



Centre for Forensic  
Behavioural Science



# Why accurate assessment of family violence homicide risk is not possible

Professor Troy McEwan

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42nd ANZAPPL Congress, Melbourne

# DISCLAIMER

This research uses Victoria Police data but I am not speaking on behalf of Victoria Police

While I am employed by Forensicare, I am not representing Forensicare or its views

No conflicts of interest to declare



# He Kidnapped, Beat And Tortured His Wife. Free On Bond, He Killed Her.

We know the risk factors for domestic homicide. So why are we failing to protect those in the gravest danger?

Huffington Post,  
September 2016

## What 70 per cent of men who kill their partners have in common

Sydney Morning Herald, July 2024

Strangulation has long been identified as one of the highest risk factors of intimate partner femicide as has coercive and controlling behaviours and relationship separation. Understanding what constitutes high-risk behaviours should inform decisions made by judicial officers, including in bail-related decisions.

Kate Fitzgibbon & Christine Nixon, The Age,  
April 2024

Tougher penalties for men who break family violence orders, tracking of those deemed likely to murder a partner or ex and domestic violence offender registers are among measures being proposed as community anger mounts over the killing of Victorian women by men.

The Age, April 2024

# What are these recognised risk factors?

- ▲ Access to firearms
- ▲ Threats with a weapon
- ▲ Threats to kill victim
- ▲ Strangulation of victim
- ▲ Sexual assault of victim
- ▲ Stalking/controlling behaviour towards victim
- ▲ Abused victim while pregnant
- ▲ Alcohol/substance use
- ▲ Past physical violence
- ▲ Mental health problems
- ▲ Unemployed

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1-14  
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## Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis

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### Intimate partner homicide: A meta-analysis of risk factors

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**ABSTRACT**

Homicide in intimate relationships is one of the most prevalent causes of death for women worldwide. This meta-analysis aims to identify and integrate, through analytical and statistical methodologies, the risk factors associated with intimate partner homicide. The research was performed in different databases and led to the inclusion of 28 empirical articles in this meta-analysis. Only quantitative papers with a comparison group (non-fatal perpetrators, other homicides, intimate partner homicide followed by suicide) were considered for this meta-analysis. The results showed that the risk factors related to abusive couple dynamics (threatening the victim with a weapon, any kind of threatening, death threats, bottlenecks, stalking and controlling behaviours, abuse during pregnancy and physical violence) are associated with a higher probability of intimate partner homicide. Further studies should provide more clarification of the factors associated with this phenomenon to improve the efficiency of the criminal investigation of intimate partner homicides, making crime repression and the protection of victims more effective.

The concept of violence has been constantly changing with social transformation (Andrews & Bonta, 2010; Direção-Geral da Saúde, 2014; Lourenço, Lisboa, & Pais, 1997). Currently, the problem of violence is seen as a matter of human rights and citizenship, with a heavy emphasis placed on health, social and the justice system (Direção-Geral da Saúde,

intimate partner violence (IPV) is recognized as a type of violence that occurs mainly at home and places the victims at high risk, as they may remain in the relationship despite being abused due to factors such as financial dependence, control by the offender, fear, social isolation, social and family pressure and low self-esteem (Azeredo, 2015;

Check for updates

# Existing risk assessment approaches incorporating such factors

- ▲ Danger Assessment & Lethality Screen

- ▲ Threats with weapon, threats to kill, victim belief partner capable of homicide, access to guns, strangulation, extreme jealousy/control, suicide attempts/threats, stalking, unemployment, unrelated child

Messing et al., 2017

- ▲ Australian National Research Organisation for Women's Safety (ANROWS) guidance

- ▲ Past physical violence, recent separation, sexual violence, strangulation, stalking, threats to kill, access to/use of weapons, escalation, pregnancy/new birth, coercive control

Toivonen & Backhouse, 2018

**Factors relevant to adult victim survivor**

Self-assessed level of risk

**Factors relevant to perpetrator**

Has ever harmed or threatened to harm victim or family members (including child/ren)

**Factors relevant to perpetrator (continued)**

Controlling behaviours\*

Physical harm

History of family violence

Emotional abuse

*If no, please ask the following questions about the perpetrator, in addition to the set of questions below*

Question	Yes	No	Comments (or not known)
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Have they controlled your day-to-day activities (e.g. who you see, where you go) or put you down?*	<input type="checkbox"/>	<input type="checkbox"/>	
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Have they physically hurt you in any way? (hit, slapped, kicked or otherwise physically hurt you)	<input type="checkbox"/>	<input type="checkbox"/>	
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Question	Yes	No	Comments (or not known)
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Is more than one person making you feel afraid? (Are there multiple perpetrators)	<input type="checkbox"/>	<input type="checkbox"/>	
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*The following risk related questions refer to the perpetrator:*

REGENCY	Question	Yes	No	Comments (or not known)
	Are they currently unemployed?*	<input type="checkbox"/>	<input type="checkbox"/>	
	<i>Have they recently...</i>			
	threatened or attempted suicide or self harm?*	<input type="checkbox"/>	<input type="checkbox"/>	
	misused alcohol, drugs or other substances?* (specify substance)	<input type="checkbox"/>	<input type="checkbox"/>	
	followed you, repeatedly harassed or messaged/emailed you? *	<input type="checkbox"/>	<input type="checkbox"/>	
	been obsessively jealous towards you?*	<input type="checkbox"/>	<input type="checkbox"/>	
	has any violence increased in severity or frequency?* (what and how)	<input type="checkbox"/>	<input type="checkbox"/>	

\*May indicate an increased risk of the victim being killed or almost killed (serious risk factors).

Question	Yes	No	Comments (or not known)
----------	-----	----	-------------------------

PERPETRATOR ACTIONS	Question	Yes	No	Comments (or not known)
	<i>Have they ever...</i>			
	controlled your access to money, or had a negative impact on your financial situation?	<input type="checkbox"/>	<input type="checkbox"/>	
	seriously harmed you?* (identify type of harm)	<input type="checkbox"/>	<input type="checkbox"/>	
	assaulted you when you were pregnant?*	<input type="checkbox"/>	<input type="checkbox"/>	
	threatened to kill you?*	<input type="checkbox"/>	<input type="checkbox"/>	
	threatened or used a weapon against you?*	<input type="checkbox"/>	<input type="checkbox"/>	
	tried to choke or strangle you?*	<input type="checkbox"/>	<input type="checkbox"/>	
	forced you to have sex or participate in sexual acts when you did not wish to do so?*	<input type="checkbox"/>	<input type="checkbox"/>	
	harmed or threatened to harm a pet or animal?*	<input type="checkbox"/>	<input type="checkbox"/>	
	Do they have access to weapons?*	<input type="checkbox"/>	<input type="checkbox"/>	
	Do you believe it is possible they could kill or seriously harm you?*	<input type="checkbox"/>	<input type="checkbox"/>	
	Do you believe it is possible they could kill or seriously harm children or other family members?*	<input type="checkbox"/>	<input type="checkbox"/>	
	Do you feel safe when you leave here today?	<input type="checkbox"/>	<input type="checkbox"/>	
	Would you engage with police if you felt unsafe? (If no, discuss barriers to why not)	<input type="checkbox"/>	<input type="checkbox"/>	
	Have you recently separated from your partner?*	<input type="checkbox"/>	<input type="checkbox"/>	
	Has a crime been committed? (Not to be asked directly of victim survivors. Criminal offences include physical abuse, sexual assault, threats, pet abuse, property damage, stalking and breaching IVOs)	<input type="checkbox"/>	<input type="checkbox"/>	

\* May indicate an increased risk of the victim being killed or almost killed (serious risk factors).

**RISK TO CHILDREN**

Question	Yes	No	Comments (or not known)
Have they ever threatened to harm the child/children?* (identify which children)	<input type="checkbox"/>	<input type="checkbox"/>	
Have they ever harmed the child/children?*	<input type="checkbox"/>	<input type="checkbox"/>	
Have children ever been present during/exposed to family violence incidents?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there child/children in the family who are aged under 1 year?*	<input type="checkbox"/>	<input type="checkbox"/>	

**A separate risk assessment must be completed for each child discussed in this assessment.**

\* May indicate an increased risk of the victim being killed or almost killed (serious risk factors).

# Gaps in our knowledge

- ▲ Case control designs used in past research means it's unclear how predictive these risk factors are of lethal violence
- ▲ The handful of studies with prospective designs have high attrition during follow-up (40-45%)
- ▲ No one has tested whether combinations of factors provide more effective prediction
- ▲ No Australian research
- ▲ No research on family violence (all intimate partner specific)

# Current research questions

1. Can we predict lethal/near lethal family violence and/or intimate partner violence using commonly recognised risk factors for intimate partner homicide?
  - ▲ Do any specific risk factors predict lethal/non-lethal violence?
  - ▲ What do specific risk factors add to prediction?
2. Can a multivariate model developed from a combination of these risk factors predict lethal/near lethal family violence?

# Method

- ▲ Prospective longitudinal study using police recorded family violence
- ▲ 7 month population of family violence reports (FVRs) recorded by Victoria Police (n = 38,454) from September 2019 – March 2020
- ▲ Each party followed up in Victoria Police data bases for 365 days from the original FVR
- ▲ Lethal/near lethal outcomes identified from presence of authorised or unauthorised charges linked to a family violence report with same incident number
  - homicide/attempted homicide offences;  
intentionally/recklessly/attempt to cause serious injury involving gross violence

# Method

- ▲ Drew risk factors from L17 Family Violence Report
- ▲ Required if police perceive family violence as defined in the *Family Violence Protection Act (2008)*
- ▲ 39 questions asked by police at time of original report
- ▲ Scored Yes / No / Info. Not available.
- ▲ No & Info. Not available combined in dataset provided

FAMILY VIOLENCE REPORT				3 /5	VP Form L17
VP Reg Number Completing:	<input type="text"/>	LEDR No.:	<input type="text"/>	Approving Sgt:	<input type="text"/>
AFM:	<input type="text"/>	Respondent:	<input type="text"/>		
<b>VP-SAFvR and Additional Risk Factors</b>					<b>Score if YES</b>
<b>INFORMATION ABOUT FAMILY VIOLENCE</b> Scored from interview with AFM, Respondent, or relevant others (e.g. children, other family)					
1.	Does the Respondent act in ways that are jealous or controlling of the AFM? <i>Do they control who they can see/talk to, where they can go, access to money, access to their phone, or other things? OR are they constantly monitoring or checking on the AFM's behaviour (incl. online behaviour)?</i>	No	Yes	Info. not available	1
2.	Has the Respondent ever threatened to seriously harm or kill the AFM?	No	Yes	Info. not available	
3.	Has the Respondent ever been physically violent towards the AFM or anyone else? <input type="checkbox"/> AFM <input type="checkbox"/> People who are not the AFM (tick all that apply)	No	Yes	Info. not available	
4.	Has the Respondent ever used physical violence towards the AFM while the AFM was pregnant?	No	Yes	N/A Info. not available	
5.	Has the Respondent ever strangled or suffocated the AFM, or attempted to do this?	No	Yes	Info. not available	
6.	Has the Respondent ever sexually assaulted the AFM? <i>if sexual assault disclosed contact SOCIT</i>	No	Yes	Info. not available	
7.	Has the Respondent ever threatened or assaulted the AFM with a weapon or firearm? <input type="checkbox"/> Firearm <input type="checkbox"/> Other weapon (tick all that apply)	No	Yes	Info. not available	
8.	Does the AFM or Respondent have access to firearms?	No	Yes	Info. not available	
9.	Has the Respondent ever harmed or threatened to harm <i>another</i> family member?	No	Yes	Info. not available	
10.	Has the Respondent ever harmed or threatened to harm a family pet?	No	Yes	Info. not available	
<b>Only to be asked if AFM no longer has/wants a relationship with the Respondent:</b>					
11.	Has the Respondent been following/approaching or repeatedly contacting/harassing the AFM? <i>if Yes, consider whether stalking is present and requires a response</i>	No	Yes	N/A Info. not available	
12.	How long has the abusive behaviour been occurring? Ask AFM about when any abusive behaviour identified in response to Q 1 – 11 first occurred. Record time between first occurrence and current incident as <b>DURATION IN MONTHS:</b> _____ <i>Score as less than a month if no pattern of abuse is evident or reported</i>	- 1 month + 1 month (score 1)		Info. not available	1
13.	Has the Respondent's abusive behaviour recently become worse? <i>(E.g. Started recently or recently become more violent or more frequent)</i>	No	Yes	Info. not available	
14.	How fearful is the AFM that the Respondent may seriously harm or kill them?	Info. not available	Not fearful	Fearful	Very fearful
<b>INFORMATION ABOUT INVOLVED CHILDREN</b> Scored from observation and/or interview with AFM, Respondent or relevant others (e.g. children, other family)					
15.	Were there children (under 18) present during the current incident?				

# Results

- ▲ 55 cases of lethal/near lethal violence over 12 months (0.0014%)

*Male-to-female intimate partner femicide risk factor descriptives*

FVR item	Yes <i>n</i> (%)	Lethal/near lethal FIPV	No lethal/near lethal FIPV	Odds ratio (CI) / <i>t</i> (CI)
		<i>n</i> = 55 <i>n</i> (% of row <i>N</i> )	<i>n</i> = 38,399 <i>n</i> (% of row <i>N</i> )	
Jealous or controlling of AFM	12,123 (31.53)	16 (0.13)	12,107 (99.87)	0.89 (.46, 1.63)
Threatened serious harm to AFM	7,337 (19.08)	12 (0.16)	7,325 (99.84)	1.18 (.57, 2.29)
Violent during AFM pregnancy	1,482 (3.85)	<6 (<0.40)	>1,476 (>99.60)	≈2.40 (.78, 6.24)
Strangled or choked AFM	3,191 (8.30)	<6 (<0.19)	>3,186 (>99.81)	≈.75 (.23, 2.36)
Sexual assault of AFM	1,453 (3.78)	0 (0.00)	1,453 (100.00)	0.00 (.00, 1.77)
Threatened with weapon/firearm	2,646 (6.88)	<6 (<0.23)	>2,640 (>99.77)	≈1.25 (.42, 3.38)
Access to firearms	1,290 (3.35)	<6 (<0.47)	>1,284 (>99.53)	≈1.75 (.33, 5.15)
Stalking/harassment of AFM	5,026 (13.07)	9 (0.18)	5,017 (99.82)	1.30 (0.56, 2.69)
Respondent is unemployed	11,303 (29.39)	24 (0.21)	11,279 (99.79)	1.86* (1.04, 3.28)
Respondent mental health problems	13,572 (35.29)	25 (0.18)	13,547 (99.82)	1.53 (.86, 2.69)
Respondent substance problems	13,146 (34.19)	27 (0.21)	13,119 (99.79)	1.86* (1.05, 3.27)
Respondent age, <i>mean</i> ( <i>SD</i> )	-	32.13 (10.04)	35.85 (13.22)	2.74** (1.00, 6.44)

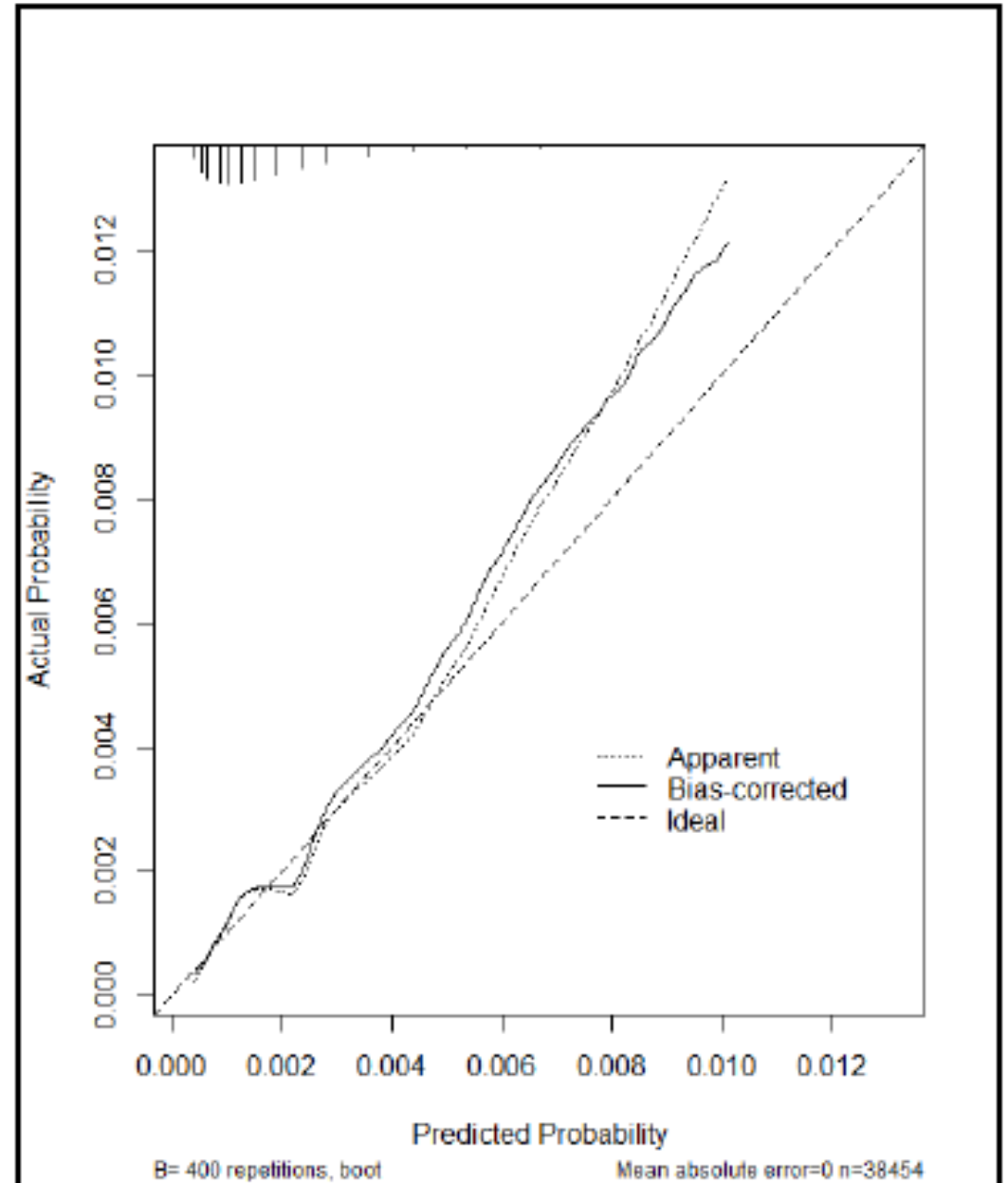
Note: AFM: affected family member; FIPV: family and intimate partner violence; cells of less than *n* = 6 have been suppressed to reduce the risk of individuals being identified; exact values of cells that can be used to deduce cells less than 6 have been consequentially suppressed; odds ratios reflect the odds of a risk factor being present among individuals with lethal/near lethal FIPV recidivism compared with those without lethal/near lethal FIPV recidivism; ≈ : denotes an approximate odds ratio has been used to reduce the risk of individuals being identified; \* <.05; \*\* <.01; \*\*\* <.001.

# Results

- ▲ 55 cases of lethal/near lethal violence over 12 months (0.0014%)
- ▲ 3 risk factors significantly associated with lethal/near lethal violence by the same person
- ▲ Logistic regression to examine prediction of each risk factor while holding all others constant:
  - ▲ Only assault while pregnant was significantly associated with outcome (odds ratio = 2.94)
  - ▲ However, its presence increased the absolute probability of lethal/near lethal violence by only 0.0000000111

# Results

- ▲ Logistic regression model including all 12 risk factors
- ▲ Predicted probabilities AUC = .67 (.60-.73)
- ▲ PPV <.005, NPV > .99 at all possible model scores
- ▲ Calibration plot shows that the more risk factors present, the more the model over-estimates risk



# Summary

1. When examined using an optimal prospective longitudinal design only 3 recognised risk factors for intimate partner homicide predicted lethal/near lethal family violence, and only one made a unique contribution to prediction
2. None of the risk factors added meaningfully to the absolute probability of lethal/near lethal violence, even those significantly related in univariate analyses



# Summary

3. The combination of risk factors could discriminate between those with and without lethal/near lethal violence with moderate effect

BUT

- ▲ There was never more than .005% probability of lethal/near lethal violence, regardless of model score.
- ▲ The more risk factors present, the more the model over-estimated risk of lethal/near lethal violence



# Limitations

- ▲ Police reports vastly under-estimate family violence, the population in this study is not representative of all family violence
- ▲ Police may not detect presence of risk factors
  - ▲ Fail to ask questions
  - ▲ Victims don't report to police
- ▲ Near-lethal violence may not be identified by police or result in applications for charge
  - ▲ Less likely to affect lethal violence so results likely hold for that outcome

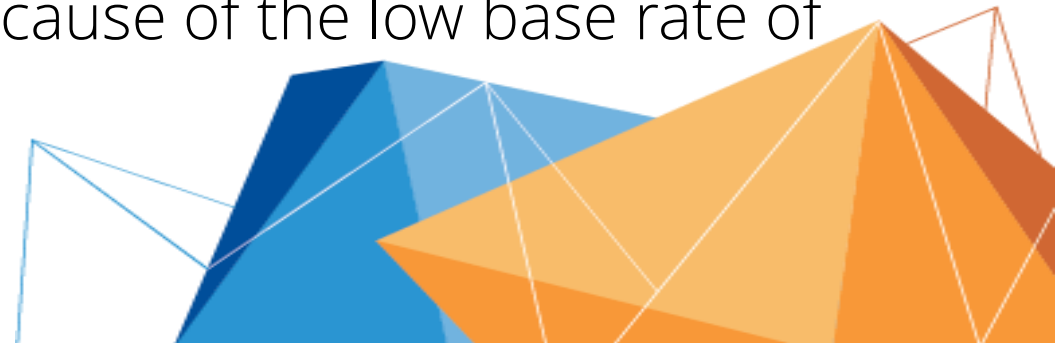


# How to understand these findings in relation to past research

- ▲ Differences in incidence of risk factors between homicide and non-homicide groups are real
- ▲ Homicide is associated with greater odds of these risk factors

BUT

- ▲ If homicide was present in 3% of cases increased odds would matter
- ▲ If homicide is present in  $<.0001\%$  of cases, increased odds are basically meaningless
- ▲ Virtually no one with any risk factors (or combinations of risk factors) will engage in lethal/near-lethal violence
- ▲ The risk factors have no predictive value because of the low base rate of lethal/near lethal violence in FV cases



# Implications for policy and practice

- ▲ Risk of homicide is not being assessed in any meaningful way by existing IPV 'lethality' risk assessments
- ▲ Any sort of screening of FV cases on the basis of these 'risk factors' must acknowledge that all cases screened in are at extremely low risk of homicide in the next 12 months
- ▲ Implementing highly restrictive interventions based on such 'risk assessments' is difficult to justify on any evidence-based grounds

## Bail reforms to apply to high-risk offender

The State Government forced a number of amendments to the LNP's bill.

Attorney-General Yvette D'Ath said one of the changes would ensure the bail reforms would apply to high-risk offenders, including those charged with strangulation, stalking and even animal cruelty charges.

She said there needed to be better use of domestic violence risk assessments that were used in community already.

"A DV risk assessment determines that a matter is high-risk then the court should take that on board," she said.

"We also think that matters involving strangulation — because of overwhelming evidence that that activity is a precursor to murder — and also if a victim is currently in a high-risk team ... that evidence should be going before the court about that."

ABC, 2017

## Canada has flipped the burden of proof for bail in cases of repeated intimate partner violence

CBC, 2017

## 'Long overdue': ankle monitors and bail crackdown among NSW government's proposed domestic violence law reforms

Changes include reversing presumption of bail for anyone charged with the most serious domestic violence-related offences

Guardian, 2024

## Bail rules and offender tracking to lead national cabinet talks

Financial Review, 2024

What else can we do?



# What else can we do?

Reduce dominant focus on homicide in risk assessment/management

## 1. Public health approach:

- Focus on a broader risk outcome that is more predictable and incorporates some homicides – easier to predict and to prioritise the right cases
- Provide support and intervention for broader drivers of family violence at primary and secondary levels to a wider range of people

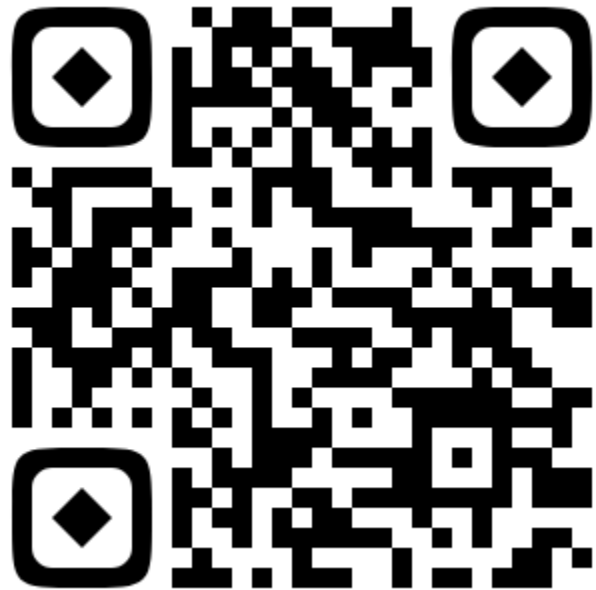
Prioritise safety measures in a more evidence-based way:

## 2. Threat assessment not risk assessment:

- Consider whether key dynamic risk factors are present recently and how they combine with situational factors to increase risk in the short term
- Free up scarce highly intensive resources by focussing on cases where threat is imminent

## 3. Where relative risk is higher but threat is low interventions should focus primarily on support, rehabilitation, and recovery

If you're interested in this study



# The Limits of Predicting Near Lethal and Lethal Family and Intimate Partner Violence

*by Michael D. Trood, Benjamin L. Spivak, James R. P. Ogloff, and Troy E. McEwan*

 last released  
4 months ago

<https://www.crimrxiv.com/pub/3yxwut1y/release/2>





# Questions?

Why accurate assessment of family violence homicide risk is not possible  
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