



Practice Pathway:

A structured approach to risk assessment in Domestic Abuse

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Some of the links contained in the Pathway are not live. This is because they relate to internal Cafcass guidance. Please contact us at WebEnquiries@cafcass.gsi.gov.uk should you wish to access this internal guidance or have any other questions about the Pathway.

Introduction

This practice pathway has been formulated to provide the practitioner with a structured, focussed and stepped framework for assessing cases where domestic abuse is a feature.

The pathway is not a change of direction but a tool to assist the analysis of risk and child impact when presented with conflicting accounts or a complex family situation.

It highlights the need to be succinct and clear when assessing high risk situations where there are presenting or alleged lethal behaviours and lower risk cases which may conclude with a safe evidence based recommendation.

It is compatible with the refreshed templates for DVPP referral and reporting.

The guide is compatible with a 'menu of options' approach to intervention using the threshold tool – the Barnardos DV RIM.

The guide is designed to achieve the following practice improvement outcomes:

- Providing a clear link between information gathered and the final recommendation
- Embedding the use of tools across all service areas
- Making tools more accessible by links to appropriate pages
- Addressing learning from external inspections, internal and external audits and SCR's re: 'getting off on the wrong foot, 'the rule of optimism', 'confirmation bias', 'minimisation' etc
- Evidencing a process which accentuates our level of expertise
- Emphasises a systematic and structured professional judgement approach in line with our social work skills and values
- Helps to identify those cases which require particular attention and highlights those situations and behaviours by the perpetrator which exacerbate risk

Cafcass Family Court Advisers assess domestic violence and abuse in the context of separation and litigation. These two factors are unique in terms traditional social work intervention with families and consequently we are well placed to undertake appropriate evidence based assessments for the Family Court.

We know that domestic violence and abuse will feature in a significant proportion of these applications and it is our role to ensure that we have applied a robust and systematic assessment process which will safeguard the child and add value to the ability of the court to make safe orders. We are required to ensure that we take into account and succinctly analyse, all available information which may impact on risk and and balance the outcome with the needs wishes and feelings of the child, including the weight attached professionally to the child's views.

We have a duty to ensure that our assessments concerning domestic abuse focus on the impact on the child, are based on a combination of static and dynamic risk factors, information gathered and that it is analysed using reasoned professional judgement. We use our social work skills but also need to be aware of the appropriate research base and which evidence based tools will assist us in being as clear as possible regarding the risk.

Cafcass have a clear framework as we operate within the Children Act, Family Procedure Rules and we have our own detailed policies and procedures which provide the foundation and structure for our work. We need to find the right assessment pathway within this framework to match each family dynamic and consider each child's individual needs in that context.

In such a complex landscape it is vital that we adhere as far as possible to an assessment process which can be adapted across different case issues but remains constant in term of its validity and offers credibility within the family justice system.

Domestic Abuse - current context

- 8.2% of women and 4% of men were estimated to have experienced [domestic abuse in 2014/15](#), equivalent to an estimated 1.3 million female and 600,000 male victims.
- A significant proportion of private law applications will evidence domestic abuse.
- A significant proportion of private law applications will not evidence domestic abuse but domestic abuse may be present.

Practice note

Please use the links within this document which are highlighted in the text. These will provide a knowledge bite of relevant information.

- EIT engagement with service users underpins all future assessment and begins the [golden thread of assessment](#)
- Use [framing questions](#) to enable disclosure
- Seek clarity regarding immediate safety and confidentiality
- Use tools where proportionate and appropriate as a reflective exercise to begin the hypothesis.
- Begin to consider the nature, duration and frequency of the domestic abuse and introduce questioning about its impact on individual children in the family.
- Ask supplementary direct questions
- Always, record an initial safeguarding analysis on the contact log as your professional judgement before the case is transferred.

Work to First Hearing

Work After First Hearing - Build on what we know

- Continue the ['golden thread'](#) of assessment and analysis from the known static risk factors, Cafcass Intake Team (CIT) triage and Early Intervention Team (EIT) intervention.

- Is there any factual information missing?
- Are additional checks needed?
- Are the current arrangements safe?
- What other agencies are involved?
- Are there any [non molestation or harassment orders](#) in place?
- Factor any charges, pending prosecutions and convictions into your assessment.

Question

Begin your hypothesis

- Is there a primary perpetrator or more than one perpetrator?
- Look for gaps in information.
- Plan your interviews safely and consider an interview plan.
- Update the case plan and contact log with actions, intentions and professional judgement.
- Consider whether disputed facts need to be heard by the court or whether any known or disputed facts are sufficiently covered within your emerging case analysis.

Static Factors

Those which are based in the individual's past history and demographics and so are not amenable to change.

Assessment tools: Plan

- Information gathering tools for domestic abuse will inform your assessment and be an evidence base for your analysis. These are found in the [Tools Matrix](#).
- State on the case plan which assessment tools you will be using and be clear as to why they are appropriate for this particular family situation.
- Are there complementary tools which will assist your understanding of the case?
- Relate all enquiry pathways back to the impact on the child.

- Using tools is a collaborative, transparent, evidence based and structured process which facilitates a focussed approach to assessment. Tools do not provide evidence without contextual analysis of the specific dynamic risk factors in each case.

Assessment tools: Note

Domestic abuse factors to consider

- Domestic violence and abuse exists on a spectrum and each case will have a different pathology, assessment path and final outcome.
- The [impact on the child](#) will vary according to the [resilience](#) and adversity factors present. [Parenting capacity](#) may also be affected.
- Look for exacerbating risk factors within the information gathered.
- Look for protective and strengths based factors which will diminish risk.
- Is an intervention for the child appropriate?

Practice note

Consider signposting for victim/survivor support if appropriate. Male victims may wish to be referred to the [Respect website](#) where there is supportive information. You will also find a toolkit for working with male victims of domestic abuse.

Dynamic factors

Those which can change through treatment, interventions or the passage of time. These include information about the person's current attitudes and beliefs gained.

Factors which indicate a raised risk

Laura Richards -
Domestic Abuse,
Stalking and Honour
Based Violence
(DASH)

- The separation is recent
- There is a pattern of coercive control alleged (note this is now a prosecutable offence)
- The victim is evidently afraid
- The perpetrator was previously abusive in another relationship
- There is abuse in the childhood history
- Mental health concerns
- Substance misuse
- There is a high level of generalised aggression
- Presence of stalking behaviours and 'jealous surveillance'
- Escalating pattern of violence
- Lethal behaviours, strangulation, sexual violence, use of weapons
- Threats to kill. NB All threats must be taken seriously until sufficiently assessed to reduce the potential threat level
- Suicidal ideation
- Separation was not mutual (e.g. perpetrator feels wronged)
- Features of honour based violence (HBV)/radicalisation.

- The [Safe Lives DASH risk identification checklist](#) (RIC) will identify any high risk lethal behaviours - use where domestic abuse has been identified. The actuality of the abuse needs to be measured for present impact and to establish recency of the abuse. Here is the [guidance for use of this tool](#).
- Refer to Multi agency risk assessment conference (MARAC) where appropriate - leave of the court required. If a referral to MARAC is appropriate refer to the [guidance here](#).
- Assess any high risk behaviours with reference to immediate and future risk and with specific regard to the impact on the victim and child.
- You are considering whether there is potential for safe and beneficial child arrangements and whether any intervention may reduce risk sufficiently to enable this to happen. The answer may be no in which case a recommendation for no contact or indirect contact would usually follow, rather than supported or supervised contact
NB This is general guidance only, each case is unique.

Lethality

Coercive behaviour

- 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 their victim. [Coercive control](#) involves repeated, ongoing, intentional tactics which are used to limit the liberty of the victim. Those tactics may or may not necessarily be physical. They can be sexual, economic, psychological, legal, institutional, or all of these. By deploying these tactics the abuser can create a world where the victim is constantly monitored or criticised and every move and action checked. Victims often describe coercive control as not being 'allowed', or having to ask permission, to do everyday things; and being in constant fear of not meeting the abusers expectations or complying with their demands. The term 'walking on eggshells' is often used.

- 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.

Controlling behaviour

Note - be alert to the possible presence of controlling behaviours and always consider the power dynamic within the relationship.

Benchmarking

- The information gathered from the family interviews child/checks/tools, should be benchmarked against the **[Barnardo's Domestic Violence Risk Indicator Matrix](#)**.
- Assess where the identified risks and protective factors appear on the matrix.
- Bring your evidence together and record your professional judgement on the case plan. Keep in mind the **'golden thread'**.
- How does this translate with regard to the potential for safe and beneficial child arrangements? Use the Safe Contact Indicator for reference.
- Guidance using the matrix can be found [here](#).

- Have you captured the lived experience of the child in relation to the domestic abuse?
- **[Wishes and feelings](#)** should be balanced with the emotional welfare of the child over time when considering contact and child arrangements.
- Balance the child's views with impact and protective factors in order to determine future risk and the potential for sustainable child arrangements.

Child's views

Practice note

Note on conflict and domestic abuse - Care should always be taken to ensure you have clearly distinguished between couple conflict and situations where there has been a pattern of coercive control. Assess the potential for these behaviours to continue within and following the proceedings, and how the child may be affected either directly or as a result of diminished parenting capacity. Where there has been a Fact Finding Hearing, the court is required to consider the [Welfare Checklist in the light of any findings](#). Where there has been no fact finding hearing, Cafcass should also consider these issues in our analysis and recommendations.

Note on Typologies

Work regarding typologies for domestic violence perpetrators exists but should be used cautiously in assessment and analysis. Each family context is different and risk should be determined by structured professional judgement. The information gathered through this approach can be used to guide treatment planning and risk management and allows for a 'logical, visible, and systematic link between risk factors and intervention' (Kropp 2008). Categorisation is rarely able to be defined without explanatory evidence based assessment which is both risk and impact focussed. All conflict should therefore be considered on a dynamic continuum using the domestic violence risk identification matrix (DVRIM) to consider all relevant factors to produce an holistic overview of risk. For reference, two examples of the generally accepted typologies are shown below.

1. *Gender and types of intimate partner violence: A response to anti-feminist literature review* *Michael P. Johnson in Aggression and Violent Behavior 16 (2011) 289-296*

Coercive Controlling Violence involves the combination of physical and/or sexual violence with a variety of non-violent control tactics, such as economic, emotional abuse, the use of children, threats and intimidation, invocation of male privilege, constant monitoring, blaming the victim, threats, escalation of violence.

Violent resistance - many victims of intimate terrorism can respond with violence of their own. For some, this is an instinctive reaction to being attacked and often cited as self defence or a reaction of last resort by the woman victim.

Situational couple violence (SCV) - SCV that is not part of a general pattern of coercive control, but occurs when couple conflicts become arguments that turn to aggression - perpetrated by men and women. SCV can occur as a result of life crisis events and vary in intensity and frequency dependent on the relational couple dynamic.

Separation Instigated Violence - specific to the separation situation.

2. *A Typology of Men who are Violent towards their Female Partners. Making sense of the Heterogeneity in Husband Violence - Amy Holtzworth Munro Psychology Bulletin Indiana University Vol 9 Number 4 August 2000 Published by Blackwell Publishers*

Description	Generally Violent	Borderline Dysphoric	Family Only
	Moderate to severe marital violence including psychological and sexual abuse. More extra-familial aggression and criminal activity. Substance abuse. Possibly antisocial personality disorder or psychopathy.	Moderate to severe partner abuse, including psychological and sexual abuse. Generally confined to the family though some extra-familial and criminal behaviour may be present.	Least likely to be violent outside the home and to have little psychopathology or personality disorder or passive dependent personality disorder.
Severity of Violence	Moderate to high	Moderate to high	Low
Psychological /sexual abuse	Moderate to high	Moderate to high	Low
Extra familial violence	High	Low to moderate	Low
Criminal Behaviour	High	Low to moderate	Low
Personality Disorder	Anti social or psychopathy	Borderline or schizoid	None or passive dependent
Alcohol Drug abuse	High	Moderate	Low to moderate
Depression	Low	High	Low to moderate
Anger	Moderate	High	Moderate

Here are additional contemporary references you may wish to explore further regarding these typologies. The articles demonstrate how the research has been reviewed and continues to inform the development of domestic abuse interventions

Johnson, M. (2008). A typology of domestic violence: intimate terrorism, violent resistance, and situational couple violence. Boston: MA: Northeastern University Press.

Carlson, R., & Dayle Jones, K. (2010). Continuum of conflict and control: a conceptualization of intimate partner violence typologies. The Family Journal, 18(3), 248-254.

Bender, K., & Roberts, A.R. (2011). Battered women versus male batterer typologies: same or different based on evidence-based studies? Aggression and Violent Behavior 12(5), 519-530.

Wray, A., Hoyt, T., Gerstle, M., & Leitman, B. (2015). Examining intimate partner violence types in a diverse sample of court-referred parenting dyads. Journal of Child Custody, 12(3-4), 248-272.

Structure your analysis

- Summarise the nature, duration and frequency of the domestic abuse.
- Refer to the tools you have used and describe what they have told you in relation to the domestic abuse.
- If lethal behaviours have been identified, be clear as to how you have assessed these in the context of ongoing risk.
- What is the specific risk to the partner and child/ren?
- Balance risk against the protective and resilience factors.
- What is the residual risk in the context of the application and arrangements for the child?
- What are the reasons for your recommendation?

- What has been happening? - **History**
- What is happening now? - **Current**
- What might happen? - **Future**
- How likely is it to be repeated? - **Risk**
- How serious would it be? - **Impact on the child**

Consider

Practice note

Have you incorporated the evidence base of child impact, or impact on more than one child, into your structured professional judgment and recommendation?

Does your recommendation meet the test of supporting the child with their emotional development and any mental health needs, e.g. recovery from trauma, abuse or neglect?

Before filing

- Ensure the **golden thread** is visible from the beginning to the end of the assessment.
- Check that all the earlier and subsequently identified risk factors are included in your analysis.

Go back to the beginning of the case file and check.

- Is a Child Arrangements Order a potential recommendation? Check you have referred to the [safe contact indicator](#).
- Is an intervention required in order to achieve safe and beneficial contact?
- In cases where child arrangements may be safely managed without an intervention, can you offer a structured, stepped recommendation for a final order?

Arrangements for the child

Note - currently we only offer commissioned programmes for male perpetrators of domestic abuse so the following information is weighted in this regard.

Is a Domestic Violence Perpetrator Programme (DVPP) required as a court ordered activity (COA)?

- If a [DVPP](#) is a possible recommendation, check your report is clear as to why the intervention may be appropriate.
- Have you assessed using the [Sturge and Glaser criteria](#) that the perpetrator has some insight and understanding regarding his behaviour?
- What specific changes are needed to reduce risk and how might the intervention address this?
- How might the child benefit by the father undertaking the programme?
- What outcomes are you considering?
- Are there additional risks ie substance misuse, mental health which might need addressing before a DVPP programme could be effective?

- The court must specify that the DVPP should be a [COA](#).
- Cafcass should be directed to make the referral to an approved provider for a suitability assessment ([Practice Direction 12](#) and [Cafcass Guidance](#)).

COA

Case management

- The case must remain open whilst the father is on the DVPP as we manage the risk to the child.
- Consider where safe to do so whether any arrangements for the child may be changed if progress is being made. Child Contact Intervention (CCI) may be appropriate after the midway point.
- All provider reports to be filed in the experts and other agencies ECMS folder.
- Provider reports are for Cafcass to interpret for the court in relation to whether risk has been reduced for the child.
- Send feedback to the provider once the father has exited the programme. The form is on the intranet.
- Ongoing social work during the programme will be determined by the level of risk to the child and should be clearly identified on the case plan.

Please see a list of domestic abuse national helplines [here](#).