

# Marac Guidance – Scotland

## Coercive Control

The National Marac Scrutiny Panel, chaired by the Home Office, gathers together experts from the full range of Marac agencies to reflect on anonymised Marac cases and support the development of a stronger multi-agency response. SafeLives would like to thank those who attended the Panel for their advice in developing this guidance.

This guidance offers practical tips and advice for Marac professionals on working with cases involving coercive control. There is a role for all agencies to identify coercive control. Compared to victims of stalking<sup>1</sup> and harassment or physical abuse, those experiencing coercive control are less likely to report it to the police, instead preferring to speak to family/friends, health professionals or work colleagues.

Some 89% of domestic abuse victims referred to an Idaa/Idva service experience jealous and controlling behaviour and/or stalking and harassment, data from SafeLives' Insights service shows. For this reason, coercive behaviours within an abusive relationship are identified by the SafeLives Dash risk checklist<sup>2</sup>.

### The Domestic Abuse Act

The Domestic Abuse Act passed by Scottish Parliament in February 2018 created a specific offence of domestic abuse which covers not only physical abuse but other forms of psychological harm and coercive and controlling behaviour. The legislation draws on the lived experience of survivors of domestic abuse and recognises that coercive control is just as damaging as physical attacks (if not more so) and can destroy a victim's autonomy. Importantly, the legislation includes a statutory aggravation which recognises the impact domestic abuse has on children.

It is important for professionals to consider how they will discover coercive and controlling behaviour. Simply asking "what has happened or what has he/she done?" may not allow the victim to identify events where they were made to do something because they "feared the consequences" of not doing so, such as enforced prostitution or walking around the home backwards; eating from a dog's bowl; or punishing a child on behalf of the perpetrator (these are all real narratives from victims). It is important to ask lifestyle questions such as "What is life like for you?", "Tell me what's the first thing you think about when you wake up in the morning?" and "Tell me about what you do in this relationship that you would not normally choose to do, but are too scared not to?"

It is important to note that victims of coercive control often demonstrate what is known as a "generalised sense of fear". This means they fear consequences of all their actions and therefore making every day decision-making challenging. They may demonstrate a fear of many things as they lose confidence in not just their decision making but also other people and events around them. They may be unable to understand why others don't feel the same or seem confused by decisions such as which cereal to buy in the supermarket or what to wear that day, thus making everyday tasks challenging and time-consuming.

<sup>1</sup> [www.protectionagainststalking.org](http://www.protectionagainststalking.org)

<sup>2</sup> <http://www.safelives.org.uk/sites/default/files/resources/Dash%20without%20guidance.pdf>



### What is coercive control?

Coercive control describes a range or pattern of behaviours that enable a perpetrator to maintain or regain control of a partner, ex-partner or family member.

### Examples of coercive control might include:

- Controlling or observing victim's daily activities, including: being made to account for their time; restricting access to money; restricting their movements (including being locked in the property).
- Isolating the victim from family/friends; intercepting messages or phone calls.
- Constant criticism of victim's role as a partner/spouse/parent.
- Threats of suicide/homicide/familicide.
- Preventing the victim from taking medication/accessing care (especially relevant for victims with disabilities).
- Using children to control their partner, e.g. threats to take the children.
- Extreme dominance; a sense of 'entitlement' to partner/partner's services, obedience etc. - no matter what.
- Extreme jealousy ("If I can't have you, no one can"), giving the victim cause to believe they will act on this.
- Damage to property, including to pets.
- Threats to expose sensitive information (eg sexual activity) or make false allegations to family members, religious or local community including via photos or the internet.
- Involvement of wider family members/community; crimes in the name of 'honour'.
- Manipulation of information given to professionals.

### Coercive control: key principles for professionals

**A clear understanding of coercive and controlling behaviours** ensures that practitioners and Marac representatives are equipped to look for and identify patterns of behaviour, rather than seeing incidents as a 'one off' (e.g. sending messages or presents). Be aware of the victim's levels of fear and the impact that this behaviour is having on them and their children, including family, social and work life. Professionals should be mindful of the fact that the victim may have difficulty articulating the abuse and what they are afraid of.

**Referrals to specialist support services should be made at the earliest opportunity.**

Swift assessment from an Idaa/Idva ensures all risks are identified and may also increase the information/evidence available to police<sup>3</sup>.

**The patterns of controlling and coercive behaviour may identify a crime** or provide useful information that can be used in court, e.g. demonstrating aggravating factors for sentencing. The victim should be supported to keep a diary of events, maintain any messages/gifts that are sent to them, take screenshots of messages on social media etc, and report these to the police.

**Professionals must ensure that they are not unwittingly colluding with the perpetrator**, further isolating the victim. In the cases discussed by the panel, perpetrators of coercive control would not easily cease their abusive behaviour, often seeking to manipulate and control professionals or make allegations against the victim.

**Perpetrators may be creative in finding loopholes in protective orders or conditions.** It is important to ensure there are comprehensive, robust and pre-emptive bail conditions, non-harassment

<sup>3</sup> [www.safelives.org.uk/practice-support/resources-frontline-domestic-abuse-workers-and-idvas/resources-idvas](http://www.safelives.org.uk/practice-support/resources-frontline-domestic-abuse-workers-and-idvas/resources-idvas)

orders etc. Consider the use of exclusion zones (through special bail conditions) and ensure that all types of coercive and controlling behaviours are addressed – including social media.

**Children are often used as a way to continue controlling the victim**, particularly post separation through child contact. Professionals should be aware of the tactics used by perpetrators and the impact of these on the children to ensure appropriate support is put in place for them as well as the adult victim.

### What does this mean in practice?

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#### Before the Marac: the role of the Idaa

**Use the Severity of Abuse Grid** to identify examples of behaviour that can indicate future harm, including: obsessive phone calls or messages (including social media); uninvited visits to the victim's home/workplace; loitering; destroyed or vandalised property.

**Understand and establish the fears of the victim.** Identify how the perpetrator intimidates and controls them (see examples overleaf). Who they are frightened of? Who they are frightened for? Eg children. Remember in some cases there may be little or no physical violence but high levels of fear.

**Identify whether the perpetrator is using or threatening to use others**, including professionals, in the coercion and

control. In cases of 'honour'-based violence, there may be more than one abuser at home or a member of the wider community involved.

**Where possible, avoid all contact by telephone**; meet with the victim face to face. It may be difficult for the victim to engage when very controlled. Look for other ways to do this, such as joint working.

**Advise the victim to keep a diary of threats, harassment or stalking**, stating when and where they happen, if anyone else was with them and if the threats made them feel frightened.

**Liaise with partner agencies** to ensure that the impact of the abuse on the children is addressed and professionals understand the complexities of coercive control.

#### At the Marac: The role of the chair

**Ensure the Idaa/referring agency articulates the controlling and coercive behaviours** and highlights any patterns and conveys the fears of the victim.

**Identify aggravating factors**, including any mental health or substance misuse issues.

**Ensure all risks have been identified** and the potential impact of these. Check that all aspects of abusive behaviour have been explored and addressed in the action plan.

**Ensure assertive action planning:** Can the perpetrator's behaviour be 'closed down'? Can steps be taken to divert, manage, disrupt or prosecute? For example, driving under the influence, ASBOs, checking for bail breaches. Can a MATAC referral be made?

**Promote a 'whole family' approach:** identify separate lead workers for the victim, children and perpetrator to engage and co-ordinate the safeguarding response.

**Ensure Children's Social workers understand coercive control** and are able to put in place ongoing support and protection for the children.

#### Before the Marac: The role of the police

**Where the Dash has been completed and stalking and harassment identified**, use a stalking checklist to identify specific behaviours and give an indication of the victim's risk of future harm.<sup>3</sup>

**Minimise the number of professionals** the victim comes into contact with/has to explain their situation to. Ideally allocate a single point of contact for the victim, such as the investigating officer, who can collate past and future incidents to identify patterns of abusive behaviour.

**Where there is evidence of a crime, take steps to ensure charges are made** rather than giving cautions. Example, where numerous reports of harassment have been made, look to identify a pattern of abuse.



## Ending domestic abuse

Ensure appropriate use of stalking legislation where there is risk of serious harm and utilise powers of entry to enable gathering of forensic evidence.

**Where there are cross-allegations, use a screening tool** to establish any underlying controlling behaviours that indicate the primary victim or perpetrator.<sup>5</sup> If the perpetrator is found to be making false allegations, this should be used as evidence of abuse.

**All agencies should ensure actions are completed and the action list updated.**

**Maintain ongoing communication and contact with the victim** to enable swift action if the perpetrator's abusive behaviour escalates.

**Representatives should ensure their agencies are made aware** of relevant information, for example, criminal justice social work report authors and offender managers.

**If a repeat referral is made to the Marac**, review previous actions and explore why these were not successful, ensuring continuing risks are addressed.

**Ensure there are appropriate responses** for breaches of bail/protective orders to prevent escalation.

National Domestic Abuse Helpline  
0800 0271234

Action Against Stalking  
<http://www.actionagainststalking.org>

Mens Advice Line  
[www.mensadvice.org.uk](http://www.mensadvice.org.uk)