

Domestic Violence Risk Assessment



HARRINGTON FAMILY
LAWYERS

[“Courage is resistance to fear, mastery of fear - not absence of fear” Mark Twain](#)

I. Risk Assessment

A Cautionary Note:

Traditionally, this has involved the analysis of specific threats, or of the perpetrator's capacity for serious or lethal acts of violence.

There are a number of currently available risk/danger assessment instruments, including some sophisticated computerised models.

What these tools do is help us *think through* the dynamic elements of a particular case, and compare it to known cases that resulted in serious injury or death.

In a sense, they serve an important "coaching" function, in that they remind us to do a thorough investigation and analysis of the significant elements of a case.

What they cannot do is predict the behaviour of any given individual. **The single best predictor of future violent behaviour continues to be past violence, and we cannot, in any absolute sense, predict lethality or serious injury.** The best we can do is evaluate **comparative risk**, and attempt to safeguard against identified dangers.

The other thing they cannot do is help us really enter into the world of **battered victim's problem solving**. Avoiding serious injury or death is certainly the most dramatic aspect of a domestic violence intervention strategy. But once we understand domestic violence as a problem of **coercive control** rather than simply as problem of assault behaviour, we are forced to broaden our concept of **risk**

assessment. Like battered victims, we then need to conduct a thorough analysis of the **complex package** of physical, legal, economic, familial, social, and emotional risks faced by the victim, **and by those *she/he* feels bound to protect.**

This set of concerns extends well beyond traditional definitions of "safety".

While you want the abuse to end, you may not want to see your partner harmed, publicly shamed, or damaged financially.

You may want to protect your privacy and sense of competence.

You may be weighing the effects that taking the children out of their regular school in order to seek shelter will have.

You may fear that your partner will try to get residence of the children if you seek help about the domestic violence.

You may be concerned that multiple court appearances will lead to the loss of your job.

If you leave an abusive partner, you may fear being "cast out" by your family or religious community.

Understanding "safety" as something more than protection from assault, we need to get beyond "danger", look at a broader range of risks, evaluate their seriousness, and weigh the real consequences of any possible courses of action we might propose to you.

In identifying pressing concerns and evaluating risks, it is critical to get a sense of how the relationship developed and at the range of coercive tactics employed by the abuser. The question isn't simply "what kind of danger are you and your children in?" We have to ask at the same time, "How constricted has your life become?" and "What might be done to reduce both the danger and the narrowing of free choice and action?"

When evaluating available options—the key questions are:

“If **you** do **X** (or do **not** do **X**) which risks go up, which go down, and which new risks arise?” and,

“What are the implications—for you, your children, other witnesses, the offender, the community, and us if **we** do (or don’t do) **X**?”

2. Elements of Risk Assessment

I. Assessing Threats

For too long, there has been a very high “discount rate” when it comes to evaluating threats made by one partner against another. The tendency is to dismiss these as things being said “in the heat of the moment”, or to see threats as an abuser’s way of “letting off steam.” Inevitably, in the aftermath of a death or serious assault, the “wisdom of hindsight” kicks in, and people tell reporters: “we saw it coming.”

In evaluating threats, consider the following:

- Do you believe the threat?
- Was it made in the presence of other people? In writing? In a recorded telephone conversation?

Willingness to “leave evidence” or “not caring who knows” may indicate a more serious intention to follow through.

- Is it detailed and specific?

The more thought that’s gone into the plan (evidenced by the amount and specificity of the detail); the more likely it is to be acted on: “I’m going to kill you” is cause for concern; “Tonight, I’m going to feed you feet first through that wood chipper” is cause for greater alarm.

- Is the threatened act consistent with his/her past behaviour?
- Does the abuser have the means to carry it out?

Consider the parallel to assessing potential suicides: There’s having the thought, then there’s having a plan, then there’s being able to follow through. Where the “means” are at hand, there is more risk.

- Have there been “rehearsals” of the act that is being threatened?

These can be verbal “picture painting” (“let me tell you what I’m going to do...”) or partial re-enactments (showing someone the weapon you intend to use or

the place where you're going to kill or bury them).

- Does the threat extend to others (children, family members, police, new lover)?

Fear of harm to others may restrict your willingness to resist and/or to follow through with police, Department of Child Safety and the courts. Parental interference and parental kidnapping are too common in domestic violence cases. In addition, a substantial percentage (in one study, more than a third) of domestic homicides are multiple-victim killings, murder-suicides, or murder-suicide attempts.

- Does the threat involve murder, suicide or both?

2. General Considerations

Here, we need to consider not just “yes or no” but to what degree these factors are present.

A. *History of Violence/Use of Force*

- Was the suspect abusive to former partners or family members?
- Has the physical violence increased in frequency or intensity over the past year?
- Has the suspect recently become violent toward the children?

Violence tends to escalate against a victim at the same time that it begins to be directed to the children.

Children are likely to be injured when attempting to intervene in domestic incidents. Young boys convicted of homicide are more likely to have killed a suspect abusing their parent than to have killed anyone else.

- Has the violence involved choking or attempted strangulation?

These acts seriously escalate the potential for serious injury or death, but are often described by offenders as attempts to “restrain” an “out of control” victim. Whenever there is an indication that choking or “restraint” is a tactic of abuse, it's critical to do a thorough assessment.

- Did the suspect use an object, such as a belt or other article of clothing, a telephone cord, an electric cord, a lead or a plastic bag?

- Did you initially “see stars”, black out momentarily, or lose consciousness for a protracted period, or lose bladder or bowel control? Or subsequently, have any degree of neck swelling? Have bruises, burns or red marks or spots on the neck? Have reddening of the “whites” of the eyes? Vomit or cough up blood? Experience difficulty breathing or swallowing? Has speech become “raspy” or lost voice? Experience headaches and/or neck pain?
- Has the batterer been violent while you were pregnant?
- Does the batterer have a history of sexual assault behaviour?
- Has the batterer ever abused pets or other animals? During this relationship, or as a child?
- Has the batterer destroyed property particularly their partner’s personal property?

Intentional and terrorist destruction of property is often an “it could as well be you, and next time might be” message.

- Does the batterer have a special interest in/fascination with movies, television shows, video games or books that focus on themes of violence, power and revenge; “true crime” stories or homicide or stalking?

B. Weapons

- Are there weapons in the household? Does the batterer keep weapons in more than one place? Where are they kept? Does the batterer have access to weapons owned by others? Is the batterer trained in their use?
- Does the batterer have illegal or exotic weapons?
- Is having and being willing to use weapons part of their self-image?

This is particularly crucial in relationships that involve people in police, corrections, the military, and the criminal justice system.

- Has the batterer’s past violence involved the display, use or threatened use of firearms or other weapons?
- Does the victim possess weapons? What kind? Is the victim trained in their use?

C. Centrality

In one form, this emerges when one partner feels anxious and unsafe

without the compliant presence of the other.

In another, more extreme and dangerous form, one partner feels/ believes they are “incomplete” without the other. Psychologists and other mental health professionals will use terms like “enmeshment” to describe this.

In assessing for centrality, we need to look at both the material and the emotional “overlaps” between people’s lives.

- Do you live together or share possessions? Do you have children in common? Are there legal ties between you?
- Are you financially dependent on the abuser?
- Is the abuser possessive? Does he/she express beliefs of “ownership” or sexual entitlement to you? Is the abuser violently or constantly jealous of you? Does the abuser make unfounded accusations of infidelity?
- How much does the abuser’s sense of self depend on the relationship?

For instance, has the abuser ever said, “I’d be lost without you” or (being ordered into counselling or drug/alcohol treatment,) “I can’t do this without you” or “If you leave me, I have nothing to live for”?

- Is the abuser socially dependent on the relationship?
- As the relationship has progressed, has he/she become less connected to friends and family?

D. Stalking

- Does the offender engage in “checking up” behaviours? Listen in on conversations, read mail, require an accounting for whereabouts and activities?
- Does the offender enlist others in monitoring your behaviour?

Not only **the offender’s** friends, family, co-workers and cell mates, but also **your** friends, family, and co-workers.

- Has the offender contacted—or threatened—your friends, relatives or co-workers?
- Has the offender followed, “staked out” or otherwise stalked you?
- Has the offender made unwanted attempts to communicate by mail

or telephone, or through third parties.

These communications don't have to be threats. They can be "oh baby, I was so wrong I don't know what came over me; can you ever forgive me; let's work it out together" messages, flowers, gifts, etc.

E. Control

- Does the abuser control most of the financial resources?
- Does the abuser control or attempt to control most or all of your daily activities?
- Does the abuser give you lists of things you **must** and **cannot** do?
- Does the abuser ask you to repeat conversations you had with others? Are you required to account for your movements? Does the abuser check the odometer? Do you have to account for every penny you spend?
- Has the abuser attempted to isolate you, by moving or by driving people away?
- Does the abuser believe he/she is **entitled** to control in the relationship?
- Does the abuser equate compliance with loyalty?
- Is the abuser able to accept disagreement or behaviour that is different from what he/she would like to see, or does he/she interpret those things as a form of personal attack?

F. Other Concerns

- Does the abuser drink? Use drugs? How often?
- Has there been a recent escalation in the abuser's pattern of drinking or drug use?
- Does the abuser's childhood history include domestic violence? Physical child abuse? Sexual abuse?
- Is this near an "anniversary date" of a traumatic incident from the abuser's past?
- Have holidays always been flashpoints?
- Does the abuser basically see themselves as somebody "things happen to", as being put-upon, or as the victim of other people's actions?

- How does the abuser describe “things that went wrong” (failed relationships, lost jobs) in the past?
- How able is the abuser to understand other people’s motives and feelings?
- Also: how much does the abuser tend to project his/her own feelings, fears, or motives onto others?
- Is the abuser able to accept responsibility for his/her actions?
- How does the abuser respond to change, particularly when it wasn’t his/her idea?
- Did the relationship begin in a “whirlwind”, with quick sexual involvement, living together soon after meeting, marriage within six months of meeting?

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With thanks to Nashville, Tennessee Police Department, for the supply of information in this brochure.

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