

# Guidance for Maracs

## Responding to Counter Allegations

At Marac meetings, we regularly see cases where there is conflicting information about the victim of domestic abuse and the perpetrator. Managing these cases can be very challenging for Maracs – particularly if only identified at the meeting itself. This guidance aims to offer solutions to some of these challenges.

### Why identify counter-allegations?

Conflicting information might come to light either because both parties have reported domestic abuse incidents in the past, or the alleged perpetrator has made counter-allegations during the most recent incident.

If counter-allegations are not identified and resolved, agencies may be providing services to the perpetrator and inadvertently helping them isolate and control the victim. The victim may not get access to the services they need because they are labelled 'the perpetrator'.

Without resolving counter-allegations our understanding of the risks to both parties and children is not complete and the Marac and agencies involved may not be able to manage or reduce risk effectively.

### Why is resolving counter-allegations so complex?

Maracs should watch out for:

- **Perpetrators presenting as a victim:** maybe because they see themselves as the aggrieved party if they have experienced specific incidents, or because they are seeking to control and isolate their (ex-)partner by using the response of agencies (in particular within the criminal justice system) to further abuse. Individual agencies alone may not have all the information about the relationship, either party's history of abusive behaviour or current risk, and therefore be unable to identify this behaviour.
- **A victim using defensive or retaliatory violence.** While these may be subject to sanctions, including prosecution, the context of any violence or abuse must be understood to identify a primary aggressor or victim and manage risk to all parties appropriately.
- **Perpetrators using coercive and controlling behaviour.** Victims of this type of abuse may have been coerced, knowingly or unknowingly, into taking part in behaviours that make them believe they are to blame for the abuse and/or that it is mutual. For example, being forced to help the perpetrator self-harm or running from a perpetrator who falls when in pursuit.
- **Providing the best support to lesbian, gay, bisexual and trans (LGBT) victims,** particularly where there are counter-allegations. Provision for victims from these communities can be limited and generic services can find counter-allegations challenging because of a lack of knowledge, experience or confidence. In these cases, or others involving victims from diverse communities with specific needs, it is important to seek appropriate guidance.

### What can the Marac do?

- **Share information to help agencies:** particularly the Idva service or specialist services working with men to identify a primary victim and aggressor. Information shared at the Marac is likely to be particularly effective if a counter-allegation assessment or 'screening' has been completed before the meeting.

- **Identify risks:** the Marac should be able to make an informed judgment about potential risk to both parties.
- **Listen to experts in the room:** encourage them to take a lead role in providing advice. This is explored in more detail overleaf.

### What kind of information can the Marac share?

- **If either party has a known history of domestic abuse,** including multiple police call outs or convictions. Or if other agencies eg children's services, have existing concerns about abusive behaviour.
- **Previous experience of abuse,** which has not been reported to the police.
- **Information identifying patterns of behaviour that suggest vulnerability or risk.** For example, drug and alcohol services may identify that one party is a drug user and their partner is their supplier, so the user may be more likely to be a victim.

### What actions could the Marac take?

- **Ensure that actions taken by different agencies do not conflict.** For example, you wouldn't want two Idva services both pursuing civil orders for either party at the same time.
- **Agree actions that ensure safe access to services to minimise risk.** For example, if both parties are heroin users accessing the same service and receiving methadone script, an action might be to change appointment times or locations.
- **Action when further assessment should take place outside the meeting,** and identify which services can undertake this.

### What is the role of specialist domestic abuse services?

Making an assessment of counter-allegations, and providing an appropriate response to either party, is complex. The Marac may not be able to make a conclusive decision at the meeting. To support the Marac, specialist domestic abuse services should:

- **State concerns and take a lead role in providing advice,** either in advance of the meeting so that any pre-Marac actions are appropriate (either by the service or other agencies) and during the meeting itself. Take actions from the meeting to complete a counter-allegation assessment or 'screen' a victim to determine whether they are abusive or controlling.
- **Be clear about capacity.** In cases involving counter-allegations, both parties may seek or be offered access to a specialist domestic abuse service, which can be difficult. For example, some Idva services may not have sufficient staff to work safely with both parties. If you have a lone Idva it would not be appropriate to work with both parties, or other services may not have training or be able to work with men.
- **What can other local agencies offer in these circumstances?** These should share a common understanding of domestic abuse and risk and be willing and able to share information about their respective service users in order to resolve the counter-allegations, monitor risk and deliver effective safety plans. In practice, this raises a host of other issues – for example how to disengage with a victim who is identified as a perpetrator or how to link into voluntary perpetrator programmes. See below to find out more information on where to access support around these issues.

In the longer term, the Marac and the Idva service should collect data on counter-allegations and those cases where there are victims identified whom they cannot support (often male victims), as this may help make the case locally for additional provision, particularly for a specialist male or LGBT Idva.