



**Kent
Police**



Ms. Freesia Mason
request-649580-
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Direct Line: 01622 652610
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Date: 6th March 2020
FOI Ref: 20/02/0330

Dear Ms. Mason,

Freedom of Information Request 20/02/0330

I write in response to your request for information under the Freedom of Information Act 2000 (FOIA) received on 29 February 2020.

This request relates to a referral to Kent Police under the MARAC procedure by [supplied], for which a conference under MARAC was held in Tonbridge Police Station in October 2019.

It is thought that there was one person only referred by [supplied] in that month. The person concerned had been threatened with being entered into the MARAC procedure by [name supplied]. This was because the resident had refused to accept abusive and coercive control behaviour from staff at [supplied]. In addition the staff had failed to comply with the terms of the agreement for residents of the refuge.

- 1) What agencies were involved in the MARAC conference held in relation to this person?*
- 2) What information had been gathered and by whom?*
- 3) What information was supplied by [supplied] way of evidence that this person was at high risk of domestic abuse? It is the norm for people referred to MARAC to be at high risk, or very high risk, of domestic abuse, so how did they justify this?*
- 4) What information was shared at this conference? From which agencies was this obtained? How was the sharing of this information justified?*
- 5) What is the minimum rank of any officer in Kent Police attending these conferences?*
- 6) Is Kent Police aware of the fact that [supplied]? Prima facie, this is a criminal offence on the part of the staff of [supplied].*

It is important to note that any response provided under FOIA is considered released into the public domain and not just to the person making the request; this is especially relevant since your request is sent through the website www.whatdotheyknow.com where all correspondence is published automatically.

Checks with Central Safeguarding find the level of detail you have provided is insufficient for us to identify any person to whom you may be referring, however please be aware that were it possible for Kent Police to identify the person to which you refer it would be necessary to issue a neither confirm nor deny response that information were held by virtue of the exemption at Section 40(5B) FOIA which relates to Personal Information.

Personal information is information that relates to a living individual who can be identified from that information alone or from that information together with other information in the possession of, or likely to come into the possession of, the Chief Constable. In the circumstances, confirming or denying that information relevant to this request is held under FOIA would constitute the processing of personal information contrary to the Data Protection Act 2018.

For question 5, Kent Police aims to have an officer at the rank of Sergeant or above at a Multi-Agency Risk Assessment Conference.

For question 6, this invites comment or opinion for which there is no obligation to provide under FOIA, however should you believe a crime has been committed you are invited to report this to Kent Police: <https://www.kent.police.uk/ro/report/>

All cases referred to MARAC have been deemed high risk, with the following referral criteria applied.

1. Professional judgement: if a professional has serious concerns about a victim's situation, they should refer the case to MARAC. There will be occasions where the particular context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. This could reflect extreme levels of fear, cultural barriers to disclosure, immigration issues or language barriers particularly in cases of 'honour' based violence. This judgment would be based on the professional's experience and/ or the victim's perception of their risk even if they do not meet criteria 2 and 3 below. Or;
2. 'Risk Indicator': as determined by SafeLives DASH RIC. For non-Police agencies, if 14 or more 'yes' boxes have been ticked, the case would normally meet the MARAC threshold. As Police use the longer version of DASH with 27 questions, the referral threshold for Police is raised to 16 ticks. Or;
3. Escalation: this criterion can be used to identify cases where there is not a positive identification of a majority of the risk factors on the list, but where abuse appears to be escalating in frequency and/or severity and where it is appropriate to assess the situation more fully by sharing information at MARAC. Whilst it is up to professionals to make a determination as to when they feel escalation has become enough of a factor to warrant referral to MARAC, as a guide three incidents in a six month period could indicate a referral to MARAC may be necessary.

Additional information on referral to MARAC is available from the College of Policing website:

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/domestic-abuse/victim-safety-and-support/>

If you have any queries about your request or the application of the Freedom of Information Act generally, please contact this office quoting the reference number above.

Yours sincerely,

Alan Muggridge

Public Disclosure Officer

Your right to appeal

We take our responsibilities under the Freedom of Information Act seriously but if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have 40 working days from the date the response is issued to request that Kent Police carry out an internal review.

If your request for a review concerns the decision to apply an exemption, it would assist if you would outline why you believe the exemption does not apply.

Kent Police will acknowledge receipt of any request for a review and aim to respond as soon as practicable, in most cases within 20 working days of receipt. If the review will not be completed in this timescale, you will be informed.

You may lodge your request for a review in writing:

Our email address is: freedomofinformation@kent.police.uk

Our postal address is:

Freedom of Information
Coldharbour,
London Road,
Aylesford,
Kent,
ME20 7SL

If you are still dissatisfied following our internal review, you have the right under section 50 of the Act to appeal directly to the Information Commissioner who would normally expect you to have exhausted the internal review procedure provided by Kent Police.

For information on how to appeal to the Information Commissioner please visit the website at www.ico.org.uk. Alternatively, phone or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113