

**COMPARATIVE ANALYSIS OF THE  
PRACTICES ON RISK ASSESSMENT  
AND RISK MANAGEMENT OF  
INTIMATE PARTNER VIOLENCE  
AGAINST WOMEN, ACROSS MEMBER  
STATES**



# SIMILARITIES, DIFFERENCES, GAPS & CHALLENGES: Criteria



1. Gender: to what extent do the policy and practice of risk assessment reflect a gender-competent approach to intimate partner violence against women
2. Intersectionality: how do policy and practice of risk assessment and risk management reflect the multiple, intersecting identities of victims and perpetrators.
3. Standardised approaches: how are practices implemented (and monitored) in consistent ways across sectors and eu member states.
4. Coordination: to what extent do risk assessment and risk management practices reflect cooperation and coordination by “all relevant stakeholders,” including police.

# POLICY AND LEGAL FRAMEWORKS



- Member states with the most formal frameworks for risk assessment and risk management of intimate partner violence (ES, SE, UK), are those with more comprehensive legislation on intimate partner violence and/or violence against women.
- Only a few member states have risk assessment/risk management embedded in the national legislation (EL, ES, CY, LU, NL, PT, RO, SK.), with the majority including risk assessment within policy documents such as national action plans and strategies (BE, DK, EE, IE, HR, IT, MT, FI, SE, UK).

# GENDER AND SPECIFIC LAWS



- Evidence demonstrates the influence of patriarchal attitudes and systems on tolerance of intimate partner violence against women (and other forms of gender-based violence), and thus *gender competence* is a critical element of both policy and practice.
- Many member states reference gender in their policy documents such as strategies or national action plans: 8 member states (BG, ES, FR, MT, PT, SK, SE, UK), frame gender clearly in policy and practice around risk assessment; in 2 countries, Spain and Sweden, the *laws* defining intimate partner violence gender-specific.

# SPECIFIC LEGISLATION ON IPV



*Specific legislation* that defines intimate partner violence against women enables more effective risk assessment and risk management (Weldon 2002):

“Regardless of national context, attempts to address violence against women under the rubric of more general laws against violence or assault have generally been unsuccessful.” Weldon, S.L. (2002), *Protest, policy and the problem of violence against women*, Pittsburgh, University of Pittsburgh Press, p 14.

Spain, Sweden, and Scotland have specific legislation as of Feb 2018.





# **INTERSECTIONALITY IN POLICY AND LAWS**

No member state's policy and/or legal framework reflects intersectional approaches to risk assessment and risk management.

# COORDINATION AT NATIONAL LEVEL



- 13 countries have taken have embedded multi-agency structures at national level (DK, EE, ES, CY, LU, NL, PL, PT, RO, SI, FI, SE, UK).
- 6 countries demonstrate less consistency across national frameworks and have fragmented multi-agency arrangements (BE, DE, HR, IT, MT, AT).
- 9 countries have no coordination via multi-agency arrangements in place (BG, CZ, IE, EL, FR, LV, LT, HU, SK).

# PRACTICE



- All member states are conducting or planning to conduct risk assessment for intimate partner violence against women. Police are consistently involved, often as lead actors. In 5 countries (BG, DE, FR, HU, NL) police are not involved in risk assessment.
- The police widely use both actuarial (ODARA) as well as structured (SARA, B-SAFER) approaches to risk assessment.
- Most countries do not use a standardised tool for assessment, using an unstructured clinical approach. Various adaptations of validated risk assessment tools are used by various governmental and non-governmental actors, mainly the SARA (DK, IE, IT, AT, PT, SK, ES.), the B-SAFER (IT, SE), as well as the ODARA (DE, SK) and the DA (DE, IT, AT, PT).





# SYSTEMATIC IMPLEMENTATION

Few member states have taken a systems approach to implementation of risk assessment; only half (EE, IE, ES, CY, MT, PL, PT, SI, SK, FI, SE) have regulated and standardised risk assessment procedures at national level. In France, for example, risk assessment of intimate partner violence against women is only the result of local initiatives, and a number of member states have implemented risk assessment on a pilot basis in specific regions (BE, DE, EE, IE).



# OUTCOMES AND MULTIAGENCY WORKING

- Data regarding the practice and efficacy of risk management strategies linked with risk assessment in the member states is a common—and significant—gap. Pro-active interventions are for the most part limited to protection orders linked to risk assessment (BE, BG, CZ, DE, EE, IE, ES, HR, CY, LT, LU, MT, AT, PL, PT, SK, SI, AND PARTS OF THE UK), and in many countries those require victim initiation, especially in civil settings.
- Formal mechanisms for multi-agency coordination were evident in a number of countries, and national experts reported plans for establishing them in a number of others. Few reports indicated evaluation or outcomes monitoring (finland was an exception).



# CHALLENGES 1

- Risk management is under-researched, under-evaluated, and hard to link with risk assessment outcomes.
- Overreliance on tools with weak predictive ability
- Poor reflection of coercive control
- Gender-blind processes: **gendered elements of intimate partner violence against women that are particularly important to predicting lethality, such as coercive and controlling behaviours in psychological violence, are missing or minimised in assessments.**



# CHALLENGES 2

- Intersectionality: generic risk assessment and risk management
- Children are invisible other than as collateral victims and are rarely treated as victims rather than witnesses, with risk assessment and management individualised to their needs

# CHILDREN



<b>Children's experiences of domestic violence in the legal and policy framework on IPV</b>	<b>No. Countries</b>	<b>Detail of countries</b>
Status as victim dependent on witness role in Intimate partner violence cases	20	Belgium, Bulgaria, Czech Republic, Denmark, Germany, Estonia, Greece, Croatia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Romania, Slovenia, Finland, Sweden, UK (England & Wales, Northern Ireland)
Victims of DV in IPV cases based on relationship to primary victim (parent, usually mother)	8	Ireland, Spain, France, Latvia, the Netherland, Finland, Sweden, UK (Scotland)
Other (aggravating circumstance)	2	Italy, Portugal
Child position in Intimate partner violence situation not defined	2	Luxembourg, Slovakia