**MULTI AGENCY RISK ASSESSMENT CO-ORDINATION**

**The primary focus of the MARAC is to safeguard the victim of Domestic Abuse (see ‘Domestic Abuse Definition’ on pages 6 and 7) and associated dependants and vulnerable persons. This is achieved through sharing information ensuring all agencies have a shared understanding of the risks in the particular case. Agencies can then contribute towards devising a risk management plan. Agencies will then complete actions assigned to ensure appropriate support is given. The MARAC therefore makes links with other agencies to safeguard children and manage the behaviour of the perpetrator**

**A MARAC therefore permits agencies to make defensible decisions based on the evidence presented and discussed**

**Please ensure you read the full guidance at the end of this form**

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| **PLEASE ENSURE*** **All questions are completed because failure to do so is likely to delay the referral being reviewed within the MARAC process**
* **The referral form has been typed on Microsoft Word and emailed to the MARAC desk at** **marac@norfolk.police.uk**
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| **I confirm the above (Please sign and date)** | **Signature** | **Date** |
| **Your name, Date of Birth, position and agency****(We ask for a DOB as our systems have to have a referrer DOB for data accuracy)** |  |
| **Your contact telephone no(s)**  |  |
| **Your E-mail address**  |  |
| **Generic Management E-mail address** |  |
| **This box is to be completed by your Line Manager** **Name and position****Please ensure the MARAC referral has been completed to a satisfactory standard it is the responsibility of the referring agency to be satisfied that the threshold for MARAC is reached i.e. that the victim of domestic abuse is at high risk of serious harm or homicide as per SafeLives Severity Of Abuse Grid (Appendix B)****Once satisfied please send this referral form from your own personal email account *(this will replace the need for a wet signature)*** |  |

**You are reminded that if you make a MARAC referral it is your responsibility to co-ordinate any required actions for your agency and appropriately share any information. If a conference is necessary, it will be your responsibility to attend in person or dial into the conference to present the case. This is so you can present the risk to partner agencies, share information and take part in active planning to reduce risk**

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| **High Risk:****Actuarial - 14 Relevant and Recent Ticks, or more (High Risk)** **N.B. adding context in the DASH Risk Assessment Checklist is vital to correctly identify the risk/s posed** **Escalation - (used where the escalation is of a nature where the risk is deemed to be High)** **N.B. [except in cases of suspected Controlling and Coercive Behaviour] 3 callouts for verbal arguments within a year would not necessarily mean the risk is High - again context is vital to correctly identify the risk/s posed** **Professional Judgement - (this is where you deem the risk to be High)** **N.B you are not using your Professional Judgement to ask for the case to be heard at MARAC, it is only your Professional Judgement to declare the case High Risk**  |

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| **Please explain why the victim is at High Risk of Serious Harm or Homicide denoting this case be listed on a MARAC Case Listing** |
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| **MARAC Referral Consent (to be completed when speaking to victim)** |
| **The victim has given consent to the MARAC referral** |  |
| **Reminder - Consent – Please read this statement to the victim*****We ask you for information about yourself so that we can make sure that we can put a safety plan in place that will provide the most appropriate services, protection or support that you may need*** ***To make sure it is the most appropriate and effective service for you, it may mean that we will be sharing this information or obtaining information about you, from other agencies such as your GP, Health worker and Housing* (Tick when completed)** |
| **The victim has NOT given consent to the MARAC referral** |  |
| **Under which ground(s) are you making this non-consensual MARAC referral** |  |
| **Is the victim aware of the non-consensual MARAC referral****Please state your rationale if the victim is not aware and has not provided consent** |  |
| **MARAC repeat? Yes / No / Unknown****If Yes, please provide the date listed / case number (if known)**  |  |
| **Has the victim previously been referred to a MARAC in a different force area Yes / No / Unknown** **(if Yes please state where and when)**  |  |
| **It is Norfolk MARAC’s policy to automatically refer into the NIDAS service in order for the victim to access support. However, where it is deemed unsafe or the victim expressly indicates they do not want their details passed on - please indicate this to the right by a 🗸** | **Please tick ONLY if it is NOT safe to contact** |
| **Please indicate if there are any risks which you feel professionals may face by working with the victim** |  |
| **In order to lawfully process special category data you must identify a lawful basis under Article 6 (\*1) - Record this here (Assistance given on page 09/10 of this referral)** |  |
| **In order to lawfully process special category data you must satisfy a specific condition under Article 9 (\*1) - Record this here (Assistance given on page 09/10 of this referral)** |  |

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| **Victim Name** |  | **Date of Birth**  |  |
| **PLEASE GIVE DETAILS BELOW ABOUT THE DOMESTIC ABUSE EXPERIENCED BY THE VICTIM****This part of the form must include the current incident/crime or any Domestic Abuse that the (victim) is experiencing that has prompted the referral – purely historical events would not normally justify a referral. There must be current Domestic Abuse occurring –Guidance suggests a current incident as having occurred within three months prior to the referral. If this is not the case then it is envisaged that the high risk has significantly reduced. Any referral with no incident within three months prior to the referral will be looked at purely on an individual basis (i.e. impending release from Prison etc.)**  |
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| **Please state the risks you have identified which the MARAC needs to address** **(do not confuse risks with needs)** |
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| **VICTIM DETAILS** |
| **Gender:** **Male / Female / Non-binary**  |  |
| **LGBTQ**+ **Yes / No / Unknown****(If Yes please detail)** |  |
| **Does the person’s gender match that assigned at birth?****Yes / No / Unknown** |  |
| **Victim contact****telephone No.(s)** **(state if it is or is not safe to call)** | **Best times to call** |
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| **Victim address including postcode** |  |
| **Are there other safe avenues of contact****(i.e. other professionals involved)** |  |
| **Accommodation type:****Council / Private** **Sole / Joint Tenancy** |  |
| **Is it safe to post here****Yes / No / Unknown** **(If No is there a safe alternative postal address)** |  |
| **Nationality****First Language** |  | **Ethnicity?(\*2)** **(Including Traveller Community)**  |  |
| **Is victim a refugee or asylum seeker** **(If Yes please detail)** |  | **Does victim have recourse to public funds? Yes / No** |  |
| **Does the victim have a disability? Yes / No** **(If Yes please detail)** |  |
| **GP name, name of Practice and Address** **(Details of any other Health contacts)** |  |
| **Status of Relationship: Married / Partner / Relative** |  |
| **DEPENDANTS** |
| **Is the victim Pregnant?** **Yes / No / Unknown** |  | **(If Yes please give due date)** |  |
| **Details of children or other dependents including vulnerable adults who may visit** | **DOB**  | **Gender M / F** | **Relationship to Victim**  | **Relationship to Perpetrator**  | **School / College / Nursery /** **Pre-school /****Childminder details** |
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| **Please state where and with whom the children reside if not with the victim and under what legal status (if known)** |  |
| **Are there any child safeguarding issues or risks associated with children living in the household? If Yes please give details below and the names of any professionals involved** **If you are unsure the level of concern warrants a MARAC referral please liaise with a duty worker from CADS (Children’s Advice and Duty Service) on 0344 800 8021 which is staffed from 0900 to 1700 hours.** **If, following deliberation, you decide to submit a MARAC referral, it must encompass all the children living in the household or known to have contact with the perpetrator**  |

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| **PERPETRATOR** |
| **Perpetrator(s) Name** |  | **Alias names** |  |
| **Perpetrator(s) Date of Birth**  |  | **Age** |  | **Gender:** **Male / Female / Non-binary** |  |
| **Perpetrator(s) address including Postcode** |  |
| **Accommodation type:****Council / Private** **Sole / Joint Tenancy** |  |
| **GP name, name of Practice and Address** **(Details of any other Health contacts)** |  |
| **Nationality****First Language**  |  |
| **Does the perpetrator have a disability? Yes / No** **(If Yes please detail)**  |  |

**Domestic Abuse Definition**

**1Definition of “domestic abuse”**

(1)This section defines “domestic abuse” for the purposes of this Act.

(2)Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—

(a)A and B are each aged 16 or over and are personally connected to each other, and

(b)the behaviour is abusive.

(3)Behaviour is “abusive” if it consists of any of the following—

(a)physical or sexual abuse;

(b)violent or threatening behaviour;

(c)controlling or coercive behaviour;

(d)economic abuse (see subsection (4));

(e)psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4)“Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—

(a)acquire, use or maintain money or other property, or

(b)obtain goods or services.

(5)For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(6)References in this Act to being abusive towards another person are to be read in accordance with this section.

(7)For the meaning of “personally connected”, see section 2.

### 2Definition of “personally connected”

(1)For the purposes of this Act, two people are “personally connected” to each other if any of the following applies—

(a)they are, or have been, married to each other;

(b)they are, or have been, civil partners of each other;

(c)they have agreed to marry one another (whether or not the agreement has been terminated);

(d)they have entered into a civil partnership agreement (whether or not the agreement has been terminated);

(e)they are, or have been, in an intimate personal relationship with each other;

(f)they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));

(g)they are relatives.

(2)For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if—

(a)the person is a parent of the child, or

(b)the person has parental responsibility for the child.

(3)In this section—

* “child” means a person under the age of 18 years;
* “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
* “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
* “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

### 3Children as victims of domestic abuse

(1)This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.

(2)Any reference in this Act to a victim of domestic abuse includes a reference to a child who—

(a)sees or hears, or experiences the effects of, the abuse, and

(b)is related to A or B.

(3)A child is related to a person for the purposes of subsection (2) if—

(a)the person is a parent of, or has parental responsibility for, the child, or

(b)the child and the person are relatives.

(4)In this section—

* “child” means a person under the age of 18 years;
* “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
* “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

*This definition includes Honour-Based Abuse (HBA), Forced Marriage (FM) and Female Genital*

*Mutilation (FGM)*

The Home Office describes [controlling behaviour](https://www.gov.uk/domestic-violence-and-abuse) as:

*‘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’*

The Home Office definition of [coercive behaviour](https://www.gov.uk/domestic-violence-and-abuse) 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’*

**MARAC Criteria**

MARAC should discuss the highest risk victims of domestic abuse in Norfolk

The criteria for a MARAC to be listed is **‘victim is at high risk of serious harm or homicide’**

a).           In order to determine if a case is high risk the three criteria below are used:

* + **Actuarial Assessment:** (number of ticks – 14 Relevant and Recent Ticks, or more, is high risk).  This involves the number of risk factors to compute the probability of harm occurring

The DASH is the evidence-based tool/mechanism by which professionals identify this risk.  One cannot identify that a victim is at high risk of serious harm or homicide without undertaking this risk assessment

* + **Professional Judgment:** The professional assessment of dangerousness is based on an individual practitioner’s professional expertise, knowledge and experience of a situation

N.B. Professional Judgement is only to be used to increase a Medium Risk to a High Risk.  IT IS NOT YOUR PROFESSIONAL JUDGEMENT TO ASK FOR THE CASE TO BE HEARD AT MARAC.  It can only be used to increase the risk to High Risk which automatically satisfies the requirement for the case to be heard at MARAC

* + **Escalation:** There is a very real need to identify repeat victimisation and escalation.  Victims are more likely to become repeat victims than any other type of crime – as violence is repeated it is also likely to become more serious (SafeLives recommendation is 3 call outs within a year)

However it is your Professional Judgement as to whether the escalation of the number of incidents actually increases the risk level to High Risk

b). In order to determine if there is a risk of Serious Harm the attached Severity Of Abuse Grid (SOAG) is used (Appendix B)

As Professional Judgement is subjective rather than objective to help determine serious harm the SOAG provides examples of types of Standard, Moderate and High abuse within the categories of (1) Physical (2) Sexual (3) Stalking and Harassment (4) Jealous and Controlling Behaviour/Emotional Abuse

c).         N.B. GDPR/DPA allow for information sharing in circumstances where a victim is at high risk of serious harm or homicide

**If there is not a risk of serious harm or homicide then the case should not be referred through to MARAC** (we do not refer Domestic Abuse cases to be listed at MARAC on potential otherwise we would have to refer everything). We cannot clog up and water down the effectiveness of the MARAC process and in inappropriate cases no actions can be set by all the agencies involved and consequently there is no risk management plan in operation

For cases that cannot be referred through to MARAC there are other support services locally for victims of Domestic Abuse and these can be found using the Directory of Services

For Standard and Medium Risk cases that do not fit MARAC criteria but nonetheless require police notification you are to call 101 (or report online at www.norfolk.police.uk) to report the matter directly to CCR (Contact Control Room). In an emergency always dial 999

**MARAC Submission**

Any MARAC referral submitted must be accompanied with a completed DASH Risk Assessment Checklist

For advice and assistance you can contact your MARAC Administrator at:

marac@norfolk.police.uk

**Lawful Basis for Sharing Information(\*1)**

**About this form**

This MARAC referral form, when completed, will contain personal information (data) including special category (more sensitive) data. You are required to comply with General Data Protection Regulations (GDPR) in the processing (including storage & retention) of this data. Please refer to your internal Data Protection Policy; local MARAC Operating & Information Sharing Protocols; the GDPR and the Data Protection Act 2018

**Compliancy**

It is the responsibility of the referring agency to comply with GDPR and the seven key principles. Compliance with the spirit of these key principles is a fundamental building block for good data protection practice. It is also key to your compliance with the detailed provisions of the GPDR. Failure to comply with the principles may leave you open to substantial fines

**Purpose**

The purpose of a MARAC referral form is to provide the relevant information required to enable the Police to safeguard, the NIDAS IDVA service to support and the MARAC administrative team to process the personal data and information necessary to populate an accurate agenda to be sent to the relevant agencies listed within the MARAC Operating Protocol (MOP), and to maintain accurate records as agreed within the MOP

**Special category data**

This is more sensitive information about an individual’s:

* Race
* Ethnic origin
* Politics
* Religion
* Trade union membership
* Genetics
* Biometrics (where used for ID purposes)
* Health
* Sex life
* Sexual orientation

This information therefore needs more protection. In order to lawfully process special category data you must identify both a lawful basis under Article 6 and satisfy a specific condition under Article 9. These do not have to be linked

Therefore, your choice of lawful basis under Article 6 does not dictate which special category condition you must apply, and vice versa. For example, if you use consent as your lawful basis, you are not restricted to using explicit consent for special category processing under Article 9. You should choose whichever special category condition is the most appropriate in the circumstances – although in many cases there may well be an obvious link between the two. For example, if your lawful basis is vital interests, it is highly likely that the Article 9 condition for vital interests will also be appropriate

**Article 6**

For a lawful basis under Article 6 at least one of the following must apply:

1. **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose
2. **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract
3. **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations)
4. **Vital interests:** the processing is necessary to protect someone’s life
5. **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law
6. **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests (this cannot apply if you are a public authority processing data to perform your official tasks)

**Article 9**

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation shall be prohibited
2. Paragraph 1 shall not apply if one of the following specific conditions under Article 9 applies:
3. The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject
4. Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject
5. Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent
6. Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects
7. Processing relates to personal data which are manifestly made public by the data subject
8. Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
9. Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject
10. Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3
11. Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy
12. Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89 (1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject
13. Personal data referred to in paragraph 1 may be processed for the purposes referred to in point (h) of paragraph 2 when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies

**Ethnicity(\*2)**

**White**

White-British

White-Irish

Any other White background

**Mixed**

White and Black Caribbean

White and Black African

White and Asian

Any other Mixed Background

**Asian/Asian-British**

Asian-Indian

Asian-Pakistani

Asian-Bangladeshi

Any other Asian background

**Black/Black-British**

Black-Caribbean

Black African

Any other Black background

**Other**

Chinese

Any other

Not Stated