



# Note du CREOGN

Centre de Recherche de l'École des Officiers de la Gendarmerie Nationale

## ARE BRITAIN'S MARACs AN EXPORTABLE MODEL?

By Lt. Col. Jean-Marc JAFFRÉ

Combating domestic violence is a priority for public authorities owing not only to the seriousness and sheer scale of the problem but also in consideration of the number of direct and collateral victims. France is not the only country facing this social evil and the European Union has therefore initiated scientific efforts to study and offer solutions as part of the Horizon 2020 program for research and innovation. Within this framework, the *Improдова* project<sup>1</sup> aims to formulate recommendations and create shared tools for frontline responders in this field.

One of the keys to an efficient struggle against domestic violence is the capacity to assess the risk of repeated abuse. In 2015 and in accordance with the EU Directive on victims<sup>2</sup>, France has included in its Criminal Procedure Code (Art. 10.5) the obligation to assess the needs of any victim—which implicitly includes protection from the risk of repeated abuse the victim thinks he/she may suffer in future. This legal transposition of the EU Directive creates a formal rule for investigators who must now systematically refer – from the outset of interviews - to a list of predefined questions included in the official software application for the drafting of interrogation reports. However, it remains noticeable that other responders – mainly those working for victim support groups - tend to provide a more concrete and individualized approach, e.g. by following up on risk assessment with immediate action (emergency accommodation) or resources made available (hotline phone number to call in case of imminent danger).

In South Wales (UK), Cardiff Police has been operating since 2003 a scheme based on partnerships to identify the situations of those most at risk from domestic violence. Known as MARACs (Multi-Agency Risk Assessment Conferences), this initiative is intended to be proactive and fully dedicated to helping victims. Created in a specific context, its tenets and operational rules were summarily established but two decades of experience now allow observers to draw meaningful lessons regarding victims as well as all stakeholders involved in the fight against domestic violence. A number of parallels with France may also support the validity of importing or transposing this concept—in whole or in part.

### I – MARACs as an innovative scheme

In Britain, the idea of fostering cooperation between the various agencies in charge of public security is rooted in the late 1960s when prison services began to team up with those involved in the reintegration of offenders into society. First tools intended to assess reoffending risks were created at the time and progressively involved the participation of social workers and police officers. In March 2001, building on the Criminal Justice and Courts Services Act of 2000<sup>3</sup>, the Home Office (the UK's Ministry of the Interior) issued directives to develop so-called MAPPAs (Multi-Agency Public Protection Arrangements)<sup>4</sup> coordinating risk assessment for special categories of highly dangerous offenders. The State was thus encouraging the combination of all resources and types of expertise available to achieve efficiency in the prevention of crime.

<sup>1</sup> Focused on “Improving frontline responses to high impact domestic violence”.

<sup>2</sup> Art. 22 of EU Directive 2012/29/EU dated October 25, 2012.

<sup>3</sup> In particular Section 67 “Arrangements for assessing etc. risks posed by certain offenders” (Part III – Chapter 2 of the Criminal Justice and Courts Services Act 2000).

<sup>4</sup> Maguire M., Kemshall H., *Multi-Agency Public Protection Arrangements: Key Issues in Managing Sex Offender Risk*. London: Jessica Kingsley Publishers, 2004.

Such was the context of 2002 when Cardiff Police decided to innovate by offering its officers the opportunity – when recording a formal complaint – to fill in a standard form assessing the risks to victims rather than the risk posed by offenders. This standard form was part of the already innovative *Police Watch Program*<sup>5</sup>, an operational scheme designed to limit the repetition of domestic violence. Nurtured by experience from past criminal proceedings and based on scientific research, this standard form was also created in collaboration with victims and regular police partners; it took into account 15 risk criteria via 15 closed questions describing the behavior of the perpetrator, the types of abuse and the family situation and feelings of the victim.

In April 2003, Cardiff Police set up the first MARAC conference. This scheme had three main objectives: providing more efficient help to victims, improving the use of available resources and – lastly – improving the profiling of perpetrators to help frontline responders take more effective protective measures. Sixteen partner organizations joined it and – though entirely based on volunteering and without legal status -, the structure managed to gather all stakeholders (police officers, landlords, prison services, victim support groups, etc.) for monthly meetings discussing ca. 20 cases each time. Based on the previously mentioned assessment forms, domestic violence cases were selected among those evidencing the highest risk, i.e. numbering at least 7 out of the 15 criteria.

As early as 2004, a review of the scheme<sup>6</sup> allowed for some initial conclusions. First, police data revealed that 70% of victims had not called for police help again during the 6 months following MARAC's intervention on their individual case. The review also underlined the importance of the corresponding workload for participants –up to two or three full working days each month for those most committed; this generated criticism from various managers who feared their resources were being diverted. However, the scheme was maintained on the merit of practical efficiency—as felt by victims in particular. Main actors involved have thus remained unchanged to this day: police officers, IDVAs (Independent Domestic Violence Advisors), support groups fighting violence against women, landlords, probation officers and child protection societies.

The main advantage of this partnership scheme is the concrete exchange of useful information to improve the handling of victims' situations on the basis of risk assessment. All participants draw on their respective modes of operational experience to raise awareness and make sure the Conference properly monitors developments. In this way, social workers and landlords can carry out better targeted home visits and extract truly useful information. Likewise, police officers are able to share information on the criminal records of perpetrators in order to trigger timely warnings to social workers, local associations, etc. This joined-up exploitation of information also results in better knowledge and understanding between participants themselves.

Shared awareness of the personal situation of victims and perpetrators is equally helped by the involvement of victims before and after each meeting; victims are informed of their case being taken care of by MARAC and must give prior consent to any safeguarding measure being considered for their personal safety and that of their children—with IDVAs acting as main intermediaries.

The MARAC initiative has even allowed observers to get a better understanding of issues at stake in assessing the risk of repeated abuse. Indeed, MARAC criteria have enabled the identification of situations with the highest risk of repetition. Out of 146 cases studied in Cardiff, high-risk criteria analysis demonstrates the following situations to be the most likely to lead to repeated abuse: perpetrators with a previous conviction; perpetrators with an addiction; protagonists in the midst of breaking up their relationship. However, one of the less obvious criteria common to those three situations must also be mentioned—the perpetrator's obsession for control fuelled by his/her jealous nature and deep-seated appetite for domination.

The United Kingdom has thus taken a head start in the early 2000s and demonstrated its pragmatism and capacity for innovation in the struggle against domestic violence. While local partnerships were encouraged and valued, the most decisive novelty was to give priority to the victim rather than focusing on the offence and its perpetrator alone. During the same period, France's efforts against domestic abuse were developed by involving new responders, especially delegates for women's rights within each *Prefecture* (local police and Gendarmerie authority) and so-called ISCGs (“Intervenants sociaux en commissariat et gendarmerie”, i.e. social workers acting as mediators within police and Gendarmerie stations). The main objective was partly to

<sup>5</sup> Robinson, A., *The Cardiff Women's Safety Unit: a Multi-Agency Approach to Domestic Violence*, report dated May 2003, Cardiff University (School of Social Sciences), 2003.

<sup>6</sup> Robinson, A., *Domestic Violence MARACs for Very High Risk Victims in Cardiff, Wales: a Process and Outcome Evaluation*, report dated June 2004, Cardiff University (School of Social Sciences), 2004.

improve the listening and immediate reaction skills of officers and partly to improve the guidance offered to victims in order to give them access to adequate services and resources. Yet partnerships in this framework are understood as bilateral and the principle of a need to share information remains conditioned by the need to acquire information to the benefit of the on-going investigation. It must also be underlined that convictions for domestic violence offences in France still entail significantly high rates of reoffending and of repeated abuse, respectively 14% and 35% in 2015<sup>7</sup>.

## II – Two decades of experience and specialized practice with MARACs

Though devoid of any specific legal status of its own, the MARAC scheme has now been extended to the whole of the United Kingdom—with more than 260 such risk-assessment conferences currently operating. Its success is such that the nationwide CAADA project for *Coordinated Action Against Domestic Abuse* was set up in 2005 to support the training of conference participants by providing better risk-assessment tools. Given the more explicit name of *SafeLives* in 2015, this charity organization aims to facilitate the streamlining of tools and procedures used by all MARACs; it also advocates the notion that the assessment and understanding of risks to victims of domestic abuse – including the risk of murder – is fundamental in the fight—a point of view supported by Britain’s Association of Chief Police Officers (ACPO).

There are many self-defined objectives for MARAC conferences but first comes the sharing of information intended to improve the security, health condition and general welfare of victims (minors and adults). The key approach remains giving greater priority to victims rather than focusing on the offences or the perpetrators. The second main objective is to assess the risk posed by the perpetrator to himself/herself as well as to society. Regarding this, the adopted approach is now somewhat returning to the fundamentals of risk assessment yet both main objectives unite in aiming to prevent revictimization and enhance the legitimacy of frontline responders and their interventions.

The vast majority of MARACs base their work on the thinking and support material developed by *SafeLives*, including for instance a list of 10 principles<sup>8</sup> governing their protocols and partnership agreements. MARACs also make use of the charity’s *Risk Identification Checklist*; this standard risk-assessment form was inspired by scientific research<sup>9</sup> widening the number of criteria up to 24. Noticeable is its reliance on concrete elements mainly provided by the victim via closed questions and only supplemented by the interviewer’s contextual appreciations. 80% of cases selected by MARACs have a threshold of 15 confirmed criteria out of 24.

The MARAC scheme has formed the subject of various studies<sup>10</sup> and reports<sup>11</sup> highlighting its qualities as well as its limitations. However, such limitations do not seem likely to call into question the very existence of this successful structure. What Cardiff Police originally created has ultimately been preserved—with only minor changes. Reports demonstrate that police forces are the most committed partners and supply most of cases being treated—again based on the same standard risk-assessment form. IDVAs also play a key part in the process and their function may be termed comparable to that of French ISCGs. Although no in-depth investigative work is required, the sheer number of cases compels participants to exchange only very briefly – 10 to 15 minutes for each case – and the scheme has now – to a certain extent - become a victim of its own success. This factor tends to shift the focus of meetings from truly caring for each victim to seeking for permanent managerial efficiency<sup>12</sup>. Behind general positive feedback, quality surveys have indeed revealed items in need of real improvement.

Immersed in routine work, some MARAC participants tend to forget the fundamental principles of the scheme and – owing to lack of rigorous training – end up impairing their application<sup>13</sup>. The duty to provide

<sup>7</sup> Löwenbrück M., Viard-Guillot L., *Infostat Justice, Bulletin d’information statistique* no. 159 (official statistical information bulletin published by the French Ministry of Justice, February 2018).

<sup>8</sup> See *The Principles of an Effective MARAC*. Available as a PDF file from their website at :<http://www.safelives.org.uk/file/principles-effective-marac-final.pdf>

<sup>9</sup> Campbell, Jacquelyn C., *Danger Assessment*. John Hopkins University (School of Nursing), 2004.

<sup>10</sup> Robbins R., McLaughlin H., Banks C., Bellamy C., Thackray D., “Domestic Violence and MARAC, a Scoping Review”, *The Journal of Adult Protection*, December 2014. Vol. 16, pp.389-398.

<sup>11</sup> CordisBright Consulting, *Research into Multi-Agency Risk Assessment Conferences (MARACs)*, report commissioned by the Home Office Violent and Youth Crime Prevention Unit (VCYU) and Research and Analysis Unit (RAU), July 2011.

<sup>12</sup> McLaughlin H., “Domestic Violence: Are MARACs Making a Difference to Victims’ Lives?”, *The Guardian*, July 7, 2015.

<sup>13</sup> Acheampong N., *Track My Marac*, TuWezeshe Akina Dada Project report, December 2018.

systematic information to victims regarding decisions is – for instance – no longer systematically observed. Likewise, rapid treatment of cases may discourage participants who would wish to spend more time on individual situations. A professional culture of immediacy thus comes to collide with a different culture of care and deeper involvement. Moreover, a managerial approach may prove to be efficient in terms of emergency responses but long-term follow up (over 6 months) sometimes reveals a number of failings. Various observers have equally remarked on the absence of certain victim groups among selected cases; elderly people, visible minorities and members of the LGBT+ community are thus seldom featured. Finally and probably owing to the absence of a specific legal status, the operation, implementation of solutions and overall results of the scheme are not subjected to regular assessments. All of these factors tend to undermine its dependability.

Such observations have resulted in a number of suggestions for improvement. Foremost is the issue of giving MARACs a proper legal status in order to bring official acknowledgment, secure their financing, create permanent jobs and even foster more commitment on the part of some partners. Yet such legal status would also give a bureaucratic character to the scheme—which usually means more paralyzing constraints. In fact, MARACs seem mostly in need of a new equilibrium in their relation to the State - to maintain strategic orientations - as well as in their relation to partners at local level to preserve operational efficiency. Another balance must also be found between the necessary confidentiality of personal data and the fight against crime—a problem currently affecting the quality of relationships between partners. Training must also be used to leverage performance and upgrade the skills of participants (especially police officers and social workers). In the general struggle against domestic violence, all players must be given space and allowed to exert different responsibilities in succession to increase representativeness—hence a need for greater specialization. Finally, the position of victims within processes must be better identified since only direct involvement may lead them to take the most difficult decisions required. Similarly, more frequent judicial proceedings initiated against the perpetrators would send them reassuring signals.

MARACs provide an efficient solution for the prevention of revictimizations related to domestic violence. By making the assessment of risks to the victim a priority, stakeholders in this scheme necessarily bring a social answer to the problem, going further than the standard security response and providing real help – almost salvation – to people in need of more than judicial or merely administrative answers. Their work creates a sense of proximity, of real service and concrete solutions. While many similar and truly efficient schemes are available in France, partnerships frequently remain based on a bilateral approach; risk assessment – though incorporated in our Criminal Procedure Code and generally supplemented by procedures such as personality reports (*enquêtes de personnalité*) compensating its limitations – also remains in need of improvement. Further advances towards creating an equivalent to MARACs therefore seem conceivable. Not only does the still too significant number of victims involved in such situations call for a new initiative but police and Gendarmerie officers have now developed the necessary skills with their “référénts VIF” (domestic violence referral officers); likewise, a very dense network of stakeholders involved in this struggle is now available—both at national and local levels. Finally, local partnerships and proximity are currently encouraged by public security policies and the mindsets of responders – informed by ample past experience – now seem ready to embrace new approaches giving preference to collaborative problem solving and the sharing of information.

Le contenu de cette publication doit être considéré comme propre à son auteur et ne saurait engager la responsabilité du CREOGN.



# IMPRODOVA

Improving Frontline Responses  
to High Impact Domestic Violence



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