



Home Office

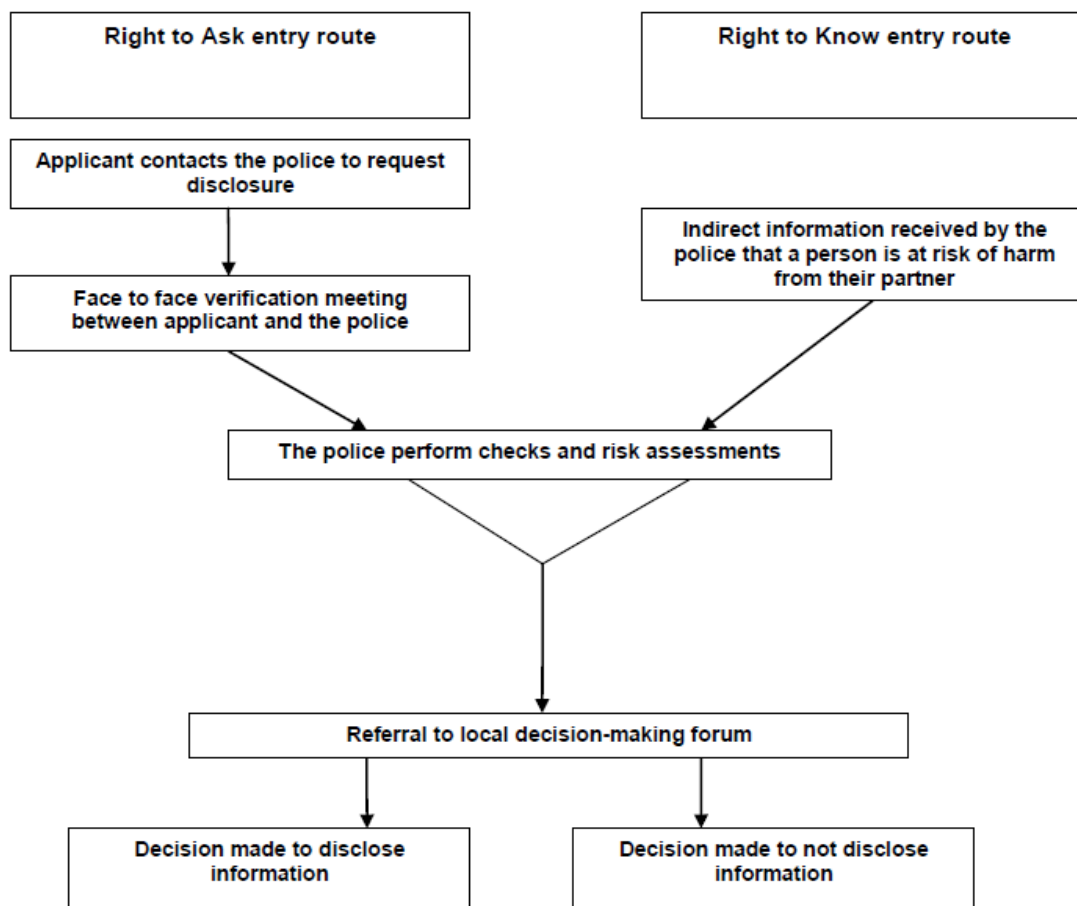
Domestic Violence Disclosure Scheme (DVDS)

One year on – Home Office assessment of
national roll-out

Policy Background

1. The Domestic Violence Disclosure Scheme (DVDS) – often referred to as “Clare’s Law” – was rolled out across all 43 police forces in England Wales on 8 March 2014. National roll-out followed the successful completion of a 14 month pilot in 2012-13. The pilot tested the processes to enable the police to disclose information to an applicant about previous violent offending by a new or existing partner where this may help protect the applicant from abuse. It took place across four police areas - Gwent, Wiltshire, Greater Manchester and Nottinghamshire and an assessment can be found at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260894/DVDS_assessment_report.pdf
2. The DVDS recognises two procedures for disclosing information. The first (“right to ask”) is triggered by a member of the public applying to the police for a disclosure. The second (“right to know”) is triggered by the police making a proactive decision to disclose information to protect a potential victim. The “right to ask” route is based on a three-step process.
 - Step 1 – initial details about the application are taken by the police and checked;
 - Step 2 – a face-to-face meeting between the police and applicant to verify the details in the application; and,
 - Step 3 – the police meet with other safeguarding agencies (e.g. prison service, probation service, social services) and third-sector agencies to discuss the application and decide whether a disclosure is necessary, lawful and proportionate to help protect the potential victim from abuse.
3. The “right to know” route is triggered when the police receive “indirect information” about the safety of a person who is in a relationship with a partner. As with the “right to ask” route, the police will meet with other safeguarding agencies (e.g. prison service, probation service, social services) and third-sector agencies to discuss the indirect information received and decide whether a disclosure is necessary, lawful and proportionate to help protect the potential victim from abuse. The DVDS has been implemented within existing legislation and common law.

Figure 1: Overview of DVDS process



The DVDS guidance suggests a maximum timescale of around a month between an application and a decision about whether to disclose.

Aims and approach

4. This report sets out the findings from an assessment of the operation of the DVDS since national roll-out commenced in March 2014. It draws on information collected by the police and supplied to the Home Office, plus workshops with a small number of practitioners who have delivered the scheme.
5. The report looks at how the measure is working in practice with a view to identifying any further lessons learnt to inform the development of the policy. The assessment is not designed to consider any impact DVDS may have had on domestic violence and abuse victims or estimate the “value for money”.

Numbers of applications and disclosures made

6. All 43 police forces supplied data¹ on the numbers of applications and disclosures made under both the right to know and right to ask routes from the date of implementation up until 31 December 2014. It should be noted that this was a voluntary return from forces and is indicative data only. The date of implementation of the scheme was staggered across force areas, meaning that the data is not comparable between forces. Data from an extended time period (1 January 2015 to 31 July 2015) was requested from forces that could easily extract it. 15 forces returned data.
7. The indicative data from the police shows that between 8 March 2014 and 31 December 2014 a total of 4,724 applications had taken place with 1,938 disclosures made (see table at Annex A for applications and disclosures by Police Force Area).
8. Data from the 15² police forces that submitted returns from 1 January 2015 to 31 July 2015 shows that a further 691 DVDS disclosure applications with 297 disclosures were made during this period.

Stakeholder workshops

9. Workshops were held with 29 stakeholders (25 representatives from the police and four from support services) to look at how the measure is working in practice with a view to identifying any further lessons learnt to inform the development of the policy. Specifically, the workshops explored: the nature of cases going through the scheme including the nature and characteristics of applications and disclosures; perceptions of police officers and support services involved in implementing the scheme to capture lessons learnt; and insights into the experiences of those who requested and/or received a disclosure.
10. It is important to note that the small number of participants in the workshops means that the findings should not be taken as representative of all practitioners working in these sectors, nor of all areas. The findings should be used as indications of the views and experiences of some practitioners in some locations across England and Wales. A summary of the high level themes arising from the stakeholder discussions is below:

Perceptions of the DVDS scheme

- The police and partner agencies were largely positive about the DVDS.
- Good practice was emerging, with some forces placing markers on the Police National Computer (PNC) following a disclosure to alert other officers to an individual potentially at high risk of domestic violence or abuse.

The disclosure process

- Police officers working on the DVDS felt that specialist officers working in domestic violence and abuse had a good knowledge of the scheme and further awareness raising with all frontline officers would be beneficial in order to further promote the scheme to the public and how they might access it.

¹ Returns were voluntary and the data is indicative data only.

² Forces that returned data: South Yorkshire, Leicestershire, Essex, Wiltshire, Cumbria, North Yorkshire, Cheshire, Norfolk, Wiltshire, West Midlands, Staffordshire, Lancashire, Thames Valley, Nottinghamshire, Greater Manchester Police.

- Practitioners felt that there was some variation across the country in the number of disclosures made by forces under the DVDS. This may be as a result of the staged roll out rather than differing practice. There will need to be a further assessment of use to test this.
- Practitioners felt that there was some inconsistency in information given in disclosures and variation in the service provided to victims.

Support service provision

- The police felt that there could be better consistency between forces in the follow-up support given to those who received non-disclosures i.e. those who were told there was no information to disclose.

Policy considerations

11. Based on the findings of this assessment and a wider internal review of the scheme, the following policy considerations have been made to improve the DVDS and help it become embedded as part of routine practice:

Consideration	Detail
1	Review and update the national DVDS guidance to: <ul style="list-style-type: none"> • provide greater clarity on the legal and common law powers of the police to make disclosures in order to protect the public; • make clear that disclosure can be made regarding former partners where it is legal and proportionate to do so; • make clear what should be included in a disclosure and the timeframe; • consider the inclusion of a pro-forma using standard wording for non-disclosures.
2	The police should place markers on the PNC (or PND) where disclosures have been made as routine.
3	Home Office to consider introducing an annual collection of data from all police forces on the number of applications and disclosures made under the DVDS via the Annual Data Return (ADR) to monitor national implementation.
4	Police forces should work to ensure all officers are aware of the DVDS scheme through face-to-face briefings, in order to allow for better promotion of the scheme with the public and Right to Know referrals.

Next Steps

Guidance review

12. The Home Office is committed to working with its partners to ensure good practice is disseminated and the Scheme fully optimised to help keep victims safe. The Home Office is currently reviewing the national DVDS guidance in line with the recommendations made in this report with a view to publishing revised guidance in early 2016.

13. The revised guidance will clarify the common law power of the police to make positive disclosures about an offender's history, where it is legal and proportionate to do so, in order to prevent crime and safeguard potential victims. This will include specific guidance around disclosures in situations including ex-partners and family members where there is thought to be a risk.

Data collection

14. The Home Office is currently considering what data they will collect from the police in 2016/17 as part of the Annual Data Requirement and this may extend to the DVDS. If the proposal is approved, the data collection could include the number of right to ask applications and disclosures as well as the number of disclosures made under the right to know route. To ensure transparency, the intention would be for this data to be published annually on Gov.Uk

DVDS applications and disclosures from 8 March 2014 - 31 December 2014 by Police Force Area¹

	No of DVDS applications	No of DVDS disclosures
Avon & Somerset	110	18
Bedfordshire	37	10
Cambridgeshire	44	22
Cheshire	130	38
Cleveland	34	13
Cumbria	88	22
Derbyshire	124	62
Devon & Cornwall	102	37
Dorset	83	44
Durham	106	97
Dyfed-Powys	39	20
Essex	134	77
Gloucestershire	74	8
GMP ²	311	193
Gwent ²	251	112
Hampshire	181	78
Hertfordshire	53	15
Humberside	96	35
Kent	111	37
Lancashire	189	155
Leicestershire	77	33
Lincolnshire	32	17
Metropolitan	165	52
City of London	3	0
Merseyside	205	50
Norfolk	33	15
North Wales ³	77	52
North Yorkshire	81	31
Northamptonshire	76	23
Northumbria	245	62
Nottinghamshire ²	226	113
South Wales	126	67
South Yorkshire	124	23
Staffordshire	64	12
Suffolk	64	25
Surrey	86	25
Sussex	150	65
Thames Valley	28	6
Warwickshire ⁵	-	-
West Mercia ⁵	89	-
West Midlands ⁴	93	52
West Yorkshire	105	39
Wiltshire ²	278	83
TOTAL	4,724	1,938

Note 1: Subject to note 2 below, DVDS data supplied from each force is from 8 March 2014 to 31 December 2014.

Note 2: GMP, Gwent, Nottinghamshire and Wiltshire are the 4 original pilot areas. Data shows numbers of DVDS applications and disclosures since these forces started operating the DVDS.

Note 3: Indicative management data provided by North Wales Police.

Note 4: West Midlands data only relates to DVDS - Right to ask.

Note 5: Some forces were not able to return the full data for this request.