

RISK ASSESSMENT BY POLICE OF INTIMATE PARTNER VIOLENCE AGAINST WOMEN

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OVERVIEW OF RISK ASSESSMENT AND RISK MANAGEMENT PRACTICES OF INTIMATE PARTNER VIOLENCE AGAINST WOMEN IN THE EU MEMBER STATES



EU LEGAL FRAMEWORK UNDERPINNING RISK ASSESSMENT AND RISK MANAGEMENT OF INTIMATE PARTNER VIOLENCE

Within the EU, the **Victims' Rights Directive (Directive 2012/29/EU)** and the **Istanbul Convention** are the main instruments for ensuring Member States commitment to protecting victims of intimate partner violence.



THE VICTIMS' RIGHTS DIRECTIVE (DIRECTIVE 2012/29/EU)

The Victims' Rights Directive establishes minimum standards on the rights, support and protection of victims of crime, with the main objective to *'deal with 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'*.



THE ISTANBUL CONVENTION

The Istanbul Convention calls for obligatory risk assessment and management of gendered-based violence within Article 51:

- Risk assessment defined as an *'assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence'*, including access to firearms.
- Risk management is defined general as the *'response to the risk identification and assessment to ensure the prevention of risk, involving different strategies and a multi-agency approach'*.

POLICY AND LEGAL FRAMEWORK ON RISK ASSESSMENT AND RISK MANAGEMENT IN THE EU MEMBER STATES



Risk assessment embedded in national legislation and/or policy framework	N° of countries	Detail of countries
Both national legislation and/or national action plan/strategy	2	Cyprus, Portugal
National legislation	7	Ireland, Greece, Spain, Luxembourg, the Netherlands, Romania, Slovakia,
National action plan/strategy	10	Belgium, Denmark, Estonia, Ireland, Croatia, Italy, Malta, Finland, Sweden, the United Kingdom
Policy documents other than national action plan/strategy	8	Belgium, Czech Republic, Ireland, Spain, Italy, Austria, Portugal, the United Kingdom
Risk assessment processes not embedded in legislation/policy framework	9	Bulgaria, Germany, Greece, France, Lithuania, Latvia, Hungary, Poland, Slovenia



RISK ASSESSMENT OF INTIMATE PARTNER VIOLENCE IN THE EU (1/2)

Risk assessment is a 'decision-making process through which we determine the best course of action by estimating, identifying, qualifying or quantifying risk'.

In the context of intimate partner violence, risk assessment can be defined as evaluating the level of risk of harm a victim (or others connected to the victim) may be facing, including the likelihood of repeated and/or lethal (dangerous) violence. This is based on a professional's judgement and/or a structured interview and/or a tool (instrument) that may include a checklist of risk factors.



RISK ASSESSMENT OF INTIMATE PARTNER VIOLENCE IN THE EU (2/2)

Professionals primarily conduct risk assessment to:

- evaluate the risk of reassault;
- evaluate the risk of homicide;
- inform service responses and criminal justice approaches;
- help victims understand their own level of risk and/or validate their fears/own assessment;
- provide a basis from which a case can be monitored by service providers

For the police, the goal is to identify high-risk cases that can then be targeted to receive violence prevention interventions.



APPROACHES TO RISK ASSESSMENT OF INTIMATE PARTNER VIOLENCE (1/2)

There are a number of approaches to risk assessment mechanisms, including:

1. *Unstructured clinical decision-making*
2. *Actuarial risk assessment (ODARA, DA)*
3. *Structured approach based on professional judgement (SARA, B-SAFER, DVSI).*



APPROACHES TO RISK ASSESSMENT OF INTIMATE PARTNER VIOLENCE (2/2)

- All three approaches to risk assessment of intimate partner violence are in use in the EU Member States
- Risk assessment using standardised tools (either actuarial or structured) are becoming increasingly popular among professionals involved in victim safety and offender management.
- No single approach to risk assessment is prescribed for a specific sector. The police, for example, widely use both actuarial as well as structured approaches to risk assessment.



RISK ASSESSMENT AND RISK MANAGEMENT OF INTIMATE PARTNER VIOLENCE IN THE EU MEMBER STATES

- Risk assessment practices and processes adopted in the EU Member States reflect the diversity of approaches to risk assessment of intimate partner violence.
- There is evidence of risk assessment/risk management practices in almost all the EU Member States
- Just over half of the Member States have regulated and standardised risk assessment procedures at national level.

WHO CARRIES OUT RISK ASSESSMENT?



- Police and other law enforcement agencies have the lead role
- Victim protection centres and women's shelters
- Social workers
- Health professionals
- probation and or/prison services

Multi-agency frameworks are becoming increasingly prevalent in responses to intimate partner violence.



RISK MANAGEMENT OF INTIMATE PARTNER VIOLENCE (1/2)

- Risk management aims to prevent the risk of violence and it involves different strategies addressed both to protect the victim and to hold perpetrators accountable.
- Risk management by the police includes enforcing the law, pursuing criminal justice sanctions against the perpetrator, and undertaking safety planning with the victim.
- Risk management strategies are informed by risk assessment, to try and reduce the threat posed by the perpetrator and protect the victim from further violence and abuse.



RISK MANAGEMENT OF INTIMATE PARTNER VIOLENCE (2/2)

The core principles of a risk management strategy should:

- reflect the risks posed by the perpetrator for repeating the types or kinds of violence in the future;
- reflect the risk factors that are relevant to the specific risk posed;
- be designed collaboratively with the victims of violence and reflect their individual needs, including the needs of children.



RISK MANAGEMENT STRATEGIES IN THE EU MEMBER STATES (1/2)

- The most prevalent offender risk management strategy in use is the protection order, used in the majority of EU Member States.
 - There is evidence of the implementation of protection orders linked to risk assessment of intimate partner violence in the majority of EU Member States (BE, BG, CZ, DE, EE, IE, ES, HR, CY, LT, LU, MT, AT, PL, PT, SI, SK, and UK).
- Risk assessment may also be linked to sentencing, referral to perpetrator programmes and other criminal justice decisions.
- Limited data on victim safety planning in the MS.



RISK MANAGEMENT IN THE EU MEMBER STATES

[2/2]

Gap in data on how risk assessment is linked to risk management strategies:

- Difficult to assess how specific risk factors and levels of risk are associated with specific risk management strategies, as well as assess the efficacy of risk management strategies in keeping women and their children safe.
- Although victim safety is a primary goal of risk assessment and risk management, data on victim safety planning and links to risk factors identified in risk assessment is lacking in the Member States.



SPECIALISED INSTRUMENTS TO ASSESS RISK OF INTIMATE PARTNER VIOLENCE (1/2)

Specialised instruments have different goals depending on the purpose of risk assessment:

- Provide information 'regarding the nature, form and degree of the danger' of violence;
- Provide probability statement regarding the likelihood of recidivism.

Risk assessment tools used for:

- Offender management, and to inform criminal justice processes;
- To inform decisions on child custody and access;
- Set the conditions of civil or criminal restraining/protective orders;
- To assess gaps in services and communication that led to the death of a victim.

SPECIALISED INSTRUMENTS TO ASSESS RISK OF INTIMATE PARTNER VIOLENCE (2/2)



Six standalone IPV risk assessment tools have been developed and tested for predictive validity in multiple research studies:

- the danger assessment (DA)
- the domestic violence screening inventory (DVSI, DVSI-R)
- the Kingston screening instrument for domestic violence (K-SID)
- the spousal assault risk assessment (SARA)
- the Ontario Domestic Assault Risk Assessment (ODARA)
- the brief spousal assault form for the evaluation of risk (B-SAFER)



RISK ASSESSMENT TOOLS IN USE IN THE EU MEMBER STATES

- Different risk assessment approaches and tools are used across the EU, but also within EU Member States.
- Validated risk assessment tools adapted and used by various governmental and non-governmental actors in the EU MS
- Most EU MS have developed their own risk assessment tools reflecting their own specific context, which are widely used by the police and other sectors.
- Nationally developed tools are often applied in addition to internationally validated tools.



RISK ASSESSMENT TOOLS IN EU COUNTRIES BY DIFFERENT TYPOLOGIES

Type of tools used by country	N° of countries	Countries
Only internationally validated tools	1	Denmark
Only risk assessment tools developed specifically for national use	14	Belgium, Czech Republic, Croatia, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, Netherlands, Poland, Romania, Finland, the United Kingdom
Both risk assessment tools developed specifically for national use + internationally validated tools	19	Belgium, Czech Republic, Germany, Estonia, Ireland, Spain, Croatia, Italy, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Portugal, Slovakia, Sweden, the United Kingdom



RISK ASSESSMENT TOOLS IN USE IN THE EU MEMBER STATES

- There is a relatively small body of empirical evidence to evaluate tools to assess the risk of intimate partner violence in the EU.
- Predictive accuracy varies depending on how tools are used and the specific purpose of the assessment.