controlling most of a partner's daily activities;
- o limiting a partner's access to a phone or transport;
- o controlling access to technology and/or monitoring online behaviour, including cyberstalking;
- o isolation from family/friends/social network;
- o control of a partner's access to economic resources and employment (economic abuse);
- o stalking, threats, destroying a partner's property;
- o use of a weapon to threaten a partner.
- The **victim's own assessment of her safety and risk levels** should be used, either by integrating this into the risk assessment tool or, alternatively, allowing the victim's assessment to raise the risk level identified.
- The **perspectives of children** affected by intimate partner violence should be considered (see Principle 5 on risk assessment).
- An intersectional approach should be followed, taking into account the **characteristics of each individual case**, including those associated with disadvantaged groups that may pose barriers to accessing support and protection, including:
  - o lack of social support and isolation;
  - o financial/economic dependence;
  - o demographic variables (e.g. socioeconomic status, ethnic background, age, immigrant status).

- **All appropriate and available sources of information** including the victim, the perpetrator, case files and other agencies, including child protection and specialist women's services, should be taken into account.

#### Step 4: Implement systematic police training and capacity development

Assessing the level of risk in cases of intimate partner violence is often a complicated process that requires specific training for police to provide them with the skills and knowledge to enable them to understand and properly identify, assess and manage risk. The professional judgement of a trained practitioner is a crucial element of effective police risk assessment (on identifying the most appropriate approach to police risk assessment, see Step 2).

The police should adopt a systematic approach to training. Training packages should be embedded within a performance management infrastructure, which helps to ensure that each police officer successfully completes the required training and that their performance reviews take into account how they respond to intimate partner violence accordingly (on monitoring and evaluating risk assessment practices and outcomes, see Step 7).

Training and capacity development are necessary for all personnel who have contact with intimate partner violence victims, including dispatch and communications, the initial responder and supervisors, and those who investigate these crimes. The development of knowledge and awareness about gender equality and the skills necessary to apply such knowledge in the policing of intimate partner violence should be a central element of police training at all levels and stages.

Police officers mandated to carry out risk assessment should receive specialised training on:

- the gendered dynamics and impact of intimate partner violence, including coercive and controlling behaviours;
- the use of risk assessment tools and procedures;
- communicating with victims and applying appropriate interviewing methods depending on each victim's needs;
- identifying types and levels of risk, as well as the safety needs of each individual victim;
- identifying the particular risks facing victims from disadvantaged groups and factors that may pose barriers to accessing support and protection;
- identifying and assessing risk associated with children in the context of intimate partner violence;
- all available protection and safety measures to safeguard victims and their families from physical, emotional and psychological harm within a multiagency framework;
- all available services for victims, including specialist support services, social services, child protection, health services, housing services, etc.;
- all available referral and multiagency mechanisms in place at local, regional and national levels.

To this end, the formulation and delivery of specialised police training should be based on extensive partnership and collaborative approaches within a multiagency framework, including women's specialist services (see Principle 2 on risk assessment).

<sup>(102)</sup> The domestic abuse, stalking and harassment and honour-based violence (DASH 2009) risk identification and assessment and management model (available at <https://www.dashriskchecklist.co.uk/>).

### HOW: Key elements of systematic police training and capacity development on risk assessment

In order to ensure that the police have the appropriate knowledge, skills and capacity to effectively implement risk assessment, it is necessary to ensure that:

- basic training to develop knowledge and awareness of gender equality is **mandatory for all police**, begins at entry level (police academies) and is continued through all levels and stages of police careers;
- training for all police on intimate partner violence is **regular, updated and embedded in institutional policy on police learning and development**;
- **training in the use of force-approved risk assessment tools** should be mandatory for all those carrying out risk identification and assessment, including first responders;
- police training is accompanied and reinforced through **effective supervision and performance management** mechanisms and **police evaluation includes gender components** (on monitoring and evaluating risk assessment practices and outcomes, see Step 7);
- police training is embedded in **multi-agency cooperation frameworks and supported by comprehensive protocols and guidelines** to promote a consistent and uniform approach to victim safety and perpetrator accountability (on embedding police risk assessment in a multiagency framework, see Step 5). Police leadership considers setting up **specialised teams of police officers or police units** with specialised knowledge and expertise on both gender-based violence and risk assessment for intimate partner violence (depending on the national context).

### Step 5: Embed police risk assessment in a multiagency framework

The police are often the first point of contact for the victim and are called upon to respond to their immediate safety needs and take appropriate action to manage the perpetrator according to police mandates. However, strategies to ensure victim safety and perpetrator accountability are likely to be most effective when they are implemented in the context of multiagency frameworks, rather than when they are primarily the responsibility of a single agency (see Principle 2 on risk assessment).

Multi-agency coordination and cooperation are a critical element of effective risk assessment of intimate partner violence, as they:

- more effectively link police risk assessment (e.g. of standard, medium or high risk) to risk management strategies that respond to the individual needs of victims and their children;
- facilitate responses to violence against women and girls that are comprehensive, multi-disciplinary, coordinated, systematic and sustained;
- ensure that police risk assessment enables women's access to essential services, increasing the likelihood that women and children will be safe.

The police are a key partner and play a crucial role in multiagency responses to intimate partner violence. Police leadership needs to clearly communicate the importance of adopting a multiagency approach to intimate partner violence, thereby helping to embed it in police culture through the adoption of shared protocols and institutional partnership agreements. Furthermore, police training and capacity building should include joint training with other relevant agencies. However, the decision on which agency will lead the multiagency framework will depend on how local and national contexts are organised and how roles and responsibilities among the relevant agencies are shared.

The benefits of strong engagement by the police in multiagency frameworks are twofold. Police can receive information from partners to facilitate timely risk identification and assessment. In addition, multiagency arrangements help to ensure that other agencies assume responsibilities that are not within the mandate of the police, such as the provision of psychological support, counselling services and economic assistance.

Multi-agency mechanisms within the EU range from the adoption of formal or informal referral mechanisms involving different actors<sup>(103)</sup> to the presence of multidisciplinary teams and/or conferences, mandated by legislation and/or by policy documentation on risk assessment (e.g. multi-agency risk assessment conferences (MARACs)).

#### HOW: Key elements for embedding police risk assessment in a multiagency framework

The police should take an active role in establishing a strong multiagency framework for effectively responding to intimate partner violence. Elements to consider when establishing such a framework include the following:

- **identifying all relevant actors** that should be involved in addition to the police — specialist victim services, social services, child protection, health services, housing, prosecutors, probation officers, and other relevant actors;
- clearly defining the **role and responsibilities of each agency** and ensuring that these are well understood across the system;
- establishing a **coordinating structure** to plan and convene meetings and to ensure that agreed procedures and goals are acted on and monitored;

- developing a **common understanding of risk assessment aims and objectives** among all actors, and using shared risk assessment tools that facilitate the use of a common language and a shared understanding of risk;
- **sharing information among agencies in a timely manner** considering all the necessary elements to ensure privacy and confidentiality in accordance with locally agreed protocols and national standards (on developing procedures for information management and confidentiality, see Step 6);
- establishing **protocols and partnership agreements among different actors** in order to ensure that victims have access to specialist support services as appropriate and according to their specific needs through an agreed referral system;
- **establishing monitoring and evaluation systems** to improve the accountability of all agencies involved and allow stakeholders to participate in and make decisions about improvements (on monitoring and evaluating risk assessment practices and outcomes, see Step 7).

#### Step 6: Develop procedures for information management and confidentiality

The sharing and transferring of information between the police and other agencies and services is a key aspect of risk assessment of intimate partner violence (see Principle 2 on risk assessment). The failure to share information on risk can lead to failings in the system that put women and children at increased risk of further harm. All appropriate and available resources should inform the assessment of risk, including the victim, the perpetrator, case history files and information from other agencies.

<sup>(103)</sup> Victim services, social services, child protection, health services, prosecutors, probation officers.

However, risk assessment must be conducted in a way that protects a woman's privacy, guarantees confidentiality and discloses information only with her informed consent. Sharing information about a woman's experience of violence inappropriately can have serious and potentially life-threatening consequences for her and her children (see Principle 5 on risk assessment). The police should have well-developed and clear information on sharing agreements with partner agencies in a multiagency framework (see Step 5), defining what information should be shared, on what basis and with whom.

Confidentiality and data protection are often barriers to the sharing of information among stakeholders in a multiagency system. A current challenge for the police and other sectors across Europe is the implementation of the general data protection regulation (GDPR) <sup>(104)</sup>. Information- and data-sharing regulations can support or prevent timely and appropriate policing and multiagency working. Police leadership should consider negotiating relevant provisions for information sharing with national commissioners for data protection, with the aim of improving public protection and community responses to intimate partner violence against women.

It is essential that clear protocols and/or methods for information sharing, both within and between agencies, about women at risk of, experiencing or perpetrating intimate partner violence are developed and implemented in accordance with national legislation. With the support of national data protection commissioners, these can provide clear guidelines for timely and appropriate sharing of information among agencies that comply with national and EU regulations, and protect the privacy and well-being of victims and their children.

### HOW: Key elements for information management and confidentiality

Information management and confidentiality should be based on agreements (formal protocols or any other form that is considered appropriate at national/local level) developed for the timely and appropriate sharing of information between the police and other agencies. These should:

- be drafted in close **consultation with the national data protection authorities** <sup>(105)</sup> to ensure compliance with the GDPR and national legislation;
- clearly define the **range of information that can be shared** and with whom;
- determine **when the duty of confidentiality might have to be breached** (e.g. when a victim is at serious risk), in accordance with national legislation;
- distinguish between **situations that involve only adults and those where children are also involved**, in accordance with national legislation;
- be **known to and understood** by professionals, and **communicated clearly** to victims and perpetrators;
- be reinforced through **multiagency training** of relevant professionals (on implementing systematic police training and capacity development, see Step 4; on embedding police risk assessment in a multiagency framework, see Step 5).

<sup>(104)</sup> [https://ec.europa.eu/info/law/law-topic/data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection_en)

<sup>(105)</sup> EU Member States have set up **national bodies** responsible for protecting personal data in accordance with Article 8(3) of the Charter of Fundamental Rights of the EU (available at [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en)).

## Step 7: Monitor and evaluate risk assessment practices and outcomes

Monitoring and evaluation systems are crucial for assuring the quality of risk assessment processes and in identifying weaknesses and areas for improvement. At the same time, they are also an important element in the process of ensuring that the police are accountable in carrying out their obligations to assess risk and respond to intimate partner violence within a multiagency framework. Effective supervision and performance management of police carrying out risk assessment of intimate partner violence should support this.

Monitoring mechanisms that track the progression of cases are also important, as risk is dynamic and can change over time. Responses must adapt accordingly to ensure women's safety (see Principle 1 on risk assessment).

Data collection is a critical element of monitoring and evaluating risk assessment processes and practices. Data are needed to establish the predictive validity and accuracy of risk assessment tools, to monitor risk over time and, most importantly, to examine whether the recommended crime-preventive and victim-protective actions were implemented and the extent to which they were effective in preventing repeat intimate partner violence. Data collection, therefore, is inextricably linked to monitoring and evaluation of risk assessment processes and outcomes. Resources needed for robust data collection and analysis will vary among Member States and police forces, and collaborations with experts from academia and specialist services can be helpful and fruitful.

### HOW: Key elements for monitoring and evaluation of police risk assessment processes

To support the quality assurance of risk assessment processes and to identify strengths, weaknesses and areas for improvement, the police should do the following.

- **Improve the collection of police data on intimate partner violence** <sup>(106)</sup> to allow for the identification of repeat victims and perpetrators, monitor trends and track the progression of cases across the system.
- Ensure that police risk assessment processes and outcomes are **monitored and reviewed at force, divisional and individual levels** and that this is built into the overall performance management regime that police forces implement. Measures or themes that police forces could consider for performance review might include:
  - o intimate partner violence incident statistics;
  - o intimate partner homicide statistics;
  - o data on arrests and charges;
  - o repeat reported victimisation statistics (relevant to victims and repeat offending);
  - o case tracking and attrition rates;
  - o feedback from other agencies within the multiagency framework.
- **Incorporate monitoring and evaluation of risk assessment practices and outcomes** in multiagency protocols and procedures as part of an annual assessment process, with an action plan being developed to address any weaknesses.

<sup>(106)</sup> For specific guidance on data collection, please refer to EIGE's recommendations to improve administrative data collection on intimate partner violence by the police and justice sectors (available at <https://eige.europa.eu/rdc/eige-publications/indicators-intimate-partner-violence-and-rape-police-and-justice-sectors>).

## 3. Recommendations for risk management by police of intimate partner violence against women

### Principles and recommendations for police risk management

#### Principle 1. Adopting a gender-specific approach

Risk management should be built on an understanding of how gender and women's inequality shape women's and children's experiences of intimate partner violence, and of how gender affects victims' options and perpetrators' behaviours, to inform effective risk management strategies.

A sound understanding of the gendered dynamics of intimate partner violence and coercive control are essential for managing risk. Ideally, risk management interventions should follow risk assessments that include coercive control indicators and that explicitly inform practitioners' judgements about risks. Risk management must maintain a focus on safety planning with victims and on holding perpetrators accountable in order to reduce the likelihood of lethal violence and the harmful consequences of intimate partner violence on women and children. To this end, police leadership should promote and implement training programmes that enable police officers to identify the gendered dynamics that underpin intimate partner violence, especially coercive and controlling behaviours.

Coercive and controlling behaviours have been defined in the following ways:

- Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.
- Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour<sup>(107)</sup>. Such acts include controlling access to technology and/or monitoring online behaviour, including cyberstalking.

Multidisciplinary collaboration can improve police practice<sup>(108)</sup>, and police can increase their own capacity in this area by working with women's rights organisations and victim services agencies to increase understanding of the impact of gender on risk assessment and risk management of intimate partner violence.

Police leadership should routinely conduct reviews and analyses of the learning and development needs of police, paying special attention to developing the necessary understanding of the gender dynamics of intimate partner violence and the impact of gender on risk management procedures and processes. Based on the training needs assessments, mandatory training plans for all police officers involved in risk management should be implemented. Training plans can be distinguished by different levels of competence and according to the specific role of police officers undertaking risk management activities.

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<sup>(107)</sup> Crown Prosecution Service, 'Controlling or coercive behaviour in an intimate or family relationship: legal guidance, domestic abuse', (available at <https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship>).

<sup>(108)</sup> McEwan, T. E., Bateson, S. and Strand, S. (2017), 'Improving police risk assessment and management of family violence through a collaboration between law-enforcement, forensic mental health and academia', *Journal of Criminological Research, Policy and Practice*, Vol. 3, No 2, pp. 119-131.

However, all police officers should receive at least basic training on the gender dynamics of intimate partner violence. The number of hours and the curriculum will depend on the specific local and national contexts in which the police are operating. Implementation of training should mirror professional practice standards, be evaluated for impact, involve multiple delivery methods (e.g. online, classroom, one-to-one instruction) and be repeated at regular intervals to embed learning. The training should also be embedded within the police performance management framework.

To make use of all available knowledge and experience in the community, training should be co-produced with, or informed by, local multi-agency groups and specialised women's services, including those supporting migrant women, disabled women, lesbian, bisexual and transgender women, minority ethnic women and children.

Training should also be evaluated to ensure that all front-line police responding to intimate partner violence can apply their understanding of the gendered dynamics of coercive control and other aspects of abuse, including how gender intersects with other personal characteristics. This means that monitoring and evaluation systems should be built to accommodate analysis of gender as a key indicator.

### Recommendations for improving gender-specific approaches to risk management

- Analyse training needs to identify levels of knowledge and understanding of the gendered dynamics of intimate partner violence across policing roles and ranks.
- Introduce mandatory training for any police involved in risk management of intimate partner violence.
- Co-produce training with local multi-agency stakeholders.
- Evaluate training programmes and build monitoring of quality into data collection and reporting.

### Expected result

Trained police officers are capable of understanding the gender dynamics of intimate partner violence and can develop, with the contribution of victims and the collaboration of other relevant agencies, strategies that ensure victims' safety from physical and psychological violence.

## Principle 2. Introducing an individualised approach to risk management

An individualised assessment and risk management process helps to prevent services from exposing women and children to service-generated risks<sup>(109)</sup>. Managing risk should include taking action in response to the perpetrator's specific tactics and behaviours, as well as addressing the victim's particular safety needs, for maximum improvements in both safety and accountability. An individualised approach also enables more efficient and appropriate use of system resources.

Applying an individualised approach promotes policing responses that are more appropriate and effective for all female victims of intimate partner violence. Improvement of risk management requires police to routinely and comprehensively identify the needs of victims and to understand how these may vary according to their individual characteristics, such as race, disability, age, religion, immigration status, ethnicity and sexual orientation. Victim participation in identifying and prioritising needs is essential in individualised assessment and risk management processes. Police should monitor the relevance of risk management strategies for diverse victims to determine if and how local and national risk management procedures and practices need to be changed. Adopting internal policies and learning strategies that challenge institutional sexism<sup>(110)</sup>, racism and other stereotyping can facilitate this process.

To this end, police should work in partnership with community-based specialised women's services (e.g. advocacy services for migrant women) to access appropriate expertise, as well as to gather feedback about their performance directly from victims.

Police should also consider the individual characteristics of the perpetrator in order to implement the most appropriate perpetrator-focused risk management interventions<sup>(111)</sup>.

Finally, police should consider using a specific risk management approach for children that reflects their particular needs and experiences. Police could work with local victim services, children's rights organisations and/or statutory child protection departments to agree protocols for risk management for children. A number of models for responding to child victims are available: for example, police might use the domestic violence risk assessment for children<sup>(112)</sup> or the safe and together approaches<sup>(113)</sup>.

### Recommendations for improving individualised approaches to risk management

- Adopt internal policies and learning strategies that challenge institutional sexism, racism and other stereotyping.
- Monitor the effectiveness and impact of risk management strategies for diverse groups.
- Reflect victims' individual characteristics in risk management strategies.
- Reflect perpetrators' individual characteristics in risk management strategies.
- Reflect children's specific experiences and needs in risk management strategies.

<sup>(109)</sup> Service-generated risks arise from a lack of information or understanding about the impact of a service's action. One common example is assuming that separation equals safety. This results in police, social work or other agencies pressuring women to leave an abuser when she may have accurately assessed that separation would be too dangerous.

<sup>(110)</sup> Institutional sexism refers to gender discrimination reflected in the policies and practices of organisations such as governments, corporations (workplaces), public institutions (schools, healthcare) and financial institutions. These practices derive from systemic sexist beliefs that women are inferior to and therefore less capable than men. Capodilupo, C. M. (2017), 'Institutional sexism', *The SAGE encyclopedia of psychology and gender*, SAGE, London (available at <http://dx.doi.org/10.4135/9781483384269.n317>).

<sup>(111)</sup> For example, as noted previously, perpetrators with histories of violent crime and/or mental illness are more likely to breach protection orders, which would need to be considered in a risk management strategy.

<sup>(112)</sup> Developed by Barnardo's Northern Ireland (available at [http://www.barnardos.org.uk/pp\\_no\\_7\\_assessing\\_the\\_risks\\_to\\_children\\_from\\_domestic\\_violence.pdf](http://www.barnardos.org.uk/pp_no_7_assessing_the_risks_to_children_from_domestic_violence.pdf)).

<sup>(113)</sup> 'Safe and Together' refers to the model's principle that the best way to assist children who are exposed to the behaviour of a perpetrator is to keep them safe and together with the non-offending parent. It was developed in the United States and has been rolled out elsewhere, including in Australia, New Zealand and Scotland (available at <https://safeandtogetherinstitute.com>).

**Expected result**

Police officers take into consideration individual characteristics such as race, disability, age, religion, immigration status, ethnicity and sexual orientation, and implement interventions aimed at preventing victims' secondary victimisation.

**Principle 3. Establishing an evidence-based approach**

Delivering victim safety and reduced reoffending requires an evidence-based approach to policing intimate partner violence. Such an approach requires good data and proportionate monitoring. Monitoring should support analysis of police performance. The data collected could also be used for training needs analyses and to provide feedback, enabling more effective management and supervision of officers. Resources needed for robust data collection and analysis will vary across police forces and Member States. Collaborations with experts from academia and/or specialist services will be necessary to establish robust and useful data collection strategies.

Good risk management also requires relevant quality assurance that embeds and monitors understanding of gender in police performance management structures. For example, police should implement monitoring exercises that scrutinise risk assessment and management practice on an annual basis. These exercises might include annual quality assurance reviews, which could be reported on internally or to government sources, or included in annual reports. Certain indicators can be chosen to measure the extent to which practitioners carry out their work effectively, including on how a gendered understanding of intimate partner violence is applied in their routine work. Quality assurance could include monitoring the completeness and accuracy of risk assessments; the rates of reporting, offending and investigating; levels of evidence and outcomes in cases of intimate partner violence (especially offences such as stalking, harassment and coercive control); and numbers of protection

orders, referrals to victim services, etc. Furthermore, this information should be disaggregated for different categories of victims to determine whether practice is better or worse for certain groups (intersectional analysis). Producing annual reports with this level of information and analysis would help to ensure that all available information is being used to provide feedback on police performance, thereby improving practice. Specific targets should be set at national level that measure risk management performance at relevant levels (local, regional, national).

A current challenge for police and other sectors across Europe is the implementation of the GDPR. Information and data collection as well as data-sharing agreements can support timely and appropriate policing and multiagency working. Police leadership should consider negotiating relevant provisions for information sharing with data-protection officials at national levels, with the aim of improving public protection and community responses to intimate partner violence against women.

**Recommendations for improving evidence-based approaches to risk management**

Risk management monitoring should include data from administrative sources and disaggregate the data in compliance with European legal frameworks as follows:

- the number and type of the reported crimes;
- the number, age and gender of the victims;
- the number of cases investigated;
- the number of persons prosecuted;
- the number of persons sentenced.

In addition, it should include the following minimum required data disaggregation:

- sex of victim and perpetrator;
- age of victim and perpetrator;

- type of violence;
- relationship of the perpetrator to the victim;
- geographical location;
- other relevant factors, such as race, disability and other characteristics <sup>(114)</sup>.

In this context, EIGE has developed a shortlist of 13 indicators to support Member States in meeting the minimum requirements of the Victims' Rights Directive and the Istanbul Convention, and to guide data collection by the police and those working in the justice sector across the EU <sup>(115)</sup>.

Police should have access to data (where available) from:

- related civil actions, e.g. the outcomes of child contact decisions in civil courts;
- perpetrator treatment programmes;
- medical and psychological records regarding perpetrators.

### Expected result

Trained police are able to use collected administrative data on intimate partner violence in monitoring and evaluating risk management strategies and interventions, to better prevent repeat victimisation.

## Principle 4. Underpinning the processes with an outcome-focused approach

The processes of risk management must be underpinned by a consistent focus on the main purposes of risk management: **victim safety and reduced reoffending**. When these critical

outcomes of increased safety for victims and reduced reoffending by perpetrators are explicit, police officers understand the rationale for risk assessment and related risk management activity. Monitoring and evaluation mechanisms should be built accordingly so that each individual officer is clear about their role and can communicate it to victims, perpetrators and partner agencies.

Focusing on outcomes helps police guard against risk management becoming a 'tick-box exercise' (i.e. monitoring officers' adherence to processes rather than the impacts of those activities on individual victims and perpetrators). Monitoring processes such as the timely completion of risk assessment checklists must be complemented by the monitoring of risk management strategies to ensure that safety outcomes for victims are improved <sup>(116)</sup>.

The routine monitoring of victim safety can be facilitated through working with local victim services to collect feedback from victims; create follow-up mechanisms to ask victims if they feel safer following police intervention; establish if reoffending is occurring that is unreported to the police; measure breaches of protection orders; monitor attendance and completion of perpetrator programmes; etc. Police must collaborate with victim services as well as perpetrator programmes to ensure the safety of the victim.

To promote positive outcomes for victims, police must encourage victims to express their own views about their risk of further harm, and these should significantly inform the risk management actions that are developed in response. For example, if the victim is convinced that the perpetrator is unlikely to comply with an emergency barring order, other arrangements should be considered, such as referral to a shelter and, when mandatory, arrest for the perpetrator. When setting bail conditions, if the victim expresses concern that the perpetrator is likely to kidnap her children,

<sup>(114)</sup> Such as age, religion, immigration status, ethnicity and sexual orientation.

<sup>(115)</sup> European Institute for Gender Equality (EIGE) (2018), *Indicators on intimate partner violence and rape for the police and justice sectors*, Publications Office of the European Union, Luxembourg (available at <https://eige.europa.eu/publications/indicators-intimate-partner-violence-and-rape-police-and-justice-sectors>).

<sup>(116)</sup> Robinson, A. L., Myhill, A., Wire, J., Roberts, J. and Tilley, N. (2016), *Risk-led policing of domestic abuse and the DASH risk model*, College of Policing, London (available at [https://www.college.police.uk/News/College-news/Documents/Risk-led\\_policing\\_of\\_domestic\\_abuse\\_and\\_the\\_DASH\\_risk\\_model.pdf](https://www.college.police.uk/News/College-news/Documents/Risk-led_policing_of_domestic_abuse_and_the_DASH_risk_model.pdf)).

a protection order forbidding contact by the perpetrator with the children may be appropriate.

### Recommendations for improving outcome-focused management

- Implement routine monitoring of victim safety.
- Monitor perpetrator behaviour (reoffending, compliance with protection orders, attendance at perpetrator programmes, etc.).
- Establish links between police, victim support services and perpetrator programmes where possible, to ensure a focus on victim safety and perpetrator accountability.
- Assign appropriate significance to victims' assessments of risk.

### Expected result

Regular monitoring of reported cases of intimate partner violence should better ensure victims' safety and keep perpetrators accountable.

## Principle 5. Delivering a coordinated, multiagency response

Multi-agency mechanisms — whether formal (MARACs, for example) or informal — are a prominent strategy adopted by Member States for effectively responding to intimate partner violence. These mechanisms may take the form of informal multiagency cooperation on a case-by-case basis between, for example, police and a local victim services organisation or of formal referral processes for victims that are under-

pinned by negotiated working protocols across multiple stakeholders. Multi-agency structures help strengthen coordination between agencies based in different sectors (e.g. the public sector and the third sector) and have been recommended as crucial for the effective implementation of the provisions of the Victims' Rights Directive <sup>(117)</sup>.

Participation by police in multiagency partnerships is crucial and necessary but not enough in and of itself, especially given the dynamic nature of risk. As risk management actions are implemented, risk will change, and ongoing assessment and management by police and other actors require a culture of cooperation among all agencies. No single agency can provide all of the services required to meet the different needs of victims and perpetrators when a robust, individualised approach is taken.

The move towards integrated responses to intimate partner violence recognises the complexity of achieving victim safety and perpetrator accountability. Effective perpetrator management requires interconnected practices among agencies that promote accountability. These practices include active monitoring, appropriate court-ordered services, and swift and firm consequences for reassault or violations of court orders. That is, prevention strategies are likely to be most effective when they are implemented in the context of multiagency frameworks, rather than when they are the responsibility of individual practitioners, stakeholders or agencies <sup>(118)</sup>. Multidisciplinary or multiagency teams should include representatives from the police, emergency shelters and victim outreach services, as well as practitioners involved in intervention programmes for perpetrators <sup>(119)</sup>.

Risk management arrangements must be designed to suit the local context and reflect the level of resources available in a particular community. Involvement by a diverse set of community

<sup>(117)</sup> European Commission (2019), *Strengthening victims' rights: from compensation to reparation — report of the special adviser, J. Milquet, to the President of the European Commission, Jean-Claude Juncker*, European Commission, Brussels (available at [https://ec.europa.eu/info/sites/info/files/law/law\\_by\\_topic/document\\_strengthening\\_victims\\_rights\\_from\\_compensation\\_to\\_reparation\\_2019\\_03\\_11\\_en.pdf](https://ec.europa.eu/info/sites/info/files/law/law_by_topic/document_strengthening_victims_rights_from_compensation_to_reparation_2019_03_11_en.pdf)).

<sup>(118)</sup> Juodis, M., Starzomski, A., Porter, S. and Woodworth, M. (2014), 'What can be done about high-risk perpetrators of domestic violence?', *Journal of Family Violence*, Vol. 29, pp. 381-390.

<sup>(119)</sup> Moser, A. E. and Campbell, M. A. (2012), *Validation and expansion of the Ontario domestic assault risk assessment (ODARA) instrument: an early warning system*, Centre for Criminal Justice Studies and Psychology Department, University of New Brunswick, Fredericton.

actors is necessary, although the exact makeup of multiagency mechanisms will be determined locally. Depending on the individual case, the following participants are likely to be critical: victim services; police; specialist victim services; child protection services; health, social work and education services; prosecutors; employers; family members; probation services; perpetrator programmes. All agencies should work with the same aim, understanding and concepts, and agree a protocol and terms of reference for operation, especially for how to deal with ongoing risk. Although the leadership of any multiagency framework will depend on the local context and resources, police engagement and support are essential.

Coordinated community responses <sup>(120)</sup> that are informed by risk assessment and management, such as MARACs, have been shown to demonstrably improve victim safety. MARACs, MARAKs and MACCs are some of the ways in which Member States have implemented a coordinated, multi-agency approach. A brief case study presenting the MARAC method can be found in Annex 3.

Each agency's responsibility for referring a victim or perpetrator back to the multiagency mechanism should be clearly defined. Multi-agency protocols need to reflect the provisions of the

Victims' Rights Directive and the Istanbul Convention, and procedures for timely and appropriate sharing of information must be in place.

### **Recommendations for improving coordinated, multiagency risk management**

- Engage with and support multiagency bodies and processes.
- Agree protocols with key stakeholders to establish terms of reference and agree information-sharing arrangements.
- Define responsibilities for referring victims back to multiagency bodies.
- Work with various services and stakeholders across public and third sectors to improve risk management.

### **Expected result**

Police officers are capable of making a solid contribution in the context of a multiagency mechanism and in developing targeted interventions, within the police's mandate and competences.

<sup>(120)</sup> A useful toolkit for establishing and monitoring a coordinated community response can be found at the Coordinated Community Response Model website (available at <http://www.ccrm.org.uk/>).

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# Annexes

## Annex 1. The EU and international legal framework on risk assessment and risk management of intimate partner violence

Victim safety is a central concern of intimate partner violence interventions at EU level and, as a result, risk assessment and risk management have been integrated into the EU legislative and policy framework on violence against women mainly through Directive 2012/29/EU (the Victims' Rights Directive) <sup>(121)</sup>. The Victims' Rights Directive establishes minimum standards on the rights, support and protection of victims of crime. It aims to strengthen the rights of victims of crime so that any victim in the EU can receive a minimum level of rights, protection, support, access to justice and restoration. This is regardless of where the crime takes place within the EU or the victim's nationality and residency status. In addition, the directive aims to take significant steps forward in the level of victim protection throughout the EU, in particular within the framework of criminal proceedings (recital 4). EU Member States may extend the rights set out in the directive in order to provide a higher level of protection (recital 11) <sup>(122)</sup>.

The core objective of the Victims' Rights Directive is to effectively respond to victims' needs in an individual manner, based on an individual assessment and a targeted and participatory approach towards the provision of information, support, protection and procedural rights' <sup>(123)</sup>. Article 22 of the directive calls specifically for individual assessment of the victim by the relevant services

and promotes a case-by-case approach towards victims. According to the guidance document produced by the Directorate-General for Justice and Consumers, '[the] purpose of individual assessment is **to determine whether a victim is particularly vulnerable to secondary and repeat victimisation, to intimidation and retaliation during criminal proceedings**' <sup>(124)</sup>. According to the directive, the purpose of individual assessment of victims is to determine whether a victim has specific protection needs, and to determine if special protection measures should be applied and what these should be.

The Victims' Rights Directive does not specify when the individual assessment should be performed and by whom. As stressed in EIGE's report analysing the Victims' Rights Directive <sup>(125)</sup>, while the directive has no 'operational' description on how an individual assessment should be carried out, Article 22 clearly states that the assessment must be performed in a timely manner and in accordance with national procedures.

Article 22 of the Victims' Rights Directive is also relevant for risk management in that it calls for appropriate services to determine whether a victim has specific protection needs, if special protection measures should be applied and what these should be. Importantly, the individual approach taken in the directive 'does not create

<sup>(121)</sup> Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, pp. 57-73 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421925131614&uri=CELEX:32012L0029>).

<sup>(122)</sup> European Institute for Gender Equality (EIGE) (2016), *An analysis of the Victims' Rights Directive from a gender perspective*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/analysis-victims-rights-directive-gender-perspective>).

<sup>(123)</sup> European Commission, Directorate-General for Justice and Consumers (2012), 'DG Justice guidance document related to the transposition and implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA', European Commission, Brussels.

<sup>(124)</sup> European Commission, Directorate-General for Justice and Consumers (2012), 'DG Justice guidance document related to the transposition and implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA', European Commission, Brussels.

<sup>(125)</sup> European Institute for Gender Equality (EIGE) (2016), *An analysis of the Victims' Rights Directive from a gender perspective*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/analysis-victims-rights-directive-gender-perspective>).

priority categories or a hierarchy of victims' but that special attention should be paid to victims of gender-based violence and violence in a close relationship, among others <sup>(126)</sup>. The Victims' Rights Directive also stresses the importance of a coordinated multiagency approach to the implementation of the directive itself. This should involve all relevant stakeholders in targeted and integrated support for victims with specific needs <sup>(127)</sup>. Moreover, according to Article 25 of the Victims' Rights Directive, professionals, including police officers who come into contact with victims, should receive specialist training 'to increase their awareness of the needs of victims and to enable them to deal with victims in an impartial, respectful and professional manner'.

As mentioned above, based on an individual assessment carried out under Article 22 of the Victims' Rights Directive, the victim may be entitled to protection measures. Paragraph 1(c) of Article 4 on the right to receive information from the first contact with a competent authority explicitly mentions available protection measures. This is linked to other legal acts enacted by the EU, specifically Directive 2011/99/EU on the European protection order <sup>(128)</sup> and Regulation (EU) No 606/2013 <sup>(129)</sup> of the European Parliament and of the Council on mutual recognition of protection measures in civil matters, to address violence against women, and protect and support victims in particular.

Directive 2011/99/EU and Regulation (EU) No 606/2013 oblige Member States to recognise both civil and criminal protection orders issued in other Member States, thereby enabling cross-border enforcement of such orders across the EU.

In addition to the EU-level legislative framework, the Istanbul Convention is the first legal instrument on preventing and combating violence against women and girls at international level. It establishes a comprehensive framework of legal and policy measures for preventing such violence, supporting victims and punishing perpetrators. The convention came into force on 1 August 2014. As of August 2018, it has been signed by all EU Member States, and ratified by 21 <sup>(130)</sup>. On 4 March 2016, the European Commission adopted submitted two proposals for a Council decision on the signing of the Istanbul Convention on behalf of the European Union. These two council decisions were adopted in May 2017 and the EU signed the convention on 13 June 2017 <sup>(131)</sup>. The accession of the EU to the convention will reinforce its commitment to combating violence against women in the EU and will strengthen the EU legal framework in this area. Importantly, the convention promotes the use of common definitions of gender-based violence and domestic violence, and so, when ratified and applied, the convention will improve the measurement of the extent and consequences of both.

The Istanbul Convention frames gender-based violence and violence against women as a gendered act that is 'a violation of human rights and a form of discrimination against women' and rooted in gender inequality. The preamble to the Istanbul Convention recognises that 'violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men'. The Istanbul Convention emphasises that acts of gender-based violence result in 'physical, sexual, psychological or economic harm or suffering to

<sup>(126)</sup> European Commission, Directorate-General for Justice and Consumers (2012), 'DG Justice guidance document related to the transposition and implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA', European Commission, Directorate-General for Justice and Consumers.

<sup>(127)</sup> European Institute for Gender Equality (EIGE) (2016), *An analysis of the Victims' Rights Directive from a gender perspective*, EIGE, Vilnius (available at <https://eige.europa.eu/rdc/eige-publications/analysis-victims-rights-directive-gender-perspective>).

<sup>(128)</sup> Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order, OJ L 338, 21.12.2011, pp. 2-18 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011L0099>).

<sup>(129)</sup> Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order, OJ L 338, 21.12.2011, p. 2-18 (available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011L0099>).

<sup>(130)</sup> BE, DK, DE, EE, IE, EL, ES, FR, HR, IT, CY, LU, MT, NL, AT, PL, PT, RO, SI, FI, SE; see Council of Europe, 'Chart of signatures and ratifications of Treaty 210' (available at <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>).

<sup>(131)</sup> European Commission (2016), Proposal for a Council Decision on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence, COM(2016)111; European Commission (2016), Proposal for a Council Decision, on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence, COM(2016)109.

women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life’.

Article 51 of the Istanbul Convention, on risk assessment and risk management, ‘establishes the obligation to ensure that all relevant authorities, not limited to the police, effectively assess and devise a plan to manage the safety risks a particular victim faces on a case-by-case basis, according to standardised procedure and in cooperation and coordination with each other’ <sup>(132)</sup>. Risk assessment in the convention is defined as an ‘assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence’, including access to firearms <sup>(133)</sup>. Risk management in the convention is defined as ‘the process by which all relevant authorities manage the safety risks identified in a risk assessment by devising a safety plan for the victim in question and providing coordinated safety and support if necessary’ <sup>(134)</sup>.

Articles 52 and 53, on restraining or protection orders, emphasise the requirement to undertake ‘the necessary legislative or other measures to ensure that appropriate restraining or protection orders are available to victims of all forms of violence’.

Other important provisions in the context of risk assessment and risk management are Article 15 and Article 16. Article 15 of the Istanbul Convention draws attention to the importance of training professionals to ensure the prevention and detection of all acts of violence covered by the scope of the convention and to uphold the rights of victims and prevent secondary victimisation. The effectiveness of risk-led approaches depends largely on professionals’ levels of experience with intimate partner violence, and the existence of specific guidelines on or monitoring of standardised risk assessment tools <sup>(135)</sup>.

In this context, Article 16 calls for ‘preventive intervention and treatment programmes’ specifying that ‘the necessary legislative or other measures to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt nonviolent behaviour in interpersonal relationships with a view to preventing further violence and changing violent behavioural patterns’ should be adopted. To this end, the set-up or the support of treatment programmes aimed at preventing perpetrators — in particular sex offenders — from reoffending are to be undertaken.

While the Victims’ Rights Directive refers to an ‘individual assessment of needs’ to prevent secondary and repeat victimisation in the context of criminal proceedings, the Istanbul Convention refers specifically to risk assessment as a strategy for the prevention of violence against women.

Both the Istanbul Convention and the Victims’ Rights Directive take into account children’s experiences of intimate partner violence when assessing risk. For example, the Victims’ Rights Directive, in recital 17, states, ‘Women victims of gender-based violence and their children often require special support and protection because of the high risk of secondary and repeat victimisation, of intimidation and of retaliation connected with such violence.’ The directive also promotes a child-sensitive approach, whereby the best interests of a child victim are a primary consideration. The Istanbul Convention makes more specific reference to children’s experiences, recognising that ‘children are victims of domestic violence, including as witnesses of violence in the family’ <sup>(136)</sup>. Article 26 of the convention obligates states parties to ensure that in the provision of protection and support services to victims, due account is taken of the rights and needs of child witnesses. Furthermore, Article 56 obligates states to ensure that special protection measures are made available to child victims and

<sup>(132)</sup> Council of Europe (CoE) (2011), *Explanatory report to the Council of Europe Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/16800d383a>).

<sup>(133)</sup> Council of Europe (CoE) (2011), *Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/168046031c>).

<sup>(134)</sup> Council of Europe (CoE) (2011), *Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/168046031c>).

<sup>(135)</sup> See UN Commission to End All Forms of Discrimination against Women, *General recommendation No 35 on gender-based violence against women*, updating General recommendation No 19, 14 July 2017, for relevant recommendations.

<sup>(136)</sup> Council of Europe (CoE) (2011), *Convention on preventing and combating violence against women and domestic violence*, CoE, Paris (available at <https://rm.coe.int/168046031c>).

child witnesses of violence against women and of domestic violence, taking into account the best interests of the child.

Finally, both the Victims' Rights Directive and the Istanbul Convention emphasise the need to have

comparative and high-quality data on specific forms of violence against women and require data collection from administrative sources in order to monitor their implementation.

## Annex 2. Tables on risk assessment approaches and tools and risk management interventions

**Table 1. Risk assessment approaches and main characteristics**

| Approach                                     | Main characteristics                                                                                                                                                                                                    | Benefits                                                                                                                                                          | Limitations                                                                                                                                                                                                                   | Risk assessment tools             |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>Unstructured clinical decision-making</b> | Relies on the professional judgement of the practitioner in assessing risk                                                                                                                                              | Allows for flexibility and consideration of the perpetrator's specific behaviours and circumstances in the development of specific violence prevention strategies | Completely dependent on the individual characteristics (training, qualifications, experience) and opinion of the assessor, and therefore may be perceived as less reliable and less accurate than structured risk assessments | Not supported by the use of tools |
|                                              | No constraints or guidelines are involved in carrying out the assessment                                                                                                                                                |                                                                                                                                                                   |                                                                                                                                                                                                                               |                                   |
|                                              | Can be carried out by professionals across sectors                                                                                                                                                                      |                                                                                                                                                                   |                                                                                                                                                                                                                               |                                   |
|                                              | Professional collects information and renders a risk assessment based on their own subjective judgement and discretion, and actions informed by these are justified by the professional's qualifications and experience |                                                                                                                                                                   |                                                                                                                                                                                                                               |                                   |

| Approach                  | Main characteristics                                                                                                                                                                           | Benefits                                                                                                                                                                     | Limitations                                                                                                                                                       | Risk assessment tools                                                                                     |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>Actuarial approach</b> | Prediction of specific violent behaviours based on the use of evidence-based risk factors                                                                                                      | Better predictive ability than the unstructured clinical approach, as it must be formally and independently tested to demonstrate that it actually predicts violent outcomes | When using only an actuarial tool, decisions on level of risk may not take into account other sources of information                                              | Ontario domestic assault risk assessment (ODARA)                                                          |
|                           | Involves the use of a tool with a checklist of static risk factors (e.g. criminal history) that have been shown to be statistically related to a specific outcome (e.g. recidivism, lethality) |                                                                                                                                                                              | Does not adequately inform risk management, as it does not provide any information for the development of specific strategies to prevent violence                 | Kingston Screening Instrument for Domestic Violence (K-SID)                                               |
|                           | Risk factors are assessed with regard to whether they are present or not present, or are assigned a specific value                                                                             | Actuarial tools can be used by professionals who do not have specific training in the area of intimate partner violence, as professional judgement is not required           | As the tools focus on static risk factors, they do not capture how risk can change over time as a result of perpetrator management or victim safety interventions | Danger assessment (DA)                                                                                    |
|                           | The values are then summed up to get a total score that corresponds to a specific level of risk of future violence over a given period of time                                                 |                                                                                                                                                                              |                                                                                                                                                                   | Domestic violence screening inventory (DVSI) and domestic violence screening inventory — revised (DVSI-R) |

| Approach                                 | Main characteristics                                                                                                                                                  | Benefits                                                                                                                                                                                                  | Limitations                                                                                                       | Risk assessment tools                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>Structured professional judgement</b> | Unstructured clinical and actuarial approaches are used in combination, and the emphasis is on developing guidelines                                                  | Combines the benefits of professional knowledge and expertise with the systematic rigour of actuarial methods                                                                                             | The structured approach requires the development of guidelines to support the risk assessment process             | Spousal assault risk assessment (SARA)                                        |
|                                          | The emphasis is on developing guidelines and tools for risk assessment that are sufficiently flexible to take into account the specificities of each case of violence | The set of identified risk factors is considered the minimum basis on which an assessment of risk should be conducted                                                                                     |                                                                                                                   | Brief spousal assault form for the evaluation of risk (B-SAFER)               |
|                                          | Guidelines provide the minimum set of risk factors to be considered in every case as well as recommendations for information gathering                                | Allows practitioners to integrate their own judgement when making the final risk decision                                                                                                                 | Must be conducted by experienced and qualified practitioners who have undergone specific and specialised training | Domestic abuse, stalking and harassment and honour-based violence (DASH) tool |
|                                          | Allows practitioners to integrate actuarial information with their own judgement when making the final risk decision                                                  | The use of evidence-based static and dynamic risk factors in structured approaches to risk assessments allows their use by a wide range of professionals and makes it possible to monitor risk over time. |                                                                                                                   |                                                                               |
|                                          |                                                                                                                                                                       | Shifts the emphasis from risk prediction to risk management                                                                                                                                               |                                                                                                                   |                                                                               |

Table 2. Evidence-based risk factors in most widely used risk assessment instruments (\*)

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Perpetrator's prior victimisation</b>                | <ul style="list-style-type: none"> <li>• prior intimate partner violence incident</li> <li>• past physical assault of partner</li> <li>• past sexual assault of partner</li> <li>• past attempt at strangulation</li> <li>• recent escalation in the frequency or severity of assault</li> <li>• partner's fear of reassault/homicide</li> <li>• past assault of partner while pregnant</li> </ul>                                                                                                                                                                                                                                                                                    |
| <b>Perpetrator's coercive and controlling behaviour</b> | <ul style="list-style-type: none"> <li>• psychological/emotional/verbal abuse</li> <li>• sexual abuse/coercive sex</li> <li>• extreme and/or violent jealousy towards partner</li> <li>• controlling most of partner's daily activities</li> <li>• limiting partner's access to phone, transportation</li> <li>• controlling access to technology and/or monitoring online behaviour, including cyberstalking</li> <li>• isolation from family/friends/social network</li> <li>• control of partner's access to economic resources, employment (economic abuse)</li> <li>• stalking, threats, destroying partner's property</li> <li>• use of a weapon to threaten partner</li> </ul> |
| <b>Perpetrator's drug or alcohol problems</b>           | <ul style="list-style-type: none"> <li>• drug abuse, dependence</li> <li>• alcohol abuse, dependence</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                                                                               |                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Perpetrator's mental health history</b>                                    | <ul style="list-style-type: none"> <li>• suicide attempt, threats of suicide</li> <li>• psychotic or manic symptoms</li> <li>• personality disorder (anger, impulsivity)</li> </ul>                                                                                         |
| <b>Perpetrator's threats to partner, children or family members</b>           | <ul style="list-style-type: none"> <li>• threats to harm/kill victim</li> <li>• threats to harm/kill children</li> <li>• threats to harm/kill family members</li> <li>• perpetrator has stepchild in the home</li> <li>• children under 18 in the home</li> </ul>           |
| <b>Perpetrator's use of violence outside the home setting</b>                 | <ul style="list-style-type: none"> <li>• prior non-intimate partner violent assault</li> <li>• prior conviction/sentence for non-intimate partner violent assault</li> </ul>                                                                                                |
| <b>Evidence of escalating violence or intimidation</b>                        | <ul style="list-style-type: none"> <li>• increase in severity, frequency and intensity of violence and abuse</li> <li>• stalking behaviour, use of weapon, sexual abuse, animal abuse, property damage or threats of future property damage, unlawful acts, etc.</li> </ul> |
| <b>Perpetrator's possession of, or access to, arms</b>                        | <ul style="list-style-type: none"> <li>• access to firearms/availability of weapons</li> </ul>                                                                                                                                                                              |
| <b>Perpetrator's proclivity to respect court rules</b>                        | <ul style="list-style-type: none"> <li>• avoided arrest for intimate partner violence</li> <li>• prior violation of conditional release</li> <li>• violation of restraining order</li> <li>• under supervision at time of intimate partner violence incident</li> </ul>     |
| <b>The status of the relationship</b>                                         | <ul style="list-style-type: none"> <li>• recent separation from partner (up to 1 year)</li> <li>• conflict over child contact/custody</li> </ul>                                                                                                                            |
| <b>Victim vulnerability factors (to feed into risk management strategies)</b> | <ul style="list-style-type: none"> <li>• lack of social support, isolation</li> <li>• financial/economic dependence</li> <li>• demographic variables (e.g. socioeconomic status, ethnic background, age, immigrant status)</li> </ul>                                       |

(\*) DA; DVSI, DVSI-R; K-SID; SARA; ODARA; B-SAFER; DASH tool.

**Table 3. Police risk management interventions**

| Risk management action                                                                                                          | Victim | Perpetrator |
|---------------------------------------------------------------------------------------------------------------------------------|--------|-------------|
| Facilitating an order for protection, including no-contact or barring orders and post-hearing orders or court protection orders |        | X           |
| Working with victims to identify risk factors and create a personalised safety plan                                             | X      |             |
| Referring or escorting women to shelters or alternative safe accommodation                                                      | X      |             |
| Adoption of a pro-arrest policy in all cases of alleged or suspected domestic violence                                          |        | X           |
| Requesting, as necessary, strict release conditions for perpetrators                                                            |        | X           |
| Monitoring and enforcement of bail/release conditions and post-trial release conditions                                         |        | X           |
| Notification of victim prior to release of a perpetrator                                                                        | X      |             |
| Investigating reports of threats received by women                                                                              | X      | X           |

Source: United Nation's Office on Drugs and Crime (UNODC), *Handbook on effective police responses to violence against women*, UNODC, Vienna, 2010 (available at [http://www.unodc.org/documents/justice-and-prison-reform/hb\\_eff\\_police\\_responses.pdf](http://www.unodc.org/documents/justice-and-prison-reform/hb_eff_police_responses.pdf)).

## Annex 3. The multiagency risk assessment conference method

A multiagency risk assessment conference, or a MARAC for short, is a method of risk management for high-risk victims of intimate partner violence. The MARAC method, originally developed in Cardiff, in the United Kingdom, in 2003 <sup>(137)</sup>, has subsequently spread widely across the United Kingdom and has also been introduced in Finland. The method involves several professionals meeting together to determine the best course of action to increase the safety of each individual victim and their children.

The MARAC method involves three steps: risk assessment and referral to a MARAC, sharing information and drawing up a safety plan at the MARAC and follow-up after the MARAC.

### Risk assessment pre-MARAC

A standardised risk assessment form is used to identify those victims at high risk and thus eligible for referral to MARAC. (While victims do not often personally attend MARACs, the victim's consent is required to hold a conference in most places.) A safety planning exercise is carried out with the woman immediately after the risk assessment. Practical actions might include creating a code word, organising a second mobile hidden in the house, working with her on increasing her in-

ternet security, engaging other services to provide support, engaging other people around the woman to support her, organising a police marker on the house and other activities, depending on the woman's (and any children's) needs. This can mean that the risk has been reduced by the time of the MARAC.

When a professional concludes, based on the risk assessment, that the criteria are met, they will submit the case to be handled at a MARAC. The multiagency team participating in the conference consists of professionals from several organisations, including the police, victim support services, child welfare services, housing services, and community healthcare and medical services.

### Risk management in MARAC

The purpose of the MARAC is to create an action plan to increase each individual victim's safety. A large element of the MARAC is information sharing, so that all agencies are aware of the context in which each victim is accessing services, helping to avoid service-generated risks.

The following are examples of actions taken by the various members of a MARAC in response to the risk <sup>(138)</sup>.

<sup>(137)</sup> Robinson, A. L. (2006), 'Reducing repeat victimisation among high-risk victims of domestic violence: the benefits of a coordinated community response in Cardiff, Wales', *Violence Against Women: An International and Interdisciplinary Journal*, Vol. 12, No 8, pp. 761-788.

<sup>(138)</sup> Provided by Linda Rodgers, chief executive of Edinburgh Women's Aid, Scotland, November 2018.

**Table 4. MARAC examples**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Police</b>               | <ul style="list-style-type: none"> <li>• Place a marker on the address</li> <li>• Consider use of available protection orders</li> <li>• Work with support services to support historic reporting</li> <li>• Consider the perpetrator for referral to a MATAC</li> <li>• Provide an alarm</li> <li>• Provide a home safety visit</li> <li>• Raise a child protection investigation</li> </ul>           |
| <b>Housing</b>              | <ul style="list-style-type: none"> <li>• Ensure that the housing office is aware that issues such as debt/antisocial behaviour complaints are a result of domestic abuse and reframe so that the woman is not penalised</li> <li>• Speed up home security repairs</li> <li>• Put a note on perpetrator housing applications indicating that he is not to be housed in same area as the woman</li> </ul> |
| <b>Social work</b>          | <ul style="list-style-type: none"> <li>• Conduct safe and together mapping and protocols to support the non-offending parent and assess harm to children</li> <li>• If appropriate, call for an initial referral discussion regarding child protection processes</li> <li>• Advise on a safe contact agreement with the perpetrator if appropriate</li> </ul>                                           |
| <b>Perpetrator services</b> | <ul style="list-style-type: none"> <li>• Engage with the perpetrator through a recommendation for perpetrator treatment assessment</li> <li>• Support any safe contact agreement</li> </ul>                                                                                                                                                                                                             |
| <b>Specialist services</b>  | <ul style="list-style-type: none"> <li>• Report back on the MARAC to the woman</li> <li>• Continue to provide support</li> <li>• Informally, a specialist agency/referring agency normally takes on the role of advocating for the other agencies to carry out their actions, and to do so in the way that is right for the service user</li> </ul>                                                     |

**Follow-up post-MARAC**

Once the first MARAC has been held, stakeholders will follow up on the implementation of the actions recorded in the safety plan. Reporting back

on actions will often be the first agenda item at the subsequent MARAC meeting. Depending on local protocols, the victim may be re-referred to the MARAC if risk does not diminish.

## Annex 4. List of contributors to the guide

| Participants in the consultation meeting in alphabetical order |    |                                                                                             |
|----------------------------------------------------------------|----|---------------------------------------------------------------------------------------------|
| Maria Agge                                                     | SE | Swedish Police Authority                                                                    |
| Annemie De Palmeneire                                          | BE | Family Justice Centre, Antwerp                                                              |
| Philip McCormack                                               | IE | Cosc — The National Office for the Prevention of Domestic, Sexual and Gender-based Violence |
| Marina Rodríguez Díaz                                          | ES | State Secretariat for Security, Ministry of the Interior                                    |
| Key national experts                                           |    |                                                                                             |
| Viktorija Boļšakova                                            | LT | Child and Family Policy Department, Ministry of Welfare                                     |
| Franck Pascale                                                 | BE | Family Justice Centre, Antwerp                                                              |
| Experts' Forum                                                 |    |                                                                                             |
| Reetta Siukola                                                 | FI | MINNA — Centre for Gender Equality Information, National Institute for Health and Welfare   |





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